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PROCEEDINGS AND DEBATES OF THE 97th CONGRESS, SECOND SESSION

SENATE—*Tuesday, July 20, 1982*

(Legislative day of Monday, July 12, 1982)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

The PRESIDENT pro tempore. The opening prayer this morning will be offered by the Reverend Barbara Trombley Fitterer, of the Episcopal Diocese of California, San Francisco, Calif. She is sponsored by Senator SLADE GORTON.

PRAYER

The Reverend Barbara Trombley Fitterer offered the following prayer:

Almighty Father, by whose grace we till and plant a vineyard of hope for things we do not see, graft in us patience to work for Your eternal purpose in the small tasks and large decisions of this day.

We humbly pray for our Senators and all those in authority, and we ask Your blessing upon their deliberations. Nourish the ordering of their individual lives that in their collective actions they may produce a harvest of righteousness.

In times of prosperity, fill their hearts with thankfulness and in days of trouble do not permit their trust in You to fail. Through all the seasons of their lives, lift them with Your transcendent and transforming power that our Nation may be strengthened and preserved. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

THE JOURNAL

Mr. BAKER. Mr. President, I ask unanimous consent that the Journal of the proceedings of the Senate be approved to date.

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

Mr. BAKER. Mr. President, this morning after the recognition of the two leaders under the standing order, there is a special order in favor of the distinguished Senator from Georgia (Mr. NUNN), to be followed by a period for the transaction of routine morning business in which Senators may speak for not more than 3 minutes each.

At 10:30 a.m. today, pursuant to the order entered on yesterday, the Senate will resume consideration of H.R. 4961, the bill reported by the Finance Committee of the Senate in obedience to the reconciliation instruction incorporated in the budget resolution.

The Senate will stand in recess today from 12 noon until 2 p.m. in order to accommodate the requirement for caucuses on both sides of the aisle.

At 2 p.m. the Senate will resume debate on H.R. 4961. It is anticipated the Senate will be in session until approximately 6 p.m. or shortly thereafter. It is the hope of the leadership, Mr. President, that the Senate can complete debate on H.R. 4961 during the day on tomorrow. If not, the Senate will continue that debate on Thursday. There is a 20-hour cap on this measure, according to statutes affecting this bill.

TRIBUTE TO THE REVEREND BARBARA TROMBLEY FITTERER

Mr. BAKER. Mr. President, I want to take this opportunity to commend and thank the Reverend Barbara Trombley Fitterer of the Episcopal Diocese of California in San Francisco, for the beautiful prayer that she offered this morning.

Reverend Fitterer is the first woman to pray in both the House of Representatives and the Senate, and I want her to know that we are all very proud of her historic accomplishment.

An ordained priest in the Episcopal Church since 1979, Reverend Fitterer was awarded a master's degree in divinity (magna cum laude) from Wesley Theological Seminary, Washington, D.C. She then served as interim curate of the Parish of St. John the Evangelist, an active parish of 1,200 communicants in Hingham, Mass., before moving to California in 1980.

Before entering the ministry, Reverend Fitterer had a successful career as publishing consultant and English instructor. She was manager of the Washington, D.C. office of Houghton Mifflin Publishing Co. from 1976-79, and served as a Presidential Exchange Fellow in the U.S. Department of Commerce in 1975.

Reverend Fitterer has also served as national consultant for Houghton Mifflin American Heritage Dictionary and English instructor at the University of Rochester in New York. She received a master's degree in English literature in 1967.

Mr. President, I have no further need for my time under the standing order. I am prepared to yield it to any Senator seeking recognition. I see none. I will ask the minority leader if he has any need for it.

Mr. ROBERT C. BYRD. I thank the majority leader.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

Mr. ROBERT C. BYRD. Mr. President, I yield such time from my order to Senator PROXMIRE as he may desire.

Mr. PROXMIRE. I thank the minority leader.

LIFE AFTER THE BOMB

Mr. PROXMIRE. Mr. President, this morning I continue my report to the Senate on the virtual concession by our Federal Government that in the event of a nuclear war with the Soviet Union, it would truly be a pitiful, helpless giant, unable to function in providing the most essential and basic services for our people. This morning I call attention to an excerpt from the Ed Zuckerman article in the March Esquire magazine that highlights this total absence of confidence that the Federal Government could really even

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

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make a pass at national continuity and survival once the bomb drops.

I ask unanimous consent that the excerpt be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

LIFE AFTER THE BOMB

Investigation reveals that some federal agencies are apparently dragging their heels on fulfilling their post-nuclear attack responsibilities. Repeated calls to the SEC, for example, yielded no hard information as to how the stock market would function after a nuclear war. And some agencies' plans have long been out-of-date. Executive Order 11490 commands the Public Health Service to plan for "sanitary aspects of disposal of the dead," but the PHS, when queried, could produce nothing more recent than a 1956 civil-defense pamphlet with the twenty-five-year-old (but probably still applicable) advice: "If conditions permit, mechanically dug continuous trenches offer the best solution to the burial problem. If the machines available are capable only of digging narrow trenches, bodies can be placed head to foot instead of side by side."

A survey of other key agencies, however, finds several that are as well prepared as is the Postal Service. The Department of Housing and Urban Development has recently revised its manuals on the postattack housing problem. They now include procedures for requisitioning private homes "whose owners have disappeared." One manual also discusses how to establish, for all postattack emergency housing, firm rent guidelines (rents "will conform to the rental schedules . . . for comparable accommodations"), tenant priorities (refugees get preference), and grounds for eviction (nonpayment of rent shall be considered one "unless in the judgment of the Housing Manager or Managing Agent the failure to pay is due to causes beyond the control of the occupant"). In addition, the manual specifies that the rental of private housing taken over after owners have vanished shall be on a month-by-month basis only and that "renters of such housing will be required to vacate within 30 days if the legal owner appears and requires the property."

The Department of Agriculture has made equally detailed plans for good rationing after a nuclear attack. Every surviving American will receive a weekly allotment of six eggs, four pounds of cereals, two pounds of frozen fruits and vegetables, one-half pound of fats and oils, two pounds of potatoes, one-half pound of sweets, and three pounds of meat. "That's about two thousand to twenty-five hundred calories per person per day," said Harold Gay, a Department of Agriculture emergency planner, "about two thirds of normal caloric input right now, if you could have something from every grouping."

But could you actually have something from every grouping, or any grouping, for that matter?

"Just because you have fallout on a crop doesn't mean it's not safe to eat," Gay pointed out. "Fallout is dust. It can be removed by normal washing, peeling, and so on. If it's mixed in with the actual food product, then you would store it. Radioactivity decays. Milk, for example, is very susceptible to radioactivity. You can't hold the milk until the radioactivity decays, but you can process it into cheese and store the cheese."

But would society still be functioning when that radioactive cheese cooled off?

FEMA says there's no reason it couldn't be. No fewer than 369 "postattack recovery studies" are available in FEMA's research library, states a 370th, and "years of research have failed to reveal any single factor that would preclude recovery from nuclear attack." As for individuals, the study continues, those who survive the blast, heat, and short-term radioactivity will face no greater risk of dying from cancer than does, for example, someone who has smoked a pack of cigarettes a day for two years. As for fears about long-term, catastrophic effects on the nation's ecology, the study concludes, "No nuclear attack which is at all probable could induce gross changes in the balance of nature that approach in type or degree the ones that human civilization has already inflicted on the environment," such as "cutting most of the original forests, tilling the praires, irrigating the deserts . . . and even preventing forest fires."

A number of scientists (not to mention Smokey the Bear) would contest that view, and doomsayers have conditioned the public to expect much worse. But no serious critic of nuclear war, no matter how pessimistic, has denied that millions of people would survive one, which allows FEMA's William Baird to make his essential point.

"The survivors will try to continue to survive," Baird said, leaning forward on his couch. "And what happens to them? Do they break up into tribes, or do they try to operate as a nation? Someone has to direct things for the common good. Otherwise, it will be dog-eat-dog, which we don't want to see. There's got to be law and order, and everything else."

AMERICA STANDS ALONE

Mr. PROXMIRE. Mr. President, the United States trails far behind the other nations of the free world in endorsing the Genocide Convention of 1948. Great Britain ratified it 12 years ago. West Germany ratified it 28 years ago. Canada did so 30 years ago. France and Israel, 32 years ago. Today, America stands apart from its closest allies in its silence on the Genocide Treaty. The world turns its eyes and ears to us for moral leadership and resolve, and we respond with hesitation, wavering, and baseless anxiety.

Now our solitude, in and of itself, does not necessarily mean that we are wrong. Even if the entire world opposes us, there is absolutely no loneliness in dissenting as long as right is on our side. But sometimes America has stood stubbornly on the wrong side. That is precisely where we stand today on the Genocide Treaty.

When isolated from our allies, and from the better part of the world community, we need not follow the crowd. But when our friends agree that we are mistaken, it is time for us to take a very close look at our position. Friends and foes alike have joined in a broad consensus, but we stand aloof. This calls for a careful examination of our stance, to discover why we fear what so many others do not fear. The other advanced nations of the West were not convinced by the fanciful arguments of those doomsayers who oppose the Genocide Treaty. Why are we so frightened by an accord that has done no harm to any of our fellow democracies? Why are we alone unnerved by the nightmares produced by the fallacious reasoning of treaty opponents?

The accusations of these critics hardly needs any new refutation. As I have tried to demonstrate on countless other occasions, the Senate is stymied by a paranoia completely unfounded in the realities of international law. The treaty's detractors would have you believe that the Genocide Convention is harmful. But the real harm comes from inaction, for it is our vacillation that plays into the hands of our adversaries. We lose our moral advantage by default, and permit others to accuse us of hypocrisy in our criticisms of repressive regimes.

Let us stop worrying about the bogeymen described by those who disparage the treaty. Let us overcome the paralysis that cripples our human rights policy. Let us ratify the Genocide Convention.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. NICKLES). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BAKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE SECOND RECONCILIATION MEASURE

Mr. ROBERT C. BYRD. Mr. President, will the distinguished majority leader yield for a question?

Mr. BAKER. Yes, Mr. President.

Mr. ROBERT C. BYRD. Could the distinguished majority leader answer the question as to what his plans are or what he sees for the program of the second reconciliation measure, which deals with spending cuts?

Mr. BAKER. Yes, Mr. President. Those reconciliation instructions have been complied with by all the committees involved, which is all the committees having jurisdiction except the Finance Committee. Those resolutions have been delivered to the Budget Committee, I am informed, and they will be prepared to bring them to the Senate as the law prescribes. I hope to take them up as soon as possible. I shall consult with the distinguished chairman of the Committee on the Budget to find out how that can be scheduled, but I do not anticipate a delay.

Mr. ROBERT C. BYRD. Does the majority leader foresee action by the Senate on that matter as early as next week?

Mr. BAKER. Yes, Mr. President, once again, I would, but I cannot give a date. I do anticipate that.

Mr. ROBERT C. BYRD. I thank the distinguished majority leader.

Mr. BAKER. Mr. President, is the distinguished Senator from Georgia ready to proceed under the special order at this time?

Mr. NUNN. Yes, I am, Mr. President.

Mr. BAKER. Mr. President, I yield the floor.

RECOGNITION OF SENATOR NUNN

The PRESIDING OFFICER. Under the previous order, the Senator from Georgia is recognized for not to exceed 15 minutes.

THE CRIME CONTROL ACT OF 1982, TITLE IV—HABEAS CORPUS REFORM

Mr. NUNN. Mr. President, Senator CHILES and I continue to speak out daily on the pressing need for reforms of habeas corpus proceedings in our Federal courts. We do so in the belief that legislative action in this area is the only effective way to reverse the loss of public confidence and respect in our criminal justice system. Facing violent crime at every turn, Americans watch in disbelief as convicted felons routinely delay, and delay again, their just punishment by calculated abuse of the writ of habeas corpus.

Our Federal judges seem powerless to put an end to this attack on the very credibility of the judicial system. They give full examination, time and again, to issues fairly decided many years before in State court systems. Amidst their own frustration and the public's increasingly vocal resentment, it is hardly surprising that many in judicial branch itself echo those very calls for reform which Senator CHILES and I have been stressing for over 2 months.

In July 1974, Alvin Bernard Ford and three accomplices, fully armed, robbed a Red Lobster restaurant in Fort Lauderdale, Fla. Ford himself successfully stole some $7,000 from the restaurant's vault. In doing so, he shot Fort Lauderdale police officer Dimitri Walter Ilyankoff twice before fleeing the restaurant. Ford then discovered that his accomplices had already left in the planned getaway car. Officer Ilyankoff, having radioed for assistance, was struggling to get up when Ford returned, secured the officer's car keys, and shot him a third time in the back of the head. The officer did not survive the three wounds. Fortunately, a restaurant employee, hidden from Ford, witnessed the shooting. In 1975, Ford was tried and convicted of murder in State court, and sentenced to death. On appeal, the Supreme Court of Florida affirmed his conviction. Six years after the robbery, and shortly after a State death warrant had been issued, Ford filed a petition for a writ of habeas corpus in Federal district court.

Ford's delayed petition was not based on newly discovered evidence or a newly acquired right. Rather, his petition raised some nine separate trial issues, which should have been known to him at trial and fully litigated in the courts below. Despite those facts, the district court judge was required to examine and decide again issues of fact, law, and fairness in a trial occurring some 6 years earlier.

After a full hearing on the points raised, the Federal district court denied habeas corpus relief. Facing the difficulties of considering rehashed issues in the "vacuum" of a 6-year delay, district judge Norman Roettger clearly expressed growing judicial and public frustration with current habeas corpus procedures. Judge Roettger stated:

> There are certain matters that the public might wonder about, and I understand why they might. For example, why a case that was tried in December of 1975 didn't get reviewed on this basis until December of 1981. I don't know why the Supreme Court of Florida took three-and-a-half years. I don't know why it took another couple of years for the death warrant to be issued. And I don't know why the Congress of the United States doesn't enact the law that has been introduced setting forth a time limitation within which these writs of habeas corpus must be instituted.

Judge Roettger made those comments in his decision issued December 10, 1981. Senator CHILES and I have been asking the same questions daily on the Senate floor for over 2 months now. S. 2543, the Crime Control Act of 1982, which includes a statute of limitations for habeas corpus relief, has been awaiting action on the Senate Calendar for over 2 months. While the Senate delays its consideration, offenders like Alvin Ford continue to flood our courts with burdensome and frivolous habeas corpus petitions. I urge this Congress to act now on the habeas corpus reform, to restore a meaningful measure of integrity and credibility to our criminal justice system.

Mr. President, I yield the floor. I yield back whatever time I have remaining.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection it is so ordered.

ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of routine morning business for not to exceed 10 minutes, with statements therein limited to 3 minutes each.

Mr. HATCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MATTINGLY). Without objection, it is so ordered.

THE SECOND SPECIAL SESSION ON DISARMAMENT

Mr. WARNER. Mr. President, I call to the attention of the Senate the Second Special Session on Disarmament of the U.S. Mission to the United Nations. I ask unanimous consent to have printed in the RECORD a speech given by another delegate, Mr. Edwin Feulner, Jr., president of the Heritage Foundation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY HON. EDWIN FEULNER, JR., PRESIDENT, THE HERITAGE FOUNDATION

Mr. President, let me express to you the admiration of my delegation for the way you have presided over our deliberations, and through you to express our sincere and deeply felt appreciation to Ambassador Adeniji who guided the work of this conference with sensitivity, dedication, and most of all wisdom.

My delegation has been an active participant in these vital discussions. We believe that the words that come out of this Session should be considered soberly—and not merely as another rhetorical exchange. It was because of our commitment to this Session that President Reagan addressed this body on June 17; that our delegation was composed of Senators and Congressmen from both political parties and representatives from other sections of American life. It was because we wanted to reach an enduring consensus on these critical questions of war and peace, that we—along with many other delegations—labored long into the night.

Sadly, we were unable to achieve that full consensus we all so ardently hoped for. But we shall continue to work in this forum as well as others in search of the goal of lasting peace.

As we look back over these past weeks, we must look at both our successes and failures and carefully consider the tasks that lie ahead. But first we must review the lessons of the past.

In 1978 the First Special Session produced a Final Document which embodied many of the aspirations of the world community. But why have we not at this Session been able to come to a consensus on the implementation of that Document?

Let's look at the historical record. Shortly after the First Special Session, one major power violated the most fundamental principles of the UN Charter, and invaded its non-aligned neighbor. They continue to occupy that hapless country. A war of aggression continues in Southeast Asia; other regional conflicts rage unabated; subversion is being exported to Central America, Africa, and other areas; and the quest for freedom is still suppressed in Eastern Europe. In short, the world increasingly lives in fear. Small wonder, then, that the implementation of the lofty goals of the Final Document has remained a distant and illusive dream.

Give their transgressions against the most sacred tenets of the UN Charter since the First Special Session, it is not suprising that some nations argued against language recounting the history of the past four years.

But we must now look to the future. The major project before this conference was, as President Reagan noted, "To chart a course of realistic and effective measures in the quest for peace"—a Comprehensive Program of Disarmament. Progress was made, but the task remains unfinished. We have all reaffirmed the validity of the Final Document and pledged ourselves to renewed efforts toward disarmament. Let me restate that pledge today for the United States.

The United States is proud of its record in disarmament. President Reagan has outlined a clear program to deal with the most pressing and dangerous problems. We have called for real and militarily significant arms reduction, particularly in the field of nuclear weapons. We have called for a one-third reduction in strategic ballistic missile warheads, the elimination of all land-based intermediate range missiles, and new safeguards to eliminate the risk of accidental war Moreover, just two days ago, the United States and its allies introduced a comprehensive draft treaty in the Mutual and Balanced Force Reduction Talks in Vienna. This proposal calls for a substantial reduction of ground forces on both sides and the implementation of a package of associated confidence-building and verification measures. In all these negotiations, we have offered neither unverifiable measures nor meaningless rhetoric, but rather concrete proposals for major reductions in the arms and armed forces of the United States and of the Soviet Union.

Make no mistake. We are not satisfied with the current international situation and intend to do our part for peace and stability on this small planet.

Mr. President, at this Special Session on Disarmament, we have been considering the most important issue facing mankind—how to prevent war. Or, to put it in a more positive sense, how to establish a secure peace. Regrettably, there is no magic formula or instant panacea to attain that peace we all so fervently desire; it cannot be mandated by committees or by resolutions.

We have heard, again today, the reiteration of the Soviet "no-first-use" of nuclear weapons pledge. Our policy goes far beyond this pledge. The Soviet representative attempted to denigrate the NATO policy. But he cannot. As the leaders of NATO declared at their recent Summit, "None of our weapons will ever be used except in response to an attack." This is our pledge and our policy.

But we believe there is a better way, and we will continue to seek it as we have done at this Session.

During the past weeks we have offered concrete proposals and initiatives on a wide range of issues.

We are dedicated to a real World Disarmament Campaign. We believe that the open and universal availability of information of disarmament matters is vital. Excessive secrecy can only create mistrust and misunderstanding among the peoples of this world; such secrecy is a true enemy of peaceful relations among nations. The United States, as an open society, publicly makes available vast amounts of information on the momentous issues of war and peace.

We have no illusions as to the serious obstacles which have frustrated the objective of a free flow of information in the past. We are all well aware that while hundreds of thousands demonstrated openly and peacefully for disarmament in the streets of New York and other cities of the world, 7 people who dared unfurl a banner calling for "Bread, Life, and Disarmament," were arrested in Moscow. It is a sad commentary that to some societies these words are considered "anti-state" when used domestically, but are considered "state policy" when used internationally.

In the spirit of open discussion President Reagan has offered President Brezhnev the opportunity to address the American people on our TV on the vital questions of peace and disarmament for a chance to address the Soviet people. In this Session, we have offered specific proposals for similar multilateral discussions and regional seminars throughout the world. We believe that an informed world public is the best guarantee for peace and understanding among nations.

In addition to our proposals regarding the World Disarmament Campaign we have offered other concrete initiatives at this Session. During the past several years, disturbing reports have reached the outside world that toxins and other lethal chemical weapons are being used in conflicts against people in remote regions of the world. Unfortunately, the borders of these regions remain sealed to the world community. We have therefore urged that the General Assembly call on the Soviet Government, as well as the Governments of Laos and Vietnam, to grant full and free access to areas where chemical attacks have been reported so that the UN Group of Experts can conduct an impartial investigation.

We have also called for the convening of an International Conference on Military Expenditures. Such a conference would build on past UN efforts calling for universal adherence to a common reporting and accounting system on military expenditures. The frightening reality of vastly increased military budgets has been documented by recognized centers for disarmament throughout the world. Yet for the past ten years, one superpower has provided a manifestly ridiculous figure for its military budget to the world community. This universally discredited figure underscores the need for an International Conference on Military Expenditures.

As we conclude our work of this Second Special Session on Disarmament, I am again struck by the awesome task before us. Never have so few been responsible for the fate of so many. Let us not forget nor shirk this responsibility as we continue our search for a true and lasting peace.

Thank you, Mr. President.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there futher morning business?

If not, morning business is closed.

TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982

The PRESIDING OFFICER. Under the previous order, the hour of 10:30 a.m. having arrived, the Senate will now resume consideration of the pending business, H.R. 4961, which the clerk will state.

The assistant legislative clerk read as follows:

A bill (H.R. 4961) to make miscellaneous changes in the tax laws, and for other purposes.

The Senate resumed consideration of the bill.

The PRESIDING OFFICER. The first committee amendment is pending. There is a 2-hour time limit on the amendment equally divided and controlled by Senator DOLE and Senator LONG.

Who yields time?

Mr. DOLE. Mr. President, I ask unanimous consent that the amendment to be offered by the distinguished Senator from Utah be in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Utah is recognized.

Mr. HATCH. Mr. President, a parlimentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HATCH. Mr. President, as I understand it, that means we have unanimous consent that the committee amendment is to be amendable; is that correct?

The PRESIDING OFFICER. We have unanimous consent to amend it even though the time has not expired.

Mr. HATCH. That is correct.

So I may submit these amendments to the committee amendment; is that correct?

The PRESIDING OFFICER. The Senator is correct.

UP AMENDMENT NO. 1098

(Purpose: To provide for reimbursement to hospitals where changes occur in a hospital's case mix)

UP AMENDMENT NO. 1099

(Purpose: To strengthen the exemptions process under the 3-year medicare hospital reimbursement cap)

Mr. HATCH. Mr. President, I send two amendments to the desk and ask for their immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Utah (Mr. HATCH) proposes unprinted amendments numbered 1098 and 1099.

Mr. HATCH. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

On page 56, line 25, insert after "basis" the following: "by diagnostic category".

On page 57, line 3, insert after "basis" the following: by diagnostic category".

On page 58, line 3, strike out "as he deems appropriate".

On page 58, line 5, strike out "significant".

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. HATCH. Mr. President, I shall have introduced two minor clarifying amendments to H.R. 4961, the Tax Equity and Fiscal Responsibility Act of 1982.

I am well known around here as one who strongly supports the need to control Federal spending and balance the Federal budget. I also support the need to find a way to slow the growth of the Federal medicare program. Yet, at the same time, it is imperative that we provide adequate care for our Nation's elderly and maintain the fiscal integrity of our Nation's hospitals. I applaud the distinguished chairman of the Finance Committee, Mr. DOLE, for the extraordinary job he has done in maximizing both of these objectives.

One part of one section of the bill, nonetheless, troubles me. Section 110 of the bill creates a new 3-year limit on hospital reimbursement increases as an interim measure. I would much prefer to see us encourage the development of a price-competitive market in health care over time and I am sure that Mr. DOLE, the distinguished Senator from Kansas, agrees with me. Once these procompetitive measures take hold, hopefully then the Federal Government could lift these controls from our Nation's hospitals.

As proposed in section 110 of the bill, these controls may unintentionally provide a disincentive to hospitals to become more efficient and to serve their community broadly. Let me explain the problem I wish to correct with these clarifying amendments. The current proposal places an expenditure limit on the hospitals per case. All of the hospital's cases are added together regardless of the type of case treated. An average cost per case is determined and the expenditure limit is applied to this average cost per case. In other words, the costs for appendectomies and open heart surgeries are mixed together to determine the hospital's overall average cost per case.

In order to keep the average cost per case down, the hospital may have an incentive to treat more routine cases and fewer complex cases. This may also encourage the hospital to treat some cases in the inpatient hospital setting rather than moving some of these cases, where appropriate, to the less expensive outpatient setting. This provision could also make it more difficult for efficient management within regional hospital systems by creating within the system a disincentive to centralizing more complex cases.

Hospitals which, over time, may be treating more elderly, more cancer, more open heart cases, and more intensive cases of all kinds, all else being equal, could be unintentionally jeopardized by the current proposal. The way I read the bill, under a weighted average cost per case, theoretically a hospital could keep its costs the same from year to year and still violate the limitation.

To remedy this situation, I first propose a clarifying amendment to section 110 of the bill, which would apply the expenditure limit to the average cost of comparable cases for a diagnostic category, such as for gall bladders or open heart surgery.

This would give the hospital the proper incentive to encourage care in the most cost-effective setting and would not harm a hospital for treating elderly patients or for a case mix which may become more complex over time. Specifically, where there are references on pages 56 and 57 of the bill to costs "determined on a per admission or per discharge basis," I would add "by diagnostic category."

In addition to the first proposal, I recommend a second clarifying amendment to strengthen the requirement for secretarial exemption under the 3-year cost cap. This Congress knows full well it cannot anticipate all the legitimate reasons why a hospital's costs may change. This is an area in which we must rely on the Department of Health and Human Services. Yet the Department may have little incentive to recognize legitimate changes in a hospital's costs, even those which are beyond the control of a hospital. Therefore, I propose deleting the words on page 58 of the bill "as he deems appropriate," words which, if left in, would leave absolute discretion in the granting of exemptions to the Secretary. I also delete the word "significant" on line 5 of page 58.

These deletions would make the granting of adjustments, where appropriate and warranted, mandatory by the Department, rather than leaving such an exemption dependent upon a regional office recommendation to the Secretary. The Secretary would, of course, under this section publish, via regulation, strict criteria by which a hospital could be granted a full or partial adjustment, exception, or exemption. However, the Department would not have discretion in whether to grant or deny an adjustment should a hospital's circumstances meet the Secretary's criteria.

Mr. DOLE. The Senator has offered both amendments?

Mr. HATCH. I have offered both.

Mr. DOLE. I appreciate your efforts to clarify this bill. I believe that your first amendment is actually taken care of in the bill as presently drafted, however, speaking for this side I would be happy to accept your second amendment, which is useful in clarifying the intention of the finance committee: To provide for an exemption and adjustment process for the 3-year rate-of-increase limitation provision in a manner that is sensitive to legitimate changes in hospital costs that result from a number of circumstances including changes in case mix.

It is my understanding that the clarification offered by the second amendment will not have any impact on the present savings estimates.

As written and as intended by the Finance Committee, the bill language clearly calls upon the Department to develop a fair process by which legitimate adjustments will be made and by which hospitals may apply for exceptions or exemptions as needed. It is our intention that changes in a hospital's case mix that might cause it to exceed its rate-of-increase limitation would be grounds for an adjustment. The reasons for an adjustment may vary widely; for example, from demographic changes, shifts in service areas, variations in the general health of the service population, or the occurrence of a natural disaster.

However, it is clearly not the intention of the committee to allow hospitals to deliberately manipulate their case mix to avoid the limits, but rather to provide protection against uncontrollable changes.

Further, it is our intention that the Secretary establish written criteria to be used in making adjustments for case mix. Thus, a hospital will be able to utilize this criteria in assessing its position and preparing documentation to support its request for an adjustment.

So it is revenue-neutral as far as we are able to determine.

Mr. HATCH. I appreciate the distinguished Senator from Kansas' acceptance of my second amendment and I equally appreciate the information the Senator has provided me on my first proposal. I will gladly accept your assurance that hospitals with changes in case mix will be able to have their costs for such changes reimbursed fairly and without jeopardy of violating the limitation.

As I indicated in my statement, I just want to make sure that there will be no inequity in administration of this program where shifts occur in a hospital's case mix from less intensive to more intensive cases.

I appreciate your clarification of the first amendment and will withdraw it. So I formally withdraw the first amendment by unanimous consent.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The Senator's first amendment (UP No. 1098) is withdrawn.

Mr. HATCH. I move the adoption of the second amendment which the Senator from Kansas will accept.

Mr. DOLE. Does the distinguished Senator from Louisiana have any objection? The Senator has withdrawn the one amendment we have a problem with. The other one I think is a good amendment. It is no revenue loss. It does not affect our savings.

Does the Senator have any objection to that amendment?

Mr. LONG. I have no objection to it.

Mr. HATCH. I thank my good friends from Louisiana and Kansas.

Mr. DOLE. I thank my good friend from Utah because I know of his direct interest. The committee jurisdiction sometimes overlaps, and I appreciate his calling this to our attention.

Mr. HATCH. I thank my colleagues and I move the adoption of the amendment.

The PRESIDING OFFICER. Is all time yielded back?

Mr. HATCH. I yield back my time.

Mr. DOLE. I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah.

The amendment (UP No. 1099) was agreed to.

Mr. HATCH. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HATCH. I thank the Senator.

The PRESIDING OFFICER. The question now recurs on the committee amendment, as amended.

Mr. DOLE. Mr. President, I ask that I be allotted 5 minutes on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, as the Senator from Kansas indicated last evening, it is my hope that, perhaps, this morning we can address some of the concerns that Members have on both sides of the aisle as they refer to the spending reduction package. It is my understanding—and I am certainly not aware of all the amendments—the Senator from Ohio (Mr. METZENBAUM) may have an amendment, the Senator from Massachusetts (Mr. KENNEDY) may have an amendment, the Senator from Montana (Mr. BAUCUS), and the Senator from Minnesota (Mr. DURENBERGER) may have amendments, and there may be others of which the Senator from Kansas is not aware.

It would be my hope that we could dispose of all the amendments we know of that affect anything on the spending side. Otherwise we will proceed in any way——

Mr. LONG. Mr. President, will the distinguished manager of the bill yield at that point? Might I suggest to the manager of the bill that in order to help make the position of Senators clear, we simply agree by unanimous consent that when Senators are through with their amendments to title I, at an appropriate time, we simply have a vote on title I which deals with the spending cuts, that is, "Provisions relating to savings in health and income security programs"? That would be so that those who want to go on record in favor of spending cuts could vote in a straightforward fashion to record themselves in favor of voting for the spending cuts.

Mr. DOLE. Let me say to the Senator from Louisiana that I do not believe I would have any objection to that but could I check with the majority leader and one or two other Senators on our side? For me that would give everyone the opportunity to go on record because we have been trying to determine some neat way to separate on final passage these two sections. This might take care of that concern because I know of some Senators who are willing to vote for the spending reductions and others are willing to vote for the revenue increases, but there are different groups on each side.

Mr. LONG. As far as this Senator is concerned, the Senator from Louisiana is willing to vote for the spending cuts that are in the bill. He will vote for amendments, but he is willing to vote for the spending cut title. I would think those who would like to vote for spending cuts would like to vote affirmatively on that title, so if we can gain unanimous consent I think that would be a good way to proceed. Otherwise we could find some other way, such as a motion to table, and then Senators could vote on the motion to table or perhaps on a motion to strike. But I think it would be best to simply let them vote and record themselves affirmatively in favor of the spending cuts if that is what they want to do.

Mr. DOLE. Let me just indicate to the Senator from Louisiana that I will check that immediately. To me it sounds like a good idea.

Mr. METZENBAUM. Mr. President, will the Senator from Kansas as well as the Senator from Louisiana indicate whether it might be possible to take the spending cuts, and then instead of making it a yes or no vote, whether by unanimous consent that that entire section might be moved en bloc to other legislation which would then be considered in due course after the revenue side of the bill had been dealt with? In other words, there might be some of us who could find some reason to support, if amended, some one or all parts of the spending cuts, and I think the Senator from Louisiana is certainly moving very much in the right direction on the whole question of taking it out, but because I would guess it would be difficult to achieve a majority on that motion and it might be possible to achieve a majority in coming at it in a different manner, with some modifications of some portions of the spending cuts, I am wondering whether or not—I know the Senator from Kansas was originally exploring the possibility of doing just that.

The Senator from Ohio is now asking this question in connection with the inquiry of the Senator from Louisiana because I think all of us want to try to be responsible and try to achieve the objective that is called for under the budget reconciliation measure—this is a long question—but the Senator from Kansas and the Senator from Louisiana understand the thrust of my inquiry.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. DOLE. I yield myself 5 more minutes.

I will say to the Senator from Ohio that we will certainly explore it. But I would not want the action on spending to be delayed. If there was some way to move it out of here at the same time the revenue matter was considered, maybe through some vehicle on the calendar, that might be advisable.

Mr. METZENBAUM. I asked it on the basis of its being a unanimous consent and I also implied in that, that it would come up under some time limitation so that we would not find ourselves or the Senator from Kansas would not find himself in the position of having agreed to move the revenue bill but not being able to move by parliamentary procedure on the other side of the ledger.

Mr. LONG. Mr. President, if the Senator will yield, I do not believe that Senators are going to want to separate the spending cut and the tax cut, and I do not think the Senator from Louisiana wants to do so. As long as they are being recommended by the committee, I do not think I would want to separate them from the bill.

I simply think the people who want to vote for the spending cuts want to vote in a direct up-or-down vote so that they can go on record. If need be, one can move to strike the whole title and vote against his own motion. So we can have a vote in it in one way or the other.

But I would think that those who want to vote for the economy moves would like to vote straight up or down. We have done this before on other bills. We have gone title by title and when we reached the end of a title we just voted on it.

I recall we had a major bill that the Senator from Louisiana was managing several years ago and it had many titles. The Senator from Louisiana

simply asked for a vote every time we came to the end of a title.

All I am suggesting is that it would be appropriate that we agree to vote on title I on a direct vote.

Mr. DOLE. Mr. President, certainly we will explore that. It seems to me to be a perfectly fair idea. I will also explore what we may be able to do with the suggestion of the Senator from Ohio.

It is the understanding of the Senator from Kansas that there are two, three, or four amendments on the spending side and, if they can be accommodated, much of the opposition to that whole package might be eliminated. This Senator cannot say that for certain, but we are working with a number of Senators who have some concerns in certain areas but not on others. We are trying to accommodate Senator BAUCUS and others. Senator BAUCUS is the ranking Democrat on that subcommittee. He is now negotiating with Senator DURENBERGER, the subcommittee chairman. So perhaps we could satisfy nearly everyone.

Mr. LONG. Will the distinguished manager yield?

Mr. DOLE. Yes.

Mr. LONG. I hope that we will move on this major bill. This is a tremendous bill and it is a very significant measure. I would hope that we would move on this measure in sequence, because it is difficult for Senators to keep up with what is going on when we jump back and forth from one subject to another. I hope we would try to address ourselves to spending cuts, which the manager of the bill and the majority of the committee saw fit to put first in the bill, and that is what the committee voted on first when we were in session.

If we would just vote on the spending cuts first, then anybody who does not like some part of it can move to amend it or strike. Then, the Senate having worked its will on sections 101 to 121, those 21 sections, it could proceed to vote on the title and after go on to title II.

If no one wants to offer an amendment to title I, Mr. President, I am ready to vote on title I.

Mr. DOLE. I think there are amendments, but I am ready to vote on it, also.

Mr. METZENBAUM. I think it is no secret that some of us find some portions of title I impossible or so objectionable that we are not prepared to vote for it. On the other hand—and I speak for myself in this respect—I would like to find a way to vote for this bill, because I think that the Finance Committee has done a credible job in attempting to achieve the objectives and responsibility that they have.

However, we can only determine whether or not some of us will be able to vote for it or not after determining whether or not some of the sections are amendable and whether they are acceptable to the chairman.

The PRESIDING OFFICER (Mr. HUMPHREY). The time Senator DOLE has yielded himself has expired. Who yields time?

Mr. DOLE. Mr. President, I yield myself 5 additional minutes from the bill.

I would just say to the Senator from Ohio that I know the Senator from Ohio has one amendment I am advised we could accept on emergency services. I know of another concern the Senator from Ohio has that may be addressed by the efforts of Senator BAUCUS, Senator DURENBERGER, Senator JEPSEN, Senator HAWKINS and others. I understand Senator BAUCUS may be in a position to indicate whether that would be acceptable.

Another interest to the Senator from Ohio is the unemployment area and we have someone available now to discuss that so we can determine from your staff precisely what the amendment is.

So, hopefully, we can adjust in nearly every case, or accommodate in nearly every case, the requests of the Senator from Ohio.

Mr. METZENBAUM. I appreciate the cooperation of the Senator from Kansas, the manager of the bill. For myself, I would like to make this a bill that a number of us could vote for. It is fair to say that some portions of it are too sticky and too difficult to accept. But I do not intend to delay action on it nor do I have a host of amendments.

I think we can move forward with the process before we actually get to a vote on the issue, as stated by the manager of the bill on the minority side, so that when we are talking about striking the entire section, it would at that time have been improved to the maximum extent possible.

Mr. DOLE. Mr. President, I hope that there might be someone who would be prepared at this point to offer an amendment to that title, title I. Again, it seems to me that we could move very quickly on this entire package—maybe not finish it all by noon but hopefully the spending reduction side by not later than 12:30 today—and then maybe wrap up the tax package this afternoon and go home, if not today, tomorrow.

But there are some amendments that we are willing to accept in title I and, hopefully, those who have those amendments will come forward.

Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum be rescinded.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. DOLE. Mr. President, I ask unanimous consent that the amendment to be offered by the distinguished Senator from Oregon be in order.

The PRESIDING OFFICER. Is there objection?

Mr. LONG. Mr. President, reserving the right to object, and I do not intend to object, I would like to have it understood that this unanimous-consent request does not waive the right of any Senator to raise the question of germaneness, because I believe a Senator may want to raise the question of germaneness with regard to the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

UP AMENDMENT 1100

(Purpose: To provide for necessary development of our Nation's airport and airway system)

Mr. PACKWOOD. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Oregon (Mr. PACKWOOD) proposes an unprinted amendment numbered 1100.

Mr. PACKWOOD. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 619 of the first committee amendment, add the following new title, making any necessary redesignations, immediately after line 16:

TITLE IV—AIRPORT AND AIRWAY SYSTEM DEVELOPMENT

SHORT TITLE

SEC. 1. This Act may be cited as the "Airport and Airway System Development Act of 1982".

DECLARATION OF POLICY

SEC. 2. The Congress hereby finds and declares that—

(1) the safe operation of the airport and airway system will continue to be the highest aviation priority;

(2) the continuation of airport and airway improvement programs and more effective management and utilization of the Nation's airport and airway system are required to meet the current and projected growth of aviation and the requirements of interstate commerce, the Postal Service, and the national defense;

(3) all airport and airway programs should be administered in a manner consistent with the provisions of sections 102 and 103 of the Federal Aviation Act of 1958 (49 U.S.C. 1302 and 1303), as amended by the Airline Deregulation Act of 1978, with due regard for the goals expressed therein of fostering

competition, preventing unfair methods of competition in air transportation, maintaining essential air transportation, and preventing unjust and discriminatory practices;

(4) this Act should be administered in a manner to provide adequate navigation aids and airport facilities, including reliever airports, for points with scheduled commercial air service;

(5) this Act should be administered in a manner consistent with a comprehensive airspace system plan to maximize the use of safety facilities, with highest priority for commercial service airports, including but not limited to, the goal of installing, operating, and maintaining a precision approach system and a full approach light system for each primary runway, grooving or friction treatment of all primary and secondary runways, a nonprecision instrument approach for all secondary runways, runway end identifier lights on all runways that do not have an approach light system, electronic or visual vertical guidance on all runways, runway edge lighting and marking, and radar approach coverage for all airport terminal areas;

(6) reliever airports make an important contribution to the efficient operation of the airport and airway system, and special emphasis should be given to their development;

(7) aviation facilities should be constructed and operated with due regard to minimizing current and projected noise impacts on nearby communities;

(8) certain airports which have the ability to finance their capital and operating needs without Federal assistance should be encouraged to voluntarily withdraw from eligibility for such assistance;

(9) the Federal administrative requirements placed upon airport sponsors can be reduced and simplified through the use of a single project application to cover all airport improvement projects contained in the airport's annual expenditure program; and

(10) it is in the national interest to encourage and promote the development of transportation systems embracing various modes of transportation in a manner that will serve the States and local communities efficiently and effectively, and to accomplish this objective the Secretary shall cooperate with State and local officials in the development of airport plans and programs which are formulated on the basis of overall transportation needs.

DEFINITIONS

SEC. 3. As used in this Act—

(1) "Airport" means any area of land or water which is used, or intended for use, for the landing and takeoff of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

(2) "Airport development" means any of the following activities, if undertaken by the sponsor, owner, or operator of a public-use airport:

(A) any work involved in constructing, reconstructing, repairing, or improving a public-use airport or portion thereof, including—

(i) the removal, lowering, relocation, marking, or lighting of airport hazards; and

(ii) the preparation of plans and specifications for airport development, including field investigation incidental thereto;

(B) any acquisition or installation at or by a public-use airport of—

(i) precision approach systems and other navigation aids used by aircraft for landing at or taking off from such airport, including any necessary site preparation;

(ii) safety or security equipment required by the Secretary by rule or regulation for the safety or security of persons and property at such airport, or specifically approved by the Secretary as contributing significantly to the safety or security of persons and property at such airport;

(iii) snow removal equipment; or

(iv) aviation-related weather reporting equipment;

(C) any acquisition of land or of any interest therein, or of any easement through or other interest in airspace, including land for future airport development, which is necessary to permit any airport development described in paragraph 3(A) or 3(B) of this section or to remove, mitigate, or prevent or limit the establishment of airport hazards;

(D) any acquisition or installation of the following items for improving noise compatibility at a public-use airport:

(i) noise suppressing equipment, physical barriers, or landscaping, for the purpose of diminishing the effect of aircraft noise on any area adjacent to such airport; and

(ii) land, including land associated with future airport development, or any interest therein, or any easement through or other interest in airspace, necessary to insure that such land is used only for purposes which are compatible with the noise levels attributable to the operation of such airport; and

(E) any project to carry out an approved airport noise compatibility program, or part thereof, approved by the Secretary pursuant to subsection 104(b) of the Aviation Safety and Noise Abatement Act of 1979.

(3) "Airport hazard" means any structure or object of natural growth located on or in the vicinity of a public-use airport, or any use of land near such an airport, which obstructs the airspace required for the flight of aircraft in landing or taking off at the airport or is otherwise hazardous to the landing or taking off of aircraft.

(4) "Airport noise compatibility planning" means the development for planning purposes of information necessary to prepare and submit (A) the noise exposure map and related information pursuant to section 103 of the Aviation Safety and Noise Abatement Act of 1979, including any cost associated with obtaining such information, or (B) a noise compatibility program for submission pursuant to section 104 of such Act.

(5) "Airport noise compatibility program" means any such program described in section 104 of the Aviation Safety and Noise Abatement Act of 1979.

(6) "Airport planning" means planning, including airport noise compatibility planning and airport system planning, as defined by such regulations as the Secretary shall prescribe.

(7) "Airport system planning" means the initial as well as continuing development for planning purposes of information and guidance to determine the extent, type, nature, location, and timing of airport development needed in a specific area to establish a viable and balanced system of public-use airports. It includes identification of system needs, development of estimates of system-wide development costs, and the conduct of such studies, surveys, and other planning actions, including those related to airport access, as may be necessary to determine the short-, intermediate-, and long-range aeronautical demands required to be met by a particular system of airports. It also includes the establishment by a State of standards, other than standards for safety of approaches, for airport development at public-use airports which are not primary airports.

(8) "Applicant State" means a State which submits an application for a block grant to the Secretary pursuant to section 12 of this Act.

(9) "Block grant" means a grant of funds to a participating State pursuant to section 12 of this Act for distribution within such participating State at eligible airports other than primary airports or reliever airports.

(10) "Block grant supplement" means a grant of funds to a participating State pursuant to section 13 of this Act.

(11) "Commercial service airport" means a public airport which is determined by the Secretary either to enplane annually 2,500 or more passengers and receive scheduled passenger service of aircraft, or to enplane annually 10,000 or more passengers.

(12) "Eligible airport" means an airport that is eligible to receive Federal assistance for airport development or airport planning pursuant to the provisions of this Act.

(13) "Government aircraft" means aircraft owned and operated by the United States.

(14) "Landing area" means that area used or intended to be used for the landing, takeoff, or surface maneuvering of aircraft.

(15) "Passengers enplaned" means domestic, territorial, and international revenue passenger enplanements in the United States, Puerto Rico, and the insular areas in scheduled and nonscheduled service of aircraft in intrastate, interstate, and foreign commerce as shall be determined by the Secretary.

(16) "Participating State" means a State that receives a block-grant pursuant to section 12 of this Act.

(17) "Primary airport" means a commercial service airport which is determined by the Secretary to have enplaned .01 percent or more of the total number of passengers enplaned annually at all commercial service airports.

(18) "Project" means a project (or separate projects submitted together) for the accomplishment of airport development or airport planning, including the combined submission of all projects which are to be undertaken at an airport in a fiscal year.

(19) "Project costs" means any costs involved in accomplishing a project.

(20) "Project-grant" means a grant of funds by the Secretary pursuant to section 10 of this Act for the accomplishment of one or more projects.

(21) "Public agency" means a State, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, the Government of the Northern Mariana Islands, the Trust Territory of the Pacific Islands, or Guam or any agency of any of them; a municipality or other political subdivision; a tax-supported organization; or an Indian tribe or pueblo.

(22) "Public airport" means any airport which is used or to be used for public purposes, under the control of a public agency, the landing area of which is publicly owned.

(23) "Public-use airport" means any public airport or any privately owned reliever airport which is used or to be used for public purposes.

(24) "Reliever airport" means an airport designated by the Secretary as having the function of relieving congestion at a primary airport.

(25) "Secretary" means the Secretary of Transportation.

(26) "Sponsor" means (A) any public agency which, either individually or jointly

with one or more other public agencies, submits to the Secretary, in accordance with this Act, an application for financial assistance for airport development or airport planning at a public airport or (B) any private owner of a public-use airport which submits to the Secretary, in accordance with this Act, an application for financial assistance for airport development or airport planning at a reliever airport. Such term includes participating States.

(27) "State" means a State of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

(28) "State development report" means a list of projects showing the utilization of block-grant and block-grant supplement funds distributed to a participating State.

(29) "Trust Fund" means the Airport and Airway Trust Fund established by section 208 of the Airport and Airway Revenue Act of 1970, as amended.

(30) "United States share" means that portion of the project costs of projects for airport development or airport planning which, pursuant to section 17 of this Act, is to be paid from funds made available for the purposes of this Act.

NATIONAL AIRPORT SYSTEM PLAN

SEC. 4. (a) The Secretary shall review and revise as necessary the existing national airport system plan to provide for the development of public-use airports in the United States. The plan shall include the type and estimated cost of airport development eligible for funding under this Act considered by the Secretary to be necessary to provide a safe and efficient system of public-use airports to anticipate and meet the needs of civil aeronautics, to meet requirements in support of the national defense as determined by the Secretary of Defense, and to meet identified needs of the Postal Service. Airport development identified by this plan shall not be limited to the requirements of any classes or categories of public-use airports. In reviewing and revising the plan, the Secretary shall consider the needs of all segments of civil aviation, and take into consideration, among other things, the relationship of each airport to (1) the rest of the transportation system in the particular area, (2) the forecasted technological developments in aeronautics, and (3) forecasted developments in other modes of intercity transportation.

(b) In reviewing and revising the national airport system plan, the Secretary shall consult, to the extent feasible and as appropriate, with other Federal and public agencies, and with the aviation community.

(c)(1) The Department of Defense shall make domestic military airports and airport facilities available for civil use to the maximum extent feasible. In advising the Secretary of national defense requirements pursuant to subsection (a) of this section, the Secretary of Defense shall indicate the extent to which domestic military airports and airport facilities will be available for civil use.

(2) Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to the Congress an evaluation of the feasibility of making domestic military airports and airport facilities available for joint civil and military use to the maximum extent compatible with national defense requirements. With respect to those military airports determined to be most feasible for joint civil and military use, such evaluation shall include an estimate of the costs and the development requirements involved in making such airports available for joint civil and military use.

(3) Not later than 1 year after the date of enactment of this Act, the Secretary of Defense and the Secretary of Transportation shall submit to the Congress a plan for making domestic military airports and airport facilities available for joint civil and military use to the maximum extent compatible with national defense requirements. The plan shall recommend public-sector civil sponsors in the case of each joint use proposed in the plan.

NAVIGATION AIDS

SEC. 5. The costs of site preparation work associated with acquisition, establishment, or improvement of air navigation facilities by the Secretary pursuant to section 307(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(b)) shall be charged to appropriated funds available to the Secretary for that purpose pursuant to section 7(a) of this Act. Nothing in this Act shall preclude the Secretary from providing, in a grant agreement or other agreement with an airport owner or sponsor, for the performance of such site preparation work in connection with airport development, subject to payment or reimbursement for such site preparation work by the Secretary from such appropriated funds.

AIRPORT IMPROVEMENT PROGRAM

SEC. 6. (a) In order to maintain a safe and efficient nationwide system of public-use airports to meet the present and future needs of civil aeronautics, the Secretary is authorized to incur obligations in the form of grants from the Trust Fund for airport development and airport planning by project-grants, block-grants, and block-grant supplements in accordance with the provisions of this Act in aggregate amounts of not less than nor more than $450,000,000 for fiscal year 1982; $1,050,000,000 for the fiscal years prior to October 1, 1983; $1,740,000,000 for the fiscal years prior to October 1, 1984; $2,533,500,000 for the fiscal years prior to October 1, 1985; $3,582,900,000 for the fiscal years prior to October 1, 1986; and $4,789,700,000 for the fiscal years prior to October 1, 1987.

(b) No obligation for airport development or airport planning shall be incurred by the Secretary, or a participating State, pursuant to this Act after September 30, 1987: *Provided*, That nothing in this section shall preclude the obligation by grant agreement of apportioned funds which remain available pursuant to section 9(b) of this Act after such date.

(c) No obligation shall be incurred by the Secretary, or a participating State, pursuant to this Act for airport development or airport planning at any airport that has voluntarily withdrawn from such programs under section 26(a) of this Act except in accordance with the provisions of that section.

(d) No obligation shall be incurred by the Secretary for airport development or airport planning pursuant to this Act at a privately owned airport unless—

(1) the airport is a designated reliever airport,

(2) the Secretary finds that such airport plays an essential role in the national airport system plan, and

(3) the Secretary receives appropriate assurances that such airport will continue to function as a reliever airport during the economic life of any facility at such airport that was developed with Federal financial assistance under this Act.

(e)(1) Notwithstanding any other provision of law, if in any fiscal year the amount of funds made available for obligation for the purposes of this section are less than 85 percent of the amounts authorized in subsection (a), the authority of the Secretary to carry out the provisions of section 7 of this Act and the imposition of taxes under those sections of the Internal Revenue Code which feed the Trust Fund under section 208(b) of the Airport and Airway Revenue Act of 1970 (49 U.S.C. 1742(b)) shall terminate for all subsequent years.

(2) Paragraph (1) of this subsection shall not apply if a joint resolution is enacted into law which authorizes the Secretary to carry out the provisions of section 7 of this Act and authorizes the imposition of the taxes referred to in paragraph (1) of this subsection during a fiscal year even though the amount of funds made available for obligation in the previous fiscal year was less than 85 percent of the amounts authorized in subsection (a).

AIRWAY IMPROVEMENT PROGRAM

SEC. 7. (a) AIRWAY FACILITIES AND EQUIPMENT.—For the purposes of acquiring, establishing, and improving air navigation facilities under section 307(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(b)), there is authorized to be appropriated from the Trust Fund aggregate amounts not to exceed $261,000,000 for fiscal year 1982; $986,000,000 for the fiscal years prior to October 1, 1983; $2,379,000,000 for the fiscal years prior to October 1, 1984; $3,786,000,000 for the fiscal years prior to October 1, 1985; $5,163,000,000 for the fiscal years prior to October 1, 1986; and $6,327,000,000 for the fiscal years prior to October 1, 1987. Amounts appropriated under the authorizations in this subsection shall remain available until expended.

(b) RESEARCH, ENGINEERING AND DEVELOPMENT, AND DEMONSTRATIONS.—The Secretary is authorized to carry out under section 312(c) of the Federal Aviation Act of 1958 such demonstration projects as the Secretary determines necessary in connection with research and development activities under section 312(c). For research, engineering and development, and demonstration projects and activities under section 312(c), there is authorized to be appropriated from the Trust Fund $72,000,000 for fiscal year 1982; $134,000,000 for fiscal year 1983; $286,000,000 for fiscal year 1984; $269,000,000 for fiscal year 1985; $215,000,000 for fiscal year 1986; and $193,000,000 for fiscal year 1987. Amounts appropriated under the authorizations in this subsection shall remain available until expended.

(c) OTHER EXPENSES.—The moneys available in the Airport and Airway Trust Fund may be appropriated for (1) costs of services provided under international agreements relating to the joint financing of air navigation services which are assessed against the United States Government, (2) direct costs incurred by the Secretary to flight check and maintain air navigation facilities referred to in subsection (a) of this section in a safe and efficient condition, and (3) other operating expenses of the Federal Aviation Administration. The amounts appropriated from the Airport and Airway Trust Fund for the purposes of clauses (1), (2), and (3) of this subsection may not exceed $800,000,000 for fiscal year 1982; $1,559,000,000 for fiscal year 1983; $1,355,000,000 for fiscal year 1984; $1,363,000,000 for fiscal year 1985; $1,388,000,000 for fiscal year 1986; and $1,444,000,000 for fiscal year 1987. No part

of any amount appropriated from the Airport and Airway Trust Fund in any fiscal year for obligation or expenditure for the purposes described in clauses (2) and (3) of this subsection shall be obligated or expended which exceeds that amount which bears the same ratio to the maximum amount which may be appropriated under clauses (1), (2), and (3) of this subsection for such fiscal year as the total amount obligated in that fiscal year under subsections 6(a) or programed for or obligated under subsection 7(a) of this Act bears to the aggregate of minimum amount made available for obligation under each such subsection for such fiscal year. If in fiscal year 1982, or in any subsequent fiscal year, the amount obligated under subsection 6(a) or programed for or obligated under subsection 7(a) of this Act in such fiscal year is less than the minimum amount made available for obligation under each such subsection for such fiscal year, the amount available for obligation or expenditure for the purposes described in clauses (2) and (3) of this subsection shall be reduced by an amount equal to the difference between the minimum amount made available under subsection 6(a) or made available under subsection 7(a) of this Act for such fiscal year and the amount obligated under section 6(a) or programed for or obligated under subsection 7(a) for such fiscal year. Any reduction under the preceding sentence shall be made in the amount available for obligation or expenditure in the next fiscal year for the purposes described in clauses (2) and (3).

(d) WEATHER SERVICES.—The Secretary is authorized to reimburse the National Oceanic and Atmospheric Administration from the funds authorized in subsection (c) for the cost of providing the Federal Aviation Administration with weather reporting services. Expenditures for the purposes of carrying out this subsection shall be limited to $26,700,000 for fiscal year 1983; $28,569,000 for fiscal year 1984; $30,569,000 for fiscal year 1985; $32,709,000 for fiscal year 1986; and $34,998,000 for fiscal year 1987.

(e) PRESERVATION OF FUNDS AND PRIORITY FOR AIRPORT AND AIRWAY PROGRAMS.—

(1) Notwithstanding any other provision of law to the contrary, no amounts may be appropriated from the Trust Fund to carry out any program or activity under the Federal Aviation Act of 1958, except programs or activities referred to in this section.

(2) Notwithstanding any other provision of law to the contrary, the total amount of funds from the Trust Fund which are obligated or expended in any fiscal year for the purposes described in this section shall not exceed 75 percent of the total expenditures of the Federal Aviation Administration for that fiscal year.

(3) Notwithstanding any other provision of law to the contrary, amounts equal to the minimum amounts authorized for each fiscal year by section 6 or sections 7 (a), (b), (d) and the second sentence of section 7(c) of this Act shall remain available in the Trust Fund until obligated or appropriated for the purposes described in such subsections.

(4) Notwithstanding any other provision of law to the contrary, no funds appropriated from amounts transferred to the Trust Fund by subsection (b) of section 208 of the Airport and Airway Revenue Act of 1970 (relating to aviation user taxes) may be obligated or expended for administrative expenses of the Department of Transportation or any unit thereof except to the extent authorized by the provisions of and the formulas in this section.

(5) No provision of law, except for a statute hereafter enacted which expressly limits the application of this paragraph (5), shall impair the authority of the Secretary to obligate to an eligible airport by grant agreement in any fiscal year the unobligated balance of amounts which were apportioned in prior fiscal years and which remain available for approved airport development projects pursuant to subsection 9(b) of this Act, in addition to the minimum amounts authorized for that fiscal year by sections 6 and 7 of this Act.

(6) No provision of law shall be construed as authorizing the Secretary to obligate or expend any amounts appropriated from the Trust Fund for the purposes described in subsection (c) in any fiscal year after September 30, 1987, unless the provision expressly amends the provisions of and the formulas in subsection (c) of this section.

APPORTIONMENT OF FUNDS

SEC. 8. (a) For each fiscal year for which any amount is authorized to be obligated for the purposes of section 6 of this Act, the amount made available for that year, and not previously apportioned, shall be apportioned by the Secretary in accordance with subsection (b) of this section: *Provided*, That in any apportionment for a fiscal year beginning after September 30, 1982, the Secretary shall not apportion any funds to airports that have voluntarily withdrawn from the program under the provisions of section 26(a) of this Act.

(b) On the first day of each fiscal year for which any amount is authorized to be obligated for the purposes of section 6 of this Act, the amount made available for that year, and not previously apportioned, shall be apportioned by the Secretary as follows:

(1) PRIMARY AIRPORTS.—

(A) To eligible primary airports, 55 percent of the funds authorized in section 6 for fiscal year 1982, and 50 percent of the funds authorized in section 6 for each subsequent fiscal year, apportioned to each eligible primary airport as follows:

(i) $6 for each of the first 50,000 passengers enplaned at that airport;

(ii) $4 for each of the next 50,000 passengers enplaned at that airport;

(iii) $2 for each of the next 400,000 passengers enplaned at that airport; and

(iv) $.50 for each additional passenger enplaned at that airport.

(B) In each of the fiscal years 1984 through 1987, the Secretary shall apportion an amount to each eligible primary airport in addition to whatever amount is apportioned to such airport under the formula set forth in subparagraph (A). The additional apportionment shall be calculated by determining the amount such airport is to be apportioned under the formula in subparagraph (A) and then increasing that amount by 10 percent for fiscal year 1984, 20 percent for fiscal year 1985, 25 percent for fiscal year 1986, and 30 percent for fiscal year 1987.

(C) The Secretary may not apportion more than $12,500,000 under paragraph (1) of this subsection for any single airport for any fiscal year.

(2) APPORTIONMENTS TO STATES AND INSULAR AREAS.—To the several States and to Guam, American Samoa, the Government of the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands for eligible public airports other than: (I) reliever airports; (II) primary airports; and (III) airports that are ineligible to receive Federal assistance under the provisions of section 26(a) of this Act:

(A) 10 percent of the funds authorized in section 6 for each of the fiscal years 1982 through 1987, to be apportioned as follows:

(i) Insular Areas. One-half of 1 percent of such amounts to the Commonwealth of Puerto Rico, Guam, American Samoa, the Government of the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands.

(ii) States. One-half of the remaining 99.5 percent of such amount in the proportion which the population of each State bears to the total population of all the States and one-half of the remaining 99.5 percent of such amount in the proportion which the area of each State bears to the total area of all the States. As used in this paragraph, the term "population" means the population according to the latest decennial census of the United States and the term "area" includes both land and water.

(B) In addition, for each of the fiscal years 1982 and 1983, $150,000 shall be apportioned to each State for each commercial service airport located within its jurisdiction which is eligible to receive funds apportioned under this paragraph. In fiscal years 1984 through 1987, the amount of additional apportionment for each such airport under this clause shall be increased to $172,500 for fiscal year 1984, $195,000 for fiscal year 1985, $217,500 for fiscal year 1986, and $240,000 for fiscal year 1987.

(3) DISCRETIONARY FUND.—Any amounts not apportioned under paragraphs (1) and (2) of this subsection shall constitute a discretionary fund to be distributed at the discretion of the Secretary through project-grants, block-grants, or block-grant supplements for such projects at eligible airports as the Secretary considers most appropriate for carrying out the purposes of this Act: *Provided*, That—

(A) In the case of eligible reliever airports, no less than 10 percent of the funds authorized in section 6 shall be distributed to such reliever airports during the 6-year period from October 1, 1981 to September 30, 1987.

(B) In the case of eligible commercial service airports other than primary airports that are not located in a participating State and received Federal assistance for fiscal year 1980 under section 15(a)(3) of the Airport and Airway Development Act of 1970, the Secretary shall identify high-priority projects that would significantly increase the safety or capacity of such airports. The Secretary shall then make available to each such airport by way of project-grants such amounts from the discretionary fund as the Secretary deems appropriate for the purpose of carrying out such projects. In no event shall the amount of discretionary funds made available to each such airport during the 5-year period from October 1, 1982, to September 30, 1987, for such high-priority projects be less than the greater of (i) an amount equal to the aggregate amount that would have been apportioned to such airport during such 5-year period if that airport had been eligible to receive an apportionment under the formula in section 8(b)(1) or (ii) five times the minimum amount apportioned to the airport for fiscal year 1980 under section 15(a)(3) of the Airport and Airway Development Act of 1970.

(C) In the case of eligible public airports other than reliever or commercial service airports, no less than $300,000,000 of the funds apportioned to the States pursuant to paragraph (2) of this subsection and the funds apportioned to the discretionary fund of the Secretary pursuant to paragraph (3) of this subsection shall be distributed to

such public airports during the 6 year period from October 1, 1981, to September 30, 1987.

(D) In the case of airports that would otherwise be eligible to receive grants for airport development and airport planning under this Act but have voluntarily withdrawn from such programs under section 26(a), the Secretary shall make available to each such airport by way of project-grants such amounts from the discretionary fund as the Secretary deems appropriate for the purposes of land acquisition or improving noise compatibility at such airport as described in paragraphs 3(2)(C), 3(2)(D), and 3(2)(E) of this Act. In no event shall the amount of discretionary funds made available to each such airport during the 5-year period from October 1, 1982, to September 30, 1987, be less than the amount which would have been apportioned to each such airport during such 5-year period under the formulas in paragraphs 8(b)(1) and 8(b)(2) of this Act if such airports had not voluntarily withdrawn from the program.

(4) Notwithstanding paragraphs (1) and (2) of this subsection, the Secretary may apportion funds for airports in the State of Alaska in the same manner in which such funds were apportioned in fiscal year 1980 under section 15(a) of the Airport and Airway Development Act of 1970. In no event may the total amount apportioned for such airports pursuant to this paragraph in any fiscal year be less than the minimum amounts that were required to be apportioned to such airports in fiscal year 1980 under section 15(a)(3)(A) of the Airport and Airway Development Act of 1970.

(c) For the purposes of this section, all apportionments for any fiscal year which are determined by the number of passengers enplaned shall be based on passenger enplanement data for the preceding calendar year.

(d) If in any fiscal year the amount made available for obligation in such year is less than the amounts set forth in section 6 of this Act, the apportionments set forth in this section shall be proportionally reduced.

USE OF APPORTIONED FUNDS

SEC. 9. (a) EXCLUSIVE FORM OF OBLIGATION.—

(1) In the case of an eligible primary airport, the Secretary shall make the amount apportioned to such airport pursuant to section 8(b)(1) of this Act available for obligation to the sponsor of the airport by way of project-grants.

(2) In the case of any participating State, the Secretary shall make the amount apportioned to the participating State under section 8(b)(2) of this Act available for obligation to the State by way of block-grants.

(3) In the case of airports described in section 8(b)(2) that are located in a nonparticipating State, the Secretary shall make the amount apportioned to such nonparticipating State available for obligation to the sponsors of such airports located within the nonparticipating State by way of project-grants.

(b) DURATION OF AVAILABILITY.—Each amount apportioned under sections 8(b)(1) and 8(b)(2) of this Act shall be available for obligation by project-grant or block-grant agreement, as the case may be, during the fiscal year for which it was first authorized to be obligated and the 2 fiscal years immediately following. Any amount so apportioned which has not been obligated within such time shall be added to the discretionary fund established by section 8(b)(3) of this Act.

(c) TRANSFER OF CERTAIN APPORTIONMENTS OF PRIMARY AIRPORTS.—

(1) Funds apportioned to an eligible primary airport under section 8(b)(1) of this Act may, pursuant to a project-grant agreement, be distributed to the sponsor of the primary airport for use at any public airport of the sponsor which is in the national airport system plan.

(2) The owner or operator of an eligible primary airport may enter into an agreement with the Secretary whereby the owner or operator waives receipt of all or part of the funds apportioned to such airport under section 8(b)(1) of this Act on the condition that, at the election of the owner or operator, the Secretary will either—

(A) make the waived amount available for an approved project-grant to the sponsor of another eligible public-use airport which is a part of the same State or the same geographical area as the airport making the waiver, or

(B) supplement by the waived amount any block-grant made to the State in which the airport making the waiver is located for use at any eligible public airport included in the national airport system plan.

(d) INELIGIBLE AIRPORTS.—Nothing in this section shall be construed as authorizing the obligation by the Secretary, or a participating State, of any funds at an airport that has voluntarily withdrawn from the program pursuant to section 26(a) of this Act except in accordance with the provisions of that section.

PROJECT GRANTS: APPLICATION; APPROVAL

SEC. 10. (a)(1) ELIGIBILITY.—Any sponsor may apply to the Secretary for a project-grant for airport development or airport planning at an eligible airport that is either (A) a primary airport or (B) a reliever airport or (C) an airport described in section 8(b)(2) of this Act which is not located in a participating State. Nothing in this section, however, shall be construed as authorizing the submission of a project-grant application by any sponsor if the submission of such application by the sponsor is prohibited by State law.

(2) Notwithstanding any provision of this Act, the sponsor of any airport may submit a project-grant application for airport development (including noise compatibility projects) to the Secretary within 180 days after the date of enactment of this Act, and the Secretary may incur obligations to fund such projects, in accordance with the provisions of this Act, from funds available for obligation pursuant to section 8(b), if—

(A) a project-grant application or preapplication for such project was submitted to the Secretary before September 30, 1980; or

(B) the project was carried out after September 30, 1980, and before the date of enactment of this Act.

(b) APPLICATION.—

(1) The application shall set forth one or more projects of airport development or airport planning proposed to be undertaken. It shall be submitted to the Secretary in such form and containing such information as the Secretary may prescribe.

(2) Each eligible primary airport to which funds are apportioned under section 8(b)(1) of this Act must notify the Secretary, by such time and in a form containing such information as the Secretary may prescribe, of the fiscal year in which it intends to apply, by project-grant application, for such funds. If an airport does not provide such notification, the Secretary may defer approval of any application for such funds until the fiscal year immediately following the fiscal year in which the application is submitted.

(c) APPROVAL.—

(1) No project-grant application for airport development or airport planning may be approved by the Secretary unless the Secretary is satisfied that—

(A) the airport development or airport planning will be undertaken only in connection with eligible public-use airports included in the current national airport system plan;

(B) the project is consistent with the objectives of this Act as stated in section 2 of this Act;

(C) the project is reasonably consistent with plans (existing at the time of approval of the project) of public agencies authorized by the State in which the airport is located to plan for the development of the area surrounding the airport and will contribute to the accomplishment of the purposes of this Act;

(D) sufficient funds are available for that portion of the project costs which are not to be paid by the United States under this Act;

(E) the project will be completed without undue delay;

(F) the sponsor which submitted the project-grant application has legal authority to engage in the project as proposed; and

(G) all project sponsorship requirements prescribed by or under the authority of this Act have been or will be met.

(2) No project-grant application for airport development may be approved by the Secretary unless—

(A) all proposed airport development shall be in accordance with standards established or approved by the Secretary, including standards for site location, airport layout, site preparation, paving, lighting, and safety of approaches;

(B) the sponsor or a public agency or the United States or an agency thereof holds good title, satisfactory to the Secretary, to the landing area of the airport or site therefor, or gives assurance satisfactory to the Secretary that good title will be acquired;

(C) the application includes provision for (i) land required for the installation of approach light systems; (ii) touchdown zone and centerline runway lighting; or (iii) high intensity runway lighting, when it is determined by the Secretary that any such items are required for the safe and efficient use of the airport by aircraft, taking into account the type and volume of traffic utilizing the airport; and

(D) the Secretary is satisfied that fair consideration has been given to the interests of communities in or near the location of the proposed project.

(3) No project-grant application for airport development involving the location of an airport, an airport runway, or a major runway extension may be approved by the Secretary unless—

(A) the sponsor of the project certifies to the Secretary that there has been afforded to the public an opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with the goals and objectives of such planning as has been carried out by the community;

(B) the sponsor agrees that, upon request of the Secretary, the sponsor will submit a transcript of any such hearings to the Secretary;

(C) the Secretary consults with the Secretary of the Interior and the Administrator of the Environmental Protection Agency

with regard to any portion of the project which may have a significant impact on natural resources including, but not limited to, fish and wildlife, natural, scenic, and recreation assets, water and air quality, and other factors affecting the environment;

(D) the Secretary conducts a full and complete review, as a matter of public record, of any project found to have a significant adverse effect on natural resources and finds in writing that no feasible and prudent alternative exists and that all reasonable steps have been taken to minimize such adverse effect;

(E) the Governor of the State in which the project is to be located certifies in writing to the Secretary that there is reasonable assurance that the project will be located, designed, constructed, and operated so as to comply with applicable air and water quality standards. In any case where such standards have not been approved and where applicable air and water quality standards have been promulgated by the Administrator of the Environmental Protection Agency, certification shall be obtained from that Administrator. Notice of certification or refusal to certify shall be provided within 60 days after the project application has been received by the Secretary; and

(F) the Secretary conditions approval of the project-grant application on compliance during the construction and operation of the project with applicable air and water quality standards.

SPONSORSHIP REQUIREMENTS FOR PROJECT-GRANTS

SEC. 11. (a) REQUIREMENTS.—In addition to the requirements set forth in section 10 of this Act, the Secretary may not approve a project-grant application unless the Secretary receives written assurances, satisfactory to the Secretary, that—

(1) the airport to which the project relates will be available for public use on fair and reasonable terms and without unjust discrimination, including the requirement that (A) each air carrier using the airport shall be subject to such nondiscriminatory and substantially comparable rates, fees, rentals, and other charges and such nondiscriminatory and substantially comparable rules, regulations, and conditions as are applicable to all the air carriers which make similar use of the airport and which utilize similar facilities (whether as a tenant, nontenant or subtenant of another air carrier tenant), subject to reasonable classifications such as tenants or nontenants, and combined passenger and cargo flights or all cargo flights, and such classification or status as tenant shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on tenant air carriers, and (B) each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of the airport utilizing the same or similar facilities;

(2) the airport and all facilities thereon or connected therewith will be suitably operated and maintained, with due regard to climatic and flood conditions;

(3) the aerial approaches to the airport will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards;

(4) appropriate action, including the adoption of zoning laws, has been or will be taken, to the extent reasonable, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft;

(5) all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft will be available to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, of the cost of operating and maintaining the facilities used;

(6) the airport operator or owner will furnish without cost to the Federal Government for use in connection with any air traffic control or navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction at Federal expense of space or facilities for such purposes;

(7) all project accounts and records will be kept in accordance with a standard system of accounting prescribed by the Secretary after consultation with appropriate public agencies;

(8) the airport operator or owner will maintain a fee and rental structure for the facilities and services being provided the airport users which will make the airport as self-sustaining as possible under the circumstances existing at that particular airport, taking into account such factors as the volume of traffic and economy of collection, except that no part of the Federal share of an airport development or airport planning project for which a grant is made under this Act or under the Federal Airport Act or the Airport and Airway Development Act of 1970, as amended, shall be included in the rate base in establishing fees, rates, and charges for users of that airport;

(9) the airport operator or owner will submit to the Secretary such annual or special airport financial and operations reports as the Secretary may reasonably request;

(10) the airport and all airport records will be available for inspection by any duly authorized agent of the Secretary upon reasonable request;

(11) all revenues generated by the airport, if it is a public airport, will be expended for the capital or operating costs of the airport, the local airport system, or other local facilities which are owned or operated by the owner or operator of the airport and directly related to the actual transportation of passengers or property; *Provided, however,* That if covenants or assurances in debt obligations previously issued by the owner or operator of the airport, or provisions in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all other revenues generated by the airport shall not apply; and

(12) a sponsor who receives a grant for the purchase of land for noise compatibility purposes which is conditioned on the disposal of the acquired land at the earliest practicable time will, subject to the retention or reservation of any interest or right therein necessary to insure that such land is used only for purposes which are compatible with the noise levels of the operation of the airport, use its best efforts to so dispose of the land. The proceeds of such dispositions shall be refunded to the United States for the Trust Fund on a basis proportionate to the United States share of the cost acquisition of the land.

(b) COMPLIANCE.—To insure compliance with this section, the Secretary shall prescribe such project sponsorship requirements in regard to the airport to which the project relates as are consistent with the terms of this Act and as the Secretary considers necessary. Among other steps to insure compliance, the Secretary is authorized to enter into contracts with public agencies on behalf of the United States. Whenever the Secretary obtains from a sponsor any area of land or water, or estate therein, or rights in buildings of the sponsor and constructs space or facilities thereon at Federal expense, the Secretary is authorized to relieve the sponsor from any contractual obligation entered into under this Act, the Airport and Airway Development Act of 1970, as amended, or the Federal Airport Act to provide free space in airport buildings to the Federal Government to the extent the Secretary finds that space is no longer required for the purposes set forth in paragraph (6) of subsection (a).

BLOCK GRANTS

SEC. 12. (a) ELIGIBILITY.—Any State may apply to the Secretary to receive a block-grant from funds apportioned to such State under section 8(b)(2) of this Act.

(b) APPROVAL.—The Secretary shall approve a block-grant application, and enter into a block-grant agreement with the applicant State in accordance with the provisions of this Act, upon finding that:

(1) The applicant State has, through appropriate legislative action, agreed to participate in the block-grant program, designated the State agency or organization that will have responsibilty for administering the program, and agreed to obligate State funds of the applicant State for airport development in an amount at least equal to 10 percent of the amount of Federal block-grant funds awarded to the applicant State.

(2) The applicant State's designated agency or organization is capable of administering a block-grant. The Secretary shall make such determination upon consideration of the resources available to the applicant State's designated agency or organization, in accordance with such regulations as the Secretary may prescribe.

(3) The applicant State has prepared, or will have prepared by January 1, 1984, a State airport system plan consistent with such criteria as the Secretary may require.

(4) The applicant State has provided reasonable assurance that Federal funds apportioned to the applicant State under section 8(b)(2) will be used to supplement and increase the level of applicant State, local, and other non-Federal funds that would in the absence of such Federal funds be made available for allowable project costs as set forth in section 16 of this Act, and will in no event replace such applicant State, local, and other non-Federal funds.

(5) The applicant State has agreed that—

(A) it will submit a State development report for the information of the Secretary not later than the close of the third month of any fiscal year for which funds will be made available under this subsection;

(B) it will enforce compliance with assurances received by it from those to whom it

distributes funds from a block-grant, and such assurances shall include any which the Secretary may require the State to impose;

(C) it will monitor compliance with outstanding assurances made under the Federal Airport Act, the Airport and Airway Development Act of 1970, as amended, and the Surplus Property Act of 1944 at all airports which receive funds from a block-grant and will report to the Secretary any noncompliance with such assurances;

(D) it has given notice, to owners or operators of airports located within the applicant State which are eligible to receive funds from a block-grant, of its intent to apply for a block-grant; and

(E) it will collect and provide such safety or enplanement data, if the necessary data is not available from a Federal agency, as the Secretary may require with respect to public-use airports within the State.

(c) REVOCATION OF APPROVAL.—The Secretary may revoke any approval of a block-grant issued pursuant to this section upon finding that the participating State has not fulfilled all of the conditions specified in subsection (b) of this section or the block-grant agreement made pursuant to such approval.

(d) USE OF BLOCK-GRANT FUNDS.—

(1) Except as provided in paragraph (2) of this subsection, all funds distributed to a participating State as a block-grant shall be obligated or expended only for projects of airport development or airport planning at airports described in section 8(b)(2) of this Act which are located in the participating State and included in the participating State's current State airport system plan or in the national airport system plan.

(2) A participating State may apply not more than 1.5 percent of its annual apportionment under section 8(b)(2) to maintaining the currency of its State airport system plan, but no block-grant funds may be used to pay administrative costs incurred by the participating State in fulfilling the requirements of this Act or in distributing block-grant funds to eligible airports.

(3) A participating State which accepts a block-grant offer pursuant to this Act shall, not later than the close of the fiscal year following the fiscal year in which the offer is accepted, enter into binding agreements to commit all funds to be made available by the United States, to fund eligible airport planning or development projects. Any funds which have not been committed pursuant to such binding agreements shall revert to the United States at the close of such following fiscal year for credit to the discretionary fund established by subsection 8(b)(3) of this Act.

(e) STATE STANDARDS.—

(1) Except as provided in paragraph (2) of this subsection, all airport development pursuant to a block-grant under this section shall be in accordance with standards established or approved by the Secretary, including standards for site location, airport layout, site preparation, paving, lighting, and safety of approaches.

(2) The Secretary is authorized to approve standards, other than standards for the safety of approaches, established by a participating State for airport development in such participating State at public-use airports that are not primary airports, and, upon such approval, the State standards shall be the standards applicable to such airports in lieu of any comparable standard established under paragraph (a)(2) of this section. State standards approved under this subsection may be revised as the participating State or the Secretary determines to be necessary. Revisions initiated by a participating State shall be subject to the approval of the Secretary.

BLOCK-GRANT SUPPLEMENTS

SEC. 13. (a) ELIGIBILITY.—Any participating State may apply to the Secretary to receive a block-grant supplement from funds available to the Secretary for discretionary distribution pursuant to section 8(b)(3) of this Act.

(b) APPLICATION.—Any application for a block-grant supplement under this section shall be submitted to the Secretary in such form and manner as the Secretary may prescribe. Each application shall identify the specific projects for which funds are requested. Any participating State that submits an application for a block-grant supplement under this section during the first 3 months of any fiscal year shall submit a current State development report to the Secretary along with such application.

(c) APPROVAL.—The Secretary may approve any application for a block-grant supplement if the projects to be funded under the application satisfy all of the eligibility criteria applicable to projects funded under block grants. Approval of any application shall be solely at the discretion of the Secretary.

(d) BLOCK-GRANT SUPPLEMENT AGREEMENT.—If the Secretary approves an application for a block-grant supplement under this section, he shall enter into a block-grant supplement agreement with the participating State. The agreement shall contain the same requirements and restrictions as a block-grant agreement.

CONCLUSIONARY CERTIFICATIONS; CONSULTATION

SEC. 14. (a) CONCLUSIONARY CERTIFICATIONS.—In determining compliance with the requirements of this Act and other Federal laws, the Secretary shall, to the greatest extent practicable consistent with the objectives of this Act and other Federal laws, require conclusionary certifications from sponsors that they have complied or will comply with all of the statutory, regulatory, and procedural requirements that are imposed in connection with a project-grant, block-grant, or block-grant supplement under this Act or other Federal laws. Acceptance by the Secretary of certification from a sponsor may be rescinded at any time.

(b) CONSULTATION.—In making a decision to undertake any airport development project under this Act, each sponsor of an airport shall undertake reasonable consultations with affected parties using the airport at which the project is proposed.

GRANT AGREEMENTS

SEC. 15. (a) Upon approving a project-grant, block-grant, or block-grant supplement application, the Secretary, on behalf of the United States, shall transmit to the sponsor or sponsors of the application an offer to make a grant for the United States share of allowable project costs. The offer shall be made upon such terms and conditions as the Secretary considers necessary to meet the requirements of this Act and any regulations prescribed thereunder. Each offer shall state a definite amount as the maximum obligation of the United States payable from funds made available to carry out the provisions of this Act, and shall stipulate the obligations to be assumed by the sponsor or sponsors. In any case where the Secretary approves a project-grant application for a project which will not be completed in 1 fiscal year, the offer shall, upon request of the sponsor, provide for the obligation of funds apportioned or to be apportioned to the airport pursuant to section 8(b)(1) of this Act for such fiscal years (including future fiscal years) as may be necessary to pay the United States share of the cost of such project. If and when an offer is accepted in writing by the sponsor, the offer and acceptance shall comprise an agreement constituting an obligation of the United States and of the sponsor. Unless and until an agreement has been executed, the United States may not pay, nor be obligated to pay, any portion of the costs which have been or may be incurred.

(b) When an offer is accepted in writing by a sponsor, the amount stated in the offer as the maximum obligation of the United States may not be increased, except that—

(1) in the case of project grants for airport development, the United States share for project costs other than land acquisition may be increased by not more than 10 percent;

(2) in the case of project costs for the acquisition of land or interests in land as described in paragraphs 3(2)(C) or 3(2)(D) of this Act, the United States share of such project costs may be increased by an amount not to exceed 50 percent of the total increase in allowable project costs attributable to such acquisition in land or interests therein; and

(C) Notwithstanding any other provision of law in the case of grants made under the Airport and Airway Development Act of 1970, as amended, the maximum obligation of the United States may be increased by not more than 10 percent: *Provided*, That any additional obligation of the United States may be paid for only from funds recovered by the United States from other grants made under that Act.

PROJECT COSTS

SEC. 16. (a) ALLOWABLE PROJECT COSTS.—Except as provided in section 18 of this Act, the United States may not pay, nor be obligated to pay, from amounts made available to carry out the provisions of this Act, any portion of a project cost incurred in carrying out a project for airport development or airport planning unless the Secretary has first determined that the cost is allowable. A project cost is allowable if—

(1) it was a necessary and direct cost incurred in accomplishing an approved project in conformity with the terms and conditions of the grant agreement entered into in connection with the project, including any costs incurred by a recipient in connection with any audit required by the Secretary pursuant to section 22(b) of this Act;

(2) it was incurred subsequent to the execution of the grant agreement with respect to the project, and in connection with airport development or airport planning accomplished under the project after the execution of the agreement. However, the allowable costs of a project for airport development may include any necessary and direct costs of formulating the project (including the costs of field surveys and the preparation of plans and specifications, the acquisition of land or interests therein or easements through or other interests in airspace, and any necessary and direct administrative or other incidental costs incurred by the sponsor specifically in connection with the accomplishment of the project for airport development, which would not have been incurred otherwise) which were incurred subsequent to May 13, 1946, and the

allowable costs for a project of airport planning may include any necessary and direct costs associated with developing the project work scope which were incurred subsequent to May 13, 1946;

(3) in the opinion of the Secretary it is reasonable in amount, and if the Secretary determines that a project cost is unreasonable in amount, the Secretary may allow as an allowable project cost only so much of the project cost as the Secretary determines to be reasonable, except that in no event may the Secretary allow project costs in excess of the definite amount stated in the grant agreement except to the extent authorized by this Act; and

(4) it has not been incurred in any other project for airport planning or airport development for which Federal assistance has been granted.

The Secretary is authorized to prescribe such regulations, including regulations with respect to the auditing of project costs, as the Secretary considers necessary to accomplish the purposes of this section.

(b) TERMINAL DEVELOPMENT.—

(1) Notwithstanding the provisions of subsection (c) of this section, upon certification by the sponsor of any commercial service airport that such airport has, on the date of submittal of the grant application, provided all the safety equipment required for certification of such airport under section 612 of the Federal Aviation Act of 1958, as amended, has provided all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning or deplaning from aircraft providing scheduled service, the Secretary may approve, as an allowable project cost of a project for airport development at such airport, terminal development (including multimodal terminal development) in nonrevenue producing public-use areas if such project cost is directly related to the movement of passengers and baggage in air commerce within the boundaries of the airport, including, but not limited to, vehicles for the movement of passengers between terminal facilities or between terminal facilities and aircraft.

(2) No more than 60 percent of the sums apportioned under section 8(b)(1) of this Act to an eligible primary airport for any fiscal year may be obligated at such airport for project costs allowable under paragraph (1) of this subsection. No more than $200,000 of the sums apportioned under section 8(b)(2) for any fiscal year which are distributed to a commercial service airport which is not a primary airport may be used at such airport for project costs allowable under paragraph (1) of this subsection. In no event shall funds available for discretionary distribution by the Secretary pursuant to section 8(b)(3) of this Act be obligated at any primary airport for project costs allowable under paragraph (1) of this subsection.

(3) Notwithstanding any other provisions of this Act, the United States share of project costs allowable under paragraph (1) of this subsection shall not exceed 50 percent.

(4) The Secretary shall approve project costs allowable under paragraph (1) of this subsection under such terms and conditions as may be necessary to protect the interests of the United States.

(c) COSTS NOT ALLOWED.—Except as provided in subsection (b) of this section, the following are not allowable project costs: (1) the cost of construction of that part of an airport development project intended for use as a public parking facility for passenger automobiles; or (2) the cost of construction, alteration, or repair of a hangar or of any part of an airport building except such of those buildings or parts of buildings intended to house facilities or activities directly related to the safety of persons at the airport; or (3) indirect costs.

UNITED STATES SHARE OF PROJECT COSTS

SEC. 17. (a) GENERAL PROVISION.—Except as otherwise provided in this section, the United States share of allowable project costs payable on account of any project funded under a project-grant, block-grant, or block-grant supplement shall not exceed 90 percent of the allowable project costs.

(b) PROJECTS AT CERTAIN PRIMARY AIRPORTS.—In the case of primary airports enplaning .25 percent or more of the total number of passengers enplaned annually at all commercial service airports, the United States share of the allowable project costs payable on account of any project contained in an approved project-grant application shall not exceed 75 percent of the allowable project costs.

(c) PROJECTS IN PUBLIC LANDS STATES.—In the case of any State containing unappropriated and unreserved public lands and nontaxable Indian lands (individual and tribal) exceeding 5 percent of the total area of all lands therein, the United States share under subsection (a) of this section shall be increased by whichever is the smaller of the following percentages thereof: (1) 25 percent, or (2) a percentage equal to one-half of the percentage that the area of all such public and nontaxable Indian lands in the State is of its total area. In no event shall such United States share, as increased by this subsection, exceed the greater of (1) the percentage share determined under subsection (a) of this section, or (2) the percentage share applying on June 30, 1975, as determined under subsection 17(b) of the Airport and Airway Development Act of 1970, as amended.

PAYMENTS UNDER GRANT AGREEMENTS

SEC. 18. (a) PROJECT-GRANT AGREEMENTS.—The Secretary, after consultation with the sponsor with which a project-grant agreement has been entered into, may determine the times and amounts in which payments shall be made under the terms of agreement. Payments in an aggregate amount not to exceed 90 percent of the United States share of the total estimated allowable project costs may be made from time to time in advance of accomplishment of the airport project to which the payments relate, if the sponsor certifies to the Secretary that the aggregate expenditures to be made from the advance payments will not at any time exceed the cost of the airport development work which has been performed up to that time.

(b) BLOCK-GRANT AND BLOCK-GRANT SUPPLEMENT AGREEMENTS.—The Secretary, after entering into a block-grant or block-grant supplement agreement with a participating State, shall make payment to such participating State of the United States share of the allowable project costs of projects funded through the block-grant or block-grant supplement. Such payment may be effected through a letter-of-credit system.

(c) PROJECT-GRANT, BLOCK-GRANT, AND BLOCK-GRANT SUPPLEMENT AGREEMENTS.—If the Secretary determines that the aggregate amount of payments made under a project-grant, block-grant, or block-grant supplement agreement at any time exceeds the United States share of the total allowable project costs, the United States shall be entitled to recover the excess. If the Secretary finds that any airport development or airport planning to which the advance payments relate has not been completed, the United States may recover any part of the advance payment for which the United States received no benefit. Payments under a project-grant, block-grant, or block-grant supplement agreement shall be made to the official or depository authorized by law to receive public funds and designated by the sponsor or participating State.

PERFORMANCE OF CONSTRUCTION WORK

SEC. 19. (a) REGULATIONS.—The construction work on any project for airport development contained in an approved project-grant application submitted in accordance with this Act shall be subject to inspection and approval by the Secretary and shall be in accordance with regulations prescribed by the Secretary. Such regulations shall require such cost and progress reporting by the sponsor or sponsors of the project as the Secretary shall deem necessary. No such regulation shall have the effect of altering any contract in connection with any project entered into without actual notice of the regulation.

(b) MINIMUM RATES OF WAGES.—All contracts in excess of $2,000 for work under project-grants for airport development approved under this Act which involve labor shall contain provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

(c) VETERANS PREFERENCE.—All contracts for work under project-grants for airport development approved under this Act which involve labor shall contain such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to veterans of the Vietnam era and disabled veterans. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates. For the purposes of this subsection—

(1) a Vietnam-era veteran is an individual who served on active duty as defined by section 101(21) of title 38 of the United States Code in the Armed Forces for a period of more than 180 consecutive days any part of which occurred during the period beginning August 5, 1964, and ending May 7, 1975, and who was separated from the Armed Forces under honorable conditions; and

(2) a disabled veteran is an individual described in section 2108(2) of title 5 of the United States Code.

USE OF GOVERNMENT-OWNED LANDS

SEC. 20. (a) REQUESTS FOR USE.—Subject to the provisions of subsection (c) of this section, whenever the Secretary determines that use of any lands owned or controlled by the United States is reasonably necessary for carrying out a project under this Act at a public airport, or for the operation of any public airport, including lands reasonably necessary to meet future development of an airport in accordance with the national airport system plan, the Secretary shall file with the head of the department or agency having control of the lands a request that the necessary property interests therein be

conveyed to the public agency sponsoring the project in question or owning or controlling the airport. The property interest may consist of the title to, or any other interest in, land or any easement through or other interest in airspace.

(b) MAKING OF CONVEYANCES.—Upon receipt of a request from the Secretary under this section, the head of the department or agency having control of the lands in question shall determine whether the requested conveyance is inconsistent with the needs of the department or agency, and shall notify the Secretary of the determination within a period of 4 months after receipt of the Secretary's request. If the department or agency head determines that the requested conveyance is not inconsistent with the needs of that department or agency, the department or agency head is hereby authorized and directed, with the approval of the Attorney General of the United States, and without any expense to the United States, to perform any acts and to execute any instruments necessary to make the conveyance requested. A conveyance may be made only on the condition that, at the option of the Secretary, the property interest conveyed shall revert to the United States in the event that the lands in question are not developed for airport purposes or used in a manner consistent with the terms of the conveyance. If only a part of the property interest conveyed is not developed for airport purposes, or used in a manner consistent with the terms of the conveyance, only that particular part shall, at the option of the Secretary, revert to the United States.

(c) EXEMPTION OF CERTAIN LANDS.—Unless otherwise specifically provided by law, the provisions of subsections (a) and (b) of this section shall not apply with respect to lands owned or controlled by the United States within any national park, national monument, national recreation area, or similar area under the administration of the National Park Service; within any unit of the National Wildlife Refuge System or similar area under the jurisdiction of the United States Fish and Wildlife Service; or within any national forest or Indian reservation.

FALSE STATEMENTS

SEC. 21. Any officer, agent, or employee of the United States, or any officer, agent, or employee of any public agency, or any person, association, firm, or corporation who, with intent to defraud the United States—

(1) knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the costs thereof, in connection with the submission of plans, maps, specifications, contracts, or estimates of project costs for any project submitted to the Secretary for approval under this Act;

(2) knowingly makes any false statement, false representation, or false report or claim for work or materials for any project approved by the Secretary under this Act; or

(3) knowingly makes any false statement or false representation in any report or certification required to be made under this Act;

shall, upon conviction thereof, be punished by imprisonment for not to exceed 5 years, or by a fine of not to exceed $10,000, or by both.

ACCESS TO RECORDS

SEC. 22. (a) RECORDKEEPING REQUIREMENTS.—Each recipient of a grant under this Act shall keep such records as the Secretary may prescribe, including records which fully disclose the amount and the disposition by the recipient of the proceeds of the grant, the total cost of the plan or program in connection with which the grant is given or used, and the amount and nature of that portion of the cost of the plan or program supplied by other sources, and such other records as will facilitate an effective audit. The Secretary shall annually review the reporting and recordkeeping requirements under this Act to insure that such requirements are kept to the minimum level necessary for the proper administration of this Act.

(b) AUDIT AND EXAMINATION.—The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to grants received under this Act. The Secretary may require, as a condition to receipt of a grant under this Act, that an appropriate audit be conducted by a recipient. The Secretary may require appropriate audit and examination by participating States of any books, documents, papers, and records of any recipient of funds from a block-grant apportioned or a block-grant supplement distributed to such States under this Act.

(c) AUDIT REPORTS.—In any case in which an independent audit is made of the accounts of a recipient of a grant under this Act relating to the disposition of the proceeds of the grant or relating to the plan or program in connection with which the grant was given or used, the recipient shall file a certified copy of the audit with the Comptroller General of the United States not later than 6 months following the close of the fiscal year for which the audit was made. On or before April 15 of each year the Comptroller General shall report to the Congress describing the results of each audit conducted or reviewed by him under this section during the preceding fiscal year. The Comptroller General shall prescribe such regulations as are deemed necessary to carry out the provisions of this subsection.

(d) WITHHOLDING INFORMATION.—Nothing in this section shall authorize the withholding of information by the Secretary or the Comptroller General of the United States, or any officer or employee under the control of either of them, from the duly authorized committees of the Congress.

GENERAL POWERS

SEC. 23. The Secretary is empowered to perform such acts, to conduct such investigations and public hearings, to issue and amend such orders, and to make and amend such regulations and procedures, pursuant to and consistent with the provisions of this Act, as the Secretary considers necessary to carry out the provisions of, and to exercise and perform the Secretary's powers and duties, under this Act.

CIVIL RIGHTS

SEC. 24. The Secretary shall take affirmative action to assure that no person shall, on the grounds of race, creed, color, national origin, or sex, be excluded from participating in any activity conducted with funds received from any grant made under this Act. The Secretary shall promulgate such rules as the Secretary deems necessary to carry out the purposes of this section and may enforce this section, and any rules promulgated under this section, through agency and department provisions and rules which shall be similar to those established and in effect under title VI of the Civil Rights Act of 1964. The provisions of this section shall be considered to be in addition to and not in lieu of the provisions of title VI of the Civil Rights Act of 1964.

JUDICIAL ENFORCEMENT

SEC. 25. (a) JUDICIAL ENFORCEMENT.—

(1) If any person violates any provision of this Act, or any rule, regulation, requirement, or order thereunder, the Secretary may, through the Attorney General, apply to the district court of the United States for any district wherein the airport or sponsor related to such violation is located, for the enforcement of such provision of this Act, or of such rule, regulation, requirement, or order; and such court shall have jurisdiction to enforce obedience thereto by a writ of injunction or other process, mandatory or otherwise, restraining such person or such person's agents, employees, and representatives from further violation of such provision of this Act or of such rule, regulation, requirement, or order and requiring their obedience thereto.

(2) Upon request of the Secretary, any United States Attorney to whom the Secretary may apply is authorized to institute in the appropriate district court and to prosecute under the direction of the Attorney General all necessary proceedings for the enforcement of the provisions of this Act or any rule, regulation, requirement, or order thereunder. The costs and expenses of such prosecutions shall be paid out of the appropriations for the expenses of the courts of the United States.

(b) PARTICIPATION IN COURT PROCEEDINGS.—Upon request of the Attorney General, the Secretary shall have the right to participate in any proceeding in court regarding the provisions of this Act.

(c) JOINDER OF PARTIES.—In any proceedings for the enforcement of the provisions of this Act, or any rule, regulation, requirement, or order thereunder, it shall be lawful to include as parties, or to permit the intervention of, all persons interested in or affected by the matter under consideration; and inquiries, investigations, orders, and decrees may be made with reference to all such parties in the same manner, to the same extent, and subject to the same provisions of law as they may be made with respect to the persons primarily concerned.

VOLUNTARY WITHDRAWAL FROM PROGRAM

SEC. 26. (a) For any fiscal year beginning after September 30, 1982, any airport that otherwise would be eligible to receive Federal assistance for airport development or airport planning under this Act may voluntarily elect not to receive such assistance. If an airport does voluntarily elect not to receive such assistance for any fiscal year, it shall be ineligible to receive assistance for airport development or airport planning under this Act for that fiscal year or any subsequent fiscal year, except to the extent permitted under sections 8(b)(3)(D) and 10(a)(2) of this Act.

(b)(1) Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Congress a report on whether, and to what extent, those airports which have the ability to finance their capital and operating needs without Federal assistance should be made ineligible to receive Federal assistance for airport development and airport planning under this Act.

(2) The study shall consider, among other things: (A) what effect, if any, making such airports ineligible for such Federal assist-

ance would have on the national airport system; (B) whether airports which are made ineligible for assistance, or voluntarily withdraw from the program, should be permitted to collect a passenger facility charge; (C) how such a passenger facility charge could be collected in order to minimize any cost and inconvenience for passengers, airports and air carriers; (D) the extent to which such a program would permit a reduction in Federal taxes on air transportation; (E) whether the net effect of such a program would lower or increase the cost of air transportation to passengers on our Nation's air carriers; and (F) whether the Congress should implement such a program prior to the expiration of this Act.

(3) In conducting the study, the Secretary shall consult with airport operators, air carriers, and representatives of any other groups which may be substantially affected by such a program.

WAIVER OF CERTAIN OBLIGATIONS

SEC. 27. (a)(1) No later than 180 days after the date of enactment of this Act, the Secretary shall establish procedures pursuant to which the owner or operator of any airport that voluntarily chooses not to receive Federal assistance under this Act pursuant to the provisions of section 26(a) of the Act, may, at its option, terminate any existing assurances, requirements, or contractual obligations with the United States that arose from the acceptance of Federal assistance under, or that are contained in grant agreements, deeds, or other instruments of conveyance issued pursuant to, this Act, the Federal Airport Act of 1946 (49 U.S.C. 1101 et seq.), the Airport and Airway Development Act of 1970 (49 U.S.C. 1711 et seq.) or the Surplus Property Act of 1944.

(2) If the owner or operator of an airport, pursuant to paragraph (1) of this subsection, elects to terminate a financial obligation owed to the United States, the Secretary is authorized to settle the obligation in an amount not exceeding the maximum obligation stated in the existing agreement, less any payments made thereon.

(3) Notwithstanding paragraphs (1) and (2) of this subsection, neither the owner or operator of an airport nor the Secretary may terminate any assurance specified in paragraphs (1), (2), (3), (4), (5), (6), (8), (10), (11), and (12) of section 11 of this Act or in paragraphs (1) through (6), (8), and (10) of section 18 of the Airport and Airway Development Act of 1970 (49 U.S.C. 1718), as such Act was in effect on the date of enactment of this paragraph.

(4) Notwithstanding any other provision of law, any airport that received or receives Federal assistance under this Act, the Federal Airport Act of 1946, the Airport and Airway Development Act of 1970 (49 U.S.C. 1711 et seq.) or the Surplus Property Act of 1944, either before or after the date of enactment of this paragraph, shall be available for public use on fair and reasonable terms and without unjust discrimination, including the requirement that (A) each air carrier, authorized by certificate or exemption to engage directly in air transportation pursuant to section 401, 402, or 418 of the Federal Aviation Act of 1958, using the airport shall be subject to such nondiscriminatory and substantially comparable rates, fees, rentals, and other charges and such nondiscriminatory and substantially comparable rules, regulations, and conditions as are applicable to all such air carriers which make similar use of the airport and which utilize similar facilities (whether as a tenant, nontenant, or subtenant of another air carrier tenant), subject to reasonable classifications such as tenants or nontenants, and combined passenger and cargo flights or all cargo flights, and such classification or status as tenant shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on tenant air carriers, and (B) each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar use of the airport utilizing the same or similar facilities.

(5) If an airport that voluntarily chooses not to receive Federal assistance for airport development or airport planning pursuant to section 26(a) does receive Federal assistance for land acquisition or noise compatibility projects pursuant to section 8(b)(3)(D), nothing in this section shall be construed as requiring the Secretary to terminate any assurances, requirements, or contractual obligations of such airport to the extent that such assurances, requirements, or contractual obligations relate to the land acquisition or noise compatibility projects.

(b) No State or political agency of one or more States shall enact or enforce any law, rule, regulation, standard, or other provision having the force and effect of law relating to (1) the operating safety of an airport subject to section 612 of the Federal Aviation Act of 1958 (49 U.S.C. 1432), or (2) any assurance, obligation, or requirement from which an airport owner or operator has been released by the Secretary under this section.

REPEALS; EFFECTIVE DATE; SAVING PROVISIONS; SEPARABILITY

SEC. 28. (a) REPEALS.—Except as otherwise provided in this Act, sections 1 through 31 of the Airport and Airway Development Act of 1970, as amended (49 U.S.C. 1701-1731), are repealed on the date of enactment of this Act.

(b) EFFECTIVE DATE.—The provisions of this Act shall enter into effect on the date of enactment of this Act.

(c) SAVING PROVISIONS.—

(1) All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, grants, rights, and privileges which have been issued, made, granted, or allowed to become effective by the President, the Secretary, or any court of competent jurisdiction under any provision of the Airport and Airway Development Act of 1970, as amended, or the Federal Airport Act, as amended, which are in effect at the time this Act takes effect, are continued in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the Secretary or by any court of competent jurisdiction, or by operation of law.

(2) Notwithstanding any other provision of this Act, amounts apportioned before October 1, 1980, pursuant to section 15(a)(3) of the Airport and Airway Development Act of 1970, as amended, and which have not been obligated by grant agreement before that date, shall remain available for obligation, for the duration of time specified in section 15(a)(5) of that Act, in accordance with the provisions of that Act, to the same extent as though that Act had not been repealed; except that nothing in this paragraph shall be construed as authorizing the obligation of any amount at an airport that has voluntarily withdrawn from the program pursuant to section 26(a) except in accordance with the provisions of that section.

(d) SEPARABILITY.—If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of the provision to other persons or circumstances is not affected thereby.

REPORT TO CONGRESS ON AIRPORT AND AIRWAY TRUST FUND

SEC. 29. On or before the first day of March of each year, the Secretary shall transmit to the Congress a balance sheet for the Airport and Airway Trust Fund describing, in general terms, the revenues and expenditures of the Fund for the preceding fiscal year.

STANDARDS FOR RUNWAY FRICTION

SEC. 30. The last sentence of section 612(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1432(b)), is amended by inserting "(1)" immediately after the words "relating to" and by inserting the following immediately before the period at the end thereof ", and (2) such grooving or other friction treatment for primary and secondary runways as the Secretary determines to be necessary".

EQUAL AERONAUTICAL ACCESS

SEC. 31. (a) Section 308 of the Federal Aviation Act of 1958 (49 U.S.C. 1349) is amended—

(1) by striking the last sentence in subsection (a); and

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

"EQUAL AERONAUTICAL ACCESS

"(c)(1) There shall be no exclusive right for the use of any landing area or air navigation facility upon which Federal funds have been expended. All airports upon which Federal funds have been expended shall be available for public use on fair and reasonable terms and without unjust discrimination, and each such airport shall be open to all types, kinds, and classes of aeronautical use on fair and reasonable terms without unjust discrimination among such types, kinds, and classes of aeronautical use. Further, each air carrier using such airport shall be subject to such nondiscriminatory and substantially comparable rules, regulations, and conditions as are applicable to all such air carriers which make similar use of such airport and which utilize similar facilities, (whether as a tenant, nontenant, or subtenant of another air carrier tenant), subject to such reasonable classifications such as tenants or nontenants, and combined passenger and cargo flights or all cargo flights, and such classification or status as tenant shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on tenant air carriers.

"(2) Nothing in this subsection shall be construed as prohibiting the owner or operator of an airport from (A) establishing such fair, equal, and not unjustly discriminatory conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport or (B) prohibiting or limiting any type, kind, or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.".

(b) Section 1007(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1487(a)) is amended by inserting the words "section 308(c) or" before the words "section 401(a) of this Act".

(c) The table of contents of the Federal Aviation Act of 1958 is amended by inserting at the end of the item relating to section 308, the following:

"(c) Equal aeronautical access.".

CONFORMING AMENDMENT

SEC. 32. (a) Section 101(1) of the Aviation Safety and Noise Abatement Act of 1979 (49 U.S.C. 2101(1)) is amended to read as follows:

"(1) the term 'airport' means any public-use airport as defined in the Airport and Airway System Development Act of 1982;".

(b) Section 101(2) of the Aviation Safety and Noise Abatement Act of 1979 (49 U.S.C. 2101(2)) is amended to read as follows:

"(2) the term 'airport operator' means any person operating an airport as defined in this section; and".

SECURITY SCREENING IN FOREIGN AIR COMMERCE

SEC. 33. Section 24 of the Airport and Airways Development Act Amendments of 1976 (49 U.S.C. 1356a) is amended by adding the following new subsections at the end thereof:

"(d) There is authorized to be appropriated for fiscal year 1982 from the Airport and Airway Trust Fund such funds as may be necessary to carry out this section, provided that the total of such funds shall not exceed the amounts authorized to be appropriated under subsection (c) of this section.

"(e) The Secretary shall submit a report to the Congress on the amounts of compensation due to air carriers under this section.".

SAFETY CERTIFICATION OF AIRPORTS

SEC. 34. (a) Section 612(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1432(a)), is amended to read as follows:

"(a) The Administrator is empowered to issue airport operating certificates to, and establish minimum safety standards for, the operation of airports that—

"(1) Enplane 2,500 or more revenue paying passengers annually; or

"(2) Serve any scheduled or unscheduled passenger operation of air carrier aircraft designed for more than 30 passenger seats.".

(b) Section 612(b) of such Act (49 U.S.C. 1432(b)) is amended by striking out "serving air carriers certificated by the Civil Aeronautics Board" in the first sentence and inserting in lieu thereof: "described in subsection (a) and which is required by the Administrator, by rule, to be certificated.".

(c) Section 612(c) of such Act (49 U.S.C. 1432(c) is amended by striking out "air carrier airport enplaning annually less than one-fourth of 1 percent of the total number of passengers at all air carriers airports" and inserting in lieu thereof: "airport described in paragraph (a)(1) enplaning annually less than one-fourth of 1 percent of the total number of passengers enplaned at all airports described in paragraph (a)(1).".

(d) Section 610(a)(8) of such Act (49 U.S.C. 1430(a)(8)) is amended to read as follows:

"(8) For any person to operate an airport without an airport operating certificate required by the Administrator pursuant to section 612, or in violation of the terms of any such certificate; and".

PART-TIME OPERATION OF FLIGHT SERVICE STATIONS

SEC. 36. (a) Beginning on the date of enactment of this Act, the Secretary shall not close or operate on a permanent part-time basis any flight service station except in accordance with this section.

(b) During the period beginning on the date of enactment of this Act and ending on September 30, 1983, the Secretary may provide for the part-time operation of not more than 60 existing flight service stations operated by the Federal Aviation Administration. The operation of a flight service station on a part-time basis shall be subject to the condition that during any period when a flight service station is part-timed, the service provided to airmen with respect to information relating to temperature, dewpoint, barometric pressure, ceiling, visibility, and wind direction and velocity for the area served by such station shall be as good as or better than the service provided when the station is open, and all such service shall be provided either by mechanical device or by contract with another party.

(c) The Secretary may close not more than five existing flight service stations before October 1, 1983. After October 1, 1983, the Secretary may close additional flight service stations, but only if the service provided to airmen after the closure of such station with respect to information relating to temperature, dewpoint, barometric pressure, ceiling, visibility, and wind direction and velocity for the area served by such station is as good as or better than the service provided when the station was open and such service is provided either by mechanical device or by contract with another party.

CONGRESSIONAL COMMITTEES

SEC. 37. Nothing in this Act shall be construed as altering the jurisdiction of the Committee on Commerce, Science, and Transportation in the Senate, or the Committee on Public Works and Transportation in the House of Representatives, over the airport and airway system development program or other aeronautical activities.

The PRESIDING OFFICER. Who yields time?

Mr. PACKWOOD. Mr. President, everyone should have a copy of this amendment on his or her desk. There have been two changes in the amendment from what is on the desk and I shall read them so that everybody will be aware of them.

On page 15, lines 7, 8, 9, and 10, are some dollar figures. These are the figures that are in the amendment as handed in. The figures should read as follows: On line 7, $1,740,000,000; on line 8, $2,533,500,000; on line 9, $3,582,900,000; and on line 10, $4,789,700,000.

Then, Mr. President, on page 77, line 11, through page 79, line 4, the material has simply been stricken out.

This amendment is what is known as the ADAP program, the airport and airway development aid program. It is a program well known to the Members of the Senate. It worked well for 10 years, it was in existence from 1970 to 1980. Through some differences between the House and the Senate and other problems, it was not reauthorized on a long-term basis. When you are talking about building airports, putting in navigation equipment, extending runways and taxiways, you are not talking about problems on a year-to-year basis, you are talking about 3, 4, 5, or 6 years. This particular amendment authorizes money through fiscal year 1987 for the ADAP programs.

The ADAP program has basically four parts to it. On occasion, the term "ADAP" is used in referring to all of the parts. On occasion it is used in referring to just one of the parts. I shall explain what those four parts are.

First is the airport development grants. These are the capital improvement at airports for runways, taxiways, and what not. If somebody is normally referring to just a section of the program and says "ADAP," this is usually what they mean.

The second part is facilities and equipment. This is the airport and airway navigational equipment. Third is research and development, and fourth is FAA operations and maintenance, the administrative cost of running the Federal Aviation Administration.

The taxing provisions were added, of course, to this bill in the reconciliation package before the Finance Committee. The substantive part of the ADAP program, the authorizations—how the money shall be spent, the use of the trust fund—was also added at the request of the majority of the members of the Committee on Commerce.

It is most important that while this particular amendment I am offering is, how the money user taxes are spent, let the two, the user taxes and the spending provisions in my colleagues' minds be considered together. Because if, by chance, this amendment is defeated, if we do not adopt the authorization levels for 6 years for the airport development the FAA navigation equipment, the research and development, then what you will have is the user fees being collected but this money will not be used for the purpose for which the users intended it. It would be like having the gasoline tax and no highway trust fund and just having the money go into the general fund even though it was sold to the voters and put through Congress on the basis of being a user fee.

I want to emphasize, Mr. President, that the aviation user fees in the bill were arrived at after extraordinary negotiations between all parts of the aviation community. All of these groups do not necessarily share complete endorsement of all of the parts of the bill. The bulk of the people, those who use the airways or who operate the airports, support the bulk of the bill. It is a fragile coalition. The tax part of the bill has the following taxes:

A tax on airline tickets, 8 percent.

A tax on air freight, 5 percent.

International departure tax, $3 no different from the present law.

Tire tax at 5 cents a pound, no change from the present law.

The tube tax at 10 cents a pound, no change from the present law.

General aviation gas goes to 12 cents per gallon. It was at one time 7 cents a gallon, and when the authorization for the program terminated it fell back to its old limit of 4 cents a gallon.

And general aviation jet fuel, 14 cents a gallon.

Those revenue figures will produce over the 6 years approximately $16 billion.

Taking into account all of the expenditures, for all of the capital improvements, for all of the upgrading of the controller's facilities, for all of the navigation equipment, for everything in this bill, we will still, at the end of the 6 years have a surplus of over $1.5 billion in the trust fund.

In the past we had a problem. The taxes were collected, and if we could not agree upon a spending bill the money simply mounted up. In the last 2 years believe it or not, the aviation user taxes went into the highway trust fund, and into the general fund.

Different administrations have in the past not liked to spend the funds because, if you are trying to work budget magic, and if you take these user fees and add them to your receipts, you are moving toward closing the deficit. You are getting more revenue. There have been some in the past who were perfectly happy to take the user fees and, in essence, count them for budget balancing purposes and not spend the money. We have, therefore, added a trigger that provides that, in any fiscal year, if 85 percent of the airport development funds which are made available for obligation by Congress are less than 85 percent of the authorized levels, then all taxing and spending authority, except for airport development spending, terminates at the end of that fiscal year.

This trigger was meant, quite frankly, as a hammer to make sure that no administration tries to prohibit the spending for airport development because those who pay the user fees believe this is an important program.

The administration supports this bill. The Budget Committee supports these figures.

Senators will find on their desks three letters; one from the building trades from Bob Georgine, the head of the building trades, one from Charlie Nichols, the general treasurer of the carpenters, and one from J. C. Turner, the president of the operating engineers, all three support this program.

Mr. President, I will tell you why they support it. As far as the airport development program is concerned, the almost $5 billion that is in this bill for——

The PRESIDING OFFICER. Will the Senator suspend?

The Senate will be in order. The Senator from Oregon has the floor. May we have order?

Mr. PACKWOOD. There is almost $5 billion over 6 years in this bill for airport development spending; for the runways, for the taxiways. This money creates jobs which are very clearly jobs akin to highway programs. It puts contractors to work. It puts construction laborers to work. Needless to say, the construction and building trades associations are strongly in support of this bill. It is probably as good a jobs bill as we are going to get out of this Congress.

For all of those reasons, I hope that my colleagues would accept this amendment. It has taken a long time to work it out. It has overwhelming support from the administration and overwhelming support around the country from most of the people involved in the aviation industry. I do not want to give Senators the impression that every provision has 100 percent support from 100 percent of those involved in the aviation industry. We are not very often going to find a bill like that, but this is a good bill. I would hope that the Senate would accept it. I will reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. LONG. Mr. President, I ask that the time in opposition to the amendment be charged to the distinguished Senator from Nevada (Mr. CANNON).

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Nevada.

Mr. CANNON. Mr. President, my problem at this point is on the procedure used to get this amendment to the Senate floor.

Mr. STENNIS. Will the Senator yield to me?

I think, Mr. President, we ought to insist on order so that we can at least hear the speaker. It is a highly important matter and it is outside the ordinary consideration of an important bill.

The PRESIDING OFFICER. The Senate will be in order.

Mr. STENNIS. We are relegating ourselves to disorder. I say that with all deference. Let us hear the Senator.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. CANNON. Mr. President, in addition to the problem of the procedure used to get this amendment to the Senate floor, the amendment is badly flawed on its merits. First, it defies current fiscal policy by increasing spending by $6 billion over the spending authorized by the committee reported bill which was S. 508.

Second and most important, this amendment completely reverses the primary purpose to the aviation trust fund which has always been to improve the safety and capacity of the airport and airways system. Instead, this amendment would spend the largest share of the funds on existing operations of the FAA. In other words, this amendment changes the primary purpose of this trust fund from improving the safety and capacity of the system to maintaining the status quo.

The concept of using Federal trust funds for operational accounts instead of for capital expenditures is a new and unwelcome theory of budgetary philosophy. In my opinion, all Federal agencies should be held accountable for their operations through the usual appropriation process with funding from the general Treasury account.

Further, this amendment drops the concept of defederalization which the Senate has already endorsed by a 2-to-1 margin. Instead, this amendment proposes unrealistic increases in ADAP grant authorizations, unrealistic in view of the current and foreseeable budget constraints. This amendment increases the percentage of ADAP grants which go to the largest and wealthiest airports, airports which have now said they want to get off this Federal grant program. In fact, defederalization is the only way to meet the capital needs of the smaller airports which cannot finance their own improvements and also meet the conservative fiscal policy which must be followed.

Further, this draft has changed daily and virtually nobody knows what provisions are or are not in this newest draft with the exception of the author.

I understand that one provision precluding the State's right to tax was dropped in and then just recently removed when it was discovered by the State aviation officials. This process amounts to a rule of legislating whatever one can sneak by the opposition who has not been given the time to review what is being offered.

In short, Mr. President, this is a poorly conceived airport and airways bill and is being offered by the worst legislative process imaginable.

Now, the argument that was just given by the chairman of the committee that the Finance ADAP package can be determined a jobs bill provides us with a perfect definition of Republican economic theory: Take a depressed industry and drain $1.2 billion out of it in new taxation, then put back half that amount in new construction grants and tell everyone you have a jobs bill. The tax increases will eliminate many more jobs than the spending increases will create. But more importantly, nobody is arguing that we should not authorize ADAP grants for this year or for 5 years. I will vote right now for a simple extension of ADAP through 1983 and we would have plenty of time to debate a multiyear bill.

Mr. President, I have some questions for the distinguished chairman of the Commerce Committee that I would like to address to him if he would permit me to do so.

I am wondering why the chairman removed the provision contained in S. 508 that airports which receive ADAP must hold open their books for public inspection and use standard accounting procedures.

It seems to me that that should be the very basic essence of being able to get Federal funds.

Mr. PACKWOOD. Because in our experience we have no evidence of scandal, and we saw no need to add a burden on them for information that is already publicly available.

Mr. CANNON. Is the Senator saying that they are not required—that they do not use standard accounting procedures or should not be required to do so?

Mr. PACKWOOD. I do not want to compound problems where none exist. We have had no evidence where airports have been cheating. Almost all of them are public bodies and are subject to their own State laws and local laws on accounting. We have had no evidence to justify adding an additonal accounting system, in addition to the ones which are required by local bodies.

Mr. CANNON. I find it hard to understand why requiring them to hold open books for public inspection and use standard accounting procedures would put an additional burden on them.

The Senator says there is no evidence of their having used that process in the past. That speaks very well for the requirement currently in the law that does require them to hold open their books and to use standard accounting procedures.

It seems to me that you are giving them the opportunity, by not making this requirement, to let them do something different from what they have been doing in the past.

Mr. PACKWOOD. I will respond once more. I trust airport operators and the local governments that run them. Most of them are run by commissioners. We simply see no evidence to require them to keep an additional set of books in a form of accounting different from what they are already doing when the information they need and the information we seek is available.

Mr. CANNON. Also, I do not understand the majority's position with regard to eligibility for Federal grant programs. Working mothers with dependent children are mandatorily removed from eligibility for medicaid. Yet, you are supporting the proposition that Los Angeles International, with a quarter of a billion dollar annual budget, should be allowed to get Federal grants as long as it wants to.

Even more ironic is the fact that Los Angeles International wants to get out of the ADAP program. But the Senator's amendment insists on taxing Los Angeles passengers, based upon the assumption that the airport will continue to receive Federal grants.

Can the Senator explain to me why he insists that some of the poorest in our society must be mandatorily removed from Federal grant programs at the same time tax policies are proposed which, as a practical matter, preclude multimillion-dollar airports who want to give up Federal funding from doing so?

Mr. PACKWOOD. On this issue, I am not all that sympathetic with the airport operators.

The distinguished Senator will recall that he and I were cosponsors of the defederalization issue, and we were opposed by the airport operators. Now they switch their position 180°, and some of the big ones want defederalization because they think they can somehow make more money if they are not subject to federalization.

I indicated that this bill was a fragile compromise. A couple of years ago, they could have had defederalization if they had not fought us tooth and nail. Now, when they think they might not do as well, they have switched their position.

Any time we are dealing with this bill, year after year after year after year, for these 5- or 6-year authorizations, anytime we can get an agreement on defederalization, it can be written into the law. But I hope that between now and then, they get their act together and decide which they want. We are not promising it. Just because they say, jump, we are not going to jump. They have been on both sides of this issue within the last year, and I do not find their pleading now very effective.

Mr. CANNON. Why is it fair for aviation users to pay 100 percent of the system's capital costs and 75 percent of its operating costs, while boaters pay zero percent of the Coast Guard's capital costs and very little of its operating costs?

Mr. PACKWOOD. Without getting into the argument as to whether or not boaters should pay the total cost of the Coast Guard, the Coast Guard has an infinite variety of functions. It is not just the provision of safety for boaters and pulling people out of the ocean.

So far as the FAA is concerned, the total use of FAA and the total use of airports, with very, very neglible exception, is for people who fly or for people who are in the aviation industry, whether they fly or not. If there were no airplanes and no airports, we would need no FAA. So why not ask that those who use the system, a system which requires the existence of the FAA to operate and maintain all the navigational equipment that goes with it, to pay for the agency that is needed to provide and maintain the facilities. The FAA enables these users to enjoy their hobby if they are flying for pleasure or to pursue their business if they are flying for business.

Mr. CANNON. The Senator is well aware of the fact that there are other fallouts from this industry that benefit the general public, people who do not use the system at all.

The studies we have had in the committee indicate that very clearly. To say that the aviation users should pay 100 percent of the system's capital costs and 75 percent of its operating costs imposes an undue burden on them, when there is a fallout to general business and industry, and $40 billion goes from this industry into the economy in general. It seems to me unreasonable to have that kind of contribution to the operation of the system.

Mr. PACKWOOD. Again, the Senator is talking about roughly 60 percent of the operational costs of the FAA being borne by the users and 40 percent coming from the general fund, whether or not they use aviation.

One can argue that it should be 75 percent or 50 percent. In terms of the operational costs, we set it at roughly that figure. You can justify it being higher. We tried to hit a happy compromise, realizing that 50 percent, 40 percent, or 80 percent would not satisfy everybody. But, in all honesty, the bulk of the benefit and use of the FAA is by people who fly or who are connected with flying.

Mr. CANNON. The Senator uses the figure 60 percent. Is it not actually 75 percent?

Mr. PACKWOOD. No. It is 60 percent of the operation budget; 100 percent of facilities and equipment, 100 percent of research and development, and approximately 60 percent of operations. So the total is 75 percent.

Mr. CANNON. How is raising taxes on a depressed industry consistent with supply-side economics? I thought it was just to the contrary.

Mr. PACKWOOD. The Senator from Nevada is not talking to one who is an avid supporter of supply-side economics.

Mr. CANNON. Is it not the fact that the supply-side economic theory is just the opposite of raising taxes on a depressed industry? Is not the theory of supply-side economics to lower taxes on a depressed industry?

Mr. PACKWOOD. I am not going to get into a debate with the Senator on the merits of what supply-side means. But the hardest supply-siders in this administration support this bill. They are supply-siders, and they support this, and I assume you might be able to say that is supply-side economics.

Mr. CANNON. While we are on that, let me ask the Senator about the jobs bill.

How can he contend that if you are taking a depressed industry and drain-

ing $1.2 billion out of it in new taxes and you are only putting half that amount back in new construction grants, that is a jobs bill?

Mr. PACKWOOD. The General Aviation Manufacturers Association, which is the trade association——

Mr. CANNON. That was not my question. My question was how can the Senator contend this is a jobs bill when he is taking out $1.2 billion in new taxation and only putting back half that amount in new construction grants? I do not quite follow how the Senator can call this a jobs bill with that kind of imbalance.

Mr. PACKWOOD. All I am saying is that a majority of the industry upon whom the taxes are going to fall by and large support the taxes. They do not seem to think that there is going to be an imbalance. The one exception to that, and I understand it, and we all understand it, is the private pilot. Private pilots, who fly their own planes, have misgivings about the general aviation gas tax going to 12 cents when it used to be 7 cents prior to 1981.

But when we look at what the cost of gasoline was then and what it is now, that is not a disproportionate increase.

The rest of those people upon whom the tax will fall support the bill. So they do not think it is going to be a further nail in the coffin of their industries.

As far as the jobs are concerned, now this is admittedly an estimate, but from both the building trades, and the building construction associations, they estimate about 60,000 jobs per $1 billion of expenditures if this were highways. Roughly $5 billion in what we call the hard goods ADAP function, the runways, the taxiways, are reasonably similar to highways and to highway construction. Consequently, we came up with a figure of 250,000 to 300,000 jobs which those industries and those unions that are involved in that business say is a reasonable estimate.

Mr. CANNON. I agree with the Senator as to who the groups are that he says support it. But I think they are supporting it not because of the jobs bill but because it will get some money into some badly needed upgraded facilities which I agree with as well.

Mr. PACKWOOD. The Senator is absolutely right.

Mr. CANNON. I just point that out.

Mr. PACKWOOD. I am not trying to sell it for a jobs bill for United Airlines or jobs bill for TWA or a jobs bill for Cessna. They are willing to support the taxes because they know how desperate is the need for upgrading of the navigational facilities, how desperate is the need for the upgrading taxiways and runways.

Sure if we say to someone off by himself, "Do you want another tax," the answer would probably be no. But when we finally say to people who use it every day and whose lives are at stake every day, are you willing to pay this tax if the money is used for the following things: First, runways; second, navigation equipment; third, research and development; and fourth, part of the operation costs of the Federal Aviation Administration, they would say, on balance, yes.

Mr. CANNON. Of course, I point out that there is one organization that does oppose this which has the biggest voting bloc of any of those organizations the Senator has named. I am sure he is aware of that.

Mr. PACKWOOD. The Senator from Nevada, as the chairman of the Commerce Committee and as one of the most knowledgeable people in aviation, is fully aware of the longtime fight we have had about who uses the airways most and who should pay. I will be very frank. The commercial airline industry would like to saddle more of the cost on the private aviation industry, the private aviation industry being the smaller planes that are often used for business, often used for pleasure. The smaller plane owners would rather load it onto the commercial industry. That is nothing new for this Senate. We go through that kind of battle. It does not matter whether it is the commercial airlines versus business aviation or whether it is the railroads versus the trucks. It does not matter what. Everyone wants to load the cost of something onto someone else if they can get the benefit of what the money is going to be used for.

I might also indicate that this bill is supported at the tax levels by the association that represents the business users of airplanes, those who fly their own jets and planes for business.

Mr. CANNON. I thank the Senator.

Mr. PACKWOOD. Mr. President, I yield 3 minutes to the Senator from Virginia.

Mr. WARNER. Mr. President, I thank the distinguished Senator from Oregon.

Mr. President, I rise to support the measure of the Senator from Oregon. My support is primarily predicated on the need to enhance the safety of our airports.

The primary purpose of the ADAP legislation, which is now part of the tax reconciliation package, is to upgrade and modernize the Nation's airports and air traffic control system. A clear example of need is the safety program which must be continuously upgraded. This modernization program would be fully funded by taxes generated from users of the aviation system.

The expenditures for the airport development program which includes funding for airport construction, repair and improvement, and the purpose of certain equipment will average $930 million a year for 5 years.

I urge Senators to acquaint themselves with the impact of this proposal on their respective States. That material is in the possession of staff members here. I think it will be very important in making the individual decisions on this particular issue if Senators would refer to how their particular States are impacted.

Funding for facilities and equipment budget would average $1.2 billion a year for 5 years. This money is for acquiring, establishing, and improving our air navigation facilities.

Funding for the airport development program alone would generate more than a quarter of a million jobs in the construction trades over the next 5 years. I think that is a very important consideration at this particular time in our uncertain economic situation.

Mr. President, I agree with the efforts of the distinguished Senator from Oregon and the distinguished Senator from Kansas to see that the tax and spending provisions for the airport programs are not separated. This effort, which should be supported by the Senate, will prevent the users from being unfairly taxed while not permitting the spending for airport development and upgrading of the air traffic control system. These expenditures are sorely needed. Funds have not been released in 2 years and every effort should be made to assure the release of these funds this year.

Senators PACKWOOD and KASSEBAUM deserve our support.

Mrs. HAWKINS. Mr. President, I rise today in support of the airport and airway development program, which is being offered as part of H.R. 4961. This portion of H.R. 4961 forms a complete and comprehensive package of taxes and expenditures. Seldom in Government do we have the opportunity to enact a program so carefully constructed as to be truly self-supporting. Seldom do we see a program in which expenditures from the trust funds truly reflect the amount of revenues taken in. Seldom do we see one in which the health of the industry determines its ability to finance construction of new and more sophisticated facilities. Seldom do we see a program in which the users of the system, the airlines, consumers, private aviators, and cargo carriers, will pay for the actual services they receive. Under this measure, ADAP will continue to be self-supporting, without running a huge surplus of funds more readily needed for construction—not needed to sit in a trust fund.

It has taken 2 years for the Senate Finance Committee and the Senate Commerce Committee to agree on how this program should be structured and funded, and what spending is needed to develop our Nation's airway system.

Over these 2 years every party involved in the national aviation industry—the airlines, the airport authorities, the FAA, the manufacturers of facilities and equipment—have made recommendations and suggestions on how to improve the program which expired on October 30, 1980. Their differing views and positions, offered with the intent of establishing a better system, have varied widely. At times it seemed as if agreement would never come. However, the distinguished chairmen of the Senate Finance Committee and the Senate Commerce Committee, and their staffs, never stopped working to bring about an acceptable compromise. Finally, after many attempts and much diligent effort, a comprehensive airport and airway development program is ready to be acted upon by this body.

The measure before us today is a good piece of legislation that will make an excellent law. In fact, in many ways it represents much of what this Congress should be about. This measure is an example of how Government can provide public goods in an affordable and self-sustaining manner. And, it could not have come at a better time for the industries that it will so vitally affect.

The importance of the aviation industry to the well-being of the Nation cannot be denied. Our airport and airway system is one of the most extensive in the world. There are close to 12,000 airports in the United States, 3,600 of which are part of the national airport system plan. They provide service not only to passenger airlines but to cargo carriers, private aviators, corporate aviation, a variety of express mail services, and the U.S. Mail. The improvements financed by the airport and airway trust funds since 1970, provide for the safety and efficiency of infrastructure that is so important to these businesses and customers. These improvements have been substantial indeed. But there is still much to be done. Any Senator who has sat patiently in an airliner waiting for takeoff, at the end of a long line of other planes, can attest to the fact that our aviation facilities are inadequate.

This measure will improve the quality of our air traffic control system. Aviation facilities, airway construction, and aviation weather services will be modernized under this act. The plan becomes all the more important in light of last year's air traffic controllers strike and the strain that has placed on the present system. The controllers who stayed on the job have done remarkable work in operating the current system safely and efficiently. It is time to give these fine men and women the equipment they need to do an even better job.

For the last year and a half, the airports and users of airports around the country have waited in uncertainty over what kind of program Congress would enact. The airline industry alone, lost more than $1 billion in lost time and fuel inefficiency because of inadequate airport facilities. The bad situation was made worse by the hodgepodge of aviation taxes and services. Spending authority for 1981 projects was tacked onto the Omnibus Reconciliation Act for 1982 spending. Many of the aviation taxes lapsed during the period, but consumers continued to pay a 5-percent ticket tax; ostensibly to improve the Nation's airway system. But on closer examination, one finds that this "user fee" was being collected in the general fund of the treasury. Not only have consumers continued to pay for a program that does not exist, but also the huge surplus built up in the airport and airway trust funds has not been disbursed because the FAA no longer has the authority to do so. Over the last year, it has been said that the trust fund surplus, almost $4 billion at the beginning of the last fiscal year, is being used to offset the budget deficits that are the result of years of reckless spending of the taxpayers' dollars. Were it true, it would be a great injustice. I believe, instead, that it has taken time to put together a self-sufficient spending program that is fair to both the users of the aviation system and the general taxpayer as well.

Clearly, the Commerce Committee and the Finance Committee have done an outstanding job in creating a program that is complete and comprehensive. ADAP is a program in step with the times. Seldom do we have the opportunity to approve a self-supporting spending-and-tax program. By linking expenditures and revenues, this becomes an innovative piece of legislation. I intend to support this measure and I urge my colleagues to do the same.

Mr. JEPSEN. Mr. President, I am pleased to rise in support of the airport development and airways program—ADAP—legislation which is being discussed today. For 2 long years airports and the aviation industry have been without this necessary and vital piece of legislation. I commend them for their patience as the Congress has struggled with this legislation, and for their invaluable input into the legislative process. I hope to be able to commend the Congress for passage of the new ADAP program.

The ADAP program is invaluable to the airports around the country. It helps to provide much needed funds for land acquisition and runway and terminal improvement. This is highlighted in Iowa by the current expansion program being initiated at the Cedar Rapids airport. Cedar Rapids has, in the past, received ADAP funds for this project. It is my understanding that they will continue to receive ADAP funds under the new ADAP program, and will this be able to complete this much needed expansion project.

The ADAP program also benefits general aviation in smaller communities. It is my hope that the projects in Charles City, Decorah, and Sheldon will also receive funding under ADAP. These expansions will help keep rural Iowa accessible to the business of America. Other worthwhile projects will be forthcoming.

As a pilot, I believe that it is significant to note that this program will also help to promote air safety. Moneys will be used for needed improvements for navigational aids. Our airways can never be too safe, and I hope that my colleagues will join me in support of any measure which will help improve and promote air safety.

Also of significance is the number of job opportunities which are being projected as a result of this measure. It is estimated that there will be approximately 250,000 to 300,000 new jobs created due to airport modernization.

Again, I commend the Senator from Oregon and the Senator from Kansas for their efforts in formulating this significant piece of legislation. It will have an important impact on America, perhaps rivaling that of the Eisenhower highway trust fund program.

Mr. MATTINGLY. Mr. President, I rise in support of this reauthorization of the airport and airway development program. This legislation will not only provide sensible funding for this program for fiscal years 1982 through 1987, but it will also alter the existing program in such a way as to promote a safer, and I believe, better airport system.

The foundation of this program is strong user-fees. This is a concept I totally support. It is only fair that those most involved in and benefited by Federal Government services pay for those services, or at least have a larger share of responsibility for such programs than they have had in the past. Americans have always supported the philosophy of "pull your own weight." This bill would show that Congress, too, believes in that idea. The increases in user-fees contained in this bill are good for all interested in a well-funded—and fair—airport system.

Mr. President, there is one major provision of this bill that I want to particularly congratulate my colleagues for including. I have been contacted by many Georgians who have been frustrated by the inability of the Secretary of Transportation to "carry over" funds authorized for 1 year to the next year. This bill will insure that funds not obligated in one fiscal year are available for obligation in later years. This is a sensible provision that I would be interested in seeing extended to other Federal programs so

we will not see an endless continuation of the games that have been played in spending and authorizing funds. The section of the bill calling for defederalization is also a "good beginning." Since I first came to Washington, I have been interested in seeing that sensible defederalization is encouraged by Congress. While this bill does allow any airport to withdraw from this airport development program—and therefore sever itself from some Federal statutory and regulatory burdens—I am concerned that such "defederalized" airports have at their discretion the ability to raise revenue.

I am pleased to see that for the first time, Federal funds will be made available to those privately owned airports that are "essential" to the national system. Such airports, of course, must be available for public use. I feel that this provision will allow the entire nation to have the adequate facilities it needs for general use.

The Federal funding levels in this bill are finally up to a standard that is necessary to insure the proper and safe functioning of our airport system. I understand that in fiscal year 1983 we will have authorization in the airport and airway trust fund of slightly over $3 billion; $3.6 billion in fiscal year 1983 and 1984; and about $4 billion in fiscal year 1986. It is about time that we had an adequate trust fund to give the various airports a decent amount of revenue to work with.

Mr. President, I have received calls and letters form many of my State's best airport administrators asking for my support of this bill. I am pleased to vote for this legislation for our airport and airway system.

Mr. PERCY. Mr. President, approximately 1,600 planes take off and land at Chicago's O'Hare Field every day and Illinois is understandably proud of its distinction as the aviation hub of the Nation and, indeed, the world. But, while this facility makes a substantial contribution to the commerce and industry of the Chicago area, it also causes significant problems to the residents who live near O'Hare.

Those who do not live near a major airport are often unsympathetic and insensitive to the problem of excessive airport noise. In a word, Mr. President, airport noise can be intolerable. It disrupts outdoor leisure activities, disturbs classroom discussions in schools and interrupts the sleep of residents who reside under the flightpaths.

I recently had the opportunity to discuss this problem with the mayors of several communities surrounding O'Hare, including Park Ridge Mayor Martin J. Butler, Elmhurst Mayor Abner Ganet, and Franklin Park Mayor Jack B. Williams. Among the mayors' concerns was the continued availability of Federal airport noise compatibility and planning funds.

Under the Federal program that addresses airport noise, the Suburban O'Hare Commission—which is headed by Mayor Butler and represents nearly 360,000 residents in 15 communities—received a Federal grant of $100,000 at my urging to study the master plan of O'Hare Airport. The National Organization To Insure a Sound-Controlled Environment (NOISE) said of this study, "The eyes and ears of the Nation are focused on this review, for this is the first time an outside consultant had ever been brought in to review a master plan study at a major hub airport." Noise compatibility and planning funds may also assist local officials in establishing noise monitoring systems to assess compliance with noise abatement procedures and develop alternative flight procedures. In addition, funds may be used to assist in the construction of acoustical barriers and soundproofing.

In line with the concern of the mayors over the continued availability of noise abatement grants, I would like to pose two questions to the distinguished chairman of the Senate Aviation Subcommittee, the Senator from Kansas. Under the Airport and Airway System Development Act, airports would be permitted to elect to voluntarily withdraw from the airport development program. It is my understanding, however, that such airports would continue eligibility for noise compatibility and planning program assistance. Is this view correct?

Mrs. KASSEBAUM. The Senator is correct. Airports that elect to withdraw from the airport development program would continue to be eligible for noise abatement funds, including funds under the airport noise compatibility and planning program.

Mr. PERCY. I thank the Senator for clarifying this matter. As the Senator from Kansas knows, the original version of this legislation in defederalizing the Nation's largest airports would have denied communities surrounding those airports eligibility for noise abatement funding. I had been prepared to offer an amendment to maintain eligibility for those communities, but am pleased that this legislation clearly allows for the communities to remain eligible for noise abatement assistance.

The Aviation Safety and Noise Reduction Act of the last Congress established a separate funding category of $25 million for noise abatement projects. This setaside was established because the pressures of capital development and operations could result in noise projects being reduced to a lower priority. Such a setaside would not increase the budget level of the airport development program, but rather would be available from existing funds under the total authorization for airport development.

It is my understanding that the House intends to maintain this setaside, and I wish to ask the Senator from Kansas whether the Senate intends to do the same.

Mrs. KASSEBAUM. While the Senate bill does not include a specific authorization level for noise projects, such projects may continue to be eligible for funding under the general airport development authorization.

Mr. PERCY. I thank the Senator, but am concerned that we go on record as clearly supporting the concept of a specific authorization for noise abatement projects.

Mrs. KASSEBAUM. In view of the concern of the distinguished Senator from Illinois, I would agree that the concept of a noise setaside is worthwhile and can give the Senator assurances that the House and Senate conference agreement will certainly provide for such a setaside. The distinguished Senator may be certain that I will carry his views into conference with the House.

Mr. PERCY. I deeply appreciate this accommodation by the distinguished Senator from Kansas. Thank you.

The PRESIDING OFFICER. Who yields time?

Mr. PACKWOOD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PACKWOOD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. PACKWOOD. Mr. President, I am aware that we will be recessing at noon for a limited period of time. There is another amendment that is possibly being worked out, and I am sure that by the time the Senate comes back from its recess at 2 p.m., it will have been worked out.

RECESS UNTIL 2 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 2 p.m.

The Senate, at 11:58 a.m. recessed until 2 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. LUGAR).

Mr. DOLE. Mr. President, as I understand, the pending business is the amendment of the distinguished Senator from Oregon, is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOLE. Mr. President, in the absence of the distinguished ranking minority member of the Senate Finance Committee, I suggest the absence of a quorum with the time equally divided on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PACKWOOD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PACKWOOD. Mr. President, the pending business is my amendment; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. PACKWOOD. And the control of the time in opposition is in the hands of the Senator from Nevada?

The PRESIDING OFFICER. That is correct.

Mr. PACKWOOD. Mr. President, how much time is there left for each of us?

The PRESIDING OFFICER. The Senator from Oregon has 14 minutes and 50 seconds, the Senator from Nevada has 11 minutes and 3 seconds.

Mr. PACKWOOD. Mr. President, I will say nothing more than this: I am prepared to yield back the time, if the Senator from Nevada is, to vote. I thought there might be some alterations. It appears there is not going to be. I am prepared to vote on the amendment as it is before the body at the moment, but I am not prepared to yield back my time unless the Senator from Nevada is ready.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. CANNON. Mr. President, unless someone desires time on this side, I am prepared to yield back the remainder of my time.

Mr. PACKWOOD. In that case, I am prepared to yield back my time.

The PRESIDING OFFICER. All the time has been yielded back on the amendment.

Mr. CANNON. Mr. President, I raise the point of order that the Senator's amendment violates section 305(b)(2) of the Congressional Budget Act because it is not germane to the provisions of the reconciliation bill.

The PRESIDING OFFICER. The Chair rules that the amendment offered by the Senator from Oregon is germane to the bill and to the amendments offered by the Finance Committee. Therefore, the point raised by the Senator from Nevada is not well taken.

Mr. CANNON. Mr. President, I appeal the ruling of the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. Under the Budget Act there is 1 hour of debate evenly divided on the appeal. The time for the quorum call will be charged against the time of the Senator from Nevada.

QUORUM CALL

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll, and the following Senators entered the Chamber and answered to their names:

[Quorum No. 42 Leg.]

Baker	Dodd	Kassebaum
Biden	Dole	Kasten
Bradley	Domenici	Long
Brady	East	Lugar
Bumpers	Garn	Packwood
Byrd,	Gorton	Stennis
Harry F., Jr.	Grassley	Thurmond
Cannon	Hart	Tower
Cochran	Helms	Warner
Danforth	Jackson	

The PRESIDING OFFICER. A quorum is not present.

Mr. BAKER. Mr. President, I move that the Sergeant at Arms be instructed to require the attendance of absent Senators, and I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Tennessee. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. STEVENS. I announce that the Senator from New York (Mr. D'AMATO), is necessarily absent.

Mr. CRANSTON. I announce that the Senator from Florida (Mr. CHILES), the Senator from Massachusettes (Mr. KENNEDY), the Senator from Montana (Mr. MELCHER), and the Senator from West Virginia (Mr. RANDOLPH), are necessarily absent.

The PRESIDING OFFICER (Mr. ANDREWS). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 90, nays 5, as follows:

[Rollcall Vote No. 229 Leg.]

YEAS—90

Abdnor	Exon	Metzenbaum
Andrews	Ford	Mitchell
Armstrong	Garn	Moynihan
Baker	Glenn	Murkowski
Baucus	Gorton	Nickles
Bentsen	Grassley	Nunn
Biden	Hart	Packwood
Boren	Hatch	Pell
Boschwitz	Hatfield	Percy
Bradley	Hawkins	Pressler
Brady	Hayakawa	Pryor
Bumpers	Heflin	Riegle
Burdick	Heinz	Roth
Byrd,	Helms	Rudman
Harry F., Jr.	Hollings	Sarbanes
Byrd, Robert C.	Huddleston	Sasser
Cannon	Humphrey	Schmitt
Chafee	Inouye	Simpson
Cochran	Jackson	Specter
Cohen	Jepsen	Stafford
Cranston	Kassebaum	Stennis
Danforth	Kasten	Stevens
DeConcini	Laxalt	Symms
Denton	Leahy	Thurmond
Dixon	Levin	Tower
Dodd	Long	Tsongas
Dole	Lugar	Wallop
Domenici	Mathias	Warner
Durenberger	Matsunaga	Zorinsky
Eagleton	Mattingly	
East	McClure	

NAYS—5

Goldwater	Proxmire	Weicker
Johnston	Quayle	

NOT VOTING—5

Chiles	Kennedy	Randolph
D'Amato	Melcher	

So the motion was agreed to.

The PRESIDING OFFICER. With the addition of Senators voting who did not answer the quorum call, a quorum is now present.

Who yields time? The Senator from Nevada.

Mr. CANNON. First, Mr. President, I ask for the yeas and nays on the appeal from the ruling of the Chair.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. CANNON. Mr. President, let me say to my colleagues that I do not think we are going to take very long on this issue but I do want to point out a few things.

The facts of this maneuver are very simple. The Commerce Committee reported an airport and airway bill last year (S. 508). Since then the committee chairman has changed his mind on the elements of that bill—by about $6 billion in higher spending—and rather than explain his changes to the committee with jurisdiction, he took the bill over to the Finance Committee where he was not asked to debate even one provision of an 81-page, 5-year, $20 billion authorization.

Mr. President, may we have order, please?

The PRESIDING OFFICER. The Senator makes a good point. The Senate is not in order. Senators who desire to converse will retire to the cloakroom. Senators will clear the well.

The Senator from Nevada.

Mr. CANNON. Let me make this clear. The Commerce Committee has never acted on, discussed, or in any way considered this far-reaching aviation bill. I note there is a letter here, a Dear Colleague letter, that says that the Committee on Finance attached this bill to the reconciliation bill at the request of a majority of the members of the Committee on Commerce, Science and Transportation. I want to make it clear that there may have been a majority of the members of the committee who requested that, but I know of no Democrats who joined that majority, and the matter was not even discussed in the committee.

If the majority members signed off on a letter approving of the elements of this amendment either before or after it was approved by Finance, then why not bring up the bill in the committee with proper jurisdiction and discuss the drastic changes from our reported bill? The Democratic members of the Commerce Committee never even saw this amendment until the morning it was to be offered, and I understand that it has been changed

further still from the printed staff draft offered in Finance.

This maneuver is simply an effort to avoid open debate and fair consideration of this legislation. And the Senate needs to ask itself where will this stop? Can the Aviation Subcommittee rewrite the Civil Rights Act and put it on reconciliation? Can the Agriculture Committee start taking Judiciary bills and reporting them on reconciliation?

The Senate committee process is at stake in this vote. If an aviation bill of this scope can be passed without having been the subject of a single Commerce Committee meeting, then we might as well declare jurisdiction rules void and have a free-for-all.

I wish to make an inquiry of the Chair: If the pending business of the Senate was the Finance-Committee-reported Airport and Airway Act Amendment, and I raised the point of order that the amendment violates rule XV of the Standing Rules of the Senate, how would the Chair rule on that point of order?

The PRESIDING OFFICER. In response to the parliamentary inquiry of the Senator from Nevada, the Chair is of the opinion that the second reported amendment from the Committee on Finance contains significant matter within the jurisdiction of another committee and, therefore, would violate rule XV, paragraph 5.

Mr. CANNON. I thank the Chair. That makes it very clear that the Chair would rule that the committee amendment was out of order because it was not within the jurisdiction of the committee to report such amendment. Yet the Chair is using that improperly reported amendment to rule the pending floor amendment germane. Such circular logic is indefensible on its merits, and if supported by the Senate will vitiate the reconciliation germaneness rule.

The U.S. Senate will become a Government institution where two wrongs do make a right if we support this ruling of the Chair.

Any committee can circumvent jurisdiction in the future by following this precedent.

Mr. President, I understand the Senator from Mississippi would like 2 or 3 minutes.

Mr. STENNIS. Two or three minutes.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, may I point out again, with great deference to the Chair, to let this matter go this way of letting it ride through on this bill is to literally emasculate the rules of the Senate, the actual part of the rules that confer jurisdiction on all the standing committees of the Senate.

I am looking here now at page 24, rule XXV of the standing rules. The Committee on Agriculture, Nutrition, and Forestry, the first item, agricultural economics and research, under this ruling it could be put on this bill and ruled accordingly, and just literally emasculate here the jurisdiction of this major committee that is as old as the Congress itself, and I can go right on down the list through these other committees.

Somewhere, sometime, regardless of the emergency, pressures, and everything else, we have got to stand up here and protect our institutions, protect the Senate, protect the regular rules of the Senate, the committees of the Senate that are assigned their jurisdiction pertaining to their subject matter. Their staffs are selected for that purpose. They conduct hearings and make recommendations and for many, many years that course was adhered to on the floor, and we acted that way.

Mr. President, my observation over and over is that that is where the real work of the Senate, good and accomplished work of the Senate, is done, in the committee system. We have got to draw the line somewhere and let us just say here we are going to stop this practice, we are going to protect our committees, and the way of passing on bills can be found within its rules.

I thank the Senator.

Mr. CANNON. Mr. President, I withhold the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. PACKWOOD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. PACKWOOD. I believe I am in charge of the time on this amendment.

The PRESIDING OFFICER. Time is controlled by the majority leader or his designee. Is there objection to the Senator——

Mr. PACKWOOD. I ask unanimous consent that I might control the time.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. PACKWOOD. Mr. President, how is the time controlled on the appeal from the ruling of the Chair?

The PRESIDING OFFICER. Evenly divided between the Senator who made the appeal and the majority leader.

Mr. BAKER. I thank the Chair. I yield the time under my control to the distinguished Senator from Oregon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PACKWOOD. Mr. President, the budget process is a relatively new process in the history of this Congress. The reconciliation process is an even newer wrinkle within the budget process. I am not here to praise it or criticize it. It is a process we have used over the past number of years now.

There are any number of ways that issues can be brought before this Senate, either from a committee in a reconciliation report or from individuals, that are not germane. This particular amendment has been ruled germane. But had the Chair chosen to rule it not germane, any Member, myself included, would have been privileged to have offered an amendment and, under section 904 of the Budget Act, to waive the germaneness procedures. And that has been done a number of times in the past.

No one is trying to circumvent the procedures of the Senate. We have a variety of ways, and many are new to us, but a variety of ways to get issues before this Senate.

Now the ADAP bill, the airport and airway development bill, is not a new subject. It was first passed in 1970. We have debated it and redebated it. We are all familiar with the kind of taxes that are levied to support the programs. We are all familiar with the programs. It is not as though I, through the Finance Committee, was spuriously trying to spring some unknown program with unknown taxes on this Senate.

But I will say this, as far as the substance of this issue is concerned: User taxes are collected to pay for user services. Highway gasoline taxes are used to build highways and bridges. We have a variety of user taxes in State governments and the Federal Government. And all of the taxes that relate to aviation in this bill will remain, all of them will remain, even if my amendment on how to use those taxes is knocked out. What you would have is the money going into the trust fund and building up a huge surplus. There would be a good chance it will never be spent on the users.

So, one, there has been no effort to go around the committee process. Second, if my amendment is defeated then it will be incumbent upon me, and I assume others that support user fees, to have to remove the user fees in this bill and undo the whole tax reconciliation package. We would not meet our reconciliation targets. We would not be keeping faith with our own budget procedures.

So I would heartily encourage the Members of this Senate to sustain the Chair on the point of order and then, when we vote on the merits of the amendment, to vote for the amendment.

The PRESIDING OFFICER. Who yields time?

The Senator from Nevada.

Mr. CANNON. Mr. President, if no one else desires to speak, I am prepared to yield back the remainder of my time.

I just want to again remind my colleagues that the Chair has already stated that, if the point of order had

been raised on the committee amendments reported out of Finance, he would have ruled it was not within the jurisdiction of the committee to report such an amendment and, therefore, this obviously is an end run that attacks the whole committee jurisdiction system.

The PRESIDING OFFICER. Does the Senator from Nevada yield back time?

Mr. CANNON. No, Mr. President, I will withhold my time at the moment.

Mr. PACKWOOD. Mr. President, I suggest the absence of a quorum and ask unanimous consent to have the time charged equally against the Senator from Nevada and me.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PACKWOOD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PACKWOOD. Mr. President, I am prepared to yield back the remainder of my time if the Senator from Nevada is prepared to yield back the remainder of his time.

Mr. CANNON. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is, Shall the decision of the Chair that the amendment of the Senator from Oregon is germane stand as the judgment of the Senate? The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Florida (Mr. CHILES), the Senator from Montana (Mr. MELCHER), and the Senator from West Virginia (Mr. RANDOLPH) are necessarily absent.

I further announce that, if present and voting, the Senator from West Virginia (Mr. RANDOLPH) would vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 230 Leg.]

YEAS—53

Abdnor	Grassley	Packwood
Andrews	Hatch	Percy
Armstrong	Hatfield	Pressler
Baker	Hawkins	Quayle
Boschwitz	Hayakawa	Roth
Brady	Heinz	Rudman
Chafee	Helms	Schmitt
Cochran	Humphrey	Simpson
Cohen	Jepsen	Specter
D'Amato	Kassebaum	Stafford
Danforth	Kasten	Stevens
Denton	Laxalt	Symms
Dole	Lugar	Thurmond
Domenici	Mathias	Tower
Durenberger	Mattingly	Wallop
East	McClure	Warner
Garn	Murkowski	Weicker
Gorton	Nickles	

NAYS—44

Baucus	Eagleton	Long
Bentsen	Exon	Matsunaga
Biden	Ford	Metzenbaum
Boren	Glenn	Mitchell
Bradley	Goldwater	Moynihan
Bumpers	Hart	Nunn
Burdick	Heflin	Pell
Byrd, Harry F., Jr.	Hollings	Proxmire
Byrd, Robert C.	Huddleston	Pryor
Cannon	Inouye	Riegle
Cranston	Jackson	Sarbanes
DeConcini	Johnston	Sasser
Dixon	Kennedy	Stennis
Dodd	Leahy	Tsongas
	Levin	Zorinsky

NOT VOTING—3

Chiles	Melcher	Randolph

So the ruling of the Chair was sustained as the judgment of the Senate.

Mr. PACKWOOD addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. PACKWOOD. Mr. President, might I ask, the time has expired on my amendment, is that right?

The PRESIDING OFFICER. The Senator is correct.

Mr. PACKWOOD. Mr. President, unless time is yielded off the bill, I will be prepared to vote in just a moment, but I do send a modification to the desk and ask unanimous consent to have 30 seconds to explain the modification which has been accepted by both sides.

Mr. ROBERT C. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator will send his modification to the desk.

Mr. PACKWOOD. Mr. President, what this simply does is relieve the FAA of liability, legal liability, if they contract with the city and allow the city to run the facility that would otherwise close. The city is legally liable. Without that exemption for the FAA, they are reluctant to let the city run the facility, and consequently the facility is closed altogether.

This modification has been cleared with the Senator from Nevada.

The PRESIDING OFFICER. Without objection, the modification is accepted.

Mr. BRADLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BRADLEY. Mr. President, does the distinguished Senator from Oregon still have matters to conclude relating to the last amendment?

Does the Senator from Oregon still have matters to conclude or should we proceed with——

Mr. PACKWOOD. I did not hear the Senator from New Jersey.

Mr. BRADLEY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from New Jersey (Mr. BRADLEY) proposes an unprinted amendment.

The PRESIDING OFFICER. Until the pending amendment, as modified, is disposed of, the amendment of the Senator from New Jersey is not in order.

Mr. PACKWOOD. Mr. President, first I am going to ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. PACKWOOD. Mr. President, do I understand the parliamentary procedure is that this amendment is now pending?

The PRESIDING OFFICER. The Senator from Oregon is correct, the amendment is pending. The time for debate on the amendment has expired. The yeas and nays have been ordered.

Mr. PACKWOOD. I understand that. I would like to ask the chairman, or Senator ARMSTRONG, if I might have 2 minutes off the bill to clarify one problem.

Mr. ARMSTRONG. The Senator may yield to himself.

Mr. PACKWOOD. Mr. President, I can explain it from here, and I want to make sure that we have an understanding. The Senator from Kansas (Mrs. KASSEBAUM) has an amendment to raise the airport development levels slightly. The Budget Committee, I understand, is prepared to accept these levels. If that is true, I am willing to offer it as a modification now, but I want to make sure before I offer it that we are OK.

Mr. DOMENICI. Mr. President, speaking just as the chairman of the Budget Committee, not for the Budget Committee, I have agreed not to oppose the modification. It would leave the level of funding for fiscal year 1983 exactly as proposed by the distinguished Senator from Oregon. In the outyears, it permits a higher level of expenditure for the purposes under the act, but this spending is subject to the appropriation process. In the outyears, the levels exceed outyear targets but, nonetheless, are not mandatory expenditures.

In that regard, I am willing to accept the numbers.

Mr. PACKWOOD. In that case, I would send the modification to the desk.

The PRESIDING OFFICER. The Chair will point out to the Senator from Oregon that the yeas and nays already having been ordered, it will take unanimous consent to further modify the amendment of the Senator from Oregon.

Mr. PACKWOOD. Might I ask this: If my amendment is adopted, could those figures then be offered as a subsequent amendment?

The PRESIDING OFFICER. Might the Chair point out to the Senator from Oregon that with unanimous

consent the Senator from Oregon could modify his amendment.

Mr. PACKWOOD. I will ask unanimous consent. I just wanted to make sure we were not blindsiding anybody. The amendment would be offered later and would be accepted. Senator DOMENICI is prepared to accept it.

I ask unanimous consent to modify the amendment to accept the figures of the Senator from Kansas.

The PRESIDING OFFICER. Is there objection?

Mr. DECONCINI. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. PACKWOOD. Then we are prepared to vote on the amendment.

Mr. BUMPERS. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BUMPERS. Mr. President, is the amendment of the Senator from Oregon a committee amendment or is it an amendment to the committee amendment?

The PRESIDING OFFICER. It is a floor amendment to the committee amendment.

Mr. BUMPERS. Once it is voted on by the Senate, it is no longer amendable; is that correct?

The PRESIDING OFFICER. There are ways of amending an amendment that has been adopted.

Mr. BUMPERS. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered.

Mr. ROBERT C. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROBERT C. BYRD. Mr. President, I move to recommit the bill to the Budget Committee with instructions that the bill be reported back forthwith with title IV deleted.

Mr. Baker addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. BAKER. Mr. President, a motion to recommit as the minority leader has just made is clearly in order.

May I inquire how much time there is for debate on that motion?

The PRESIDING OFFICER. There is 1 hour of debate on that motion, 30 minutes on each side.

Mr. BAKER. Controlled by whom?

The PRESIDING OFFICER. By the mover of the recommittal motion and the majority leader.

Mr. BAKER. I thank the Chair.

Mr. President, I yield control of the time to the distinguished chairman of the Finance Committee, and I ask for the yeas and nays on the motion.

Mr. ROBERT C. BYRD. Mr. President, let me rephrase the motion first. I made reference to the Budget Committee. I meant the Finance Committee.

Mr. BAKER. I have no objection to that.

Mr. President, I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. ROBERT C. BYRD. Mr. President, I yield myself such time as I may require.

Mr. President, I hope that I may have the attention of the Senate.

Mr. President, may we have order in the Senate.

The PRESIDING OFFICER. The Senate will be in order. Those Senators who wish to converse will retire to the cloakrooms. The staff will move to the seats in the rear of the Chamber. Those in the aisles will refrain from conversing.

The m.nority leader.

Mr. ROBERT C. BYRD. I thank the Chair.

Mr. President, I read from paragraph 5 of rule XV of the Standing Rules of the Senate. It reads follows:

> It shall not be in order to consider any proposed committee amendment (other than a technical, clerical, or conforming amendment) which contains any significant matter not within the jurisdiction of the committee proposing such amendment.

Mr. President, title IV, airport and airway systems development, is clearly, on its face, not within the jurisdiction of the Finance Committee, which proposed the amendment.

Mr. LONG. Mr. President, will the Senator yield at that point?

Mr. ROBERT C. BYRD. I yield.

Mr. LONG. No one has ever contended for a moment that the provision was in the jurisdiction of the Finance Committee. Nobody on the committee has even contended that.

Mr. ROBERT C. BYRD. Exactly.

So, Mr. President, the inclusion of this amendment in this bill is clearly in violation of paragraph 5 of rule XV of the Standing Rules of the Senate.

The fact that the amendment by Mr. PACKWOOD has been ruled by the Chair as being germane does not in any way affect the fact that rule XV has been violated, that it has been circumvented, and that the intent of the rule has been circumvented.

Let me say, as one who had as much as any other Senator—and perhaps more than any other Senator—to do with writing the Budget Reform Act, that it was never the intent of the authors of that act, nor was it the intent of the Senate, to see that act used in ways that would clearly and flagrantly abuse the act and undermine the committee system of the Senate.

Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order. Those Senators desiring to converse will retire to the cloakrooms. The staff will move to the rear of the Chamber.

Mr. ROBERT C. BYRD. I thank the Chair.

Mr. President, what I am saying does not go to the substance of the amendment itself. I could vote for or against the amendment, standing alone. I do not know. I would have to study it. What I am saying goes to the Senate as an institution and to the budget process and to the committee system.

If we are going to use this device—and I do not say this in any way derogatorily of the Committee on Finance or of any Senator who sought to include this language in the bill—but if we are going to use this process in this way, then every committee of the Senate, every standing committee of the Senate, should understand that the budget process can be utilized to undermine the committee system and to rob every committee of its jurisdiction over any subject matter that appropriately comes within the jurisdiction of that committee. All that is needed is that the Committee on Finance, in carrying out the reconciliation instructions of the budget resolution, include in its reconciliation instructions, language that involves matters under the jurisdiction of any other committee.

So I can say that this ought to be a matter of concern to the Senator from Vermont (Mr. STAFFORD), chairman of the Committee on Environment and Public Works. It is a matter that ought to be of concern to Mr. DOLE, chairman of the Committee on Finance. It is a matter that ought to be concern to Mr. PERCY, chairman of the Committee on Foreign Relations. It is a matter that ought to be of concern to Mr. ROTH, who is chairman of the Governmental Affairs Committee; to Mr. THURMOND, chairman of the Committee on the Judiciary; to Mr. HATCH, chairman of the Committee on Labor and Human Resources; to Mr. MATHIAS, chairman of the Committee on Rules and Administration, and to the chairmen of all other standing committees. It ought to be a matter of concern to the ranking minority members of those committees.

As a matter of fact, it ought to be a matter of concern to the chairmen of every subcommittee of every standing committee in the Senate; because if this approach can be taken and can succeed, then we might as well do away with the committee and subcommittee system in the Senate, because no longer can committees be sure that they, and they alone, will have jurisdiction over the subject matter that is set forth and assigned to them in rule XXV of the Standing Rules of the Senate—the subject matter that appropriately comes within their jurisdiction.

So I approach this because I am deeply concerned that the budget process here is being used in a way that will undermine the committee system and in a way that will undermine the institution; because, after all, the Senate operates basically on the committee system. The committees of the Senate are minilegislatures—they are small legislative bodies acting within the overall aegis of the full committees.

I think we do a serious injury to the committee system and we do a serious injury to the budget process when we use the budget process to include authorizing legislation that otherwise would come before the Senate, that otherwise would not be subject to the time limitations and rule of germaneness governing this bill, and that also subverts the institution itself.

I say to the majority that the minority never did this. I can see in it the seeds of destruction of the committee system and, ultimately, the seeds of destruction of the budget process itself.

I hope that some way can be found here to remove this language from this bill, and it is for that purpose that I have offered the motion to recommit the bill with instructions that it be reported back forthwith, with title IV deleted.

If the Senate does not do that, I say to the majority, in the utmost spirit of goodwill, that we are sowing the seeds of destruction of the budget reform process and of the committee system. We are undermining the institution. We are giving too much power to the budget process, and when we give that power to that process, we take it away from the ordinary process to which the Senate has been accustomed for so many decades. We are sowing the wind that will reap the whirlwind.

I implore my colleagues to vote for this motion to recommit. If the motion to recommit fails, at such time as the Senate reaches title IV, I will make a point of order against that title, on the basis that it violates paragraph 5 of rule XV of the Standing Rules of the Senate and that it goes beyond the intent of the rule, because no Senate committee can report any amendment which contains any significant matter not within the jurisdiction of the committee proposing such amendment.

This language is not within the jurisdiction of the Finance Committee to report, and if the Senate upholds this approach today then the Finance Committee has a perfect right, in my judgment, to claim jurisdiction in the future over this subject matter which at this moment appropriately comes within the jurisdiction of the Commerce Committee and is so stated in rule XXV of the Standing Rules of the Senate to come within the jurisdiction of the Commerce Committee.

So, Mr. President, this is a very, very serious matter, and I would hope that the chairmen of the committees who are on the other side of the aisle would view it as being very serious because I tell you, Mr. President, the majority is not always going to be on that side of the aisle. In time, the majority will again be on this side of the aisle and if the majority today bends the intent of the rule, circumvents the intent of the rule, undermines the budget process, undermines the committee system, then today's majority which tomorrow will be in the minority will have ample time to regret the action that it is taking today.

Of course, the majority today can make the minority bend to the majority's will. But the majority of yesterday did not use the budget process in this way.

If the budget process is going to be used in this way, let me say here and now that the minority of today will some day be in the majority and I do not want to see this process undermined by either party, whichever party happens to be in the majority, because the institution is at stake, the committee system is at stake, the budget reform process is at stake, the reconciliation process is at stake, and if we are going to commit mayhem on all of these processes today just to get this title IV enacted we will have done a tremendous disservice to the committee system, to the budget reform process, to the Senate itself and it will be a disservice that we all will come to regret.

I yield the floor.

(Mr. ABDNOR assumed the Chair.)

Mr. BAKER. Mr. President, will the Senator from Oregon yield to me 3 minutes?

Mr. PACKWOOD. I am happy to yield 3 minutes.

Mr. BAKER. I do not think anyone in this room knows more about being in the minority than I do. I have been in the minority since I came to the Senate except for the last year and a half, and I can attest to the fact that being in the majority is better, but I can also say that my judgment on this matter has nothing to do with being in the majority or the minority. I have the utmost respect for the minority leader as I indeed had great respect for him as majority leader.

I do not judge what I am about to do here on the basis of whether I am in the majority or the minority but rather on the basis of the continuing unfoldment of the precedents of the Senate in the execution of the bill which is new and in so many ways untried and on which there is a great shortage of precedent. I am speaking of the Budget Act, Mr. President.

But let us analyze where we are just for the moment. It is certainly no violence to the precedents and rules of the Senate to say that on other occasions there have been cases where money was provided for a specific function and fund and that the Finance Committee claims jurisdiction over how those funds are to be raised. They make also some direction as to how they were to be spent. We do not have to go very far to find an example. Medicare and medicaid are extensively programmatic by statute and on which the Finance Committee properly gains jurisdiction on the disposition of those funds and services the same.

On social security, certainly there is a tax consequence which is claimed by the Finance Committee and there are extensive directions on how those funds should be applied, although the execution of that direction will cut across jurisdictional lines in Congress and the Senate extensively. There are unemployment compensation, black lung, and others.

Mr. President, the only argument I make is that if there is a revenue measure involved, if there is a tax matter involved clearly the Finance Committee has jurisdiction and that it is equally attractive as an argument in this field to say that when the authority exists for the imposition of the tax there is some opportunity for the same committee, that is the Finance Committee, to exercise some judgment on how it will be spent.

Once again, this is a field in which we have little experience. The whole Budget Act is largely untried and it is one that is evolving and growing.

I am not standing here, Mr. President, and saying this is the best way to handle this subject, I am not saying that the Finance Committee should take the jurisdiction of the entire ADAP program from the Commerce Committee.

All I am saying is that it is not without precedent to deal with the matter in this way and I believe the motion to recommit with instruction should be defeated.

Mr. PACKWOOD. Mr. President, I yield 3 minutes to the Senator from Kansas.

Mrs. KASSEBAUM. Mr. President, I will share certainly the concerns that the Senator from West Virginia has expressed. As chairman of the Aviation Subcommittee, I believe this has been an issue of great concern to all of us who are interested in aviation matters because we have been so anxious to see some authorizing legislation for the airport development and airways program. It has been in limbo for a couple of years and there has been great uncertainty about the funding for that program.

It has a unique relationship because of the authorizing legislation coming from the Commerce Committee and the funding of that legislation, of course, originating with the Finance Committee. When the Finance Com-

mittee decided to include the taxes in the reconciliation package, we then were left with little choice but to include the authorizing legislation. Otherwise, we would have had the user fees already voted on and accepted through the reconciliation measure and there would be no purpose for them because we would not have had the authorizing legislation approved.

Therefore, we were caught in this particular dilemma and it does seem to me that while it is not the best of both worlds in many instances, it is a logical reason for us to address this particular issue in this way.

And as I say certainly, Mr. President, I will share the concerns of the Senator from West Virginia, but I believe this is a particular and unique situation and so we were forced to deal with it in this particular way.

I thank the Senator from Oregon.

Mr. PACKWOOD. Mr. President, will the Senator from West Virginia, on my time, respond to a question?

Mr. ROBERT C. BYRD. Yes.

Mr. PACKWOOD. If the Senator from West Virginia is successful in removing title IV, what is his intention to do with the user fees that are left in the bill?

Mr. ROBERT C. BYRD. May I say to the distinguished Senator, let me answer this question in my own way. There is legislation on the calendar already that deals with airport and airway development.

I will so make a point of order at an appropriate time, when the Senate reaches this section, that this language violates rule V and we will get a ruling of the Chair.

But this language goes beyond the instructions in the budget resolution. It talks about airport hazard, airport noise, compatibility planning, airport system planning. It goes to the national airport systems plan. It goes to navigation aids, the airport improvement program, and the airway improvement program, and on, and on, and on.

It clearly is in violation of rule XV. That is the only point I make. I am not, by moving to recommit this bill, saying I am against the title that is in the bill. I am not necessarily against it if it were standing alone. I am simply saying this procedure circumvents rule XV, and in a way which in the future will lead to further circumvention of the rule.

Mr. PACKWOOD. Mr. President, let us put things into proper priority. We have talked about reconciliation being a new process, and it is. The budget process is a new process. It is not rape of democracy. Reconciliation as we know it is the common method of budget legislating in most parliamentary democracies of the world, so we are not destroying civilization if we start of adopt this process.

You can argue whether we should ever have reconciliation or not, but we are moving down that road. Maybe we are going to move down it every year, I do not know.

The Budget Committee gives the Finance Committee instructions to raise a certain amount of money. They almost came up with a gasoline tax. They did come up with these aviation taxes, and what the Senator from West Virginia is saying is it is all right to levy the tax on the automobile users, levy it on the aviation users, but you cannot legislate for the purpose for which the tax is levied.

Mr. ROBERT C. BYRD. The Senator from West Virginia said no such thing.

Mr. PACKWOOD. This is on my time.

Mr. ROBERT C. BYRD. Mr. President, I ask for the record——

Mr. PACKWOOD. What he is saying is he wants to strike title IV. He is saying the Finance Committee can come up with user fees; they just cannot come up with a purpose for which the fees will be used.

Do I misstate the Senator's point?

Mr. ROBERT C. BYRD. The Senator is totally trying to put words in my mouth, and I will not allow him to do it. I am not saying that at all. I simply go strictly and only to the institutional matter, to the procedural aspect—not to substance.

Mr. PACKWOOD. Does the Senator want to strike out the use of the fees, right?

Mr. ROBERT C. BYRD. I want to strike this section from the bill. It is perfectly all right with me if the majority leader calls up the bill, if it is on the calendar, and does what the Senator wants to do on the use of the fees.

Mr. PACKWOOD. All I am saying is what he is suggesting. It is a problem we have had for a number of years, including when the Senator from West Virginia was using a ticket tax on airline tickets, when it went into the general fund.

Mr. ROBERT C. BYRD. Let us do directly what we do directly; let us not do indirectly what we can not do directly.

Mr. PACKWOOD. As the Senator is perfectly aware I could have—had the Chair ruled that my amendment was out of order I could have—as has been done a number of times on the budget bill, moved under the rules to waive germaneness. That does not do violence to the process. There are a number of ways of getting this before us.

The Senator from West Virginia himself is used to using one committee to overcome what another committee has decided. We do it each year annually on the Cardinal train when we set down standards in the Commerce Committee, which has jurisdiction over transportation, and the Cardinal would not run under those standards.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. PACKWOOD. No. He then comes here and moves on the Senate floor to move the Cardinal appropriation jurisdiction regardless of the determination we have made, in violation of the spirit of jurisdiction.

Now he is saying what is sauce for the goose is not sauce for the gander.

All I am saying is we have not done anything unusual in this body, let alone anything that is unusual to most parliamentary bodies.

Last of all, I would say that if you are going to say to the Finance Committee, You may go ahead and levy aviation gas taxes, jet fuel taxes, airline ticket taxes, freight taxes and mount them up in a surplus, but not use them for user purposes, then I believe that does worse violence than whatever this minor process does that seems to bother the Senator from West Virginia.

Mr. ROBERT C. BYRD. Well, I daresay many Senators should be bothered by this procedure if it is allowed to stand.

Mr. PACKWOOD. The majority of the Commerce Committee requested we proceed this way.

Mr. ROBERT C. BYRD. I am sorry about that. Did I understand it did not include any Democrats? I am not arguing the substance at all. I am simply saying that this procedure is violative of rule XV which states in plain English that

> It shall not be in order to consider any proposed committee amendment other than a technical, clerical, or conforming amendment which contains any significant matter not within the jurisdiction of the committee proposing such an amendment.

I am saying article IV of this legislation is not within the jurisdiction of the Finance Committee. That is all I am saying. I am saying the Senate ought to uphold the rule which it itself enacted.

Mr. PACKWOOD. I am confused by the rule, rule 5?

Mr. ROBERT C. BYRD. Paragraph 5 of rule XV.

Mr. PACKWOOD. I am sorry.

The PRESIDING OFFICER. Who yields time?

Mr. PACKWOOD. I yield 5 minutes to the Senator from New Mexico.

Mr. DOMENICI. I only need 2 minutes, if the Senator will yield 2 minutes.

I am not going to involve myself in this argument other than to clarify the record that the budget resolution recommended by the Budget Committee, voted on by both Houses of Congress, and thus turned into a binding reconciliation instruction, does not, I say to the Senate, tell the Committee on Finance what taxes to raise. I do not want any misunderstanding here that the Congress, in voting in a reso-

lution from the Budget Committee, talked about airport users fees or waterway user fees or income taxes or loopholes that are to be closed. We did not.

Our instruction is $20.9 billion in new revenues over the baseline for 1983, and then certain amounts in the outyears.

So the decision on how to do it was made by the Committee on Finance, and I think both Senators who are engaged in this discussion understand that. I do not want that misunderstood.

I thank the Senator.

Mr. PACKWOOD. Mr. President, will the Senator from West Virginia respond to one last question?

Mr. ROBERT C. BYRD. Yes, on the Senator's time.

Mr. PACKWOOD. Fine.

Does the Senator from West Virginia agree that in his estimation I would be within the rules had I moved, had the Chair turned down my amendment and said it was out of order, I would have been in position to waive germaneness by 51 votes and would have been able to present the amendment?

Mr. ROBERT C. BYRD. No, I do not agree with that at all. In the first place, I do not think the Senate had any business under the bill in holding the Senator's amendment germane to a portion of the committee substitute which has never yet been acted upon and approved by the Senate. If the portion of the committee substitute had been acted upon, then it would be a part of the bill to be amended. But the first section has never been acted upon, nor has the second section of the committee substitute.

I do not think the Senate was correct in holding that amendment germane to this committee substitute language which has not been acted upon by the Senate. It was a way of getting around the clear intent and purpose of paragraph 5 of rule XV. It accomplished indirectly that which could not be done directly.

Mr. PACKWOOD. Mr. President, I beg to differ.

Mr. ROBERT C. BYRD. But we are beyond that point. I am not arguing the point of germaneness.

Mr. PACKWOOD. Who has the floor, Mr. President?

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. PACKWOOD. I do not mind if the Senator wants to answer my question, but I am going to yield the floor, and I will yield the floor if he wants to go on, on his time.

The PRESIDING OFFICER. Who yields time?

Mr. ROBERT C. BYRD. Mr. President, how much time do I have?

The PRESIDING OFFICER. Seventeen minutes and eight seconds.

Mr. ROBERT C. BYRD. Mr. President, I simply take a little time to read, from title IV, section 401. Declaration of Policy.

The Congress hereby finds and declares that—

(1) the safe operation of the airport and airway system will continue to be the highest aviation priority;

Is that in fulfillment of the reconciliation instructions? No, it has nothing to do with reconciliation instructions in the recently-passed budget resolution.

(2) the continuation of airport and airway improvement programs and more effective management and utilization of the Nation's airport and airway system are required to meet the current and projected growth of aviation and the requirements of interstate commerce, the Postal Service, and the national defense;

(3) all airport and airway programs should be administered in a manner consistent with the provisions of sections 102 and 103 of the Federal Aviation Act of 1958 (49 U.S.C. 1302 and 1303), as amended by the Airline Deregulation Act of 1978, with due regard for the goals expressed therein of fostering competition, preventing unfair methods of competition in air transportation, maintaining essential air transportation, and preventing unjust and discriminatory practices;

(4) this Act should be administered in a manner to provide adequate navigation aids and airport facilities, including reliever airports, for points with scheduled commercial air service.

Obviously, I do not have to read any further. Obviously, this legislation has nothing to do with the reconciliation instruction. It is an entirely new and complete act that comes within the jurisdiction of the Commerce Committee. It should have been reported out by the Commerce Committee if the Senate was going to act on it and it should have been called up under the normal procedures.

There would have been no rule of germaneness or no restrictions regarding time limitation on debate. We could have debated it back and forth. Amendments could have been offered. Amendments not germane could have been offered to this legislation because there is no rule of germaneness in the Senate except where appropriations bills are concerned, and where the cloture rule XXII is concerned, and where the budget reform process is concerned.

I say I do not find fault with having the act itself, title IV, called up as a separate provision and acted upon by the Senate in the ordinary process of things. But to include it in this measure, which is supposed to be in response to the reconciliation instructions of the recently passed budget resolution, is a subversion of the budget process and is a subversion of paragraph 5 of rule XV. It beats the intent of the that rule.

"It shall not be in order to consider any proposed committee amendment," whether it comes from the Committee on Agriculture, whether it comes from the Committee on Veterans' Affairs, whether it comes from the Committee on Environment and Public Works, or whatever. And every chairman of each of those committees and others should view this with the most grave concern.

It shall not be in order to consider any proposed committee amendment (other than a technical, clerical, or conforming amendment) which contains any significant matter—

And this title IV is significant matter—

any significant matter not within the jurisdiction of the committee proposing such amendment.

Obviously, title IV is a significant matter. Obviously, it is not within the jurisdiction of the Finance Committee. I say that it is violative of the spirit and of the intent and of the word of paragraph 5 of rule XV. For that reason, I hope the Senate will support my motion to recommit the measure to the Finance Committee with instructions that it be reported back with title IV deleted therefrom.

Mr. President, last year we faced a similar situation. Senators will recall that many items which had nothing to do with reconciliation had been included in a reconciliation bill, a bill with time agreements, limited debate, and the germaneness rule.

Last year I offered an amendment to strike such issues from the reconciliation bill. I also threatened to offer an endless series of amendments to the reconciliation bill if these irrelevant issues were not stripped from the steamroller bill. The majority leader and I agreed to strip all of the irrelevant issues off the bill.

That is what we should do here. This 81-page document should not be a vehicle for writing major legislation that comes within the jurisdiction of the Commerce Committee, according to rule XXV, which so states it is within that committee's jurisdiction. We might as well just rip rule XXV out of the rule book.

Standing rule XXV of the Senate says:

The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions.

Now, let us go to the Committee on Commerce:

To which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subject:

And within the enumerated subjects are those regarding transportation and those regarding nonmilitary aeronautical and space sciences.

I will read the items which are within the jurisdiction of the Finance Committee:

1. Bonded debt of the United States.

Title IV of this bill has nothing to do with the bonded debt of the United States.

2. Customs, collection districts, and ports of entry and delivery.

Title IV has nothing to do with customs, collection districts, and ports of entry and delivery.

3. Deposit of public moneys.

4. General revenue sharing.

5. Health programs under the Social Security Act and health programs financed by a specific tax or trust fund.

6. National social security.

7. Reciprocal trade agreements.

8. Revenue measures generally, except as provided in the Congressional Budget Act of 1974.

9. Revenue measures relating to the insular possessions.

10. Tariffs and import quotas, and matters related thereto.

11. Transportation of dutiable goods.

Mr. President, it is clear on the face of rule XXV that this article does not come within the jurisdiction of the Finance Committee and that, indeed, it comes within the jurisdiction of the Commerce Committee. It is patently obvious on the face of paragraph 5 of rule XV of the Senate that it is not in order to include this legislation in this bill. I hope my colleagues will agree and vote to recommit with instructions.

The PRESIDING OFFICER. Who yields time?

Mr. ROBERT C. BYRD. Mr. President, I yield back the remainder of my time.

Mr. PACKWOOD. I yield back my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the motion of the Senator from West Virginia (Mr. ROBERT C. BYRD) to recommit the bill to the Finance Committee with instructions that the bill be reported back forthwith with title IV stricken. The yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Florida (Mr. CHILES), the Senator from Montana (Mr. MELCHER), and the senator from West Virginia (Mr. RANDOLPH) are necessarily absent.

I further announce that, if present and voting, the Senator from West Virginia (Mr. RANDOLPH) would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 43, nays 54, as follows:

[Rollcall Vote No. 231 Leg.]

YEAS—43

Baucus	Bumpers	Cannon
Bentsen	Burdick	Cranston
Biden	Byrd, Harry F., Jr.	DeConcini
Boren	Byrd, Robert C.	Dixon
Bradley		Dodd
Eagleton	Johnston	Pell
Exon	Kennedy	Proxmire
Ford	Leahy	Pryor
Glenn	Levin	Riegle
Hart	Long	Sarbanes
Heflin	Matsunaga	Sasser
Hollings	Metzenbaum	Stennis
Huddleston	Mitchell	Tsongas
Inouye	Moynihan	Zorinsky
Jackson	Nunn	

NAYS—54

Abdnor	Gorton	Nickles
Andrews	Grassley	Packwood
Armstrong	Hatch	Percy
Baker	Hatfield	Pressler
Boschwitz	Hawkins	Quayle
Brady	Hayakawa	Roth
Chafee	Heinz	Rudman
Cochran	Helms	Schmitt
Cohen	Humphrey	Simpson
D'Amato	Jepsen	Specter
Danforth	Kassebaum	Stafford
Denton	Kasten	Stevens
Dole	Laxalt	Symms
Domenici	Lugar	Thurmond
Durenberger	Mathias	Tower
East	Mattingly	Wallop
Garn	McClure	Warner
Goldwater	Murkowski	Weicker

NOT VOTING—3

Chiles	Melcher	Randolph

So the motion to recommit was rejected.

Mr. PACKWOOD. Mr. President, I ask for the vote on the amendment.

UP AMENDMENT NO. 1100, AS MODIFIED

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from Montana (Mr. MELCHER), and the Senator from West Virginia (Mr. RANDOLPH) are necessarily absent.

I further announce that, if present and voting, the Senator from West Virginia (Mr. RANDOLPH) would vote "yea."

The PRESIDING OFFICER (Mr. GORTON). Are there any other Senators in the Chamber wishing to vote?

The result was announced—yeas 93, nays 5—as follows:

[Rollcall Vote No. 232 Leg.]

YEAS—93

Abdnor	Dixon	Jepsen
Andrews	Dodd	Johnston
Armstrong	Dole	Kassebaum
Baker	Domenici	Kasten
Baucus	Durenberger	Kennedy
Bentsen	Eagleton	Laxalt
Biden	East	Leahy
Boren	Exon	Levin
Boschwitz	Ford	Long
Bradley	Garn	Lugar
Brady	Glenn	Mathias
Bumpers	Goldwater	Matsunaga
Burdick	Gorton	Mattingly
Byrd, Harry F., Jr.	Grassley	McClure
Byrd, Robert C.	Hart	Metzenbaum
Chafee	Hatch	Mitchell
Chiles	Hatfield	Moynihan
Cochran	Hawkins	Murkowski
Cohen	Hayakawa	Nickles
Cranston	Heflin	Nunn
D'Amato	Heinz	Packwood
Danforth	Helms	Pell
DeConcini	Humphrey	Percy
Denton	Inouye	Pressler
	Jackson	Pryor
Quayle	Simpson	Tsongas
Riegle	Specter	Wallop
Roth	Stafford	Warner
Rudman	Stevens	Weicker
Sarbanes	Symms	Zorinsky
Sasser	Thurmond	
Schmitt	Tower	

NAYS—5

Cannon	Huddleston	Stennis
Hollings	Proxmire	

NOT VOTING—2

Melcher	Randolph

So the amendment (UP No. 1100), as modified, was agreed to.

Mr. DOMENICI. Mr. President, the intent of this modification is to authorize the Secretary of Transportation to enter into a contractual agreement with any State or political subdivision thereof to permit operation of airport facilities presently under FAA jurisdiction. Further, this modification requires that a provision relieving the United States of any and all liability in connection with such airport operations be contained in any agreement entered into by the Secretary. The closing of many airports across our Nation resulting from last fall's illegal air traffic controllers strike has placed a strain on State and local government's ability to provide adequate public safety and service for their community airports. This modification provides some flexibility for funding those airports most affected. Mr. President, I would like to address several questions to the chairman of the Commerce Committee, the distinguished Senator from Oregon (Mr. PACKWOOD). Would this modification provide adequate authority for the Secretary of Transportation to insure the ability of State and local governments to contract/subcontract air traffic control and other airport operation services?

Mr. PACKWOOD. Mr. President, yes, this modification as drafted will provide adequate authority to the Secretary of Transportation.

Mr. DOMENICI. Mr. President, many airports throughout the country including several within my State of New Mexico are closed temporarily due to the illegal air traffic controllers strike last fall. I ask the distinguished Senator from Oregon would this modification give State and local governments associated with these 69 or so affected airports including level II airports the ability to enter into contractual agreements with the Secretary of Transportation for the operation of airport facilities?

Mr. PACKWOOD. Mr. President, in answer to the distinguished Senator from New Mexico, this modification will provide eligibility to the 69 or so affected airports across our Nation. In addition, the State and local governments would be free to operate their airports using private contractors for facility services at the above mentioned airports.

Mr. DOMENICI. Mr. President, I also ask the distinguished Senator from Oregon who would pay for the contracted airport facility services and in what form would this payment be made?

Mr. PACKWOOD. Mr. President, the FAA would pay the State or local government in the form of a grant authority which would be incorporated into the contractual agreement between the respective parties for the operation of subject airport facilities. Funds for this payment would come out of the FAA operations account.

Mr. DOMENICI. Mr. President, I have one final question for the distinguished Senator from Oregon. What impact would this modification have on the financial and human resources of the FAA to operate and maintain our Nation's airway system?

Mr. PACKWOOD. Mr. President, the provisions of this modification will result in an overall improvement of the air traffic control system. With the ability of local governments to contract air traffic control services from the private sector, newly trained FAA controllers can be assigned to the larger airports presently understaffed since last fall. The air traffic control system would recover that much faster. Current experience with contracted air traffic control services indicates that costs to staff control towers is approximately one-half the cost associated with FAA controller staffing. This would enable the FAA to staff more airport towers throughout the country without additional costs.

Mr. DOMENICI. Mr. President, I thank my good friend, the distinguished Senator from Oregon, for answering my questions concerning this modification.

Mr. GRASSLEY. Mr. President, I am very pleased to offer my strong support for the provisions authorizing the spending for the planning and development of airports, as well as the modernization of our overall airway system. This legislation represents welcome relief from the uncertainties that have overshadowed the vital work of improving our Nation's airports and air systems since ADAP authorization expired in 1980.

These provisions authorizing the continuation of our ADAP programs have significant ramifications for our Nation as a whole. This legislation will keep us on course with the comprehensive plan to upgrade and enhance our airway system that was established over a decade ago with the creation of the Airport and Airway Development Act. The ADAP program set in motion a thoroughly studied and planned approach to meeting the growing needs and demands for safe, sufficient air service to the year 2000, and sets a firm foundation for the air service requirements for the years beyond.

The magnitude and significance of this program is matched only by the great highway plan initiated by President Eisenhower. And like our highway program, the ADAP program protects us from the pitfalls and inefficiencies that can too easily accompany patchwork approaches to the development of transportation systems.

On this note, I offer hearty congratulations to the chairman of the Commerce Committee and to the chairman of the Aviation Subcommittee for the tremendous effort that they devoted to reaching an equitable, workable compromise. Airway users throughout America owe a debt of gratitude for the long hours and hard work that you sacrificed in order to keep our airway projects on course.

It is essential that we pass legislation this year. The Secretary of Transportation has made it clear that the fiscal year 1982 obligations for airport rest upon the ability of Congress to pass this authorization package. Since no one wants to see our airway projects jeopardized, I hope that the Senate and House will both recognize the importance of passing this package.

I should like to take this opportunity to share with my colleagues some information that underlines the importance of this legislation to my home State of Iowa. There are a large number of small and large airport projects depending upon the renewal of ADAP funding authorization. If this legislation passes, Iowa's airport could expect over $8.1 million during fiscal year 1982 and fiscal year 1983 from apportionment allocations alone.

In addition to funds from apportionments, a number of Iowa airports urgently need discretionary funding. I do not need to mention them all, but there are three smaller airports that are in particular need of discretionary funding in order to improve their capacity. These airports are located in Decorah, Charles City, and Sheldon. There is a critical need for money to expand runways in order to accommodate business aircraft that must use these smaller airports more frequently to carry company officials. Since air deregulation took effect, some of our medium sized airports have lost air service from some of the major airlines—air service that companies had utilized to carry their representatives on business trips. Now the small airports must carry the burden by handling the increased number of business aircraft. Unfortunately, if these small airports are unable to meet this challenge, many of these businesses may have to leave these cities. This results in a tremendous loss of jobs and money to our communities, and hurts the State as a whole. It is my hope that the Federal Aviation Administration can offer the necessary assistance to these small airports.

I should also like to draw particular attention to the needs for discretionary funding for the terminal and apron project at the airport in Cedar Rapids, Iowa. Although this project is already underway, and the Federal Aviation Administration has contributed over $1 million in discretionary and enplanement money, at least $5 million more is needed from the FAA to complete this essential project.

At this point, I should like to ask a question of the chairman of the Senate Commerce Committee, the Senator from Oregon.

Mr. PACKWOOD. I shall be happy to respond to the Senator from Iowa.

Mr. GRASSLEY. As chairman of the Commerce Committee, the Senator has clearly shown his recognition of the importance of providing continuity in this ADAP program, as well as the projects involved. This is why the Senator and the chairman of the Aviation Subcommittee worked so hard in moving this vital legislation ahead, and I commend both Senators for their efforts.

In this light, I should like to address and emphasize the dilemma in which Cedar Rapids finds itself in attempting to complete its airport project. Within 60 days, it will have spent all of its available funding for its project and will be looking for additional assistance from the FAA—not only for apportionment funds, but also discretionary funding.

As important as timely financial assistance, however, is the need for a long-term commitment from the Federal Government to support the completion of this essential airport development project. A good portion of the overall funding for the airport project is being generated from local and State sources. Therefore, it would be very helpful to the community of Cedar Rapids if additional assurances could be obtained. Clearly, through the FAA's past financial support, the FAA is fully cognizant of the importance of this Cedar Rapids project. I think it would be very helpful, however, if further assurances could be offered by Congress that it, too, supports the expeditious completion of this airport project.

As chairman of the Commerce Committee, could the Senator agree that the Cedar Rapids project should be given the FAA's fullest consideration for continuing support?

Mr. PACKWOOD. I say to the Senator from Iowa, that I agree that the Cedar Rapids air terminal project is, indeed, an important project that warrants the FAA's utmost consideration and assistance through the project's completion. I should also like to add that I agree that a commitment to continuity is important not only to this project but also to the ADAP program as a whole, so I thank the Sena-

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tor for his support of this ADAP provision.

Mr. GRASSLEY. I thank the Senator for his words of assurances for Cedar Rapids and for his efforts for all our Nation's airway users and airports.

The PRESIDING OFFICER. Who yields time?

UP AMENDMENT NO. 1101

Mrs. KASSEBAUM. Mr. President, I send to the desk an unprinted amendment and ask for its immediate consideration.

The PRESIDING OFFICER. In order to deal with this amendment at this time, unanimous consent is required. Is there objection? The Chair hears none, and it is so ordered.

The amendment will be stated.

The legislative clerk read as follows:

The Senator from Kansas (Mrs. KASSEBAUM) proposes an unprinted amendment numbered 1101.

Mrs. KASSEBAUM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Add a new section 38 to the Packwood-Kassebaum amendment as follows:

SEC. 38. Notwithstanding any other provision of this act the amounts listed in subsection 6(a) shall be changed as follows:

On page 15, line 7 delete "$1,740,000,000" and insert in lieu thereof *"$1,843,500,000"*.

On page 15, line 8 delete "$2,533,500,000" and insert in lieu thereof *"$2,755,500,000."*

On page 15, line 9 delete "$3,582,900,000" and insert in lieu thereof *"$3,772,500,000."*

Mr. STENNIS. Mr. President, may we have order?

The PRESIDING OFFICER. The point of the Senator from Mississippi is well taken. The Senate is not in order. The Senate will be in order, so that Members can hear the Senator from Kansas.

Mrs. KASSEBAUM. Mr. President, this amendment in many ways has been agreed to. The Budget Committee has agreed to these figures. The Commerce Committee is in agreement with these figures. The Finance Committee is in agreement with these figures. This is because the taxes that are included in reconciliation were specifically set at levels that would support these figures.

The arguments have been made on this matter; and if it is agreeable with the manager of the bill, I would simply ask for a voice vote on this amendment.

Mr. PACKWOOD. Mr. President, the amendment is acceptable to the manager of the bill. I know it is acceptable to the Budget Committee. I believe it is acceptable to the ranking minority member, the Senator from Nevada. I would be glad to accept it without a rollcall vote.

Mr. CANNON. I have no objection to the amendment, Mr. President.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. I have no objection.

Mr. President, I commend my distinguished colleagues, the chairman of the Commerce Committee, Mr. PACKWOOD, and the chairman of the Aviation Subcommittee, Mrs. KASSEBAUM, for their very fine efforts in holding together a very diverse group of aviation interests. The compromise reached by Mr. PACKWOOD, Mrs. KASSEBAUM, the administration, and virtually all of the aviation community represents sound public policy and will insure that critical improvements to our Nation's airports and air traffic control system will be accomplished.

The Kassebaum amendment conforms with the ADAP spending levels in the first budget resolution for fiscal years 1982 and 1983.

This approach is both logical and consistent, because the proposed increases in spending will be fully financed by increases in aviation user-fee charges. The users of the aviation network—that is, commercial airlines, general aviation users, travelers and business—will be the primary support for much-needed improvements in the safety and efficiency of our Nation's airways.

Since Congress is being asked to raise aviation user fees above current levels, it is logical to increase spending for the airport grants-in-aid (ADAP) program and for modernization of the air traffic control system, critical to the safety of the national airspace system.

The Kassebaum amendment also enables a much larger percentage than ever before of the Federal Aviation Administration's (FAA) operating and maintenance account to be paid for by the users of the system, rather than general taxpayer dollars. Those that benefit from the FAA's provision of an exemplary air traffic control system, flight service information, maintenance of airports, flight service stations, and en route centers will be required to contribute to the costs of these services.

It is fully appropriate that the general taxpayer not be burdened with all of these expenses. The Kassebaum amendment enables much of the FAA's operating and maintenance costs that are clearly attributable to air carriers and general aviation users to be financed by those that have the most to gain from the provision of these services. No longer is the general taxpayer being asked to subsidize to as large an extent the users and beneficiaries of the FAA's services.

Mr. President, after 3 arduous years of attempting to reauthorize the ADAP program on a long-term basis, I am pleased that we have reached a satisfactory compromise. No longer will the FAA be subjected to its annual fear that the ADAP program will not be reauthorized until the last days of the fiscal year. The Kassebaum amendment will put the ADAP program back on a healthy basis and will result in significant improvements to the safety, accessibility, dependability, and mobility of our Nation's airways.

Mr. President, I think the important dollar amount is the spending level for the fiscal year 1983. That remains constant in all respects with what we had proposed before and what the budget targets are.

For the composite of all 5 years, fiscal years 1983 through 1987, it is the same amount of money as the Packwood amendment. Fiscal years 1984 and 1985 have been increased, and fiscal years 1986 and 1987 have been decreased. These spending levels are subject, nonetheless, to the appropriation process. I will not say subject to appropriations but to the appropriation process, because of obligation ceilings that are part of the Appropriation Committee's responsibility.

Therefore, I have no objection. The Senator from Kansas states the case. The taxes are raised, and there are those who are supporting increased user fees that expect them to be spent. This is the first time in recent history that the majority of the FAA's operating expenses will be supported by aviation users rather than the general taxpayer. That is unique. That makes it very commendable.

I have no objection. I do not think it is fair to say the committee favors it. The Senator from New Mexico favors it.

The PRESIDING OFFICER. Who yields time?

Mr. PACKWOOD. Vote.

The PRESIDING OFFICER. Do the managers of the time yield back the remainder of their time on this amendment?

Mrs. KASSEBAUM. I yield back my time.

The PRESIDING OFFICER. Does the Senator from Louisiana yield back his time?

Mr. LONG. I yield back my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Kansas.

The amendment (UP No. 1101) was agreed to.

Mrs. KASSEBAUM. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. PACKWOOD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UP AMENDMENT NO. 1102

(Purpose: Balanced Aviation Trust Fund)

Mr. CANNON. Mr. President, I send an amendment to the desk on behalf

of myself and Senator JEPSEN and ask for its immediate consideration.

The PRESIDING OFFICER. The consideration of the amendment by the Senator from Nevada at this point on the committee amendment requires unanimous consent.

Does the Senator so ask?

Mr. DOLE. Mr. President, I ask unanimous consent that the amendment may be in order.

The PRESIDING OFFICER. Is there objection?

Mr. PACKWOOD. I do not think I have any objection.

Which amendment is it?

Mr. CANNON. This is the $500 million or more surplus.

Mr. PACKWOOD. I am going to oppose the amendment. I have no objection to considering it.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment will be stated.

The legislative clerk read as follows:

The Senator from Nevada (Mr. CANNON), for himself and Mr. JEPSEN, proposes an unprinted amendment numbered 1102.

Mr. CANNON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 440 of the committee amendment, insert the following new section between lines 10 and 11:

Sec. 283A. Balanced Aviation Trust Fund.

SEC. . (a) Notwithstanding any other provision of law, if, at the end of any fiscal year, the amount of unobligated funds in the Airport and Airway Trust Fund (including funds collected during such fiscal year but not yet transferred to the Trust Fund) exceeds $500,000,000, the rate of tax imposed on fuel used for noncommercial aviation under section 4041(c)(1) of the Internal Revenue Code of 1954 for the following fiscal year shall be 3½ cents per gallon.

Mr. CANNON. Mr. President, this amendment that I offer to the Airport and Airways Revenue Act requires lower tax levels than those approved by the Finance Committee, if a large trust fund surplus exists, and I offer this amendment on behalf of myself and Senator JEPSEN.

If there is a surplus at the end of any fiscal year exceeding $500 million, then the fuel tax on all aviation fuels will be 8½ cents per gallon. This lower tax level makes perfect sense because it is tied to the trust fund surplus. As long as there is a surplus in this fund higher aviation taxes will not in any way help to balance the general treasury accounts.

The Aircraft Owners and Pilot Association strongly support this amendment, and I urge my colleagues to approve it.

Mr. PACKWOOD. Mr. President, I hope the Senate will not adopt this amendment. As I indicated earlier, this is a fragile coalition. This amendment is directed solely toward the benefit of those people who fly private airplanes.

I am aware of their interest and none of them want any taxes, but a majority of the aviation community agreed that we would increase the taxes on commerical passengers tax, the tax on jet fuel and gas for general aviation, and the tax on tubes and tires. We have a triggering mechanism in this amendment that has been accepted. That triggering mechanism says that if 85 percent of the money that is authorized for airport development is not made available for obligation then the taxes end. So we do not need to worry about the fund mounting up and we frankly have had that problem in the past. It is not unique. It has happened under past administration. But all administrations when they are desperate for money want to get trust funds and not spend them, because they get to count the trust funds up against their efforts to reduce the deficits and produce revenues. If they do not have to spend the money, it narrows the deficit.

There were years when there were billions of dollars in the aviation trust fund that were not being spent. That problem will be alleviated by the trust fund triggering mechanism.

And I will say again if each year we do not obligate 85 percent of the airport development money authorized then the taxes end.

The amendment of the Senator from Nevada relates only to the aviation gas tax, a tax that at one time was 7 cents when aviation gas was about 35 cents. The Finance Committee bill moves it to 12 cents when aviation gas is now about $1.90.

At one time when it was 7 cents the tax on aviation gas comprised about 10 percent of the trust fund. Today at 12 cents it will comprise about 2 percent of the trust fund. After we have put this agreement together with all of the parties concerned realizing that no one likes taxes on themselves, it is unfair to say instead of the triggering mechanism where all taxes will go down, if we do not allocate the money we say to only one group, "Your taxes will go down." Not the airline passengers, tax not the person who sells tubes and tires, not jet fuel, just the taxes on aviation gasoline. That is certainly not a group that has liked the tax. They like the bill. They just do not like the tax to pay for it.

I think it would be unfair to single them out, and I hope the amendment will be defeated.

Mr. DOLE. Mr. President, will the Senator yield?

Mr. PACKWOOD. I yield.

Mr. DOLE. Mr. President, I certainly share the views expressed by the distinguished Senator from Oregon.

I wish to refer to a letter just received from the Secretary of Transportation.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter received by me from the Secretary of Transportation dated July 19, 1982.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., July 19, 1982.

Hon. ROBERT DOLE,
Chairman, Committee on Finance,
Washington, D.C.

DEAR MR. BOB: I am writing to you and to the Chairman of the Commerce Committee to oppose the suggestion of an amendment to the upcoming airport-airway legislation that would reduce 12- and 14-cent-a-gallon user fees, as applied to general aviation activities, to a level of 8.5 cents-a-gallon.

The legislation your Committees have crafted represents a broad consensus on how to continue the successful user-fee-supported program that has underwritten national aviation activities for more than a decade. All parties have compromised their deeply felt interests to arrive at a bill that can be passed. It would be totally unfair to them if a single party now succeeded in changing the balance of this legislation.

General aviation has enjoyed a 7-cent-a-gallon user fee for its participation in the nation's airport-airway system since 1970. If this fee were adjusted for inflation alone, as the percentage taxes on airline passenger tickets and air cargo effectively are, the 7-cent fee would have risen to at least 15 cents. At the 7-cent rate, general aviation pays for an extremely small portion of the FAA facilities and services it uses. Furthermore, general aviation is the area of greatest growth through the 1990's, during which period the number of active general aviation aircraft are expected to more than double the present number of all planes. General aviation will put particular strain on the system as the growing population of privately-owned sophisticated jet aircraft use more and more air-traffic and navigational aids.

The 12- and 14-cent-a-gallon fees proposed by your Committees are more than fair to the general aviation community. They represent a far smaller portion of operating cost on $2-a-gallon fuel than the 7-cent fee represented on 40-cent-a-gallon fuel in 1970. On a fully allocated basis, the 12-cent and 14-cent flat-rate levels represent the low side of general aviation's share, which share was arrived at through lengthy compromise with all user groups. As you know, the House Ways and Means Committee has already defeated an attempt to amend this section by reducing general aviation's share, and instead reported a 12-cent tax. To maintain this critical legislation in the form in which broad consensus was reached, it is essential to resist any amendment to reduce user fees on aviation fuels.

Sincerely,

DREW.

Mr. DOLE. Mr. President, Secretary Lewis points out that:

General aviation has enjoyed a 7-cent-a-gallon user fee for its participation in the nation's airport-airway system since 1970. If this fee were adjusted for inflation alone, as the percentage taxes on airline passenger tickets and air cargo effectively are, the 7-cent fee would have risen to at least 15 cents.

So I do not think we are imposing any undue burden on general aviation. I think some have argued that they

are not paying their proportionate share for their proportionate use of the system.

I also say that our counterpart, the House Ways and Means Committee, has already defeated an attempt to amend this action by reducing the general aviation share and instead reported a 12-cent-per-gallon tax, and I am certain that in the House of Representatives they are certainly just as concerned about general aviation as we are.

PRIOR LAW

Under prior law the general aviation gasoline tax was 7 cents per gallon. On October 1, 1980 it was reduced to 4 cents per gallon.

AMENDMENT

The amendment would decrease the general aviation gasoline tax to 8.5 cents per gallon if the surplus in the trust fund balance exceeded $500 million.

REVENUE EFFECT [1]

[Loss in billions of dollars]

Fiscal year—				
1983	1984	1985	1986	1987
−0.013	−0.013	0.014	−0.014	−0.015

[1] Joint Committee on Taxation figures.

Some have statistics that would show if the general aviation gasoline tax were set at a rate that is proportionate to the general aviation use of the system, the tax rate would be approximately 50 cents per gallon.

Since the aircraft use tax is not being reinstated, statistics show that an 8½-cent-per-gallon gasoline tax would result in general aviation paying less total aviation taxes in 1982 than they paid in 1970.

The following aviation groups support the 12- and 14-cent-per-gallon fuel tax: (1) the National Business Aircraft Association; and (2) the General Aviation Manufacturers Association.

Prior to October 1, 1980, the general aviation gasoline tax was 7 cents per gallon. If it is increased to 8.5 cents per gallon, this will only represent a 1½-cent-per-gallon increase in general aviation gasoline taxes since 1970. On the other hand, general aviation nongasoline fuel taxes will double during the same period.

For those reasons, I hope that the amendment will be defeated.

Mr. CANNON. Mr. President, I think Senators may have missed the key point here. This is not an attempt to reduce, per se, the tax that general aviation pays.

What is says is that any time there is a surplus in the trust fund of over $500 million, then the triggering action would take place.

That surplus was created by the taxes these people pay along with a lot of other people. The Senator from Oregon suggested that we are not reducing the ticket tax. I would be very happy to make the amendment so that it also has a triggering effect to reduce the ticket tax as well, but I thought I would try this one first, and it is based only on the surplus in the trust fund.

If the trust funds were used for the purpose for which it was intended, there would not be that kind of a surplus there and there would be no problem with a triggering mechanism because if it is down below $500 million, the tax would remain just the same as it is in the bill reported by the Finance Committee.

Mr. PACKWOOD. Mr. President, I say again that there is over $2 billion in the trust fund now. This amendment is not prospective. What this does is give a boon to private aviation right now, bam, just like that.

Right now, bam, just like that, the tax level goes down. We have lowered the tax level from that initially recommended by the administration.

My point is not that the money is not going to be spent. It is going to be spent or all of the taxes are going to go off, not just the taxes for general aviation, and that is my quarrel with the amendment.

They have been looking for, and I understand it perfectly, general aviation has been looking for a way to get out from under this tax increase in one way or another. This is a back door attempt to do it by saying if the trust fund, which is over $2 billion, falls below $500 million they are out. They pay 8.5 cents. Everybody else continues to pay the taxes that are in this bill now, everybody but general aviation.

I will say one thing more. This agreement is a fragile compromise in which most of the parties that use aviation agreed to most of the bill. It is unfair now to single out one particular segment for special treatment.

Mr. CANNON. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. CANNON. Mr. President, if no one else desires to speak I am prepared to yield back the remainder of my time.

Mr. DOLE. I yield back the time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Nevada. The clerk will call the roll.

The legislative clerk called the role.

Mr. CRANSTON. I announce that the Senator from Montana (Mr. MELCHER) and the Senator from West Virginia (Mr. RANDOLPH) are necessarily absent.

I further announce that, if present and voting, the Senator from West Virginia (Mr. RANDOLPH) would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote or change their vote?

The result was announced—yeas 44, nays 54, as follows:

[Rollcall Vote No. 233 Leg.]

YEAS—44

Baucus	Garn	Matsunaga
Bentsen	Glenn	Mattingly
Bumpers	Goldwater	McClure
Burdick	Hart	Metzenbaum
Byrd, Robert C.	Hatch	Mitchell
Cannon	Heflin	Murkowski
Chiles	Helms	Nunn
Cohen	Hollings	Pell
Cranston	Huddleston	Riegle
DeConcini	Jackson	Sarbanes
Dixon	Jepsen	Sasser
Eagleton	Johnston	Schmitt
East	Laxalt	Stennis
Exon	Leahy	Zorinsky
Ford	Levin	

NAYS—54

Abdnor	Durenberger	Pressler
Andrews	Gorton	Proxmire
Armstrong	Grassley	Pryor
Baker	Hatfield	Quayle
Biden	Hawkins	Roth
Boren	Hayakawa	Rudman
Boschwitz	Heinz	Simpson
Bradley	Humphrey	Specter
Brady	Inouye	Stafford
Byrd, Harry F., Jr.	Kassebaum	Stevens
	Kasten	Symms
Chafee	Kennedy	Thurmond
Cochran	Long	Tower
D'Amato	Lugar	Tsongas
Danforth	Mathias	Wallop
Denton	Moynihan	Warner
Dodd	Nickles	Weicker
Dole	Packwood	
Domenici	Percy	

NOT VOTING—2

Melcher	Randolph

So the amendment (UP No. 1102) was rejected.

Mr. PACKWOOD. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. DOLE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, if I could have the attention of the Senate, could I inquire of the minority side whether it is their intention to offer an amendment at this time?

Mr. ROBERT C. BYRD. Yes, Mr. President, I understand Mr. BRADLEY is prepared to lay down his amendment and proceed to its consideration on tomorrow.

Mr. BAKER. Mr. President, if agreeable, I would hope that debate on that measure would continue for some time tonight, until, say, 6:30 or thereabouts, and that any vote would occur tomorrow.

ORDERS FOR WEDNESDAY

ORDER FOR RECESS UNTIL 9 A.M.

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it

stand in recess until the hour of 9 a.m. on tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR THE RECOGNITION OF SENATOR NUNN ON TOMORROW

Mr. BAKER. Mr. President, I ask unanimous consent that after the recognition of the two leaders under the standing order, the distinguished Senator from Georgia (Mr. NUNN) be recognized on a special order for not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER DESIGNATING A PERIOD FOR ROUTINE MORNING BUSINESS AND TO RESUME CONSIDERATION ON H.R. 4961

Mr. BAKER. Mr. President, I ask unanimous consent that, after the execution of the special order, there be a brief time for the transaction of routine morning business to extend not past the hour of 9:40 a.m., and that at 9:40 a.m. the Senate resume consideration of the pending measure.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BAKER. Mr. President, with that arrangement, and with the representations made by the minority leader, I wish to announce there will be no further rollcall votes this evening. I thank all Senators.

TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982

The Senate continue with the consideration of the bill (H.R. 4961).

The PRESIDING OFFICER. The question is on the first committee amendment. Who yields time?

Mr. DOLE. Mr. President, it is my understanding that the Senator from New Jersey——

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. DOLE. I am pleased to yield.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that Mr. BRADLEY be allowed to lay down his amendment tonight.

Mr. DOLE. I certainly have no objection to that. That is what we hoped.

Mr. LONG. Is that amendment at the desk, Mr. President?

The PRESIDING OFFICER. The request of the minority leader is that the amendment be in order at this time.

Mr. LONG. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. On whose time?

Mr. LONG. On the time of the bill.

Mr. DOLE. Equally divided on the bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BRADLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. BRADLEY. Mr. President, I yield to myself, on behalf of the minority on the Finance Committee, as much time as I need.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BRADLEY. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the first committee amendment.

UP AMENDMENT 1103

(Subsequently numbered amendment No. 1978.)

Mr. BRADLEY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment is not in order without unanimous consent that the first committee amendment be set aside.

Mr. BRADLEY. Mr. President, I ask unanimous consent that this amendment be in order.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will state the amendment.

The bill clerk read as follows:

The Senator from New Jersey (Mr. BRADLEY) proposes an unprinted amendment numbered 1103.

Mr. BRADLEY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRADLEY. Mr. President, the amendment I have offered is the fairness amendment of this tax bill. Let me say at the outset that I think about 50 to 60 percent of this tax bill is pretty good legislation. However, I think that the remainder of the bill is not so good. I think that it is regressive and I think it hits those individuals who are least insulated from the recession that we find ourselves in. Therefore, Mr. President, I would move to make this tax bill a fairer tax bill.

If we look at both the spending provisions and the tax increases, we are struck by the fact that this is the biggest tax increase in the country's history and that roughly 30 percent of those tax increases fall on middle- and low-income Americans. We also find that a portion of the spending cuts force senior citizens on medicare to pay more of that medicare. What I am proposing to do is keep the following four elements of the tax bill:

I would not increase the unemployment taxes. I would not increase the amount an individual has to pay before he or she can deduct his or her medical expenses and casualty losses. I would not increase the excise tax on cigarettes or telephones.

In addition, this amendment would eliminate the cut in the medicare part B deductible and medicare part B premium, as well as the copayment on home health care and the State reimbursement requirement.

Mr. President, these tax increases and spending cuts that I would not make total about $22.8 billion. To offset those actions, I would then move to defer—and the amendment envisions deferring—that part of the third year of the tax cut that will be received by couples with incomes over $46,000 to $50,000. It is important to note that couples in the incomes under $40,000 would get their tax cut as envisioned by current law in July of 1983, that is, the full 10-percent tax cut. Those couples with incomes in the $46,000 to $50,000 range would have their tax cut phased out. A couple at the $50,000 or so income level would not get their tax cut until the Congress balanced the budget. Then they could have their tax cut.

Mr. President, this amendment recognizes that part of the Finance Committee bill is on the right track. The amendment makes the bill fairer by eliminating those tax increases that unfairly burden the middle- and low-income persons in this country, who is the hardest hit by the present recession and who is the least able to cope with the inevitable price increases that will be passed on as these excise tax and unemployment tax increases are levied on businesses and individuals.

This amendment will pay for these tax rescissions, essentially, as I said, by deferring the third year of the tax cut. But that deferral will apply only to those upper-income individuals who have already benefited dramatically from last year's tax bill which dropped the top rate from 70 to 50, which I supported. The amount of revenue that this deferral for upper-income individuals would yield is roughly $33 billion. The revenue lost by not going to the tax increase and not making the spending cuts would be $22 billion. So we are left with a cushion of about $11 billion.

That cushion could (A) be applied to reduce the deficit more; or, (B) it could be applied to any number of other provisions in this bill that might indeed be subject to striking moves in the next day or so. The main point to make is that this provision reemphasizes the desire on the part of the Democrats in the Senate for a fair bill.

It challenges all of us in the Senate to carry the intent expressed by the chairman to its logical conclusion and make not just 60 percent of the bill fair but 100 percent of it fair.

Mr. President, that is the nature of the amendment. I reserve the remainder of my time.

Mr. LONG. Mr. President, will the Senator yield at that point for a question?

Mr. BRADLEY. Yes; I would be pleased to yield for a question.

Mr. LONG. Is it correct that what the Senator has in mind is that the 10-percent tax cut due to go into effect in July next year would be deferred only for about 20 or 25 percent of the taxpayers, and those would be the ones who are doing best; that is, the ones who tend to be earning more than their neighbors?

Mr. BRADLEY. The Senator is correct—75 percent of the American taxpayers earn under $40,000. They would not be touched. They would get their full 10-percent cut in July 1983. For the 5 percent, say, in the neighborhood of $40,000 to $46,000, they would get some part of it.

Mr. LONG. Is it fair to say also that included in this group that would not get the additional 10-percent cut in rates next year are those very fortunate souls who have already had their top rate cut from 70 percent down to 50 percent? Those people, bless their hearts, have already had a 30-percent tax cut while the other folks were getting 15 percent and hopefully 25 percent with the cut they get next year? So within the group that would not get the additional cut under the amendment are those who have already had the best of it to begin with?

Mr. BRADLEY. The Senator is correct.

Mr. LONG. Furthermore, if the purpose of the economic stimulus package, the huge tax cut that was passed last year called the Economic Recovery Tax Act, if all these incentives and fast tax writeoffs for equipment and all that type of thing do well and they stimulate the economy, then that same group that would not get the additional rate cut would be those who figure to do the best under last year's bill? In other words, the highly paid people or those who are making $40,000 and above, those tend to be the people who benefit first and benefit most when the economy gets moving; is that not correct?

Mr. BRADLEY. There is no question that if the economy booms and growth is at 5 percent in real terms, the people who will benefit are those who have had the good sense and good fortune to invest in those firms that are doing well, and their investments will be taxed not at 70 percent like they were 2 years ago but at 50 percent. So, yes, they will certainly benefit.

But while we are fighting this deficit, we want to make sure that the burden does not just fall on middle- and low-income people, and that is why we have offered this amendment.

Mr. LONG. If the Senator would yield further, is it not true that those who are doing very well indeed in this country would still share in the benefit of the amendment of the Senator insofar as they would not pay the increase in the telephone tax?

Mr. BRADLEY. They would not pay the increase in cigarette tax, small businessmen——

Mr. LONG. They would still get the benefit of itemizing their medical expenses and they would get the benefit of the present law with regard to casualty losses, so they figure to be among the beneficiaries of the amendment of the Senator to the extent that he deletes some of the tax increase provisions?

Mr. BRADLEY. I would say to the Senator in no way did I mean to imply that only middle-income people have medical costs. Upper-income people have medical costs and casualty losses. Upper-income people hire individuals for their firms and have to pay unemployment taxes. So the savings that we have from this amendment would be shared by upper income as well as middle and lower income—no question.

Mr. LONG. Mr. President, may I say to the distinguished Senator that I discussed the approach of the Senator with a lot of very successful people in the country, and I have yet to hear any of them tell me that they do not think it is a fair proposition, or express any opposition to it. So far as I am able to see, those people who are doing very well indeed are very happy about the maximum 50-percent tax rate, when we brought it from 70 percent down to 50, and they are very pleased about the fact that we got the capital gains tax down to 20 percent for them; they are very pleased about the accelerated depreciation, and all the rest of it. If they can keep the goodies that have been brought to them by the huge tax cut last year, most of those people will be very happy to forgo a further cut in the rates below the 50-percent rate.

Mr. BRADLEY. I think we might have been talking to the same people, because I have heard that same message. In addition, I think they are coming more and more to recognize that if we are going to have economic growth in this country, we have to have everybody on board. And if you are going to fight the deficit, you have to do it in a fair way.

Mr. LONG. I thank the Senator.

Mr. BRADLEY. I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. BOSCHWITZ). Who yields time?

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. DOLE. Mr. President, I understand the Senator from New Jersey may have some minor modifications in the morning. So there not be any effort to shut that off, I shall not ask for the yeas and nays.

Mr. BRADLEY. That is correct, I would say to the Senator from Kansas.

Mr. DOLE. I understand it is hard to get numbers quickly and determine just how much money may be left. And again I certainly have no quarrel with anyone's effort to try to improve this legislation. It is difficult to raise $100 billion in taxes.

This is a large tax increase if you just look at the numbers, but I think a careful analysis of this bill will clearly show that about $50 billion is tax compliance, another $28 to $30 billion is what the President referred to when he mentioned these things last year as loophole closings, and then there are other areas—user fees and the medicare tax and other things—that I think properly should be paid for by the people who benefit. Therefore, we end up with about 85 percent of this tax bill that I think can be pretty well justified.

The areas that caused us some concern, not because there was not much tax policy, probably were in the areas of cigarette excise tax, maybe the telephone tax. But again, if you examine the telephone tax carefully, the Federal tax is so small and the State and local taxes are quite high that that does not justify the tax, but the telephone tax has been as high as 10 percent. We simply raised it from 1 percent to 2 percent in 1983 to 3 percent in 1984 and 1985 and then back to 1 percent in 1986.

Again, I suggest that we had a lot of ideas on how to raise $100 billion. One was a gasoline tax that we had originally agreed to among the Republicans but the President of the United States indicated his opposition to that tax. He indicated that the price of gas had already increased 10, 15, to 20 cents and he did not think it was a very good idea to ask the American motorists to pay another 5-percent tax increase on gasoline even though we had hoped to suspend the use of that money for 2 years and use it on highway construction. We still believe that that is a good idea, but we understand that the President also has good ideas and so in this case we discussed it and decided that he won. So we removed that from the bill.

Then we had some difficult choices to make. This Senator thought we ought to do something about the interest deductions; there ought to be some limit, there ought to be some cap on how much the employers can write off or deduct on health care and how much you can have that the employee does not have to count as income.

Again, that was rejected, as was the interest deduction, by a majority of the Republicans. Therefore, it did not seem to me that it would have much chance in the committee.

I know that the Senator from Idaho wishes to speak on this amendment.

Mr. President, I am pleased to say that there has been a lot of editorial support for this package, and I ask unanimous consent to have a number of editorials printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 5, 1982]

SUPPORT THE FINANCE COMMITTEE

Listening to standard administration prose, you could get the idea that the fight for budget control was being waged between a stalwart president and a recalcitrant Congress—Messrs. Reagan and O'Neill in hand-to-hand combat. In fact, neither man has had much to do with the package of budget cuts and tax increases now taking shape in Congress. Instead, the moving force has been a handful of Republican leaders in the Senate who, with only the vague blessing of the White House, are hammering out the details of what to cut from the budget and how to pay for what is left.

In recent days, the action has been directed by Sen. Robert Dole, whose Finance Committee has now voted changes in the tax code that would raise $21 billion in additional taxes next year. Normally, the House Ways and Means Committee would take the lead on a revenue measure, but House Democrats were glad to let Senate Republicans get out in front in the unpleasant business of raising taxes. You haven't seen the administration fighting to get into the act. Treasury staffers have been giving advice to the Finance Committee on technical details and estimates, but the administration has apparently decided to let Sen. Dole test the waters before it decides to jump in behind him.

Exposed to the merciless pressure of the tax loophole lobbies, the Finance Committee nonetheless put together a brave set of tax reform measures. It shied away from some tough decisions—no new tax on energy was voted—and caved in to pressure on others—the low-rate capital gains tax would be extended to assets held for only a few months. But the number of redoubtable lobbies that the committee faced down is remarkable.

Perhaps the most important reform was the committee's decision to reduce the too generous business tax breaks voted last year. When these breaks are fully in effect in 1986, the combined value of investment tax credits and accelerated cost recovery deductions will excuse many companies from tax liability altogether and also provide incentives for companies to make investments that don't make good economic sense. The committee would also curb—and ultimately eliminate—selling of unneeded tax breaks by companies with no taxable profit to other companies wanting to reduce their tax bills.

Other interests nicked by the committee bill include defense contractors, insurance companies, tobacco producers, private aircraft owners and wealthy individuals and corporations that now pay little or no taxes. Tax-subsidized pensions for highly paid corporate executives would be curtailed as would the free and easy use of tax-exempt municipal bonds for commercial purposes. Over the protests of banks, savings institutions and brokerages, the committee even voted to crack down on tax cheats who fail to report billions of dollars in interest and dividends each year.

Whether the Finance Committee's proposals sink or float will depend upon the willingness of President Reagan to give the committee firm and unequivocal support. If that's not forthcoming, you can scratch any real progress toward tax reform from the agenda for the foreseeable future—and add at least $20 billion to your estimate of next year's budget deficit. The Finance Committee has taken large steps toward making the tax code simpler and fairer, but in doing so, it offends strong and vocal interests. The committee needs—and deserves—the full support of the administration, Congress and the public.

[From the New York Times, July 7, 1982]

SURPRISE: REVENUE PLUS REFORM

By the usual rules, it would have been a game of you scratch my lobbyist, I'll scratch yours. But the Republicans on the Senate Finance Committee, led by Chairman Robert Dole, were in no mood for games of any sort last week. Charged with the unpleasant task of raising some $21 billion in revenues to hold down the 1983 budget deficit, the committee did so at the expense of narrow interest preferences in the tax code.

The result is a surprisingly constructive piece of legislation, undoing some of last year's smellier excesses. No one will be pleased by every proposed change. But passing this bill would go a long way toward making the tax laws more equitable.

Congress is committed to raising tax revenues in order to keep the 1983 budget deficit under $100 billion. But four months away from an election and without effective leadership from the White House, few expected the Senate Finance Committee to come up with a bill that would combine revenue increases with tax reform.

Chairman Dole has been talking about tax reform for months. But it wasn't exhortation that carried the Republican majority; it was neatly exploited political reality. The simplest way to raise revenue would be to eliminate the 10 percent income tax cut scheduled for 1983. But the President bitterly opposes that and the Republicans felt obliged to go along. An alternative that would have satisfied the President was a tax on energy. But raising gasoline prices, never easy, is suicidal in an election year.

There was another way: make less visible tax changes that would offend neither the President nor ordinary citizens. It was Chairman Dole's achievement to turn this expedient approach into a fine tax bill. About $8.5 billion of the $21.1 billion would be gained by enforcing existing law. Banks would have to withhold 10 percent of interest and dividend payments. The I.R.S. would get new authority to crack down on service workers; some 80 percent of all tip income is not reported.

The truly brave parts of the bill would curb tax breaks for business. Excessively generous depreciation schedules, part of the 1981 tax reduction package, would be tightened. Benefits from tax preferences like bad-debt reserves and mineral depletion allowances would be scaled back by 15 percent. The maximum tax-deductible pension contribution for executives and incorporated professionals would be cut sharply.

The bill is not perfect. The holding period to qualify for capital gains preference would, for reasons unknown, be reduced to six months. Tightening the terms in so-called "safe-harbor" leasing schemes might cost business a lot more than Government gains in revenue. But these are quibbles. The Senate Finance Committee has done its job. Now it's up to Congress to turn a good bill into law.

[From the New York Times, July 19, 1982]

THE TOUGH PRICE OF TAX REFORM

Senate moderates in both political parties face a difficult choice this week. By voting for the Finance Committee's budget reconciliation measure they would be approving a $17 billion cut in medical and welfare programs over the next three years, some of lich would hurt the poor. But by voting against the bill they would be scuttling a fine tax reform package that would generate $98 billion in revenues during the same period.

On balance, the bill deserves passage. The critical battle for different (or smaller) spending cuts was lost when Congress formally adopted the 1983 budget targets. Dumping the committee's reconciliation bill would not rescue the social programs. But it would almost certainly wreck the chances for constructive tax increases and destroy whatever public confidence remains in Congress's capacity for fiscal management.

Last month's budget resolution directed the Finance Committee to pare about $16 billion from social spending. The committee met the goal, carving $15 billion from Medicare and Medicaid and $2 billion from welfare. Supporters insist that most of the medical savings would come at the expense of affluent patients and physicians. But opponents note, correctly, that the measures would raise out-of-pocket medical costs of the poor as well. And the cuts in the Supplemental Security Income and Dependent Children programs would tempt the states to pare benefits to the truly needy.

Yet the Finance Committee's three-year revenue measure would be a positive and progressive step in reforming the tax code. About $29 billion would be raised by withholding taxes on dividends, interest and restaurant tips, which are areas of notorious evasion. Billions more would be raised from business by tightening the tax rules for depreciation, leasing and executives' pensions. The bill would also specifically limit tax breaks to the life insurance, pharmaceutical, oil and commercial construction industries.

Some senators obviously would like to resolve their dilemma by voting on separate tax and spending measures. Robert Dole, the chairman of the Finance Committee, resists that approach, and for reasons that moderates should appreciate. Since overall support for spending cuts is much stronger than for tax reform, a split vote could easily result in passage of only the spending cuts.

No one knows for sure how the House would react to the failure of tax reform in the Senate. But it is improbable that the Democratic majority there would press for new taxes. The most likely result would be equally unattractive social spending cuts plus higher deficits over the next few years.

This will not be a great year for those who understood the need to reduce future budget deficits yet hoped to put most of the burden on middle- and upper-income Americans. It need not, however, be a disaster—provided Senate moderates take the Finance Committee's tax initiatives and run.

[From the Boston Globe, July 16, 1982]

CLOSING TAX LOOPHOLES

The Senate today takes up debate on the most serious effort in years to close loopholes in the tax structure. It should not allow itself to be swung away by the predict-

able army of special interests. There are also ample opportunities to improve the package that emerged from the Senate Finance Committee.

The drive for closing loopholes, led by Robert Dole (R-Kan.), chairman of the Finance Committee, is fueled by the desire among many in the Senate, and even more in the House, to simplify the tax system while making it more equitable.

Probably more important than at any time in the past, Republicans have come to view loophole closing as a revenue source, a vital question in the face of current and prospective annual deficits on the order of $100 billion. The Dole package, if enacted in its present form, would yield more than $21 billion in the next fiscal year and a total of $98 billion over a three-year period.

The package reduces allowances for depreciation under some circumstances, repeals overly generous leasing regulations, increases the minimum tax for wealthy individuals, introduces withholding taxes for dividends and interest payments, increases airport taxes, increases the cigarette tax, places stronger limits on corporate-paid insurance and pension plans for individuals, tightens up the use of tax-exempt municipal bonding for business development, and raises the unemployment tax.

All of these are desirable improvements. It is less clear that a proposal for increasing the medical deduction to 10 percent from the current 3 percent is equally fair-minded. Millions of Amerians are not covered by any insurance plan and serious illness continues to have a devastating economic impact on households.

Raising this tax while continuing to allow liberal deductions for business entertainment is a distortion of tax equity. The three-martini lunch will still qualify for deduction, while lifesaving surgery may not.

Another failure of the package was omitting an increase in the gasoline tax, which has stood at four cents a gallon since 1959. The nation's highways and bridges are deteriorating constantly and dangerously. An increase in the gasoline tax is the fairest and most effective way of attacking the problem. The Finance Committee evidently struck a deal with the Administration, which foolishly opposes the gas tax increase, to leave it out in return for support of the rest of the package.

Flaws apart, the Dole package has merit because it can get Congress moving toward closing of loopholes too often used by clever persons and corporations simply to dodge taxes rather than to pursue the economic ends for which the benefit was originally designed. If all or most of the package gets through the House and Senate unscathed, the entire nation will gain.

[From the Los Angeles Times, July 9, 1982]

TAXES—A WORK OF ART

Senator Robert Dole (R-Kan.), chairman of the Senate Finance Committee, seldom lost the lead last year in a race to cut federal taxes—a race that overshot the finish line by billions of dollars.

But he also was among the first to admit that Congress went too far, and he has now become the first to do something about it: moving to raise taxes to trim the massive federal deficit.

Against long odds, Dole has pushed through his committee a series of tax increases totaling nearly $100 billion, about one-third of which would come from the clients of some 400 tax and business lobbyists who hovered around the hearings, trying to stare down Dole's heresy.

If Congress meets the targets of its budget committees, the Dole package—combined with cuts in spending—would leave a deficit of $116.4 billion at the end of the next fiscal year. That is a dizzying level of debt, but preferable to the deficit of nearly $200 billion that would exist with neither spending cuts nor tax increases.

The Dole plan would do in bits and pieces what he would have preferred to do in one stroke by canceling a 10 percent cut in personal income taxes scheduled for next year. President Reagan would have no part of that; Dole and his Republican majority did not press it.

The package also originally included a 5-cent-a-gallon increase in gasoline taxes to help pay for a massive and inevitable rebuilding of much of the interstate highway system and for more public transportation. A telephone call from Reagan killed that sensible idea, too.

What remains of the package, however, is largely balanced, reasonable and fair. Most of it deserves to get through the crowd of lobbyists who obviously will try to surround and smother the package on the Senate floor or in the House of Representatives.

For example, the Dole plan would gradually eliminate an odious 1981 tax law that lets unprofitable companies whose tax breaks are of no use to them in effect sell those breaks to profitable firms that use them to cut their own tax bills.

The law would expire in 1985, and its application would be restricted in the meantime.

The package calls for increases in corporate taxes of all kinds of about $7.5 billion in the first year, in part by tightening up depreciation rules that would have meant actual subsidies for many firms in the next few years.

Banks and savings institutions would withhold for tax purposes 10 percent of the interest due on accounts; corporations would withhold like amounts from dividend checks. Other changes would stiffen the enforcement of tax laws on such income as tips in restaurants.

Taxes on cigarettes would be doubled; taxes on airline tickets and telephone calls would go up. Loopholes that allow insurance companies to save about $2.3 billion a year on taxes would get smaller.

Some parts of the package need further study. One proposal would allow deductions for only medical expenses that exceeded 10 percent of gross income; the present formula allows deductions of expenses over 3 percent. The committee has no clear idea of who would be affected by the change and in what ways. The consequences must be known before the proposal goes anywhere.

The bulk of the package, however, is sound—made to seem even more welcome when contrasted with the dismal performance of the rest of Washington's economic policy-makers.

The package hangs, in fact, like a striking new work of art on the wall of a house that is about to fall apart. It is enough to make us wish that Dole were a carpenter rather than an artist.

[From the Sun-Times, Chicago, July 8, 1982]

SOUND FIRST STEP ON TAXES

Good for Sen. Robert Dole (R-Kan.). He's taking the lead—and the heat—on new taxes needed to reduce federal budget deficits.

Neither President Reagan, our national leader, nor Rep. Dan Rostenkowski (D-Ill.), chairman of the tax-writing House Ways and Means Committee, shows much interest in that job so far. No matter. On tax issues, Dole packs a more credible punch than either Reagan or Rostenkowski—at least for now.

Reagan scored a string of tax and budget victories in Congress, of course, but as yet none has helped perk up a wilted economy. And Rostenkowski, you'll recall, wound up trying to outdo Reagan in giving away the store the last time Congress cut taxes.

Dole rightly wants to cut deficits—and the high interest rates they cause. In contrast to Reagan, he wants humane cuts. In contrast to Rostenkowski, he's a solid Republican; his ideas should get more support in a conservative Congress than Democrat Rostenkowski's

We differ with Dole on some points in the $21 billion tax bill passed last week by the Finance Committee, which he heads. Why, for example, load new taxes on phone calls and air travel but not gasoline? As we've often said, higher motor fuel taxes—so overdue—can reduce the deficit and spur conservation.

Still, we bow low to a man with enough guts to broaden the tax base by requiring more people and businesses to pay up.

Reagan pays lip service to some of the ideas, but foolishly has withheld all-out support—no doubt because Dole steps on the toes of some Reagan allies. Dole is right, of course, but he has angered a lot of people.

The tobacco lobby howls at the proposal to double the current 8-cent-a-pack federal excise tax on cigarettes. Some banks, stockbrokers and wealthier individuals cringe at withholding billions in taxes on dividends and interest. True, this will add to bookkeeping costs; but the portion of those taxes that go unreported and unpaid add to the federal deficit—and everyone's economic woes.

Small businesses don't want curbs on tax-exempt revenue bonds that subsidize commercial enterprises. Big ones groan because Dole would slam doors on legal loopholes that let them shelter income. And Dole would slash tax-leasing rules that let General Electric duck taxes on profits of $2.6 billion in 1981.

We hope the House backs a gasoline tax and gets tougher in other areas. Until then, Dole's bill is the best one in sight.

[From the Des Moines Tribune, July 13, 1982]

GOOD TAX BILL

The Senate soon will begin debate on a bill to raise taxes by $21 billion next year and $98 billion over the next three years. Few members of Congress relish the thought of doing this only a few months before they face the voters, but this year Congress has little choice.

Without substantial tax increases and spending reductions, the budget deficit will soar far above $100 billion next year. Tax increases are a must because last year's large tax cuts were a major cause of the prospective deficits. A valid criticism of the bill coming before the Senate is that it may not increase taxes enough to avoid a dangerously high deficit next year.

Of the many ways to raise taxes, this bill features two: closing loopholes and cracking down on tax evaders. Credit for this approach belongs to Senate Finance Committee Chairman Robert Dole of Kansas and other Republicans on the committee.

The committee voted to modify or eliminate some of the excessive tax breaks handed out to business last year. So generous were these that a number of profitable businesses were, for all practical purposes, excused from paying corporate income tax. The most notorious tax break given last year was the provision that allowed some companies to wipe out tax liability by "selling" unused tax losses. The committee voted limits on this procedure.

The Finance Committee did well to act for better enforcement of the tax code—to crack down on cheaters. The reforms it voted included stiffer penalties for tax evasion and the withholding of some tax from most dividends and interest payments.

Like most tax bills, this one is complex, and few could agree with all of its provisions, but, on the whole, it is a good bill that deserves the support of the Senate and the House.

[From the Washington Post, June 25, 1982]

SENATOR DOLE'S GOOD FIGHT

Senate Finance Committee Chairman Robert Dole is leading the good fight to put more fairness into the tax code. The tax bill paid by many people and corporations often depends less on their income than on their tax accountant or lobbyist. Now that the government desperately needs to increase its revenues, Sen. Dole thinks it would be much fairer to eliminate loopholes that let some taxpayers pay little, rather than to increase the burden on those who already pay a lot.

You will not be surprised that the senator is not surrounded by enthusiastic supporters of his reform plans. With elections approaching, congressional resistance to special interests is approaching its biennial low. And it's a good rule that the more outrageous the loophole, the more heavily muscled the lobby that protects it.

Did you expect some restraint on the part of corporate lobbies in return for the enormous benefits they got from last year's tax cut? Corporations are not easily embarrassed. Although many now pay no taxes, their lobbies remain vigorous. Flush defense contractors want to make sure they don't have to pay annual taxes on their realized profits like everyone else. Insurance companies are fighting for their very own $2.3 billion loophole. Big banks, independent oil producers and a host of other little-taxed industries hope to avoid even minimum taxes. Unprofitable companies want to make sure they can still sell their unneeded tax breaks to rich companies desiring to lighten their tax loads.

Many people and businesses have adjusted their dealings to take advantage of tax subsidies, and large abrupt changes could cause a certain amount of economic havoc. That's why it would have been better to use last year's massive tax cuts to persuade people to give up their tax preferences in return for substantially lower rates. Such a trade would serve not only the Treasury but economic efficiency as well. Without the promise of more fast tax relief, Sen. Dole has nothing to offer in return for tax reform—except the appeal of fairness and simplicity in the tax code. That may not win him many votes in corporate board rooms, but there is one strong constituency for tax reform: the general public. This Congress, which has been so brave in its assaults on the poor and powerless, has developed an unsavory reputation for responsiveness to well-heeled interests. If Sen. Dole's start at cleaning up the tax code is derailed by his colleagues in the Senate and House, the public may not soon forget who is to blame.

[From the San Francisco Chronicle, July 18, 1982]

BATTLING THE DEFICIT

In the never-ceasing struggle of politicians to keep their instinct for survival and re-election from being undermined by an uncontrollable impulse to do their duty to the country, one usually has no difficulty in predicting the outcome. Yet in this year of severe political strain for Republicans, bearing as they do responsibility for dealing with the horrendous deficits of a receding economy, we may for once see conscience and selflessness win.

The Republicans control the Senate and, probably beginning tomorrow, the Senate will take up a tax increase bill called for in last June's budget resolution. The budget resolution mandates Congress to raise $98 billion in taxes over the three fiscal years 1983-84-85—$21 billion of that in fiscal 83.

Senator Robert Dole of Kansas, chairman of the Senate Finance Committee, predicts and expects a victory for this measure of fiscal responsibility. It will be remarkable, of course, if it is achieved intact, but the chances have been looking better and better lately. House Ways and Means Committee Democrats have faced up to the necessity of narrowing the $103 billion deficit gap, just as the president and the Senate Republicans have. Word came down from them the other day that the Democrats expect to go along with the proposal for withholding 10 percent of dividends, perhaps the most contested element of Senator Dole's bill. More will be known about the ultimate fate of this and other significant, Reagan-endorsed innovations in tax law when the Ways and Means Committee acts this week to mark up the tax package which it is taking over from the Senate tax-writers.

Dole emphasizes that his bill preserves without change the individual rate cuts and indexing that were enacted last year. In other words, there will be no postponement of the third-year, 10 percent individual income tax cut. Dole says that his package is largely designed to get greater compliance from noncomplying taxpayers. It's estimated that by strengthening IRS enforcement manpower, $17.5 billion now underreported will be collected over three years. Imposing tax-withholding on stock dividends and interest payments will draw in $11.6 billion which now goes unreported by taxpayers, despite the obligatory filing of Form 1099.

The net three year gain to the Treasury from enforcing compliance where that is now being neglected or evaded is estimated to be $29 billion, or 30 percent of the Dole bill's total yield. It's only right, the senator says, to make the utmost effort to collect substantial revenues from those not paying what they owe, and who can disagree with that?

Nor will it prove unpopular to abolish a loophole that has enabled the defense industry to avoid taxes. The Finance Committee is changing accounting methods to gain the Treasury an estimated $5.2 billion in taxes from this source alone over three years.

"Safe harbor" leasing is another loophole that is being party closed now and will be repealed in 1985. This is the allowance in the 1981 tax law whereby profitable companies are permitted to buy unused tax breaks from unprofitable ones to offset against their tax. That will pick up $7.7 billion in three years. Another salutary tightening of escape routes will come from cutting back on pension plans that enable wealthy doctors, lawyers and other professional corporations to put away tax-free up to $165,000 a year.

The Dole Committee contends that only a few provisions in the bill, accounting for less than 15 percent of the total revenue gain to the Treasury, will affect the average taxpayer. "Unfortunately," the committee adds, "these provisions," to increase cigarette and telephone taxes and restrict medical expense and casualty-loss deductions, have gotten press attention far out of proportion to their share of the revenue increase."

Well, we're part of the press, but we don't happen to bridle at increasing the tax on a $20 phone bill by 40 cents, or the cigarette tax by 8 cents a pack. The important thing for the country and the economy is to close some of the deficit gap as fast as possible. Good for the Senate Finance Committee for showing Congress the way.

[From the Denver Post, July 11, 1982]

SLICING UP THE HOGS

When U.S. Budget Director David Stockman was assessing last year's federal tax cuts, he confessed his chagrin that a good idea was carried too far. The good idea was that selective and sensible tax cuts could spur economic recovery under Ronald Reagan just as they did under John F. Kennedy. High-powered lobbyists, however, distorted the bill so shamelessly that many of their clients won outrageous privileges at the expense of the rest of us.

"The hogs were really feeding," Stockman recalled ruefully. But the budget director—and the vast majority of American taxpayers—can feel a little better now. If the Senate Finance Committee has its way, the hogs are going to be sliced up a bit.

The committee approved a tax reform bill earlier this month. It now is headed for the Senate floor. As a key staff member, Bob Lighthizer noted, "The hogs won't be slaughtered, but the committee trimmed a little bacon off their flanks."

The bacon will total $98.3 billion in federal revenue over the next three years—a critical step if the burgeoning federal deficit is to be controlled and interest rates lowered. But the 10 percent personal income tax cut which went into effect this month, and the follow-on 10-percent cut scheduled for next year, were left intact.

Thus, the parts of the tax package most vital to citizens and the economy were retained. The revenue gains will come mainly at the expense of those who haven't been paying their share.

Alas, the most infamous miscarriage of economics in last year's package, the "safe harbor leasing law," was not repealed outright as sought by Sen. Robert Dole, R-Kansas. But it was reformed so it can't be used to dodge more than half of any year's taxes. Some profitable firms have used it to escape federal levies entirely. Multinationals were told that a company that already used foreign-tax credits couldn't sell unused U.S. tax benefits, as Occidental Petroleum did in a highly publicized "double-dipping" foray. Finally, the entire dodge is supposed to be phased out entirely by 1985.

Wealthy professionals, who have used loopholes to shelter from taxes as much as $167,000 annually in pension contributions, were trimmed back. Don't cry for them; they can still shelter $59,400 a year.

Other useful reforms included modification of depreciation laws, a corporate minimum tax, a rise in cigarette taxes, and a speedup of corporate tax collections.

The minimum tax laws were also tightened for wealthy individuals. Banks and other financial institutions would be required to withhold 10 percent of interest and dividend payments, though low-income and elderly taxpayers could be excluded. That would plug a popular channel for tax evaders.

The tax plan is far from perfect. But it is a firm step on the road to solvency and a sign that Congress is willing to stop groveling before special interests. Now, the test is whether the Senate as a whole will show the same responsibility that the finance panel did. If it does, the bill will have to face a hostile House of Representatives that has been even more eager to "feed the hogs" in an election year.

Colorado Sen. Bill Armstrong sits on the finance panel, and he won special praise from many observers for his intestinal fortitude during the tax debate. The public should demand other congressmen show similar fiscal responsibility until the fight is won.

[From the Atlanta Journal, July 12, 1982]

CLOSING THE LOOPHOLE

A well-publicized loophole that allowed profitable companies to avoid taxes altogether—and in so doing to bring the nation's tax code into disrepute—is being closed a little. We hope.

The Senate Finance Committee has proposed that rules on the so-called "safe-harbor leasing" provisions of last year's tax bill be tightened to cut down on abuse. The new rules, which probably will be supported by the House, should raise $7.7 billion in new taxes over three years.

Last year's bill was designed so that unprofitable companies could sell tax benefits from spending on new equipment to companies that were profitable. In so doing, the unprofitable companies could invest more in expansion or new equipment—thus paving the way for a return to profitability.

Alas, however, there were unintended beneficiaries. March & McLennan, an insurance firm, acquired $95 million in tax benefits from Occidental Petroleum Corp., both profitable firms. Because of other tax breaks, Occidental had extra "losses" to sell. Such exchanges between profitable firms were common.

Publicity about them had created pressure on Congress to act. The Finance Committee has. Rather than eliminate them altogether, new provisions limit to 50 percent the amount of tax liability that can be offset through purchases of tax breaks. And, leasing can't be used to offset losses from previous years.

While the loophole is retained for now, the committee would repeal it after Sept. 30, 1985.

While the revenue that will be generated from these changes is important, it is equally important for Congress to send the American people a message that it is serious about closing loopholes, even new ones.

Therefore, these restrictions are essential. We urge the Senate to approve them and for the House to retain them.

[From the Atlanta Journal, July 6, 1982]

RIGHT TAXES TO BOOST

The Senate Finance Committee is on the right track with one aspect of the tax increases it is proposing to close the federal deficit gap—the emphasis on consumption taxes.

We believe the personal income tax cuts pushed by President Reagan should not be rescinded, and that federal spending should be held down. But to the extent taxes must be raised to reduce the federal deficit, we think taxes on consumer spending are the best way to go.

The Reagan tax cuts were designed to increase the incentive for saving and investing. This country needs both to attain economic recovery without inflation. To tax spending on items where people have some discretion over how much they will spend does not discourage saving or investing.

To the extent that spending on these items occurs anyway, the additional revenue from the taxes will cut the government's need to borrow and thus will ease the pressure on interest rates. And to the extent that spending on these items is discouraged, saving and investing are in fact further encouraged.

The proposed increase in cigarette taxes is a good example of this approach. The increases in excise taxes on telephone service and air travel also are acceptable, although consumers have somewhat less discretion in spending in these areas.

We do not understand why the committee failed to include a modest increase in the excise tax on alcoholic beverages as long as it was thinking in these terms. It is an expenditure over which most people have some control, and the proportion of the value of the product which is taxed today is much less than it was a generation ago. We suggest that if some of the committee's other recommendations are turned down, they should come back to this subject.

Certainly the alcoholic beverage tax increase would be more just than the committees' proposal to cut down on deductions for medical expenses. One does not exactly choose to get sick and spend money on medical bills; we don't see how tightening up on medical deductions fits in with the tightening up on discretionary expenditures.

The proposed increases in taxes on business amount to a grab-bag of ideas which need to be treated in another editorial. But as far as individuals are concerned, the shift to taxing consumption more and production less makes a lot of sense, and to the extent that taxes must be raised then excise taxes are the ones to raise.

[From the Atlanta Journal, July 15, 1982]

CURB BOND ABUSES

We have watched with dismay in recent years as state and local governments expanded uses of tax-free bond financing far beyond its original purpose.

To start with, private-sector companies were allowed tax-free financing as an incentive either to create new jobs or to create them in a particular area where they were needed.

Initially, too, they were available only for manufacturers who were creating factory jobs.

Because of irresponsible expansion by the General Assembly of the kinds of projects deemed to deserve a taxpayer subsidy, virtually any kind of business now can demand that taxpayers share its financing costs.

Congress, as we had urged, is about to do something about that. The Senate Finance Committee has approved a measure which would tighten current laws on use of tax-exempt revenue bonds for industrial development, housing, businesses and other purposes.

If the measure passes, tax-free bonds couldn't be issued unless approved by local governments after public hearings. And depreciation schedules would be changed to make them less attractive. In addition, the small-issue industrial development bonds would be terminated after 1985.

The closing of these loopholes would generate about $1.2 billion in new revenue over the next three years.

We welcome them. Tax-free financing of private-sector projects has become so commonplace that these bonds have lost a public purpose. Now they are used as a matter of routine to finance everything from parking lots to hamburger stands. They amount to a taxpayer subsidy for which the taxpayers get little or nothing.

The controls the Senate Finance Committee has accepted are an absolute minimum—and we urge Georgia's congressional delegation to support them.

THE WHITE HOUSE,
Washington, July 17, 1982.

Hon. ROBERT DOLE,
U.S. Senate,
Washington, D.C.

DEAR BOB: As the Senate begins its consideration of the tax bill, I wish to emphasize my personal support for the bill produced by the Senate Finance Committee.

In my opinion, adoption of this bill will lead us on a downward path of deficit reduction, improve the fairness of the tax system, and maintain the integrity of my economic recovery program. Rather than raising taxes across-the-board, the bill focuses on improvements in taxpayer compliance, the removal of obsolete incentives, and the elimination of unintended abuses. In fact, more than three-fourths of the increased revenues will come from increased compliance and base broadening measures.

I am particularly pleased the bill preserves the individual rate reductions enacted last year. These provisions are essential to ease the burden on individual taxpayers and to restore long-term health and vitality to our economy.

Although I do have some reservations about a few items, it is a good and balanced bill which I can endorse. I know you are aware of my views but I hope you will assure your colleagues of my support for the bill.

Sincerely,

RON.

BOB DOLE'S TAX EQUITY PACKAGE IS FISCALLY FIT, POLITICALLY SOUND

(By James J. Kilpatrick)

WASHINGTON.—Politics sometimes works in curious ways, but wonders do perform. On Capitol Hill these days, we seem to be moving along by a process of reluctant willingness or willing reluctance—take your choice.

On the House side, where all bills for raising revenue theoretically must originate, the dominant Democrats understandably are reluctant to be identified as the party engaged in raising taxes. On the Senate side, the reigning Republicans are equally unwilling to be known as the party that did nothing about our mountainous deficits.

Thus, we find the Senate debating a tax bill that is not a tax bill: It is a little old amendment to a little old House bill having to do with nothing much at all.

Parliamentary procedure to one side, what the Senate is debating is in fact a tax bill—a walloping tax bill, intended to raise nearly

$100 billion in new revenues over the next three years. Sen. Bob Dole of Kansas calls his package the Tax Equity and Fiscal Responsibility Act of 1982, and the title is fairly apt. We will hear hours of talking over particulars, but the package is both fiscally and politically sound.

These are the risk elements:

Mr. Dole would raise $20 billion over three years by a combination of measures intended to collect substantial sums "from those who are not paying what they already owe under existing law." At the very idea of withholding 30 percent from interest and dividends, bankers and fund managers are complaining and fatcats are howling, but it makes sense to those whose salaries and wages are subject to withholding.

Another large chunk of revenue, amounting to $30.8 billion over the three years, would come from rewriting existing law having to do with oil and gas companies, like insurance companies, large contractors and other big industries. Existing laws are the very staff of life to accountants and tax consultants; they are mysteries to most of the rest of us. I have some reservations about the changes proposed for contractors, who may never know until a big job is completed whether they have earned a profit, but small contractors would be exempt and the package looks reasonable.

Mr. Dole also would impose sharp limitations on the regrettable system approved just a year ago, known as "safe harbor leasing." This is a gimmick by which corporations may trade tax advantages. The misguided device resulted in outright chicanery, or in something close to outright chicanery. The law cries out for immediate modification and for repeal at the end of the three-year period.

Smaller sums would come from 25 to 30 other sources. Roughly 700,000 lawyers, doctors, dentists, journalists and other professionals have incorporated themselves, the better to shelter up to $136,000 in personal income every year by shunting this income to a pension fund. The maximum would be cut back to $90,000.

Mr. Dole would double the tax on cigarettes to 16 cents a pack. He would impose modest fees on persons using the federally subsidized airways. He would increase the wage base on which unemployment taxes are paid. He would raise the telephone excise tax from 1 percent to 2 percent in 1983 and to 3 percent in 1984.

An objection is heard that for some families, the combined increases would just about wipe out the benefit of President Reagan's famed 10 percent income tax cut. In some cases, yes,—but the reductions in income tax will benefit virtually everyone, while most of Mr. Dole's package would have its greatest impact on the well-to-do. Politically that prospect has great appeal.

Some of the technical changes in the bill are over my head, but all of us can understand the equity in collecting from those who ought to be paying substantial taxes but aren't. The enormous deficits in prospect for the next decade can't be cured by cutting spending alone. We must have new revenues, and we have to go after them now.

Mr. DOLE. Mr. President, I hope that after the vote on the package offered by the distinguished Senator from New Jersey, we can move quickly through some of the other sections that may bother certain Senators. It seems to me that once this amendment is disposed, if it carries, I know we are finished. I mean that it will not take long to wrap this up. But if it does not carry, I think it is an indication that we are making pretty good progress and that everybody is serious about trying to do what we should do.

We have had good news in the prime rate areas. We have had good news in the discount rate area. It seems to me that this may be a good test of our ability and will to do something.

As I understand the Senator's amendment, someone under $40,000 gets his or her entire third year; someone over $46,000 loses his or her entire third year. The ones over $46,000 may not have received any benefit from the 70 percent to 50 percent drop which most of us, I think, supported last year.

It seems to me that the marginal rates would have to be increased dramatically, and that would be in the opposite direction.

Although I know that the amendment is attractive because it does address the excise tax on cigarettes and some of the other areas and some of the spending side, again I just say quickly, on the spending side, that the Senate Finance Committee reached and exceeded the targets set forth in the budget resolution on the spending side, in the view of this Senator, without a great deal of anguish on the part of any one Senator.

We did make cuts in medicare and medicaid. We did change the way we reimbursed pathologists and radiologists. We did change certain areas of hospital charges and tried to contain the cost of hospital care.

But here, again, the Senator from Kansas does not believe there has been any groundswell of opposition to anything that was done on the spending side in our committee. I know of no organized effort by any lobbying group to suggest that somehow we were unfair, that somehow we adversely impacted on low-income Americans. Again, I believe that every provision we addressed can be justified.

So I hope that when we start the debate again tomorrow morning, we can focus on the precise numbers of the Senator's amendment and any other changes that might be addressed.

I will discuss with Senator BAKER how we are going to treat the amendment, whether it will be an up-and-down vote, even though it is not germane, or whether the Senator from New Jersey might appeal the ruling.

So I am pleased that we are now back on the tax bill. We have been working on Commerce Committee material most of the afternoon, and now we are back on Finance Committee responsibilities.

After this amendment is disposed of, I understand that the Senator from Montana (Mr. BAUCUS) will have some motions to make in some of the spending areas, and then there may be other amendments from either side at that time.

I am happy at this time to yield to the Senator from Iowa.

Mr. GRASSLEY. I thank the Senator from Kansas for yielding.

Mr. President, after working in the Senate Finance Committee long hours, first in a Republican caucus and then a 17-hour session to put together this package, one would expect me to be opposed—and I am willing to say that I am opposed—to the suggestion put forth by the distinguished Senator from New Jersey.

I am flattered that the Senator from New Jersey says he agrees with 60 percent or 70 percent of the contents of this legislation. In a package containing $98.6 billion in increased taxes and $18 billion in reduced expenditures, for a total package of $116 billion, I think he is quite complimentary to us when he finds only $22.8 billion to which he objects.

This bill was reported out of committee on a party line vote of 11 Republicans and 9 Democrats. For a major Member of the opposition party to come forth with only $22.8 billion in changes is quite a compliment to the work of us on the majority side.

For a long time, we have all listened to Members of this body, particularly Members of the opposition, say that we should eliminate loopholes available to wealthy individuals and corporations. This major amendment of our opposition does not address those issues. I think we have focused on issues which need to be addressed. We are accomplishing in this bill many goals that people in this body have long felt should be accomplished. This amendment does not improve the bill in that respect.

I do not understand why we have some of the very people who were so anxious last time to reduce the maximum tax from 70 percent to 50 percent all of a sudden finding a need to climatic tax reductions for those people earning over $46,000. I do not know whether they understand the injustice they are working on those taxpayers earning between $40,000 and $46,000. It seems to me that there is a tremendous increase in marginal tax rates for the selected few earning between $40,000 and $46,000 to raise the money to finance the other changes in their amendment.

I know that the Senator from New Jersey feels the need to tailor his amendment to bring in the revenue, to offset the faults he finds with other tax increases or expenditure reductions, but I think that in the process of his doing that, he obviously is going to treat a small percentage of the taxpayers in certain tax brackets unfairly. He may want to look and see whether or not that is totally justified.

Perhaps there is some way he can tailor his amendment so that it does not have the drastic effect on certain tax brackets that it currently does.

In the final analysis, the overwhelming part of this bill zeroes in on those things the Senator from New Jersey has said in the past have been wrong. I think that, in the final analysis, if what we have put together here is 60 percent or 70 percent correct we have accomplished a great deal.

We are never always going to get legislation that includes provisions perfectly acceptable to all of us. As sincere as the Senator might be in suggesting $22.8 billion of changes, it seems to me as if such a change is really small potatoes compared to the amount of revenue we dealt with here in the total package.

To that extent, I do not find sufficient enticement to agree with the amendment. I find it upsetting the compromises that were worked out as each of these issues were addressed by the Finance Committee and now in the full Senate.

I yield.

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. On whose time?

Mr. DOLE. Equally divided on the bill.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENTS ON SEC. 316 RELATING TO "TIPPED EMPLOYEES"

Mr. CANNON. Mr. President, I rise in opposition to section 316 of this bill, the Tax Equity and Fiscal Responsibility Act of 1982. This provision imposes additional reporting requirements on the income of "tipped employees," particularly as they relate to credit card tips.

Mr. President, in April of this year, when I first learned of the committee's plans to require additional reporting on tips, I, along with my colleague, Senator LAXALT, contacted Senator DOLE and Senator LONG to express our opposition to the adoption of this measure. Of course, the provision in the committee's original plan, embodied in S. 2198, the Taxpayer Compliance Improvement Act, is different than that included in H.R. 4961. Nevertheless, I must also object to the reporting provision in the pending legislation. This section would require large food and beverage establishments to report the charged tip income of its employees.

Mr. President, this provision is costly, impractical, and burdensome. It will result in an enormous paperwork and financial burden on hotel, motel, and restaurant employers, as well as the thousands of employees who work in the food and beverage industries. This proposal also changes the current reporting practice where a tipped employee reports his/her tip income to the employer.

Under this bill, the employer is required to comply with five standards:

First, the employer must allocate on a W-2 form an amount equal to 7 percent of the establishment's gross receipts to tipped employees for reporting purposes;

Second, the employer would also be required to report his/her gross receipts to the IRS;

Third, the employer would be required to report gross receipts from charge transactions to the IRS;

Fourth, employers would be required to report the aggregate amount of charged tips to the IRS.

Now, first, Mr. President, there is no sound evidence of the need for additional tip reporting. The Finance Committee states that 84 percent of taxes on income from tips went unpaid in 1981. However, this estimate is based only on so-called preliminary data, and there appears to be no specific study to justify this statistic.

Second, the committee has singled out this group of workers as one of this country's worst tax avoiders. Indeed, the committee has put food and beverage workers in a class with earners of illegal income, as far as tax compliance is concerned. Yet, Mr. President, let us look at who these people are. What kind of wage earners are these people who are the subject of such focus by the committee bill. According to the Bureau of Labor Statistics, there were about 1.2 million tipped employees in the food and beverage industries in 1979. More than 50 percent of these workers were women, and only 10 percent of these workers were paid more than the minimum wage. The other 90 percent of these workers received as little as $1.60 per hour. That amounts to only $64 per week, Mr. President. Under the Fair Labor Standards Act, these workers' employers were permitted to take up to $1.30 per hour as a "tip credit" toward the $2.90 minimum wage that was in effect then. Yet, in order to earn the Bureau of Labor Statistics' lower living budget for a family of four, each of these workers would have to have collected an additional $168 per week in tips, more than 2½ times the wages paid them by their employers. I think we can agree, Mr. President, that these people are hardly the superrich, taxpayers.

Third, Mr. President, I want to go back to an earlier statement I made. How many times have the Members of this body heard about promises to cut down on unnecessary and overburdensome paperwork of the Federal Government which is borne by this Nation's businesses? I think that many of my colleagues would agree that one of the most common complaints they receive from business people in their State is the fact that the Federal Government simply "paperwork them to death." Yet, what do we see in this measure, Mr. President, more and more paperwork and recordkeeping.

Under this bill, each establishment having more than 10 employees must report its gross receipts and its credit card charge receipts for all but carryout sales. Not only is this information already available to the IRS, but it just imposes another recordkeeping and paperwork burden on employers. Employers are expected to collect, segregate, and report all of these separate pieces of information in order to comply with these requirements. Also, keep in mind, Mr. President, that these requirements are in addition to the existing IRS rules mandating that tip information supplied by employees be reported and taxes withheld on the total of wage and tip income. Employers will also continue to be required to keep detailed records under the Fair Labor Standards Act to assure they are in compliance with the minimum wage and tip credit laws.

In sum, Mr. President, this provision is unworkable, disrupts the traditional employer/employee relationship, adds to the burdens of paperwork and recordkeeping, and is unfair to both the employers and employees in the food and beverage industries. I am unalterably opposed to its adoption.

Mr. INOUYE. Mr. President, I urge the Senate to reject section 316 of the Finance Committee's version of H.R. 4961. That section proposes to impose additional reporting requirements on the income of "tipped employees."

There is no demonstrated need for the onerous burden it would put on effected employers and employees;

It singles out and discriminates against a particular class without any reasonable basis for doing so;

It will create an administrative nightmare which can only lead to uneven and therefore unjust administration;

At a time when our economy is in very perilous condition, it will adversely impact the tourism industry which contributes about $200 billion annually; employs over 6 million men, women and teenagers; and provides billions in Federal, State, and local taxes.

As justification for these unfair and disastrous burdens, the committee would have us believe that "84 percent of the taxes on tip income is not paid." And that these provisions will allow the Treasury to recover on an average over $1 billion annually in additional taxes over the next 5 years.

Mr. President, this brings to mind that wonderful children's fairy tale—"Alice Through the Looking Glass."

Members may recall that Alice protested to the Queen that "one can't believe impossible things."

Whereupon the Queen replied, "I daresay you haven't had much practice. Why sometimes I've believed as many as six impossible things before breakfast."

Here, Mr. President, we are only asked to suspend credulity with respect to two matters, and believe that:

The men and women who work in the food and beverage industry are, next to criminals, the worst tax cheats in the Nation;

Enactment of this provision will bring on an average over $1 billion a year in added revenues to the Government.

First, there is no credible evidence that 84 percent of the taxes on tip income is not paid.

The committee report bases this "fact" on estimates by the IRS and the Bureau of Economic Anaylsis (BEA).

I was intrigued by this high percentage because if these statistics are accurate, there are substantially more tax evaders in this country than are generally believed; and I think we might legitimately ask if the IRS is vigorously enforcing the Tax Code in this area.

So, I had my staff check into just how the IRS and BEA came up with their figures.

These statistics were first used before the Finance Committee Subcommittee on Oversight in testimony on S. 2198, the Taxpayers Compliance Improvement Act of 1982 by Commissioner Roscoe Egger of the IRS, on March 22, 1982. At that time, Commissioner Egger claimed the unreported tip income amounted to $8.6 billion, with a resulting revenue loss of $2.5 billion.

Although the IRS and the BEA have a deservedly high reputation for accuracy and analytical competence, I believe that I must point out to my colleagues that these statistics, which were presented as fact, are in actuality, part estimates, audit data, extrapolations, and projections undergirded by assumptions and hypotheses.

There is no IRS or BEA study of tips. It is true that the IRS is studying the so-called "underground economy," which includes unreported tipping, but there has been no published report on this narrow issue.

Rather than focus on this subject of lost tip revenue, which the committee and IRS claim to be a serious abuse, the IRS actually developed its estimates by disaggregating BEA studies on national income and input-output.

In short, the IRS used a highly convoluted methodology with questionable assumptions and involving numerous intermediate steps to develop the figures Commissioners Egger released in his March 22 testimony. The IRS itself concedes that its statistics are only estimates.

Second, there is no reasonable basis for singling out employees of food and beverage establishments as the only class of tipped employees to be burdened.

We must, I believe, totally reject the 84 percent noncompliance statistics for lack of supporting data. Even if we were to assume that the rate of noncompliance among tipped employees was high enough to warrant additional reporting requirements, however, what is the rationale for saying that the noncompliance rate is only serious among employees of food and beverage establishments. Certainly the committee report gives none. How do we distinguish them from the countless others who also receive tipped income. To mention just a few:

Doormen, hairdressers, barbers, shoeshine boys, chambermaids, parking valents, red caps, sky caps, golf caddies, taxi drivers, postmen, newspaper deliverers, garbage collectors, bellhops, and delivery personnel.

Third, this provision attempts to raise revenue at the expense of low and middle income workers

According to the Bureau of Labor Statistics—the principal Federal agency which collects accurate wage and tip data—approximately 1.2 million tipped employees worked in the food and beverage industry in 1979. More than 50 percent of these workers are women. But only 10 percent of these workers were paid more than the minimum wage. The other 90 percent received as little as $1.60 per hour ($64 per week) since under the Fair Labor Standards Act their employers were permitted to take up to $1.30 per hour ($52 per week) as a "tip credit" toward the $2.90 minimum wage then in effect. Yet, in order to earn the BLS lower living budget for a family of four, each of these workers would have to have collected an additional $168 per week in tips—more than 2½ times the wages paid them by their employers. It is these individuals who the bill has singled out as some of America's worse "tax cheaters"!

Fourth, projections of billions of additional dollars in revenues to be recovered from employees of food and beverage establishments, are completely unrealistic in view of the annual income of those employees.

A 1978 BLS study on hotel and motel food and beverage workers in the 24 largest metropolitan areas showed that restaurant waiters and waitresses averaged a mere $4.49 per hour in wages and tips combined. Bartenders' average wage and tip earnings were slightly higher at $5.46 per hour. And in these large business and tourist centers, tips for waiters, waitresses and bartenders accounted for only about 50 to 60 percent of each worker's total hourly earnings. In New York City waiters and waitresses had combined wage and tip earnings of $4.49 per hour; in New Orleans they earned $4.41 per hour; and in Chicago they earned a grand total of $2.89 per hour—$5,500 less than a low-budget family needed to live that year.

Fifth, the allocation and reporting provisions are complex and potentially chaotic. They will be difficult to administer in an even-handed way. Especially in the area of income tax, it is essential the law not only in fact be applied fairly, it must have the appearance of being fairly administered.

There is simply no fair and uncomplicated method by which even to roughly allocate each employee's presumptive share of tips. Such allocations would have to be made between table waiters and waitresses, counter waiters and waitresses, waiter and waitress assistants, cocktail waiters and waitresses, public bartenders, service bartenders, busboys, hosts and hostesses, maitre d's, and the numerous other classifications of service workers employed in a food and beverage establishment. Further, this provision does not take into account already existing arrangements for tip sharing and tip pooling. The common practice of dual jobs, that is, where an employee holds one hourly rate job and one tipped in the same establishment, or how to treat the tens of thousands of part-time employees in the hotel and restaurant industry.

Employers will drown in a sea of additional paperwork as they attempt to collect, segregate, and report each discrete and complex piece of data necessary to comply with the requirements for every food and beverage establishment and each of their 1.2 million tipped employees. These requirements will be in addition to the existing IRS regulations mandating that tip information supplied by employees be reported and taxes withheld on the total of wage and tip income. And, employers will also be required to continue to keep substantial detailed records under the Fair Labor Standards Act to assure they are in compliance with the minimum wage and tip credit provisions of that law.

Sixth, the provisions conflict with other provisions of existing law. As a result, the productivity and efficiency of the Nation's third largest industry—tourism—will be adversely affected.

The national tourism policy which was enacted in this Congress expressly mandated the Government to remove and prevent inconsistencies in Federal laws affecting the tourism industry.

Under the tax bill a "tipped employee" is defined as any person who received $20 per month in tips. This definition is different than under the Fair

Labor Standards Act which defines such employee as one who regularly and customarily receives monthly tips in excess of $30. Substantial confusion could result as to who is a "tipped employee" for purposes of FLSA and IRS enforcement.

The tax bill requires that the allocation of the 7 percent of gross receipts be made either pursuant to an agreement between the employer and employees or, failing that, by unilateral decision of the employer. In the numerous establishments where there are collective bargaining agreements these negotiations could cause a reopening of the contract and substantial disruptions in labor relations. Further, if no agreement was reached between the union and management, an employer-imposed allocation would likely result in strikes and extensive Federal and State litigation for breach of contract.

Even in the absence of a collective bargaining agreement, an employer-imposed tip income allocation system would result in numerous employee disputes with both the employer and the IRS about whether the allocated amount of tips was actually received. These disagreements would certainly have a severe impact on smooth employer-employee relations in nonunion food and beverage establishments.

Mr. President, the existing provisions of the Internal Revenue Code and the Fair Labor Standards Act already provide adequate safeguards to assure that both employers and workers in the food and beverage industry account for tip income. Additional recordkeeping and reporting requirements are unnecessary, put an unfair and expensive burden on employers, create additional strains between labor and management, and undermine workers' confidence in their elected government. To the extent that there may be some few who do not fully meet their tax obligations, the IRS already has adequate tools to bring them into compliance with the law.

I therefore urge the Senate to strike this provision from the bill.

REMARKS OF DR. ROBERT HIERONIMUS AT BICENTENNIAL CELEBRATION OF THE GREAT SEAL OF THE UNITED STATES

Mr. MATHIAS. Mr. President, the recent celebrations of the bicentennial of the Great Seal of the United States have focused renewed attention on the significance of the seal's components. It is an appropriate time, therefore, to take a moment to familiarize ourselves with the official symbol of our Nation so that it can serve as a constant reminder of the principles for which it, and this Nation, stand.

For 200 years, the seal's design has symbolized our sovereignty, validated our official documents and decorated our dollars. The seal is a daily and familiar sight to Americans, yet most of us have only a hazy understanding of the meaning of its symbols.

Dr. Robert Hieronimus of Baltimore, Md., whose doctoral research on the meaning and history of the Great Seal is widely acclaimed, contributed to our understanding through his participation in an observance held at Independence Hall in Philadelphia on June 20, the 200th anniversary of the adoption of the seal by Congress.

I ask unanimous consent that the text of Dr. Hieronimus' remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

THE BICENTENNIAL OF THE GREAT SEAL OF THE UNITED STATES

(A speech made by Dr. Robert R. Hieronimus of Md. on June 20, 1982 at Independence Hall in Philadelphia, Pa. on the occasion of the Great Seal's bicentennial)

Two-hundred years ago today, as you may already know, was a very important day not only at Independence Hall, but for the entire nation. As Philadelphia celebrates its tricentennial America celebrates its Great Seal's bicentennial.

On July 4, 1776, Benjamin Franklin, Thomas Jefferson, and John Adams were assigned the task of designing our Country's Great Seal, whose purpose to this day validates the President's signature and signifies the United States Government. Officially our Great Seal has two sides.

We are most familiar with the Seal's Obverse, or front. It bears an eagle with shield holding thirteen arrows and an olive branch. The Reverse, known primarily from its appearance on the back of the one-dollar bill since 1935, is composed of an unfinished pyramid with an eye in a triangle suspended above it.

The combination of these two images represents what our founding fathers believed to be America's identity, purpose, and destiny.

Let's get back to July 4, 1776, the day of America's independence and the beginning of our nation's Great Seal.

Both Jefferson and Franklin suggested similar biblical themes—the Israelites escaping Pharaoh. John Adams turned to a Greek mythological motif. Much to Franklin's dismay, none of their ideas was adopted. Du Simitière, an artist enlisted by the first committee, is credited with introducing the shield, *E Pluribus Unum*, 1776 (found in Roman numerals on the pyramid's base. and the eye of providence in a triangle.

In 1780, four years later, a second committee was formed. Francis Hopkinson, a native Philadelphian, who designed the first American flag, contributed the red and white stripes within a blue background for the shield, a radiant constellation of thirteen stars, the bundle of arrows, and an olive branch held in the eagle's talons. Perhaps Hopkinson's most significant contribution was made indirectly through his use of an unfinished pyramid on a 1778 fifty-dollar colonial note, which was utilized by William Barton in the third committee of 1782.

Barton was enlisted by the Secretary of Congress, Charles Thomson, for the third and final committee. Barton, an artist and native Philadelphian, suggested an eagle, the unfinished pyramid, and thirteen red and white stripes on the shield. All of his ideas were accepted. Thomson substituted an American bald eagle for Barton's European species and added the two mottoes to the Seal's Reverse—*Annuit Coeptis*, which means "God prospers our undertakings," and *Novus Ordo Seclorum*, "The New Order of the Ages."

On June 20, 1782, after six years of deliberation, the design for America's Great Seal was approved by Congress.

Here we are two hundred years later! You may be asking, "What's so important about America's Great Seal?" Well, bear with me for just a moment more of history.

On Sept. 16, 1782, George Washington used the Obverse Seal on documents negotiating the exchange, subsistence and better treatment of prisoners of war. Perhaps due to expediency, a die for the Reverse was not cut.

In 1825, 1841, 1877, 1885, and 1903 dies were cut for the Obverse of the Great Seal, but the Reverse, with the pyramid and the eye in the triangle, was repeatedly neglected! To this day only half of the United States' Great Seal has been used in its official capacity as defined by the Continental Congress in 1782. Is there some important meaning in this fact?

The Obverse Seal depicts a nation capable of continual rebirth—the eagle is symbolically related to the phoenix. We are strong courageous defenders of justice (arrows), generous and humanistic (olive branch). The cluster of stars above the eagle (which was referred to as a "Crown of Glory") symbolizes the spiritual unity of all, or common purpose of the states. America's destiny is to maintain the principles carried in the eagle's beak. *E Pluribus Unum*—"Out of Many, One." The Obverse Seal thus represents our outer image—what we stand for in the world.

It is the Reverse side of the Great Seal which delineates the significance and values of America's inner strength and accord. The pyramid is symbolic for the strength and duration of matter, the physical nation. Suspended above it is the "All Seeing Eye of Providence" representing inner direction or spiritual guidance. The radiant eye illuminates and completes the unfinished apex of the pyramid. *Annuit Coeptis*, "He favors our undertaking," communicates the union of spirit and matter, a perceived blessing upon *Novus Ordo Seclorum*, America, "the New Order of the Ages".

Throughout the world the pyramid, or mountain, symbolizes a place of initiation where one is introduced to the process of self-reliance. Each stone (individual) contributes to the stability of each layer (state). The interdependent, yet self-governing layers (states), comprise the whole (nation). The pyramid's solidarity depends on the integrity and method of organization used to manifest the principles which guide its construction. The Reverse Seal symbolizes America's inner self.

On May 18, 1982 Senator John Warner of Virginia, on behalf of himself and Senators Goldwater (Arizona), Nunn (Georgia), and Pell (Rhode Island) submitted Resolution #394 which calls for the striking of the Reverse Seal's die, as fulfillment of 1782 and 1884 Congressional laws, and that the week beginning June 20 be proclaimed "Great Seal Bicentennial Week, announcing the cutting of dies for the complete Seal". The Resolution came before the Senate floor with an additional twenty-three co-sponsors,

representing over half of the States of the Union.

Two days ago, on June 18, 1982, the Senate voted unanimously in favor of the Resolution. Let us pray that on this day of the Great Seal's Bicentennial, that our Senate's resolution be proclaimed by our Nation's leader, President Ronald Reagan.

Several other people must be cited for their determination and conviction that our Founding Fathers' intentions be fulfilled, who in addition to the Senate have participated in an effort to complete America's Great Seal. They are: Barbara Honneger, Donald E. Channell, Chuck Goodspeed, Paul Zammarian, and Jill Meyerhoff-Hieronimus.

For those interested in a comprehensive study of America's Great Seal, the 1978 State Department publication, *The Eagle and the Shield*, authored by the late Richard S. Patterson and Richardson Dougall, is to my knowledge the finest historical work on the subject.

I am honored to have shared this commemorative day with all of you. Thank you, Mr. Hobart Cawood, Superintendent of Independence National Historical Park, for distributing the Great Seal Brochures which I prepared for this occasion.

Let's remember—we are not just the people from Philadelphia. We are not just the people from the east coast. We are not just the people from America, nor North America. We are people from the planet earth. We are earth people.

PAUL BOUCHER

Mr. NUNN. Mr. President, it is with a great sense of personal loss that I inform my colleagues of the untimely death on July 4 of Paul R. Boucher, the Inspector General of the Small Business Administration. Paul was killed in a freak accident when he was struck by a radio-controlled model airplane.

Mr. President, I first met Paul in 1979 when President Carter designated him as the first statutory Inspector General for the Small Business Administration. At that time, I was the ranking Democratic member of the Senate Small Business Committee, serving behind our former colleague, and chairman, Gaylord Nelson.

From his confirmation by the Senate as SBA Inspector General on June 27, 1979, I have had the privilege of working closely with Paul. Throughout his tenure, I had always found him to be a topflight professional, a tough but fair investigator, and an individual who understood his responsibilities and important duties in his role as Inspector General.

Paul served as Inspector General until all Federal Inspectors General were removed by President Reagan on January 20, 1981. On May 12, 1981, President Reagan nominated Paul for reappointment as the SBA Inspector General, one of only six IG's to be reappointed. Upon his renomination, I reviewed his accomplishments during his initial term of service, and discussed with him his views on the role of the IG, and his future plans for the agency.

In addition to his statutory responsibilities, he viewed his job as a challenge to change the way SBA employees and the public viewed that agency. He felt progress was being made on both of those points, measured by the agency's adoption of many of his recommendations, and the extent to which employees and citizens brought matters to his attention. He also had high praise for the auditors and investigators on his staff, and for their proven results at that time. Cash recoveries to the Government exceeded $10 million, for example.

On June 2, the Senate Small Business Committee unanimously voted to recommend his reappointment, and on June 19, the Senate confirmed him again to be Inspector General of the Small Business Administration.

Mr. President, during the past 18 months, while I have served as the ranking Democratic member of the Senate Small Business Committee, I had many occasions to work with Paul. We met periodically to review investigative work he was undertaking, including SBA's internal contracting procedures, Federal disaster assistance programs, and in particular the farm disaster aid, and the agency's financial assistance programs. Paul held himself to a high standard of performance, and the work of his office proved that he was successful in his goal.

He was also an innovator in addressing his responsibilities. To my knowledge, he was the first Inspector General to establish an advisory committee of experienced agency employees to assist him, and his staff, in understanding the day-to-day operation of certain agency programs. The first advisory council, to provide him with their comments and suggestions directly, met to review SBA's disaster lending program. This council's recommendations were also received as part of our committee's oversight hearing on that program. Paul also put more of his audit and investigative staff in the field, and established an "IG-hotline" for employees and citizens to use to bring issues directly to his attention.

Mr. President, his accomplishments in office are, in themselves, a tribute to Paul Boucher. The Small Business Administration has lost an outstanding employee dedicated to improving the quality of service to the small business community. The Nation has lost an Inspector General committed to insuring that Federal funds, and Federal programs, were properly utilized. Those of us on the Small Business Committee have lost a man of great integrity and a trusted adviser.

His wife Ginette, his children Eric and Nicole, and his entire family have my deepest sympathy.

NUCLEAR TEST BANS

Mr. KENNEDY. Mr. President, today Senators MATHIAS, PELL, and others are joining me in circulating a "Dear Colleague" letter and an attached Senate joint resolution which calls upon the President to request Senate ratification of the threshold test ban and peaceful nuclear explosion treaties, and to resume negotiations for a verifiable comprehensive test ban treaty.

I strongly condemn the Reagan administration's decision to abandon negotiations for a comprehensive nuclear test ban. This decision radically reverses the bipartisan policy adopted by Presidents Eisenhower and Kennedy—and carried forth by five administrations, both Republican and Democratic. It casts the greatest doubt on the seriousness of President Reagan's commitment to nuclear arms control.

This decision flies in the face of the nationwide call for an immediate freeze on the testing, production, and deployment of nuclear weapons. It repudiates the worldwide demand to prevent the proliferation of nuclear weapons around the globe. A comprehensive nuclear test ban is an essential element of both the nuclear freeze and an effective nonproliferation strategy.

I am determined to do all in my power to insure that our Government resumes the longstanding, bipartisan policy of ending all nuclear tests and reversing the nuclear arms race.

I am therefore pleased to join with my colleagues in circulating our nuclear test ban resolution, which we intend to introduce in the Senate next week—as we have in past sessions of Congress—and I hope that our colleagues will carefully consider and hopefully become initial cosponsors of this resolution when it is introduced.

Mr. PELL. Mr. President, I am pleased to join with Senators KENNEDY and MATHIAS and others in a new initiative seeking firmer controls over nuclear explosions, as well as a verifiable ban on nuclear detonations.

We are urging our colleagues to join us in sponsoring a resolution calling upon the President to seek Senate consent to ratification of the threshold test ban and peaceful nuclear explosions and to resume the comprehensive test ban negotiations.

We were dismayed to learn in news reports today that the administration has decided not to seek agreement with the Soviet Union and Great Britain on a comprehensive ban on nuclear explosions. This decision marks an unfortunate retreat from a commitment by the United States in the Limited Test Ban Treaty of 1963 and the Non-Proliferation Treaty of 1968 to seek to achieve an end to nuclear weapons tests for all times.

Mr. President, I understand also that the administration plans to ask

further agreement from the Soviet Union on verification provisions before seeking Senate consent to ratification of the threshold Test Ban Treaty signed in 1974 by President Nixon and the Peaceful Nuclear Explosions Treaty signed in 1976 by President Ford.

I am frankly surprised that such decisions would be made by this administration at a time when it is so valuable to demonstrate to the Soviets that we are serious about arms control and to reassure our allies and our own citizens on that point. I would have thought that the administration would understand by now that action is needed.

The administration's unwillingness to take arms control seriously spurred the growth of the nuclear freeze movement. Clearly, Americans of all political views are clamoring for steps to bring an end to the nuclear arms race.

Mr. President, further controls on nuclear testing will apply real restraints to the nuclear arms race and helps us in efforts to curb the proliferation of nuclear explosions.

I hope that other Senators will join us in our effort to bring to the President's attention the importance of action now to solidify controls over nuclear explosions and to achieve a complete ban on such explosions.

ANNIVERSARY OF LANDING ON THE MOON

Mr. SCHMITT. Mr. President, today is the 13th anniversary of the first successful landing of men on the Moon. It is unfortunate that in the intervening 13 years we have done little to capitalize on our Nation's future destiny in the new ocean of space.

Mr. President, on May 25, 1961, speaking before the Congress and the Nation, President Kennedy said:

> I believe this Nation should commit itself to achieving the goal, before this decade is out, of landing a man on the Moon and returning him safely to Earth. No single space project in this period will be more impressive to mankind, or more important in the long-range exploration of space; and none will be so difficult or expensive to accomplish.

This Nation, through hard work, often in the face of seemingly insurmountable obstacles, dedication by hundreds of thousands of Americans and an enthusiasm for what we were doing, accomplished this goal on July 20, 1969; 13 years ago today.

We must ask ourselves now, in retrospect, did the space program accomplish what President Kennedy proclaimed it would for our Nation, and then, prospectively, how do we proceed from here?

Mr. President, I contend that with all the foresight, confidence and leadership that President Kennedy demonstrated, the U.S. space program has far exceeded what he envisioned.

Most certainly we achieved international recognition of our achievement. It is estimated that more than half the population of the world was aware of the Apollo II Moon landing. A continuing tribute to our space activities is demonstrated by the more than 50 million visitors to the National Air and Space Museum in its first 5 years, making it the most popular museum in the world.

Estimates of the return on our investment in space activities have ranged from 4 times to 20 times our investment, but much of this return is difficult to quantify. The vast base of technology from our space endeavors supplies a continuous stream of goods and services in almost every aspect of our lives, including health care, communications, computers, energy efficiency, consumer products, and environmental protection. We now take for granted our weather forecasting, global telecommunications network, hand calculators, et cetera, without a second thought that these services and products exist because of the space program.

Perhaps the most significant confirmation of the values of space endeavors is that the United States and the U.S.S.R. are no longer the only countries pursuing a space program. A recent Office of Technology Assessment report states:

> When the U.S. space program began, the Soviet Union was our only competition in space. The Soviets have never challenged our leadership in space applications. Now, however, international competition in space applications is a reality . . . Their increased activities threaten the loss of significant revenue opportunities for the U.S. as well as a potential loss of prestige and influence.

Mr. President, let me mention a few examples as they relate to the major elements of our space program.

In launch services, the French have declared their Ariane launch vehicle operational and are providing very attractive financial arrangements to entice customers. Needless to say—it is working. In addition, they, together with their European partners, are already providing funding to increase Ariane's capabilities, as well as looking at advanced systems to meet launch needs after 1990. They pose a continuous challenge to us in this decade and the next.

In space science, the United States will be conspicuously absent when Halley's Comet enters the inner portion of our solar system once again. Instead, the comet will be met by spacecraft from the Soviet Union, Japan, and the countries comprising the European Space Agency. In fact, a French official commented on the French participation in the Soviet Union's Venus/Halley Comet mission:

> It is sometimes difficult or frustrating to deal with the Soviets, and we had to make changes on some projects, but the end result is space experience we otherwise would not be able to achieve.

In addition, it appears that the Western Europeans are finalizing plans for a follow-on Spacelab program that may lead to a free-flying orbital laboratory in the 1990's. The Europeans are no longer constrained by a dependency on the United States.

In space applications, the French SPOT system may provide the world with satellite images of the Earth while we continue to flounder in development of an operational capability for land remote sensing.

The Japanese are aggressively pursuing satellite communications technology and have established as one of their 15-year goals to advance communications technology and develop their own technology base. The 30/20 gigahertz program is perhaps the most visible example of the Japanese challenge. In fact, in a few years or so, I would expect to see the United States excluded from the satellite business of the world unless we do something dramatic, and soon.

In aeronautics, our challengers are numerous. U.S. manufacturers of commercial transports have lost more than 20 percent of their market to European competitors over the past several years. It is safe to say that we do not have a computer aircraft industry of any significant proportions. Additionally, the U.S. market share for rotorcraft has decreased by 15 percent at a time when the world market is expanding. The European Community has set policies and plans to displace U.S. leadership in aviation by the end of the decade. Following this lead, the Japanese, Canadians, and the Brazilians have incorporated civil aircraft development and production in their national industrial plans.

In examining these few examples, and unfortunately there are many more, it is necessary to highlight that these other nations are pursuing space and aeronautical technology because of its commercial and scientific value.

This past year has been a vivid reminder to the American people and the world that the United States is indeed in the space business. We have had four tremendously successful Space Shuttle flights, opening up the doors to a new era of space exploration and exploitation. We have seen exciting pictures from the Voyager II spacecraft's rendezvous with Saturn. This has demonstrated to the world, not only our Nation's commitment to scientific endeavors, but our technology base developed for the planetary program adds credibility to our economic, technological, and defense capability. Unfortunately, that is a 10-year-old technology base. Our space program successes this year have shown the world that even during some of the most difficult of times

that this country has gone through, our technological capabilities are there for continued future growth.

We must continually remind ourselves, however, that science and technology in general must be an intrinsic part of our economy recovery. Unless that reservoir is filled, it will not be possible to sustain whatever economic recovery may occur in the short or long term. We have two choices: We can coast on our past achievements with the threat of oncoming waves from both the Soviet Union and others in the free world, or we can demonstrate that our commitment to technological achievement has made our country great and will continue to do so. The milestones of our national path through history are marked almost entirely by events that have shown a very broad utilization of science and technology created by a free people and utilized by a free people to their advantage. An aggressive national space policy that supports our commercial, scientific, and national security interests will help insure our freedom.

STATE ANTI-FRAUD MINERAL ROYALTY COLLECTION ACT OF 1982

STATES CAN DO BETTER THAN FEDERAL BUREAUCRATS IN COLLECTING ROYALTIES

Mr. BAUCUS. Mr. President, this year the Federal Government will fail to collect hundreds of millions of dollars in royalties from mineral production on Federal lands.

The General Accounting Office (GAO), the inspector general at the Department of Energy, numerous witnesses before committees of both the Senate and the House, and a vast collection of press accounts have relayed to Congress the seriousness of theft, fraud, and simple bungling of the Federal Government's collection of royalties on oil owned by the people of the United States.

By law, 50 percent of the royalties collected from Federal mineral production goes directly to the States; 40 percent goes into the Reclamation Fund, and 10 percent is retained by the Federal Government to pay for the expenses of collecting royalties. Unfortunately, while Congress did its best to make sure that the Federal Government had adequate resources to insure prudent and careful collection of these royalties—setting aside 10 percent of the funds collected for just this purpose—over the years very little of this amount has been used for collecting. The result, as I said, has been a well-publicized disastrous waste and abuse.

Meanwhile, States and the reclamation projects that were to receive 50 percent and 40 percent of the collected royalties respectively have been shortchanged. And the States have had no recourse for insuring fair and accurate accounting. Accordingly, I am introducing legislation today that seeks to cut through all the commissions and rhetoric, seeks to reach to the heart of the collections problem by a relatively simple change in the law: The legislation simply seeks to allow these States to collect the royalties directly, moving the whole problem away from the Federal bureaucracy that has done such a poor job, to the States themselves who have such a great stake in making sure that royalty collections are efficient and accurate.

I emphasize that this legislation does not affect the existing statutory allocation formula. It does not raise royalty rates. It does not raise the amounts owed by the oil companies.

This legislation merely provides the means by which past deficiencies identified by GAO, the inspector general's office, and numerous other sources, including the Geological Survey itself, can be corrected. Simply put, it is the States who are being the most hurt by the totally inadequate efforts of the Federal Government to collect these royalties. This bill will permit the States to collect the royalties themselves if they can comply with reasonable audit guidelines. If any States choose not to collect these royalties themselves, it will insure that the 10 percent that is now directed to be used for collections is placed into a trust fund so that it cannot be diverted to other activities.

While I emphasize that my purpose is not to tamper with the existing statutory allocation of the royalty funds in any way, I do make one minor change: I am so convinced that the States can do a better job of collecting these royalties than the Federal Government has done that this legislation provides that the States, if they choose to do the collection themselves, will get 5 instead of 10 percent of the royalty money to use for this purpose. The other 5 percent would simply revert to the Treasury. I am told that the States are quite certain that they can do a much, much better job with 5 percent than has the Federal Government with a full 10 percent at its disposal. It's amazing how efficient State governments can be generally and how especially efficient State governments can be when they stand to gain substantially by having the laws of our lands enforced.

I have with me today resolutions by the Western States Land Commissioners Association, the Conference of Western Attorneys General, the Western Governors' Conference, and the Interstate Oil Compact Commission condemning the practices of the past and recommending in strong, forceful language that the States be permitted to collect these moneys themselves.

My State, Montana, has been a party to these resolutions. Montana is keenly aware of the fact that it is losing money to the sloppy accounting and regulatory practices of the U.S. Department of the Interior. The State of Montana feels that it can develop a more efficient and accurate system of collecting and accounting for royalties within its own boundaries. Indeed, on June 15 of this year, the Governor of Montana wrote to the Montana congressional delegation, stating:

> Allowing the States to administer the royalty collection process would extend the partnership concept that was established in the Federal strip-mining legislation * * * Montana has no assurances that the Department of the Interior will adequately maintain and improve an effective royalty collection process over an extended period of time. The option of State administration is necessary to protect the State's interests if it appears the Interior's work is inferior to a State-administered system.

Mr. President, I ask unanimous consent that copies of these resolutions and letters be inserted in the RECORD at the conclusion of my remarks.

In response to the Governor's June 15 letter, and because of my own strong concern about this problem that is costing my State so much, I prepared the legislation which I am introducing. The Governor has reviewed this bill, and he has written to me to express his support and to once again stress the importance of this problem to Montana.

Mr. President, I ask unanimous consent that copies of these letters and resolutions be inserted in the RECORD at the conclusion of my remarks.

I would urge all Senators who have an interest in Federal royalty collections to let the Senate Energy and Natural Resources Committee know of your support for the State collection option. The committee has been working on reforming royalties collection for many months, but time is running out for legislative action this Congress. I understand the administration's concern and the concern of many members of that committee that these problems be adequately addressed. However, there is no need for a continued delay in trying to fine tune reforms of the Federal collection process when the affected States are eagerly awaiting the chance to correct the problems on a local basis themselves.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUNE 15, 1982.

The Honorable JOHN MELCHER,
U.S. Senator,
Dirksen Senate Office Building,
Washington, D.C.

DEAR SENATOR MELCHER: Legislation is pending in both the House (HR 5121) and Senate (SB 2305) that would improve methods of collecting and auditing federal mineral royalties. Because of widespread problems in the current collection of royalties and because state governments receive fifty percent of these revenues, Montana would ben-

efit from any improvements in royalty collection efforts.

I recommend that maximum flexibility be afforded to the states to participate in mineral royalty collection activities. The legislation should allow the states either to enter into cooperative agreements with the Department of Interior or assume the function of collecting mineral royalties on federal lands within their borders.

Montana has entered into the enclosed cooperative agreement with the Minerals Management Service to conduct royalty audits. Current law, as interpreted by the Department of Interior, does not allow a state to be reimbursed for its share of the costs in conducting these royalty audits. Furthermore, a state is not allowed to share in the penalties and interest resulting from audit assessments which it helps to produce. Legislation authorizing cooperative agreements should allow the reimbursement of a state's costs and a sharing of all revenues produced by an audit.

Allowing the states to administer the royalty collection process would extend the partnership concept that was established in the federal strip-mining legislation. In that instance, states were allowed the strip-mining regulations on federal land. The state's interest in mineral royalty auditing is significant enough to allow the option of state administration in this case as well. States not only receive a share of federal royalties; their royalties on state-owned minerals are also affected by the federal royalty process where unitized agreements cover intermingled state and federal mineral resources.

Montana has no assurances that the Department of Interior will adequately maintain and improve an effective royalty collection process over an extended period of time. The option of state administration is necessary to protect the state's interests if it appears the Interior's work is inferior to a state-administered system. In addition, because of our system of severance and net and gross proceeds taxes, Montana has the experience and expertise in natural resource revenue collection activities necessary to administer a royalty collection system if it proves necessary and desirable to do so.

With the option of state administration, the Department of Interior could maintain an oversight and management policy-making function that would guarantee the adequacy and consistency of state royalty collections activities. Duplication of effort or inconsistency of records need not occur under the option of state administration.

I appreciate any attention and consideration you could give to these matters. I am enclosing a copy of the Memorandum of Agreement (MOA) that Montana signed with the Department of Interior on April 1, 1982. If you have any questions on our position of our MOA, please feel free to contact Ellen Feaver, Director of the Montana Department of Revenue at (406) 449-2460. I am also enclosing a copy of a resolution which was adopted last week at the Western Governors' Conference.

Sincerely,

TED SCHWINDEN,
Governor.

Enclosure (MOA and Resolution 82-9).

cc: Senator Max Baucus
Representative Pat Williams
Representative Ron Marlenee

STATE OF MONTANA,
OFFICE OF THE GOVERNOR,
Helena, Mont., July 20, 1982.

Senator MAX BAUCUS
U.S. Senate, Dirksen Office Building, Washington, D.C.

DEAR MAX: I support the legislation, which you are introducing, that would provide the states with the option of assuming the administration of royalties on federal lands. With this option, states would have the means of securing proper revenues from public lands if the federal government should fail to maintain an adequate royalty collection program.

States have a special stake in the administration of royalties in the case of unitized agreements pertaining to minerals under an area of checkerboard state and federal ownership. In these cases, an inadequate royalty collection process hurts a state twice: once in the case of its 50% share of federal royalties, and again with respect to its 100% share of state royalties. The option of state administration would enable a state to protest its royalty interests in the case of a unitized agreement governing both state and federal lands.

As you know, I also support providing the states with the additional option of cooperative agreements for federal royalty auditing, with a reimbursement of costs to states incurred under such agreements. Having available both options of cooperative agreements and state administration would afford maximum flexibility to the states to participate in mineral royalty collection activities.

Your legislation would extend the idea, established under the strip-mining legislation, of having states participate as full partners with the federal government in the management of public lands. I endorse that type partnership.

Sincerely,

TED SCHWINDEN
Governor.

THE WESTERN STATES LAND COMMISSIONERS ASSOCIATION—RESOLUTION NO. 2

Whereas the Department of the Interior is attempting to improve its collections of mineral royalties from the public lands; and

Whereas inefficiencies and delays in such collections have resulted in serious underpayments to the federal government and states; and

Whereas many western states have in place or are capable of developing systems capable of carrying out royalty collections and audits; and

Whereas this Association has proposed that a uniform data bank and procedures be established with the Department of the Interior so that states, Indian tribes and federal agencies will have adequate information for royalty and taxation programs; and

Whereas the legislative history of the Mineral Leasing Act of 1920 shows that Congress intended 10% of federal mineral royalties be made available for administration of the act; and

Whereas the western states can, with such funding from the act, establish and conduct programs involving field inspections, audits, accounting and collections with respect to federal mineral leases: Now, therefore, be it

Resolved, That—

(1) This Association urge Congress and the President to approve the appropriation of adequate funds for grants and contracts for the establishment of state programs for the collections and audit of mineral royalties from the public lands; and

(2) The Secretary of the Interior is respectfully urged to authorize pilot projects, federally funded, for such purposes.

THE WESTERN STATES LAND COMMISSIONERS ASSOCIATION—RESOLUTION NO. 3

Whereas in 1920 Congress determined that the public mineral lands in the western states should be retained and leased rather than transferred to those states and their people; and

Whereas to compensate for the impact of federal leasing and the State revenue losses from such federal retention of lands, the Congress has determined that 50% of the federal revenues from mineral leases or public lands should go to the state from which such revenues originated; and

Whereas for over 20 years, audits and studies by the Department of the Interior, the General Accounting Office, and Congress have shown serious inefficiencies in the collection of such mineral revenues by the U.S. Geological Survey; and

Whereas many states with mineral lands have in place, or are developing, efficient systems for the collection and audit of mineral revenues for purposes of state taxation and leasing programs; and

Whereas payments to the states of their share of mineral royalties is made only twice a year, and often later than the dates set forth in the Mineral Leasing Act, and

Whereas Representatives Markey and Santini have, after investigation and study, proposed legislation (HR 5121) authorizing states to collect mineral royalties on behalf of the federal government, and to pay the federal share of such revenues biennially to the federal government after deducting costs of administration and the 50% due to the states; and

Whereas the proposed legislation would result in improved efficiencies in the collection of royalties and help redress the imbalances in western states' revenues resulting from the federal retention of the public lands and inefficiencies and delay in royalty collections: Now, therefore, be it

Resolved, That the Western States Land Commissioners Association approves the Markey-Santini plan, and urge the Secretary of the Interior to support the principles set forth therein.

RESOLUTION NO. 81-3

Whereas approximately 87 percent of Nevada, 64 percent of Utah and Idaho, 53 percent of Oregon, 49 percent of Wyoming, 44 percent of Arizona, 47 percent of California, 37 percent of Colorado are in federal hands; and a substantial portion of the mineral resources of this nation is situated on these lands; and

Whereas the Mineral Leasing Act of 1920 and the Geothermal Steam Act of 1970 requires that 50 percent of the federal mineral royalties from such lands be distributed to the States from which the royalties are collected; and

Whereas the Secretary of the Interior, acting through his Geological Survey, has a mandatory duty to collect and account to the benefical states for monies payable under the Mineral Leasing Act of 1920 and the Geothermal Steam Act of 1970; and

Whereas in reports of 1959, 1964, 1972, and 1979 the Comptroller General, of the United States has identified numerous deficiencies in the collection and accounting practices of the Department of the Interior; and

Whereas both the United States and the States from which these mineral royalties are collected have been seriously and substantially underpaid as a result of such deficiencies and inefficiencies on the part of the Department: Now, therefore, be it

Resolved by the Conference of Western Attorneys General, That Congress, the Department of the Interior, and the Commission on the Fiscal Accountability of the Nation's Energy Resources give support to the following principles:

1. At a State's option, the Department of the Interior should relinquish to the State entire responsibility for the collection, accounting, and auditing of oil and gas royalties payable from federal lessees in the State.

2. At a State's option, the Department of the Interior, should contract with and authorize the State to perform "lookback" audits and "past due" collections resulting from the previous mismanagement of the U.S. Geological Service.

3. The expense of a State's assumption of royalty management, collection, and auditing should be funded from that ten percent share made available under the Mineral Leasing Act of 1920 for administrative costs and should not diminish the State's fifty percent share. Recoverable State expenses should include the added police and prosecutorial costs incident to the enforcement of the royalty management program.

4. The federal government should recognize its fiduciary obligation to the producing States in the proper management of royalty collections. In this regard, the federal government, in recognition of its obligation as a fiduciary, should commission prompt, independent, and competent audits of the royalty management program so as to determine the amount of royalties still owing to the States. The federal government should also obligate itself to the payment to the States of all past due royalties, plus interest, determined through the audits to have been unpaid.

5. The Windfall Profits Tax should be amended so as to make clear that the tax is inapplicable to the States' fifty percent share of oil and gas royalties collected from federal lessees.

RESOLUTION 82-9

Whereas, approximately 87 percent of Nevada, 64 percent of Utah and Idaho, 53 percent of Oregon, 49 percent of Wyoming, 44 percent of Arizona, 47 percent of California, 37 percent of Colorado, and 34 percent of New Mexico are in federal hands; and a substantial portion of the mineral resources of this nation is situated on these lands; and

Whereas, the Mineral Leasing Act of 1920 and the Geothermal Steam Act of 1970 requires that 50 percent of the federal mineral royalties from such lands be distributed to the States from which the royalties are collected; and

Whereas, the mineral royalties paid to the 23 states with federal onshore leases in fiscal year 1980 amounted to $315 million and could amount to more than $600 million in fiscal year 1985 and $1.3 billion in 1990; and

Whereas, the Secretary of the Interior, acting through his Geological Survey, has a mandatory duty to collect and account to the beneficial states for monies payable under the Mineral Leasing Act of 1920 and the Geothermal Steam Act of 1970; and

Whereas, in reports of 1959, 1964, 1972, and 1979 the Comptroller General of the United States has identified numerous deficiencies in the collection and accounting practices of the Department of the Interior; and

Whereas, the specially-appointed Commission on the Fiscal Accountability of the Nation's Energy Resources concluded that industry is not paying the full share of royalties it rightly owes for oil and gas removed from federal and Indian lands and that such underpayment could range from 100 million to several hundred million dollars; and

Whereas, both the United States and the States from which these mineral royalties are collected have been seriously and substantially damaged as a result of such deficiencies and inefficiencies on the part of the Department; and

Whereas, bills are pending in both houses of Congress on this issue:

Now, therefore, be it

Resolved by the Western Governors' Conference That Congress and the Department of the Interior gives support to the following general principles:

1. At a State's option, the Department of the Interior should relinquish to the State entire responsibility for the collection, accounting, and auditing of oil and gas royalties payable from federal lessees in the State.

2. At a State's option, the Department of the Interior should contract with and authorize the State to perform "lookback" audits and "past due" collections resulting from the previous mismanagement of the U.S. Geological Service.

3. The expense of a State's assumption of royalty management, collection, and auditing should be funded from that ten percent share made available under the Mineral Leasing Act of 1920 for administrative costs and should not diminish the State's fifty percent share. Recoverable State expenses should include the added police and prosecutorial costs incident to the enforcement of the royalty management program.

4. The federal government should recognize its fiduciary obligation to the producing States in the proper management of royalty collections. In this regard, the federal government, in recognition of its obligation as a fiduciary, should commission prompt, independent, and competent audits of the royalty management program so as to determine the amount of royalties still owing to the States. The federal government should also obligate itself to the payment to the States of all past due royalties, plus interest determined through the audits to have been unpaid: Be it further

Resolved That the Conference supports H.R. 5121, introduced by Congressmen Markey and Santini and favorably recommended by a subcommittee to the full House Interior and Insular Affairs Committee, as a bill furthering the principles of the Conference as set forth in this resolution: Be it further

Resolved That the Conference disapproves S. 2305, introduced by Senator McClure, by request of the Department of Interior, and now pending before the Senate Energy Committee, and urges that Committee and the Senate to amend the bill to be in conformance with the principles of this Conference.

RESOLUTION ON MINERAL ACCOUNTING

Whereas, the Public Lands Committee of the Interstate Oil Compact Commission has considered the problems involved in supervision by the Department of the Interior of the production of mineral resources on public and Indian lands of its meetings in Casper, Wyoming, on June 29, 1981; and

Whereas, as the report by that Committee demonstrates, the problems of Interior supervision of such resources have seriously complicated the actions of the affected states in preventing physical waste of oil and gas and insuring its conservation, which are the primary goals of this Compact; and

Whereas, that committee also reports that the inadequacies of Interior administration have deprived member states of the share of federal mineral leasing proceeds which has been wisely granted them by Congress to compensate for the added governmental responsibilties placed on them by the existence of the public lands within their borders; and

Whereas, the committee has requested that the IOCC support the efforts of member states to insure adequate supervision of federal mineral leasing operations, both to prevent waste and to insure collection of those revenues due: Now, therefore, be it

Resolved, That the Interstate Oil Compact Commission urges that the United States Department of Interior accelerate its efforts to correct the existing administrative problems, and that it consider possible utilization of the state conservation agencies on a formal, compensated contract basis, to undertake direct administration of prevention of waste and collection of revenues on the public lands: Be it further

Resolved, That the Executive Director is hereby instructed to furnish a duly certified copy of this resolution to the President of the United States and to the Secretary of the Department of Interior.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

THIRD ANNUAL REPORT ON THE STATUS OF THE WEATHERIZATION ASSISTANCE PROGRAM—MESSAGE FROM THE PRESIDENT—PM 154

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Energy and Natural Resources:

To the Congress of the United States:

In accordance with the requirements of Section 254 of the National Energy Conservation Policy Act (P.L. 95-619; 42 U.S.C. 8233), I hereby transmit the Third Annual Report on the Status of the Weatherization Assistance Program.

RONALD REAGAN.

THE WHITE HOUSE, *July 20, 1982.*

ANNUAL REPORT ON THE ADMINISTRATION OF THE RADIATION CONTROL FOR HEALTH AND SAFETY ACT—MESSAGE FROM THE PRESIDENT—PM 155

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Labor and Human Resources:

To the Congress of the United States:

Pursuant to the requirements of Section 360D of the Public Health Service Act (42 U.S.C. 263 1), I hereby transmit the 1981 Annual Report on the Administration of the Radiation Control for Health and Safety Act.

RONALD REAGAN.

THE WHITE HOUSE, *July 20, 1982.*

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-3837. A communication from the Comptroller General of the United States transmitting, pursuant to law, a report relative to the limitations of fiscal year 1981 fourth quarter obligations in certain Agencies; to the Committee on Appropriations.

EC-3838. A communication from the Clerk of the United States Court of Claims transmitting, pursuant to law, a copy of the Court's judgment order in favor of the plaintiffs in the case of Salt River Pima-Maricopa Indian Community, et al. v. The United States; to the Committee on Appropriations.

EC-3839. A communication from the Acting Director of the Defense Security Assistance Agency transmitting, pursuant to law, a report on a proposed foreign military sale to Malaysia; to the Committee on Armed Services.

EC-3840. A communication from the Acting Director of the Defense Security Assistance Agency transmitting, pursuant to law, a report on a proposed foreign military sale to Singapore; to the Committee on Armed Services.

EC-3841. A communication from the Deputy Assistant Secretary of Defense for Administration transmitting, pursuant to law, a report on the Department of Army's intention to exercise the exclusion clause concerning the examination of records by the Comptroller General in connection with the contract with the Royal Ordnance Factory for the acquisition of the M252 Mortar System and the M821 Mortar Cartridge and associated equipment; to the Committee on Armed Services.

EC-3842. A communication from the Principal Deputy Assistant Secretary of the Navy for Shipbuilding and Logistics transmitting, pursuant to law, a report on a decision made to convert the security guard services function at the Naval Technical Training Center, Corry Station, Pensacola, Florida to performance under contract; to the Committee on Armed Services.

EC-3843. A communication from the Principal Deputy Assistant Secretary of Defense for Shipbuilding and logistics transmitting, pursuant to law, a report on a decision made to convert the buildings and structures maintenance function at the Norfolk Naval Shipyard, Portsmouth, Virginia, to performance under contract; to the Committee on Armed Services.

EC-3844. A communication from the President and Chairman of the Export-Import Bank of the United States transmitting, pursuant to law, a report with respect to a transaction involving U.S. exports to Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC-3845. A communication from the President and Chairman of the Export-Import Bank of the United States transmitting, pursuant to law, a report on loan, guarantee, and insurance transactions supported by Eximbank during May 1982 with communist countries; to the Committee on Banking, Housing, and Urban Affairs.

EC-3846. A communication from the Acting Comptroller General of the United States transmitting, pursuant to law, a report on a deferral of budget authority provided for the Coast Guard's acquisition, construction, and improvement account which should have been reported to the Congress by the executive branch; to the Committee on Commerce, Science, and Transportation.

EC-3847. A communication from the Secretary of Transportation transmitting a draft of proposed legislation to provide subsistence allowances for members of the Coast Guard officer candidate program; to the Committee on Commerce, Science, and Transportation.

EC-3848. A communication from the Administrator of the National Oceanic and Atmospheric Administration transmitting, pursuant to law, the Ocean Thermal Energy Conversion Environmental Effects Assessment Program Plan, 1981-1985; to the Committee on Commerce, Science, and Transportation.

EC-3849. A communication from the Energy Information Administration transmitting, pursuant to law, the report for the first quarter of 1982 on Energy Information; to the Committee on Energy and Natural Resources.

EC-3850. A communication from the Acting Secretary of Interior transmitting, pursuant to law, the final study on the proposed Bartram National Trail recommending that it neither be qualified as historic or scenic; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PERCY, from the Committee on Foreign Relations, without amendment:

H.J. Res. 494. Joint resolution with regard to Presidential certifications on conditions in El Salvador.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. PERCY, from the Committee on Foreign Relations:

Arthur H. Davis, of Colorado, to be Ambassador Extraordinary and plenipotentiary of the United States to Paraguay.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Arthur H. Davis, Jr.

Post: Ambassador to Paraguay.

Contributions: amount, date, donee.

1. Self: $50.00, June 16, 1978, Armstrong/Senate; $167.00, March 22, 1979, Loye/Congress; $500.00, April 15, 1980, Loye/Congress.

2. Spouse: $50.00, December 29, 1981, Kramer/Congress; $25.00, June 16, 1978, Scott/Congress.

3. Children and Spouses: Doug Campbells, Karen Davis, Gene Fodors, Art Davis III—none.

4. Parents: deceased.

5. Grandparents: deceased.

6. Brothers and Spouses: Fred Davis, none; Robt./ Barbara Davis, none.

7. Sisters and Spouses: Ruth and Bill Hatcher, none.

George W. Landau, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States to Venezuela.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: George W. Landau.

Post: Venezuela.

Contributions, amount, date, donee.

1. Self: None.

2. Spouse: None.

3. Children and Spouses: Robert W. Christopher T.: None.

4. Parents: Deceased, None.

5. Grandparents: Deceased, None.

6. Brothers and Spouses: None, none.

7. Sisters and Spouses: None, none.

Robert Werner Duemling, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States to the Republic of Suriname.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar year of the nomination and ending on the date of the nomination.

Nominee: Robert Werner Duemling.

Post: Ambassador to Suriname.

Contributions, amount, date, donee.

1. Self: None.

2. Spouse, see attached sheet.[1]

3. Children and Spouses: None.

I have three step-children, none of whom have made any political contributions.

4. Parents: Deceased.

5. Grandparents: Deceased.

6. Brothers and Spouses: None—that is, no brothers.

7. Sisters and Spouses: None—i.e. none have made political contributions. Names: Eleanor Staetter, Mary Anne Gettys, Elizabeth Haedrich.

Nicholas Platt, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States to the Republic of Zambia.

Contributions are to be reported for the period beginning on the first day of the fourth calendar year preceding the calendar

[1] Sheet not printed in Record.

year of the nomination and ending on the date of the nomination.

Nominee: Nicholas Platt.

Post: Lusaka, Zambia.

Contributions, amount, date, donee.

1. Self, see attached sheet.[1]

2. Spouse: Sheila Maynard Platt, none.

3. Children and Spouses: Adam, Oliver and Nicholas, Jr., none.

4. Parents: Geoffrey Platt, Sr. See attached sheet;[1] Alice Holbrook Platt (stepmother). See attached sheet.[1]

5. Grandparents: Deceased, none.

6. Brothers and Spouses: Geoffrey Platt, Jr. See attached sheet;[1] Hope Forsythe Platt, none.

7. Sisters and Spouses: Penelope Platt Littell, none; Walter I. Littell, none.

(The above nominations were reported from the Committee on Foreign Relations with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. GORTON:

S. 2749. A bill to authorize, within available funds, the construction of a bridge approach at Clarkston, Wash.; to the Committee on Environment and Public Works.

By Mr. HAYAKAWA:

S. 2750. A bill for the relief of You-xing Zhou Ling; to the Committee on the Judiciary.

By Mr. INOUYE:

S 2751. A bill to authorize the sale of certain fish in the State of Hawaii; to the Committee on Commerce, Science, and Transportation.

By Mr. McCLURE: (by request):

S. 2752. A bill to amend the Pennsylvania Avenue Development Corporation Act of 1972 to authorize appropriations and further borrowings for implementation of the development plan for Pennsylvania Avenue between the Capitol and the White House, and for other purposes; to the Committee on Energy and Natural Resources.

S. 2753. A bill to amend the Federal Land Policy and Management Act of 1976, relating to the authority of the Secretary of the Interior to accept volunteer services in the aid of the work of the Bureau of Land Management, and for other purposes; to the Committee on Energy and Natural Resources.

S. 2754. A bill to amend the act of August 7, 1961, providing for the establishment of Cape Cod National Seashore, Mass., as amended; to the Committee on Energy and Natural Resources.

S. 2755. A bill to amend the act of October 21, 1970, establishing the Sleeping Bear Dunes National Lakeshore, Mich., as amended; to the Committee on Energy and Natural Resources.

S. 2756. A bill to amend the act of October 26, 1972 (86 Stat. 1181), as amended, to increase the authorization of appropriations for Perry's Victory and International Peace Memorial National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

S. 2757. A bill to amend the act of March 10, 1966, providing for the establishment of Cape Lookout National Seashore, N.C., as amended; to the Committee on Energy and Natural Resources.

S. 2758. A bill to amend the Land and Water Conservation Fund Act of 1965, as amended, to dedicate certain fees to the protection and improvement of facilities and resources of the national park system, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. McCLURE (for himself and Mr. WARNER) (by request):

S. 2759. A bill to provide financial assistance to the Wolf Trap Foundation for the Performing Arts for reconstruction of the Filene Center in Wolf Trap Farm Park and for other purposes; to the Committee on Energy and Natural Resources.

STATEMENT ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GORTON (for himself and Mr. JACKSON):

S. 2749. A bill to authorize, within available funds, the construction of a bridge approach at Clarkston, Wash.; to the Committee on Environment and Public Works.

LEWISTON-CLARKSTON BRIDGE APPROACH

● Mr. GORTON. Mr. President, today Senator JACKSON and I are introducing legislation which would authorize, within available funds, the construction of a bridge approach at Clarkston, Wash. The Army Corps of Engineers is currently constructing a bridge over the Snake River from Clarkston, Wash. to Lewiston, Idaho. The bridge will be completed in November. The legislation authorizing the construction of this bridge did not include an authorization for construction of this necessary approach ramp. This bridge approach connection is essential to the bridge access plan, and will assure a good and orderly flow of traffic in Clarkston. The approach can be built within the spending limit which was authorized for the bridge alone, because it will not be necessary to obligate the total authorization to complete the bridge. In other words, the legislation we are introducing today will not result in an outlay in excess of that already contemplated. It simply redefines the bridge project limits to include the approach ramp, thereby allowing the expenditure of authorized funds for this purpose.

I believe that this bill will accomplish what is necessary to aid in the completion of the bridge access plan. I look forward to bringing this project to a successful conclusion.●

● Mr. JACKSON. Mr. President, I am pleased to join Senator GORTON in introducing legislation which would redefine the limits of the original Lewiston-Clarkston bridge project.

This legislation is required to permit the U.S. Army Corps of Engineers to construct a 1,600-foot segment of road to connect the Lewiston-Clarkston bridge with 16th Avenue in Clarkston, Wash.

I understand that this legislation will require no additional appropriations and I am hopeful that the Senate Public Works Committee will move quickly on this measure.

Mr. President, I ask unanimous consent that the text of the bill, together with a letter from Charles Collins, chairman of the Asotin County Commissioners, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2749

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 164 of Public Law 94-587 (90 Stat. 2917 et seq.), as amended, is amended further by adding at the end of such section the following sentence: "Within sums available under this section, the Secretary is authorized to construct an approach roadway from the end of the Washington State Route 129 overpass of the bridge authorized by this section to 16th Avenue in the City of Clarkston, Washington."

ASOTIN COUNTY,
Asotin, Wash., June 1, 1982.

Re: Lewiston-Clarkston Bridge.

Hon. HENRY JACKSON,
Russell Senate Office Building,
Washington, D.C.

DEAR SENATOR JACKSON: Again we find we must seek your help in obtaining an acceptable finished bridge project. On March 15, 1982, after being advised that at least $750,000 of the $23.2 million authorized for the design and construction of the new Lewiston-Clarkston Bridge would not be spent, Asotin County and the City of Clarkston made a request to the U.S. Army Corps of Engineers to utilize the excess funds for the design and construction of an extension of the bridge centerline. The extension would follow the bridge centerline Westerly approximately 1,600 feet to an intersection with 16th Avenue, an existing County Road. The present project terminates at SR 129, a State Highway, and does not accommodate thru-traffic movements nor does it connect directly to the local street system. A copy of the Clarkston Urban Area map which shows the requested extension in red is attached for your reference.

Our request was flatly denied by the Corps of Engineers because it was their opinion that the extension was beyond the legislative intent. After meeting with the Corps representatives concerning their opinion, we were advised that the legislative intent was defined by Design Memorandum No. 41 dated October, 1978 and said document was approved by all local agencies. Although we did approve the Design Memorandum, we were not aware that such approval would prevent the construction of this approach extension of funds were available. Prior to our approval we objected strenuously to the omission of this approach and approved of the document only after cost estimates were presented which indicated the basic project cost would exceed the authorized spending limit. The approach extension was and still is a vital link in the bridge access scheme.

Now we seem to be in a Catch 22 situation i.e., we need the approach connection but have no local funds for construction, and

the Corps of Engineers has spending authority, but cannot perform work beyond the project limits set by Design Memorandum No. 41. Therefore, your assistance is requested in supplying a solution to the dilemma.

Very truly yours,

CHARLES S. COLLINS,
Chairman, Asotin County Commissioners.●

By Mr. INOUYE:

S. 2751. A bill to authorize the sale of certain fish in the State of Hawaii; to the Committee on Commerce, Science, and Transportation.

SALE OF CERTAIN FISH IN HAWAII

● Mr. INOUYE. Mr. President, today I am introducing legislation to help canners in the State of Hawaii obtain a sufficient volume of competitively priced tuna to run a viable business.

Under existing Federal law, the Nicholson Act (46 U.S.C. 251) prohibits the landing of fish by a foreign-flag vessel in the United States if they are caught by a foreign-flag vessel on the high seas. The only exception is for fish landed in the United States pursuant to a treaty or convention to which the United States is a party. Because of this prohibition, the Hawaiian Tuna Packers cannot supplement its American-caught tuna with foreign-caught tuna to provide an adequate supply of raw fish for its cannery.

The Hawaiian cannery presently employs 420 people, with a payroll of over $5 million a year. In addition, it purchases approximately 2 million dollars' worth of fish from Hawaiian fishermen and is the only major market for the catch not sold at the daily fresh fish auction. The economic contribution of the cannery is even greater when one considers the taxes paid and materials purchased in Hawaii.

The bill I am introducing would help provide an adequate supply of tuna by allowing Asian fishing vessels to land their catch in Hawaii. Asian fishing vessels catch about 536,000 short tons of tuna in the Pacific Ocean each year. Two Japanese fleets, gillnetters, and sashimi longliners, operate near Hawaii and could provide about 15,500 tons of albacore annually. The sashimi longliners would be pleased to sell their albacore, which is a less desirable catch in Japan than other species of tuna, in nearby Hawaii rather than ship the fish all the way back to their home ports. The State of Hawaii would of course be pleased by the economic benefits that would accrue to the State's population.

Mr. President, I commend this bill to my colleagues and ask unanimous consent that its full text be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2751

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisons of section 4311 of the Revised Statutes of the United States, as amended (46 U.S.C. 251), Japanese flag vessels shall be permitted to land tuna in the State of Hawaii.●

By Mr. McCLURE (by request):

S. 2752. A bill to amend the Pennsylvania Avenue Development Corporation Act of 1972 to authorize appropriations and further borrowings for implementation of the development plan for Pennsylvania Avenue between the Capitol and the White House, and for other purposes; to the Committee on Energy and Natural Resources.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

● Mr. McCLURE. Mr. President, at the request of the administration, I send to the desk for appropriate reference a bill to amend the Pennsylvania Avenue Development Corporation Act of 1972 to authorize appropriations and further borrowings for implementation of the development plan for Pennsylvania Avenue between the Capitol and the White House, and for other purposes.

Mr. President, this draft legislation was submitted and recommended by the Pennsylvania Avenue Development Corporation. I ask unanimous consent that the bill and the executive communication from Max N. Berry, Chairman of the Corporation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2752

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Pennsylvania Avenue Development Corporation Act of 1972 (86 Stat. 1266, as amended, 40 U.S.C. 871), is amended further as follows:

1. By striking in paragraph (10) of section 6, the figure "100,000,000" and inserting in lieu thereof "120,000,000.".

2. By adding at the end of section 17(a), "There are further authorized to be appropriated for operating and administrative expenses of the Corporation sums not to exceed $3,250,000, each, for the fiscal years ending September 30, 1984, September 30, 1985, September 30, 1986, September 30, 1987, and September 30, 1988.".

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION,
Washington, D.C., February 24, 1982.

Hon. GEORGE BUSH,
Vice President of the United States, President of the Senate, Dirksen Office Building, Washington, D.C.

DEAR MR. VICE PRESIDENT: One of the three appropriation requests for the Pennsylvania Avenue Development Corporation presented in the President's Budget Appendix for FY 1983 will require an increase in the authorized funding level. The Corporation's authorized level of borrowing from the U.S. Treasury for Land Acquisition and Development is presently $100,000,000; to date over $99,000,000 in borrowing authority has been appropriated.

Additionally, the Corporation's authorization for Salaries and Expenses' appropriations expires at the end of FY 1983.

The enclosed draft authorization bill is respectfully submitted for your consideration and support, so that the PADC may be able to receive the additional budget authority it requires in FY 1983 (for land acquisition) and in future fiscal years (for land acquisition and salaries and expenses).

The Office of Management and Budget has advised us that there is no objection from the standpoint of the administration's program to the submission of this draft legislation to the Congress, and that its enactment would be in accord with the President's budget.

Thank you.

Sincerely,

MAX N. BERRY,
Chairman.●

By Mr. McCLURE (by request):

S. 2753. A bill to amend the Federal Land Policy and Management Act of 1976, relating to the authority of the Secretary of the Interior to accept volunteer services in aid of the work of the Bureau of Land Management, and for other purposes; to the Committee on Energy and Natural Resources.

BUREAU OF LAND MANAGEMENT VOLUNTEERS

● Mr. McCLURE. Mr. President, at the request of the administration, I send to the desk for appropriate reference a bill to amend the Federal Land Policy Management Act of 1976, relating to the authority of the Secretary of the Interior to accept volunteer services in aid of the work of the Bureau of Land Management, and for other purposes.

Mr. President, this draft legislation was submitted and recommended by the Department of the Interior, and I ask unanimous consent that the bill and the executive communication which accompanied the proposal from the Assistant Secretary of the Interior be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2753

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 307 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2766; 43 U.S.C. 1737) is amended by adding at the end thereof the following new subsections:

"(d) The Secretary may recruit, without regard to the civil service classification laws, rules or regulations, the services of individuals contributed without compensation as volunteers for aiding in or facilitating the activities administered by the Secretary through the Bureau of Land Management.

"(e) In accepting such services of individuals as volunteers, the Secretary—

"(1) shall not permit the use of volunteers in firefighting or law enforcement work, or in policymaking process or to displace any employee; and

"(2) may provide for services or costs incidental to the utilization of volunteers, including transportation, supplies, lodging, subsistence, recruiting, training, and supervision.

"(f) Volunteers shall not be deemed employees of the United States except for the purposes of the tort claims provisions of title 28, United States Code, and subchapter I of chapter 81 of title 5, United States Code, relating to compensation for work injuries.".

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., April 27, 1982.

Hon. GEORGE BUSH,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is enclosed a draft bill "To amend the Federal Land Policy and Management Act of 1976, relating to the authority of the Secretary of the Interior to accept volunteer services in aid of the work of the Bureau of Land Management, and for other purposes."

We recommend that the draft bill be introduced and referred to the appropriate committee, and that it be enacted.

Congress has provided authority to the Secretary of the Interior to use volunteer services in aid of the work of two agencies in the Department, and to pay expenses incidental to accepting these contributed services. This authority was provided for the National Park Service in the Volunteers in the Parks Act of 1969 (84 Stat. 472; 16 U.S.C. 18g-j), and for the U.S. Fish and Wildlife Service in the Fish and Wildlife Improvement Act of 1978 (92 Stat. 3112; 16 U.S.C. 742f). In addition, comparable authority was provided to the U.S. Forest Service in the Volunteers in the National Forest Act of 1972 (86 Stat. 147; 16 U.S.C. 558a-d). We believe that similar legislation would greatly facilitate and enhance the work of the Bureau of Land Management in managing, protecting and developing the public lands.

While section 307 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2766; 43 U.S.C. 1737) authorizes the Secretary to accept services contributed to the Bureau of Land Management by volunteers, the draft bill is needed to authorize payment of incidental expenses and to clarify the status of volunteers under Federal employment laws. The draft bill would not provide for compensation for volunteers. The Bureau would be authorized to provide for incidental services and expenses such as supplies for and supervision of the volunteer's work. Volunteers would not be considered Federal employees, except for purposes of the tort claims provisions of title 28, United States Code, and statutes pertaining to compensation for on-the-job work injuries (5 U.S.C. 8101-8151). Except for its provisions relating to work injuries, the provisions of title 5, United States Code, relating to Federal employees—such as classification standards and those provisions setting rates compensation, unemployment compensation, and Federal employee benefits—would not apply to volunteers.

Volunteer work is a traditional aspect of American life—one that is associated with good citizenship and that has contributed much to improve our communities, educational, cultural and health services, and our parks recreation areas, and forests. We believe this traditional form of citizen energy could be particularly useful in assisting the Bureau of Land Management in its functions: managing, conserving and developing the country's public lands and their natural resources for the benefit of the public. We believe many citizens—from high school and college students to retired people, both highly skilled and relatively unskilled—would find satisfying opportunities for public service by assisting as volunteers on the public lands.

During fiscal year 1981, 8,326 "Volunteers in Parks" contributed to the National Park Service some 226 person-years of work valued at approximately $4 million. For the same fiscal year, the Forest Service estimates that, in its "Volunteers in the National Forests" program, about 16,450 citizens donated 761 person-years of work worth $8.2 million. The Fish and Wildlife Service volunteers program is expected to return similar benefits when it is in full operation.

The Bureau of Land Management has a substantial backlog of necessary conservation, development, and other resource management work for which volunteers would be useful, including brush control, range seeding, historic site restoration, archaeological, geological and biological investigations, trail, fence and campground construction and maintenance, tree planting and timber surveys, soil conservation and stream improvement work, and water quality testing. Volunteers would not be used for policymaking activities or for hazardous duties such as firefighting or law enforcement. As shown by the years of experience in the Park Service and Forest Service in similar programs, expenses for a volunteer program by the Bureau of Land Management would be minor in relation to the value of the services to be contributed. Because the Bureau would expect to pay the incidental expenses involved from regular appropriations categories and levels, enactment of this proposed legislation would not result in added government outlays.

In view of the tremendous amount of work that is needed on the public lands, and the necessary budget constraints in the foreseeable future, we strongly recommend enactment of the draft bill.

The Office of Management and Budget has advised that there is no objection to the submission of this proposed legislation from the standpoint of the Administration's program.

Sincerely,

GARRY E. CARRUTHERS,
Assistant Secretary.●

By Mr. McCLURE (by request):

S. 2754. A bill to amend the act of August 7, 1961, providing for the establishment of Cape Cod National Seashore, Mass., as amended; to the Committee on Energy and Natural Resources.

CAPE CODE NATIONAL SEASHORE

● Mr. McCLURE. Mr. President, at the request of the administration, I send to the desk for appropriate reference a bill to amend the act of August 7, 1961, providing for the establishment of Cape Cod National Seashore, Mass., as amended.

Mr. President, this draft legislation was submitted and recommended by the Department of the Interior, and I ask unanimous consent that the bill and the executive communication which accompanied the proposal from the Acting Secretary of the Interior be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2754

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9 of the Act entitled "An act to provide for the establishment of Cape Cod National Seashore", approved August 7, 1961 (Public Law 87-126; 75 Stat. 293), as amended by the Act of May 14, 1970 (Public Law 91-252; 84 Stat. 216), is further amended by striking "$33,500,000" and inserting in lieu thereof $40,567,575".

OFFICE OF THE SECRETARY,
Washington, D.C., April 14, 1982.

Hon. GEORGE BUSH,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft bill "To amend the Act of August 7, 1961, providing for the establishment of Cape Cod National Seashore, Massachusetts, as amended."

We recommend that the enclosed draft bill be referred to the appropriate committee for consideration, and that it be enacted.

The draft bill would amend section 9 of the Act of August 7, 1961 (P.L. 87-126; 75 Stat. 293), as amended by the Act of May 14, 1970 (P.L. 91-252; 84 Stat. 216), by striking the current authorization ceiling for land acquistion at Cape Cod National Seashore. The entire $33,500,000 currently authorized for land acquisition has been appropriated, and an additional $567,575 has been expended pursuant to the authority granted under P.L. 95-42. The land acquisition component of the Department's fiscal year 1983 budget request for the National Park Service includes $6,500,000 to pay anticipated deficiency awards from currently pending condemnation cases involving Cape Cod, all of which would be in excess of the authorized ceiling. Thus, in place of the current ceiling on authorizations, the draft bill would establish a new ceiling of $40,567,575.

This Department will shortly begin to implement a new land protection policy that will emphasize alternatives to Federal acquisition and, we expect, result in reduced acquisition costs. We therefore recommend enactment of the enclosed draft bill to facilitate the active land acquisitions at Cape Cod National Seashore.

The Office of Management and Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the Administration's program.

Sincerely,

DONALD PAUL HODEL,
Acting Secretary.●

By Mr. McCLURE (by request):

S. 2755. A bill to amend the act of October 21, 1970, establishing the Sleeping Bear Dunes National Lakeshore, Mich., as amended; to the Committee on Energy and Natural Resources.

SLEEPING BEAR DUNES NATIONAL LAKESHORE

● Mr. McCLURE. Mr. President, at the request of the administration, I send to the desk for appropriate reference a bill to amend the act of October 21, 1970, establishing the Sleeping Bear Dunes National Lakeshore, Mich., as amended.

Mr. President, this draft legislation was submitted and recommended by the Department of the Interior, and I ask unanimous consent that the bill

and the executive communication which accompanied the proposal from the Acting Secretary of the Interior be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2755

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 15 of the Act of October 21, 1970 (Public Law 91-479; 84 Stat. 1080), as amended by the Act of October 26, 1974 (Public Law 93-477; 88 Stat. 1445), is further amended by striking "$57,753,000" and inserting in lieu thereof "$67,449,557".

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., April 14, 1982.

Hon. GEORGE BUSH,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft bill "To amend the Act of October 21, 1970, establishing the Sleeping Bear Dunes National Lakeshore, Michigan, as amended."

We recommend that the enclosed draft bill be referred to the appropriate committee for consideration, and that it be enacted.

The draft bill would amend section 15 of the Act of October 21, 1970 (P.L. 91-479; 84 Stat. 1080), as amended by the Act of October 26, 1974 (P.L. 93-477; 88 Stat. 1445), by striking the $57,753,000 ceiling for land acquisition at Sleeping Bear Dunes National Lakeshore, Michigan. That entire authorization for land acquisition has been appropriated, and an additional $1,296,557 has been expended pursuant to authority granted under Public Law 95-42. The land acquisition component of the Department's fiscal year 1983 budget request for the National Park Service includes an additional $8,400,000 to pay anticipated deficiency awards from currently pending condemnation cases involving Sleeping Bear Dunes. Thus, in place of the current ceiling on authorizations, the draft bill would establish a new ceiling of $67,449,557.

This Department will shortly begin to implement a new land protection policy initiative that will emphasize alternatives to Federal acquisition and, we expect, result in reduced acquisition costs. We therefore recommend enactment of the enclosed draft bill to facilitate the active land acquisitions at Sleeping Bear Dunes National Seashore.

The Office of Mangement and Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the administration's program.

Sincerely,

DONALD PAUL HODEL,
Acting Secretary.●

By Mr. McCLURE (by request):

S. 2756. A bill to amend the act of October 26, 1972 (86 Stat. 1181), as amended, to increase the authorization of appropriations for Perry's Victory and International Peace Memorial National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

PERRY'S VICTORY AND INTERNATIONAL PEACE MEMORIAL NATIONAL MONUMENT

● Mr. McCLURE. Mr. President, at the request of the administration, I send to the desk for appropriate reference a bill to amend the act of October 26, 1972 (86 Stat. 1181), as amended, to increase the authorization of appropriations for Perry's Victory and International Peace Memorial National Monument, and for other purposes.

Mr. President, this draft legislation was submitted and recommended by the Department of the Interior, and I ask unanimous consent that the bill and the executive communication which accompanied the proposal from the Acting Secretary of the Interior be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2756

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act of October 26, 1972 (86 Stat. 1181), as amended by section 101, paragraph (21), of the Act of November 10, 1978 (92 Stat. 3472), is further amended by striking the phrase "not more than $9,327,000" and inserting in lieu thereof "$9,825,000".

Sec. 2. Section 5 of the Act of June 2, 1935 (49 Stat. 1393; 16 U.S.C. 433e) is hereby repealed.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 31, 1982.

Hon. GEORGE BUSH,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft bill "To amend the Act of October 26, 1972 (86 Stat. 1181), as amended, to increase the authorization of appropriations for Perry's Victory and International Peace Memorial National Monument, and for other purposes."

We recommend that the enclosed draft bill be referred to the appropriate committee for consideration, and that it be enacted.

The draft bill would amend section 4 of the Act of October 26, 1972 (86 Stat. 1181), as amended by section 101, paragraph (21), of the Act of November 10, 1978 (P.L. 95-625; 92 Stat. 3472), by striking the current $9,327,000 authorization level for development at Perry's Victory in favor of an authorization for $9,825,000. Also included in the draft bill is a technical amendment repealing section 5 of the Act of June 2, 1936 (16 U.S.C. 433e), which authorized the National Park Service to hire employees of the Perry's Victory Memorial Commission for purposes of administering and operating the park. Inasmuch as the Commission was abolished pursuant to the Act of October 26, 1972, there is no reason to continue this authority.

Perry's Victory and International Peace Memorial is located on South Bass Island, Ohio, in Lake Erie. The memorial consists of some 26 acres of land on which a Greek Doric column, 352 feet in height, was constructed between 1912 and 1915 to commemorate Commodore Oliver Perry's decisive victory in the Battle of Lake Erie on September 10, 1813, and the years of peace between the United States and Canada since the War of 1812. The column is the tallest structure of its kind in the world.

Severe weather and wave action over the past sixty years have badly damaged the park's seawalls, as well as the internal structural integrity and exterior of the column. The Act of October 26, 1972, set a development ceiling for the park of $5,177,000, principally to cover the cost of repairing this damage. Rising construction costs forced Congress to raise the ceiling to $9,327,000 in the Act of November 10, 1978. Much of the repair work has been completed, including reconstruction of the seawalls. The second phase of rehabilitation will include repair work on the column itself. Critical to this effort will be the installation of waterproof barriers and dehumidifiers to prevent a recurrence of water damage. The total cost of this second phase is $2,444,000. Funding for this work is being sought by this Department as part of the Park Restoration and Improvement Program portion of our Fiscal Year 1983 budget request.

Under the 1978 development authorization, only $1,946,000—or $498,000 less than the amount required to complete Phase II of the restoration project—remains available for appropriation. Consequently, we recommend enactment of the enclosed draft bill authorizing the appropriation of $9,825,000 for the planned development work at Perry's Victory and International Peace Memorial.

The Office of Management and Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the Administration's program.

Sincerely,

DONALD PAUL HODEL,
Acting Secretary.●

By Mr. McCLURE (by request):

S. 2757. A bill to amend the act of March 10, 1966, providing for the establishment of Cape Lookout National Seashore, N.C., as amended; to the Committee on Energy and Natural Resources.

CAPE LOOKOUT NATIONAL SEASHORE

● Mr. McCLURE. Mr. President, at the request of the administration, I send to the desk for appropriate reference a bill to amend the act of March 10, 1966, providing for the establishment of the Cape Lookout National Seashore, N.C., as amended.

Mr. President, this draft legislation was submitted and recommended by the Department of the Interior, and I ask unanimous consent that the bill and the executive communication which accompanied the proposal from the Acting Secretary of the Interior be printed in the RECORD.

There being no objection, the materiel was ordered to be printed in the RECORD, as follows:

S. 2757

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence in section 8 of the Act of March 10, 1966 (P.L. 89-366; 80 Stat. 33), as added by the Act of October 26, 1974 (P.L. 93-477; 88 Stat. 1445), is amended by striking "$7,903,000" and inserting in lieu thereof "$9,903,000".

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., April 14, 1982.

Hon. THOMAS P. O'NEILL, JR.,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Enclosed is a draft bill "To amend the Act of March 10, 1966, pro-

viding for the establishment of Cape Lookout National Seashore, North Carolina, as amended."

We recommend that the enclosed draft bill be referred to the appropriate committee for consideration, and that it be enacted.

The draft bill would amend section 8 of the Act of March 10, 1966 (80 Stat. 33; 16 U.S.C. 459g), as amended by the Act of October 26, 1974 (P.L. 93-477; 88 Stat. 1445), by striking the current $7,903,000 ceiling on authorizations for land acquisition at Cape Lookout National Seashore, North Carolina. That entire authorization amount has already been appropriated. In place of the current ceiling on authorizations, the draft bill would establish a new ceiling of $9,903,000. The new authorization ceiling would provide authority for appropriation of the $2,000,000 included for Cape Lookout in the National Park Service land acquisition component of the Department's fiscal year 1983 budget request. This appropriation would fund anticipated deficiency awards from currently pending condemnation cases involving Cape Lookout.

This Department will shortly begin implementing a new land protection policy initiative which will emphasize alternatives to Federal acquisition, and which, we expect, will result in reduced acquisition costs. We therefore recommend enactment of the enclosed draft bill to facilitate the active land acquisitions at Cape Lookout National Seashore.

The Office of Management and Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the Administration's program.

Sincerely,

DONALD PAUL HODEL,
Acting Secretary.●

By Mr. McCLURE (by request):

S. 2758. A bill to amend the Land and Water Conservation Fund Act of 1965, as amended, to dedicate certain fees to the protection and improvement of facilities and resources of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

NATIONAL PARK SYSTEM FEE DEDICATION AND PARK IMPROVEMENT ACT OF 1982

● Mr. McCLURE. Mr. President, at the request of the administration, I send to the desk for appropriate reference a bill to amend the Land and Water Conservation Fund Act of 1965, as amended, to dedicate certain fees to the protection and improvement of facilities and resources of the National Park System, and for other purposes.

Mr. President, this draft legislation, entitled the "National Park System Fee Dedication and Park Improvement Act of 1982," was submitted and recommended by the Department of the Interior. I ask unanimous consent that the bill and the executive communication which accompanied the proposal from the Secretary of the Interior be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2758

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Park System Fee Dedication and Park Improvement Act of 1982."

PURPOSES

SEC. 2. The purposes of this Act are to—

(a) augment the sources of funding available to the National Park System and provide dedicated revenues received from fees for admission or entrance to the National Park System to assist the National Park Service in repairing, maintaining and improving visitor facilities and services in units of the National Park System, and in restoring, protecting and preserving natural and cultural resources in such units;

(b) insure that those persons entering National Park System areas pay an appropriate share of the cost of the services and facilities provided to them; and

(c) allow for the adjustment of current visitor fees, to compensate for the impact of inflation since entrance and admission fees were last increased, and return such increased funds back to the National Park System for use in operating, maintaining and improving areas and facilities.

FEE DEDICATION

SEC. 3. Section 4(a) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460 1-6a(a)), as amended, is further amended by the addition of the following new paragraphs at the end thereof:

"(6) Notwithstanding any other provision of law, all receipts collected from fees or permits for admission or entrance to the National Park System shall be covered into a special account established in the Treasury of the United States; shall be available, subject to appropriation; and shall be applied to the repair, maintenance and improvement of facilities, the provision of safety and services, and the restoration, protection and preservation of natural and cultural resources, for the benefit and enjoyment of visitors to the National Park System.

"(7) Notwithstanding any other provision of law, the Secretary of the Interior is authorized to: (A) increase or decrease existing entrance and admission fees within the National Park System by such amounts as deemed appropriate, but not to exceed that amount necessary to adjust for inflation since 1972, to the nearest dollar; (B) establish entrance or admission fees at those units of the National Park System where such fees are not currently being collected, and at Park System units designated after the date of enactment of this Act, if appropriate and consistent with criteria established in section 4(a) of this Act, in amounts not to exceed those levels set in accordance with subpart (A) of this paragraph, calculated to the nearest dollar; and (C) suspend or forego the collection of entrance or admission fees at individual units of the National Park System, if he finds that the cost of collection of such fees exceeds receipts collected, or if he finds public purposes would not be furthered by fee collection. For the purposes of this paragraph, inflation shall be measured by the change in the Gross National Product Deflator."

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., July 1, 1982.

Hon. GEORGE BUSH,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft bill, the "National Park System Fee Dedication and Park Improvement Act of 1982."

We recommend that it be referred to the appropriate committee for consideration, and that it be enacted.

The National Park System has become an increasingly important priority for the American public, and the Administration is committed to providing high quality opportunities through the National Park System. However, over the past several decades, many facilities in our national parks have deteriorated significantly, often creating serious safety and health hazards. Threats to the natural resource base have increased. At the same time, increased costs for maintenance and improvements have eroded the value of funds appropriated for those purposes and have thus contributed to the poor conditions in our national parks. All of this has made it increasingly difficult to provide proper stewardship of the land and the high quality opportunities Americans have come to expect in our national parks.

We believe the enclosed legislation will help to alleviate many of these problems. It would create a special fund, composed of receipts collected from fees for admission to units of the National Park System. This fund would be reserved for improvement, protection, and restoration of park resources and facilities and would supplement normal national park appropriations. It would authorize, but not require, adjustment to fees by an amount not exceeding the rate of inflation. The legislation would also grant the Secretary of the Interior flexibility, within certain limitations, to charge an entrance fee that reflects to a greater degree the costs of providing visitor facilities and services and of protecting the resource base. Finally, the bill would permit the Secretary to decrease fees when necessary, and to suspend collection at individual park system units if the cost of collecting receipts exceeds revenues collected.

The Administration recognizes the importance of the National Park System to the American people and we have sought significant budget increases to protect, restore and improve park facilities and resources. Because of that importance, the current state of our parks, and present economic and budgetary constraints, we believe additional funding, as provided by this draft bill, is required. We are convinced that we will be able to provide better for badly needed maintenance and restoration in our park system if increased funds derived from somewhat higher park fees are returned directly to the National Park System.

The Office of Management and Budget has advised that there is no objection to the submission of this proposed legislation from the standpoint of the Administration's program.

Sincerely,

JIM WATT,
Secretary.●

By Mr. McCLURE (for himself and Mr. WARNER) (by request):

S. 2759. A bill to provide financial assistance to the Wolf Trap Foundation for the Performing Arts for reconstruction of the Filene Center in Wolf Trap Farm Park and for other purposes; to the Committee on Energy and Natural Resources.

FINANCIAL ASSISTANCE FOR WOLF TRAP

● Mr. McCLURE. Mr. President, at the request of the administration, I send to the desk for appropriate reference a bill to provide financial assist-

ance to the Wolf Trap Foundation for the Performing Arts for reconstruction of the Filene Center in Wolf Trap Farm Park and for other purposes.

Mr. President, this draft legislation was submitted and recommended by the Department of the Interior, and I ask unanimous consent that the bill and the executive communication which accompanied the proposal from the Under Secretary of the Interior be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2759

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Wolf Trap Farm Park Act of 1982."

SEC. 2. The purposes of this Act are to—

(1) allow the Secretary of the Interior to cooperate with the Wolf Trap Foundation (Foundation) for the Performing Arts in the operation of Wolf Trap Farm Park (Park); and

(2) provide financial assistance to the Foundation for reconstruction of the Filene Center in the Park.

SEC. 3. (a) The Secretary of the Interior is authorized to provide to the Foundation, or its designee, on such terms and conditions as he deems appropriate, for reconstruction of the Filene Center in the Park: (1) a grant not to exceed $9,000,000; and (2) a loan not to exceed $9,000,000 to be repaid in full, with interest on any unpaid obligation at a rate determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the maturity of the loan, plus an allowance adequate, in the judgment of the Secretary of the Interior, to cover the administrative expenses of servicing the loan. In his determination of terms and conditions governing the loan, the Secretary shall fix a term of not more than five years from the date the loan agreement is executed.

(b) For purposes of carrying out the grant and loan under subsection (a) of this section, there are authorized to be appropriated such sums as may be necessary, but not to exceed $18,000,000, and such sums shall remain available until expended.

(c) All right, title and interest in any reconstructed Filene Center in the Park shall vest in the United States. The Secretary of the Interior is authorized to provide support services in the reconstruction of the Filene Center, as requested by the Foundation, on a reimbursable basis, for the purposes of this Act.

(d) The authority conferred in subsection (a) through (c) of this section shall lapse if funds therefor are not appropriated within five years of the date of enactment of this Act.

SEC. 4. Section 3 of the Act of October 25, 1966 (80 Stat. 950) is redesignated as section 4 and the following new section is inserted after section 2:

"SEC. 3. The Secretary of the Interior shall cooperate with the Wolf Trap Foundation for the Performing Arts, organized pursuant to the District of Columbia Nonprofit Corporation Act, and, as a charitable organization, exempted from taxation under section 501(c)(3) of the Internal Revenue Service Code of 1954, in the operation of the Park, under such terms and conditions as the Secretary deems appropriate."

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., July 1, 1982.

Hon. GEORGE BUSH,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft bill, the "Wolf Trap Farm Park Act of 1982," to provide financial assistance to the Wolf Trap Foundation for reconstruction of the Filene Center, recently destroyed in a tragic fire.

We recommend that it be introduced and referred to the appropriate committee for consideration and that it be enacted.

Wolf Trap Park for the Performing Arts was established in 1966 in Vienna, Virginia, as a unit of the National Park System. It quickly became a very popular summer experience for thousands of people in the Washington, D.C., area. Its central feature was the Filene Center, an internationally known showcase for the performing arts. This theater was lost in a devastating fire on April 4, 1982, a tremendous loss not only to the Washington area but also to the nation. As a Federal facility, the theater was not insured, and its destruction has meant that the performing arts programs in the park have been curtailed or moved to a temporary structure.

We believe the enclosed legislation will enable the Wolf Trap Foundation to rebuild the theater quickly. It recognizes that the Foundation and the Federal Government are cooperative partners in this endeavor and provides financial assistance to aid in the prompt reconstruction of the Filene Center. The Federal Government will share the costs of reconstruction with the Wolf Trap Foundation by authorizing a grant for $9,000,000 and a loan, with interest, for an additional $9,000,000. We urge your support in this matter.

The Office of Management and Budget has advised that this legislative proposal is in accord with the program of the President.

Sincerely,

DONALD PAUL HODEL,
Under Secretary.●

● Mr. WARNER. Mr. President, Wolf Trap Farm Park was established on 100 acres of land, directly donated by Mrs. Catherine Filene Shouse, together with five usable buildings and funds for the construction of the Filene Center.

The Park has since been operated and maintained as a center for the performing arts and related educational programs, and for recreational use by the general public.

As we are all aware, the Filene Center burned to the ground on April 4, 1982. The Center was a Government-owned building and therefore was not insured. The Federal Government does not carry insurance on its buildings, but acts as a self-insurer. Therefore, technically, the Government is responsible for the complete restoration of the Filene Center.

However, Mr. President, we are all searching for ways to cut the size of the Federal budget—funds for projects such as this, as worthy as they may be, are simply not available.

Therefore, the administration was asked to set a policy concerning Federal funding for the reconstruction of the Filene Center. The Department of the Interior presented such a plan at a hearing I conducted on July 2. This plan is embodied in the legislation we are introducing today.

The plan calls for the Federal Government to cover only one-half of the reconstruction with a grant. The remaining 50 percent of the cost would come in the form of a loan that must be repaid promptly.

The destruction of the Filene Center has spurred a universal resolve to rebuild it as quickly as possible. Under Secretary of the Interior Donald Hadel has stated that a delay in rebuilding the Center, "Would be taken as a dereliction of our duty and an abandonment of Wolf Trap." Everyone from schoolchildren and their parents to corporate leaders—wants to accomplish this without delay. The Wolf Trap Foundation for the Performing Arts and others have launched an extensive, and so far very successful, fundraising drive to rebuild the Center. However, the time required to raise the sums necessary to complete this project makes it doubtful that, without Federal assistance, it could ever be accomplished. The passage of this legislation would demonstrate a congressional commitment to this project and would be extremely helpful to fundraising efforts in the private sector.

Mr. President, it would be sad indeed if we were to abandon our support of the Wolf Trap Center for the Performing Arts. Wolf Trap is the only national park for the performing arts in America. Five and a half million people have enjoyed more than 23,000 artists from throughout this country and abroad in some 900 separate performances of nearly 600 different productions. In addition, millions more enjoyed the series of televised performances called "In Performance at Wolf Trap." The Center could accommodate 3,500 people under the roof with room for a further 3,000 on the lawn. All 6,500 had a clear view of the stage.

Wolf Trap provides a summer site for the National Symphony Orchestra and visiting groups such as the Stuttgart Royal and Joffrey Ballets, the New York City Opera, Metropolitan Opera, and New York, Philadelphia and Chicago Orchestras. Individual artists have ranged from Beverly Sills, Yehudi Menuhin, and Luciano Pavorotti to Tony Bennet, Liza Minelli, Ella Fitzgerald, and Johnny Cash.

Mr. President, I urge my colleagues to support this legislation so that we may construct a facility that will provide a proper setting for the high standards of performance established at Wolf Trap Farm Park.●

ADDITIONAL COSPONSORS

S. 1676

At the request of Mr. PERCY, the name of the Senator from California (Mr. HAYAKAWA) was added as a cosponsor of S. 1676, a bill to enhance the detection of motor vehicle theft and to improve the prosecution of motor vehicle theft by requiring the Secretary of Transportation to issue standards relating to the identification of vehicle parts and components, by increasing criminal penalties applicable to trafficking in stolen vehicles and parts, by curtailing the exportation of stolen vehicles and self-propelled mobile equipment, and by establishing penalties applicable to the dismantling of vehicles for the purpose of trafficking in stolen parts, and for other purposes.

S. 1767

At the request of Mr. CANNON, the name of the Senator from Nevada (Mr. LAXALT) was added as a cosponsor of S. 1767, a bill to transfer certain lands in Clark County, Nev., from the Department of Agriculture to the Frontier Girl Scout Council.

S. 1939

At the request of Mr. GOLDWATER, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 1939, a bill to amend the Public Health Service Act to establish a National Institute on Arthritis and Musculoskeletal Diseases.

S. 2428

At the request of Mr. MATHIAS, the name of the Senator from Arizona (Mr DECONCINI) was added as a cosponsor of S. 2428, a bill to amend title 18 of the United States Code to strengthen the laws against the counterfeiting of trademarks, and for other purposes.

S. 2554

At the request of Mr. PERCY, the names of the Senator from North Dakota (Mr. ANDREWS), and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 2554, a bill to require the Commodity Credit Corporation to dispose of Government-owned stocks of agricultural commodities.

S. 2580

At the request of Mr. MATHIAS, the names of the Senator from Maryland (Mr. SARBANES), and the Senator from Arizona (Mr. DECONCINI) were added as cosponsors of S. 2580, a bill to establish the Christopher Columbus Quincentenary Jubilee Commission.

S. 2700

At the request of Mr. CANNON, the names of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. 2700, a bill to amend title VXI of the Social Security Act to exclude from resources burial plots and niches and certain funds set aside for burial or cremation expenses for purposes of the supplemental security income program.

S. 2702

At the request of Mr. ANDREWS, the names of the Senator from Maine (Mr. COHEN), the Senator from Alaska (Mr. STEVENS), and the Senator from Arizona (Mr. GOLDWATER) were added as cosponsors of S. 2702, a bill to amend section 8(a) of the Small Business Act to treat businesses owned by Indian tribes as socially and economically disadvantaged small business concerns.

SENATE JOINT RESOLUTION 178

At the request of Mr. HATCH, the names of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of Senate Joint Resolution 178, a joint resolution to authorize and request the President to proclaim the second week in April as "National Medical Laboratory Week."

SENATE JOINT RESOLUTION 188

At the request of Mr. INOUYE, the name of the Senator from Connecticut (Mr. WEICKER), was added as a cosponsor of Senate Joint Resolution 188, a joint resolution to authorize and request the President to designate March 1, 1983, as "National Recovery Room Nurses Day.".

SENATE CONCURRENT RESOLUTION 113

At the request of Mr. SYMMS, the names of the Senator from Idaho (Mr. MCCLURE), and the Senator from South Carolina (Mr. HOLLINGS) were added as cosponsors of Senate Concurrent Resolution 113, a concurrent resolution recognizing and saluting the Benevolent and Protective Order of the Elks for its leadership in volunteerism in the United States.

AMENDMENT NO. 1952

At the request of Mr. KENNEDY, the name of the Senator from Colorado (Mr. HART) was added as a cosponsor of Amendment No. 1952 intended to be proposed to S. 2222, a bill to revise and reform the Immigration and Nationality Act and for other purposes.

AMENDMENT NO. 1953

At the request of Mr. KENNEDY, the name of the Senator from Colorado (Mr. HART) was added as a cosponsor of Amendment No. 1953 intended to be proposed to S. 2222, a bill to revise and reform the Immigration and Nationality Act, and for other purposes.

AMENDMENT NO. 1956

At the request of Mr. KENNEDY, the name of the Senator from Colorado (Mr. HART) was added as a cosponsor of Amendment No. 1956 intended to be proposed to S. 2222, a bill to revise and reform the Immigration and Nationality Act, and for other purposes.

AMENDMENTS SUBMITTED FOR PRINTING

MISCELLANEOUS TAX ACT OF 1982

AMENDMENT NOS. 1959 AND 1960

(Ordered to be printed and to lie on the table.)

Mr. KASTEN submitted two amendments intended to be proposed by him to the bill (H.R. 4961) to make miscellaneous changes in the tax laws, and for other purposes.

AMENDMENT NOS. 1961 THROUGH 1963

(Ordered to be printed and lie on the table.)

Mr. MATTINGLY submitted three amendments intended to be proposed by him to the bill (H.R. 4961) supra.

AMENDMENT NO. 1964

(Ordered to be printed and lie on the table.)

Mr. DIXON submitted an amendment intended to be proposed by him to the bill (H.R. 4961) supra.

AMENDMENT NOS. 1965 THROUGH 1972

(Ordered to be printed and lie on the table.)

Mr. FORD submitted eight amendments intended to be proposed by him to the bill H.R. 4961, supra.

AMENDMENT NOS. 1973 AND 1974

(Ordered to be printed and lie on the table.)

Mr. LONG submitted two amendments intended to be proposed by him to the bill H.R. 4961, supra.

AMENDMENT NO. 1975

(Ordered to be printed and lie on the table.)

Mr. DIXON (for himself and Mr. NUNN) submitted an amendment intended to be proposed by them to the bill H.R. 4961, supra.

AMENDMENT NO. 1976

(Ordered to be printed and to lie on the table.)

Mr. GORTON submitted an amendment intended to be proposed by him to the bill H.R. 4961, supra.

AMENDMENT NO. 1977

(Ordered to be printed and to lie on the table.)

Mr. BENTSEN submitted an amendment intended to be proposed by him to the bill H.R. 4961, supra.

NOTICES OF HEARINGS

SUBCOMMITTEE ON INTERNATIONAL FINANCE AND MONETARY POLICY

Mr. HEINZ. Mr. President, on Thursday, July 22, 1982, the subcommittee on International Finance and Monetary Policy of the Committee on Banking, Housing, and Urban Affairs will be conducting a hearing on Senate bills S. 2712, S. 2732, and S. 2616. These bills have arisen out of the recent competition for the sale of subway cars to New York City's Metropolitan Transit Authority.

The hearing will examine the recent Treasury Department decision to deny relief under section 1912 of the Export-Import Bank Act to an American producer in competition with a foreign producer benefiting from officially subsidized export credits. The implication of the Treasury decision for mass transit policy, American industrial competitiveness, and the viability of the international arrange-

ment on official export credits will also be considered.

Witnesses will include representatives of industry, labor, and Federal and local governments. The hearing will be held in room 5302 of the Dirksen Senate Office Building, commencing at 1:30 p.m.

SUBCOMMITTEE ON RURAL DEVELOPMENT, OVERSIGHT, AND INVESTIGATIONS

Mr. ANDREWS. Mr. President, as chairman of the Senate Agriculture Subcommittee on Rural Development, Oversight, and Investigations, I wish to announce that a hearing has been scheduled to review the rural development loan programs administered by the Farmers Home Administration. The subcommittee is interested in how FmHA administration of these programs affects overall rural development policy.

The hearing will be held on Tuesday, July 27, beginning at 9:30 a.m. in room 324 Russell Building.

Anyone wishing further information should contact Denise Alexander of the Agriculture Committee staff at 224-2035.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON WATER AND POWER

Mr. BAKER. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power, of the Energy Committee, be authorized to meet during the session of the Senate at 10 a.m. on Tuesday, July 20, to consider S. 2568, pertaining to the Dallas Creek portion of the Upper Colorado project.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

RUBLES ON THE BARRELHEAD

● Mr. LUGAR. Mr. President, the Reagan administration is currently considering what type of trade relationship the United States is to have with the Soviet Union. Specifically, the administration is considering how and under what circumstances grain trade is to continue with the Soviet Union.

I am confident that no one doubts that grain exports are an important aspect of the American farm economy. I am confident, too, that no one doubts that a long-term agreement on grain trade offers the United States the best possible protection against disadvantageous buying practices by the Soviet Union.

The reason that a new long-term grain agreement has not already been negotiated lies in the realm of foreign policy and not economics. It has been said that the United States ought not to help the Soviet Union, particularly as long as its repression continues in Poland. It is said, too, that we cannot consistently expect the European nations to restrict their participation in the Soviet natural gas pipeline as long as the United States continues to export grain to the Soviet Union.

But the fact is that U.S. grain trade is a far different enterprise than the natural gas pipeline. U.S. grain trade is not based upon the extension of credit, and it is certainly not based upon the extension of subsidized credit. Grain is traded in exchange for cash. The natural gas pipeline, on the other hand, will be financed at subtantially subsidized rates by West European nations. This point is made clearly in the Wall Street Journal editorial of July 19 entitled "Rubles on the Barrelhead." "The big problem with the Siberian pipeline deal is that it will be financed with Western capital at below-market rates."

The editorial draws the correct conclusion: "If the Europeans sold pipelines on the same terms that the United States sells grain, there would be no problem." The reality is that without European government backing for a substantial portion of credit for the Soviet Union, there would not likely be sufficient private capital forthcoming to construct the gas pipeline at this point.

Our trade relationship with the Soviet Union must be based on a policy which serves our national interest. This requires a policy which is coherent, clear, and consistent. I am hopeful that the administration and Members of the Congress will consider carefully the points raised in the Wall Street Journal editorial, and I ask that it be reprinted in full.

The editorial referred to is as follows:

RUBLES ON THE BARRELHEAD

Our European allies, not to mention critics in the U.S., have been clamorously insisting that there is a huge inconsistency in Reagan administration policy on East-West trade. While we try to torpedo the Siberian gas pipeline deal with Western Europe, the U.S. grain trade continues unabated.

Some wind may go out of that argument in coming days if, as expected, the Reagan administration announces its refusal to negotiate a new long-term agreement with Moscow. Most observers think the administraton, balancing election-year realities against European complaints, will opt for a one-year extension of the agreement, which dates from 1975.

But this isn't likely to silence the complaints, since the Soviets would still be free to buy a lot of U.S. grain in the coming year. The real point that the administration should be trying to make to its critics is that the grain trade/pipline analogy is misplaced. If the Europeans sold pipelines on the same terms that the U.S. sells grain, there would be no problem.

As we have so often said, the big problem with the Siberian pipeline deal is that it will be financed with Western capital at below-market rates. This not only represents a large net transfer of resources to our sworn enemy, it makes the Western financial system vulnerable to future Soviet economic and political demands. When the Europeans made it clear they didn't intend to abide by even the minimal credit restraints of the Versailles communique, Mr. Reagan had no choice but to take the direct action against the pipeline. Ex those subsidies, he would see no huge objection to the pipeline deal—though we question whether there would be any deal.

The U.S. grain sales to the Soviets receive no such credit subsidies. In 1973, the Soviets moved suddenly into the grain markets, not only acting on inside information about their own bad harvest, but taking advantage of U.S. taxpayer-funded programs to subsidize grain exports. This became known as the "Great Grain Robbery," and the U.S. quickly took steps to see that it would not happen again. Indeed, this was the origin of the long-term agreement to stabilize the grain trade—on a non-subsidized basis.

Not only that, but the Soviets do not receive the ordinary Commodity Credit Corp. loans for grain exports, or for that matter subsidies for manufactured goods. This is prevented by the lack of Most Favored Nation status, banned by the Jackson-Vanik amendment on Jewish immigration from the U.S.S.R. Given the purpose of the amendment, its effect is a bit fortuitous; too bad MFN status was not also denied Poland, where the CCC got stuck for a bundle. But nonetheless the U.S., unlike its European allies, has not been given subsidies to the Russians.

What the critics seem to be arguing is that only a grain embargo would make Reagan policy consistent on the pipeline. There may be occasions when a trade embargo is necessary. As a practical matter, however, embargoes seldom seem to work very well; in general, policy seems to work best when it works with the markets, rather than against them.

But this is true of credit subsidies as well. So we see no inconsistency in American policy. We are merely asking the Europeans to impose the same restraints on themselves as the U.S. has for some years. In Soviet trade, the principle should be rubles on the barrelhead. Better yet, hard currency on the barrelhead.●

PROPOSED ARMS SALES

● Mr. PERCY. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive advance notification of proposed arms sales under that act in excess of $50 million or, in the case of major defense equipment as defined in the act, those in excess of $14 million. Upon such notification, the Congress has 30 calendar days during which the sale may be prohibited by means of a concurrent resolution. The provision stipulated that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Foreign Relations Committee.

In keeping with my intention to see that such information is available to the full Senate, I ask to have printed in the RECORD at this point the notifications which have been received. Any portion which is classified information has been deleted for publication, but is available to Senators in the office of the Foreign Relations Committee, room 4229, Dirksen Building.

The material referred to follows:

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, D.C., July 1, 1982.
In reply refer to: I-02168/82ct.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C. 20510

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding under separate cover Transmittal No. 82-66, concerning the Department of the Navy's proposed Letter of Offer to Japan for defense articles and services in excess of $50 million. Since most of the essential elements of this proposed sale are to remain classified, we will not notify the news media.

Sincerely,

WALTER B. LIGON,
Acting Director.

TRANSMITTAL No. 82-66

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Arms Export Control Act.

(i) Prospective purchaser: Japan.

(ii) Total estimated value:

	Millions
Major defense equipment[1]	$16
Other	$74
Total	$90

[1] As defined in Section 47(6) of the Arms Export Control Act.

(iii) Description of articles or services offered: [Deleted.]

(iv) Military department: Navy (AFM).

(v) Sales commission, fee, etc., paid, offered, or agreed to be paid: None.

(vi) Sensitivity of technology contained in the defense articles or defense services proposed to be sold: See annex under separate cover.

(vii) Section 28 report: Case not included in section 28 report.

(viii) Date report delivered to Congress: July 1, 1982.

POLICY JUSTIFICATION

[Deleted.]

[Deleted.]

[Deleted.]

[Deleted.]

The sale of this equipment and support will not affect the basic military balance in the region.

[Deleted.]

Implementation of this sale will require the assignment of one additional U.S. Government employee and five contractor representatives to Japan for nine years.

There will be no adverse impact on U.S. defense readiness as a result of this sale.

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, D.C. July 6, 1982.
In reply refer to: I-02169/82ct.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 82-67, concerning the Department of the Air Force's proposed Letter of Offer to Japan for defense articles and services estimated to cost $56 million. Shortly after this letter is delivered to your office, we plan to notify the news media.

Sincerely,

WALTER B. LIGON.
Acting Director.

TRANSMITTAL No. 82-67

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Arms Export Control Act

(i) Prospective purchaser: Japan.

(ii) Total estimated value:

	Millions
Major defense equipment[1]	$44
Other	$12
Total	$56

[1] As defined in Section 47(6) of the Arms Export Control Act.

(iii) Description of articles or services offered: Two C-130H aircraft with spares and support equipment.

(iv) Military department: Air Force (SDU).

(v) Sales commission, fee, etc., paid, offered, or agreed to be paid: None.

(vi) Sensitivity of technology contained in the defense articles or defense services proposed to be sold: None.

(vii) Section 28 report: Case not included in section 28 report.

(viii) Date report delivered to Congress: July 6, 1982.

POLICY JUSTIFICATION

JAPAN—C-130H AIRCRAFT AND SUPPORT

The Government of Japan has requested the purchase of two C-130H aircraft with spares and support equipment at an estimated cost of $56 million.

Japan is one of the major political and economic powers in the East Asia and the Western Pacific and a key partner of the United States in ensuring the peace and stability of that region. It is vital to the U.S. national interest to assist Japan in developing and maintaining a strong and ready self-defense capability which will contribute to an acceptable military balance in the area. This sale is consistent with these U.S. objectives and the 1960 U.S.-Japan Treaty of Mutual Cooperation and Security.

These C-130H aircraft will be used in a transport role in support of the Japan Self Defense Force.

The sale of this equipment and support will not affect the basic military balance in the region.

The prime contractor will be the Lockheed Corporation of Marietta, Georgia.

Implementation of this sale will require the assignment of approximately one additional U.S. Government and three U.S. contractor personnel to Japan for a minimum of one year.

There will be no adverse impact on U.S. defense readiness as a result of this sale.

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, D.C., July 6, 1982.
In reply refer to I-02151/82ct.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 82-68, concerning the Department of the Army's proposed Letter of Offer to Greece for defense articles and services estimated to cost $47 million. Shortly after this letter is delivered to your office, we plan to notify the news media.

You will also find attached a certification as required by Section 620C(d) of the Foreign Assistance Act of 1961, as amended, that this action is consistent with Section 620C(b) of that statute.

Sincerely,

WALTER B. LIGON,
Acting Director.

TRANSMITTAL No. 82-68

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Arms Export Control Act

(i) Prospective purchaser: Greece.

(ii) Total estimated value:

	Millions
Major defense equipment[1]	$44
Other	3
Total	47

[1] As defined in Section 47(6) of the Arms Export Control Act.

(iii) Description of articles or services offered: Forty-eight M109A2 155mm self-propelled howitzers with support equipment, spare parts, and services.

(iv) Military department: Army (WPJ).

(v) Sales commission, fee, etc., paid, offered, or agreed to be paid: None.

(vi) Sensitivity of technology contained in the defense articles or defense services proposed to be sold: None.

(vii) Section 28 report: Included in report for quarter ending June 30, 1981.

(viii) Date report delivered to Congress: July 6, 1982.

POLICY JUSTIFICATION

GREECE—HOWITZERS

The Government of Greece had requested the purchase of forty-eight M109A2 155mm self-propelled howitzers with support equipment, spare parts, and services at an estimated cost of $47 million.

This sale will contribute to the foreign policy and national security objectives of the United States by improving the military capabilities of Greece in fulfillment of its NATO obligations; furthering NATO rationalization, standardization, and interoperability; and enhancing the defense of the Western Alliance.

This weapon system is required by the Government of Greece to augment and upgrade medium artillery already on-hand in the Hellenic Army (HA). The HA will have no difficulty in absorbing this weapon system since it already has 51 of the earlier M109A1 configuration howitzers. These items will be provided in accordance with and subject to the limitations on use and transfer provided for under the Arms Export Control Act, as embodied in the terms of the sale.

The sale of this equipment and support will not adversely affect either the basic military balance in the region or U.S. efforts to encourage a negotiated settlement of the Cyprus question.

The prime contractor will be the Bowen-McLaughlin-York Company of York, Pennsylvania.

Implemtation of this sale will require the assignment of no more than two additional U.S. Government or contractor personnel to Greece for a period of about five days.

There will be no adverse impact on U.S. defense readiness as a result of this sale.

UNDER SECRETARY OF STATE FOR SECURITY ASSISTANCE, SCIENCE AND TECHNOLOGY,
Washington, D.C., June 29, 1982.

Pursuant to section 620C(d) of the Foreign Assistance Act of 1961, as amended (the

Act), and the authority vested in me by Department of the State Delegation of Authority No. 145, I hereby certify that the provision to Greece of 48 M109A2 self-propelled howitzers is consistent with the principle contained in section 610C(b) of the Act.

This certification will be made part of the certification to the Congress under section 36(b) of the Arms Export Control Act regarding the proposed sale of the abovenamed articles and is based on the justification accompanying said certification, and of which such justification constitutes a full explanation.

JAMES L. BUCKLEY.

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, D.C., July 13, 1982.
In reply refer to I-20096/82ct.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 82-70 and under separate cover the classified annex thereto. This Transmittal concerns the Department of the Air Force's proposed Letter of Offer to Malaysia for defense articles and services estimated to cost $260 million. Shortly after this letter is delivered to your office, we plan to notify the news media of the unclassified portion of this Transmittal.

Sincerely,

WALTER B. LIGON,
Acting Director.

TRANSMITTAL No. 82-70

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Arms Export Control Act

(i) Prospective purchaser: Malaysia.

(ii) Total estimated value:

	Millions
Major defense equipment [1]	$160
Other	100
Total	260

[1] As defined in Section 47(6) of the Arms Export Control Act.

(iii) Description of articles or services offered: Fourteen F-5E and two F-5F aircraft with government-furnished aeronautical equipment, support equipment, and spares.

(iv) Military Department: Air Force (SDA).

(v) Sales commission, fee, etc., paid, offered, or agreed to be paid: None.

(vi) Sensitivity of technology contained in the defense articles or defense services proposed to be sold: See Annex under separate cover.

(vii) Section 28 report: Included in report for quarter ending June 30, 1982.

(viii) Date report delivered to Congress: July 13, 1982.

POLICY JUSTIFICATION

MALAYSIA—F-5 AIRCRAFT

The Government of Malaysia has requested the purchase of 14 F-5E and two F-5F aircraft with government-furnished aeronautical equipment, support equipment, and spares at an estimated cost of $260 million.

This sale is consistent with the U.S. policy of assisting other nations to provide for their own defense and security. Malaysia, a key member of the Association of Southeast Asian Nations and strategically located along the Strait of Malacca, has assumed a position of regional importance thus supporting reasonable requests for defense articles and services. It is believed that this purchase by Malaysia, part of its planned defense modernization program, will contribute to regional stability and be viewed by moderate neighboring states as evidence of U.S. support for their independence.

Malaysia needs additional fighter aircraft to expand its defensive capabilities in view of Soviet-backed Vietnamese aggression in the area and because of the recent decision of Australia to decrease the number of fighter aircraft based in Malaysia. These newly purchased aircraft will be employed primarily in an air defense role with a backup mission of providing ground attack support for conventional and counter-insurgency operations. The sale will allow the Royal Malaysian Air Force to use existing facilities, supply support arrangements, and technicians. No significant support or operational problems are anticipated.

The sale of this equipment and support will not affect the basic military balance in the region.

The prime contractor will be the Northrop Corporation of Hawthorne, California.

Implementation of this sale will not require the assignment of any additional U.S. Government or contractor personnel to Malaysia.

There will be no adverse impact on U.S. defense readiness as a result of this sale.

DEFENSE SECURITY ASSISTANCE AGENCY,
Washington, D.C., July 13, 1982.
In reply refer to I-01804/82ct.

Hon. CHARLES H. PERCY,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 82-71 and under separate cover the classified annex thereto. This Transmittal concerns the Department of the Army's proposed Letter of Offer to Singapore for defense articles and services estimated to cost $30 million. Shortly after this letter is delivered to your office, we plan to notify the news media of the unclassified portion of this Transmittal.

Sincerely,

WALTER B. LIGON,
Acting Director.

TRANSMITTAL No. 82-71

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Arms Export Control Act

(i) Prospective purchaser: Singapore.

(ii) Total estimated value:

	Millions
Major defense equipment [1]	$22
Other	8
Total	30

[1] As defined in Section 47(6) of the Arms Export Control Act.

(iii) Description of articles or services offered: Six AN/TPQ-36 mortar locating radar systems with required support equipment, spare parts, and support services.

(iv) Military department: Army (URK).

(v) Sales commission, fee, etc., paid, offered, or agreed to be paid: None.

(vi) Sensitivity of technology contained in the defense articles or defense services proposed to be sold: See Annex under separate cover.

(vii) Section 28 report: Included in report for quarter ending June 30, 1982.

(viii) Date report delivered to Congress: July 13, 1982.

POLICY JUSTIFICATION

SINGAPORE—AN/TPQ—36 RADAR SYSTEMS

The Government of Singapore has requested the purchase of six AN/TPQ-36 mortar locating radar systems with required support equipment, spare parts, and support services at an estimated cost of $30 million.

This proposed sale will contribute to the foreign policy and national security objectives of the United States by helping to improve the security of a friendly country which is a continuing force for peace and regional stability in Southeast Asia since Singapore's location allows access to both the Indian and Pacific Oceans.

Recognizing that its small size could make Singapore a target of aggression, Singapore's defense strategy has been to make it clear that an attack would be unprofitably expensive. The AN/TPQ-36 mortar locating radar system would enable Singapore forces to locate and bring immediate fire upon enemy mortar, artillery, and rocket-launching positions, silencing them before they can adjust their fire on friendly units and positions. Singapore has both the technical competence and maintenance facilities necessary to absorb the mortar locating radar. This weapons system will enhance Singapore's capability to defend itself and the sea lanes and facilities vital to the free world.

The sale of this equipment and support will not affect the basic military balance in the region.

The prime contractor will be the Hughes Aircraft Corporation of Fullerton, California.

Implementation of this sale will require the assignment of two additional U.S. Government personnel and one contractor representative to Singapore for four months.

There will be no adverse impact on U.S. defense readiness as a result of this sale.●

THE EIGHTH ANNIVERSARY OF THE INVASION OF CYPRUS

● Mr. KENNEDY. Mr. President, today marks the eighth anniversary of the Turkish invasion of the Republic of Cyprus. Thirty thousand Turkish troops continue their illegal occupation of the island, and 200,000 Cypriots remain separated from their homes and land.

The intransigence of Turkey and of the Turkish Cypriots must stop. Instead, they must put forth serious proposals to achieve a just and lasting peace. For such a peace to be lasting, it must recognize the legitimate rights of all Cypriots, Greek and Turkish.

I have urged in the past, and will continue to urge the Reagan administration to press for a settlement that will address with full justice the needs of both parties to the conflict. The United States should support the complete implementation of United Nations Resolution 3212, including the withdrawal of all Turkish military forces from Cyprus, the complete accounting of all those missing as a result of the invasion, the return of all refugees to their homes, the cooperation of all parties in achieving a negotiated solution, with full peace and respect for human rights in Cyprus. I am proud that, at my request, the

Democratic Party has expressed its support for these objectives in both the 1980 platform and the 1982 statement of the National Party Conference.

Mr. President, the people of Cyprus deserve far better than successive anniversaries marking the failure to achieve the withdrawal of Turkish troops from their land. This tragic situation has gone on for too long. Let us strive to insure that the next anniversary we celebrate is one marking the foundation of an independent Cyprus which respects the rights of all its inhabitants.●

KEEPER OF THE FLAME

● Mr. GOLDWATER. Mr. President, too often in the normal day-to-day routine that absorbs so much of our time, we tend to overlook the very reasons for our existence as a free nation. Here, in our Nation's Capital, we are surrounded by symbols that represent the meaning and the power of a free, democratic society. Yet, the most famous of our national symbols stands on an island in the harbor of New York City. The Statue of Liberty is not only a constant reminder of what we are and who we are but it also stands as a beacon of hope for the less fortunate people of the world. In a recent article in the New York Times, Charlie DeLeo described his feelings concerning what this unique monument meant to him and what he felt it symbolized to the world. Mr. DeLeo writes that "this 225-ton woman symbolizes much of what Americans hold dear—the active pursuit of freedom, a generous spirit and the welcoming of all peoples regardless of their backgrounds or circumstances."

Mr. President, I would like to thank the author for having written this article, and I ask that it be printed in the RECORD for my colleagues to enjoy.

The article follows:

[From the New York Times, July 5, 1982]

KEEPER OF THE FLAME

(By Charlie DeLeo)

I've known her since the age of 9 when my fourth-grade teacher took our class of Lower East Side kids on a ferry ride to visit "Miss Liberty." I was spellbound, overawed by the 302-foot (including her pedestal) structure towering above us, giddy over the adventure of climbing the narrow, winding 16-story staircase to the crown. A little fearful, our class gathered in front of the 23 windows in her diadem and stared down at the toylike ships in New York Harbor.

I felt a small shiver during that moment. It was the beginning of a beautiful, mystical relationship. Our teacher explained that this 225-ton woman symbolized much of what Americans hold dear—the active pursuit of freedom, a generous spirit and the welcoming of all peoples regardless of their backgrounds or circumstances.

As I grew older, I visited Miss Liberty on my own, or sometimes a friend and I would go on a summer's day to picnic in her shade and follow her gaze out to sea. Her look, I thought, was serene but resolute. There was an expression of strength and courage sculpted into her features.

In my late teens, I left my home and New York and the guardian of its harbor to go to Vietnam. When I returned home in 1969, I went aimlessly from one job to the next. I couldn't discover why.

On a spring day in 1972, I decided to take the ferry out to Miss Liberty's 12-acre island and collect my thoughts. As the boat plowed through the choppy waters, I felt an urging that I'd never experienced before. But there it was, very insistent. *Ask for a job here!* So, when I stepped off the boat, I walked into the office and did just that, and I was hired on the spot.

As a member of the maintenance crew, I scraped and painted Liberty's spiral staircases, cleaned her windows and replaced them with screens for the warm months, swept her paths and picked up candy wrappers and soda cans left behind by her visitors. Here at last I was caring for something, an intricate part of our heritage. My grandparents were among the throngs standing at a ship's railing, straining to catch the first glimpse of this statue; I feel fortunate to be one of those people responsible for her care.

Sometimes I take a coffee break while perched on one of her eight-foot-long fingers, where I sit in the open air 34 stories above the harbor. What a curious, great sensation to feel the brisk harbor breezes pushing at me and yet all the while feeling secure in that precarious place, secure in the hand of Liberty.

Liberty holds in her left hand a tablet emblazoned with our date of independence, "July IV, MDCCLXXVI." But it is what she holds in her right hand that has consistently fascinated me.

I remember the day, shortly after I began working at the statue, when I unlocked the metal gate leading to her right arm. I slowly climbed the 42-foot ladder—closed to tourists now—leading me through Miss Liberty's arm. The ladder, only 12 inches wide, ended at a trapdoor. I put my shoulder to the hatch and came out to the most glorious view of the Verrazano Bridge, New Jersey flatlands, Brooklyn docks and Manhattan skyscrapers.

There I was, standing just below the torch, its 200 panes of amber glass sending out a 2,000-watt beacon from four high-intensity sodium vapor lamps. I was so drawn to this lofty hideaway with its bird's eye view of God's world that I often took my lunch up there.

My supervisor learned of my frequent trips up to the torch and called me into his office one day. I knew he was going to yell at me because the right arm and torch were off limits.

Instead, he said, "Well, since you're spending so much time up there, I thought we'd just put you in charge of it. You'll have to keep the glass cleaned, check the stairs, maintain the area and see to it that the flame is always burning. What do you say?"

So now I'm the Keeper of the Flame. And I climb up every day to check the lamps and polish the amber panes so that the rays of light will continue to reach as far as possible.

The afternoon sun is high as I look out over the railing—out to the sea and the lands beyond, then over to the mainland with its factories and rows of homes and stiltlike office buildings. I think beyond to the suburbs and to the farms and to the cities and villages beyond them—to all parts of America.

And I say a prayer for all Americans. I pray that we will enjoy the fullness of life in the spirit of liberty; that we will cling to those ideals that have made our country a beacon around the world, and that every man, woman and child will come to know life, liberty and the pursuit of happiness that God intended for us all.●

CYPRUS WILL NOT AND CANNOT BE FORGOTTEN

● Mr. TSONGAS. Mr. President, July 20 marks the eighth anniversary of the Turkish invasion of Cyprus. Today, we must renew our pledge to bring about a prompt and just settlement of the conflict in Cyprus, and restore, at long last, that nation to its own people.

Since 1974, over 200,000 Greek Cypriots live as refugees in their own country; another 2,000 are listed as missing persons. Thirty thousand Turkish troops continue to occupy the island at an enormous cost to the economically distressed Government of Turkey. This situation is a strong deterrent to any solution which may otherwise be reached, and an obvious drain on a military budget heavily supported by U.S. foreign aid dollars. This year President Reagan proposed an increase in military assistance to Turkey of $50 million. Fortunately, the Senate Foreign Relations Committee struck down this amount, and restored $15 million which had been eliminated by President Reagan in aid to Cyprus. Certainly the President's proposal ignored the real needs in Cyprus, and is an insensitive response to the concerns of Greeks, Cypriots, and Greek-Americans alike.

Aside from financial considerations, the unstable situation in Cyprus jeopardizes our security interests in the Eastern Mediterranean and is the major impediment in the restoration of friendly relations between our NATO allies, Greece, and Turkey. The United States can play a role in reducing tension and insuring the return of stability in the region.

We must send a clear message to both Turkey and our own administration—that Cyprus will not and cannot be forgotten. A settlement on Cyprus is essential to its humanitarian and economic goals, as well as to U.S. foreign policy objectives in the Aegean. I remain committed to working for a peaceful resolution to this tragic problem.●

AMERICA'S FREEDOM RIDE

● Mr. LUGAR. Mr. President, on September 17, 1982, America will celebrate the 200th anniversary of the Constitution. In recognition of this historical passing, America's Freedom Ride will be staging a 9,500 mile continuous bicycle journey through all 50 States. This historic journey will begin

August 2 in New York City and culminate on the steps of the National Archives where the Constitution is kept.

It is with great pleasure that I take this opportunity to lend my support to America's Freedom Ride commemoration of the 200th anniversary of the Constitution. After the Declaration of Independence, the next important document in our national history is the Constitution. I appreciate the opportunity to pay tribute to a document unique in the history of the world.

America's Freedom Ride symbolizes several charateristics embodied in our constitutional heritage. As a participatory event, it requires mutual cooperation, individual initiative, and sacrifice. These are hallmarks of the American spirit and have time and again contributed to making ours a great and free Nation. America's Freedom Ride will also serve as an example of the personal and national benefits of improved personal physical fitness.

One of our most pressing problems today is the need for adequate and cost-effective health care. No amount of redistribution or additional Government control will serve to restrain health costs. Self-help and personal responsibility are the only sure routes to reduced costs and a healthier America. Cycling through the cities and countryside will encourage physical fitness and contribute to the development of happy, healthy, and harmonious individuals, and this makes for a stronger Nation.

I am hopeful that America's Freedom Ride will inspire all Americans to experience a more physically fit and productive lifestyle. This celebration should also remind all Americans of the sacrifices made by their ancestors and of their role in contributing to America's hopes for the future.●

CAPTIVE NATIONS WEEK

● Mr. ZORINSKY. Mr. President, this week, July 18–24, marks the 24th observance of Captive Nations Week in this country. With martial law continuing in Poland and the Afghanistan war dragging on, it is more important than ever that we pause at this time to remember the subjugation and enslavement of people under Soviet communism.

There now are more than 30 captive nations in Central Europe, Asia, Africa, Latin America, and within the Soviet Union itself. Their populations total some 1 billion people. But the desire for liberty and independence still lives in the hearts of the overwhelming majority of these conquered residents. And this desire constitutes a powerful deterrent to the wishes of their Communist oppressors.

These freedom-loving people continue to view the United States as the citadel of human freedom and human rights and as the leader in bringing about their ultimate independence.

Let us once again affirm our determination to work for the restoration of freedom for these captives. Their plight and suffering remain in our minds, just as the desire for freedom still burns in their souls. We shall not rest until the heavy yoke of communism is lifted, once and for all, from their shoulders.●

BISHOP JAMES OGLETHORPE PATTERSON

● Mr. METZENBAUM. Mr. President, the Ohio north jurisdiction of the Church of God in Christ is meeting in convention this week in Cleveland at the Calvary Hill Church of God in Christ.

The convention is a special occasion for two important reasons.

First, Mr. President, the convention will observe the 50 anniversary of the establishment of the Ohio north jurisdiction.

Second, the delegates to the convention will celebrate their golden jubilee in the presence of Bishop James Oglethorpe Patterson, the international presiding bishop of the Churches of God in Christ.

Bishop Patterson presides over a church with a worldwide membership of almost 3 million people, making it the world's third largest black voluntary organization.

Bishop Patterson, who was born in a small community in Mississippi in 1912, received his theological training at the Howe School of Religion in Memphis. He was ordained to the ministry in 1935. The first assignment of his long and distinguished career was as pastor to a congregation of only eight members.

It was not long, however, before Bishop Patterson was called upon to assume ever-increasing responsibilities within his church, among them general secretary, member of the board of directors, pastor of Pentecostal Temple, and manager of the publishing house of the Church of God in Christ.

In 1968 Bishop Patterson was elected to be his denomination's presiding bishop. Under his administration, a theological seminary has been established in Atlanta, a system of bible colleges has been created, and a Church of God in Christ hospital fund, a book store, and a thriving publishing house operate out of the Memphis headquarters of the church.

Bishop Patterson's life has been one of utmost dedication and I am pleased to join with Bishop Nobert S. Fields of the Ohio north jurisdiction, the convention delegates and the members of the Calvary Hill Church of God in Christ in welcoming this distinguished religious leader to Cleveland.●

REAGAN ADMINISTRATION OPPOSITION TO NUCLEAR TEST BANS

● Mr. CRANSTON. Mr. President, the reported decision by the Reagan administration yesterday to abandon efforts to achieve a comprehensive ban on nuclear bomb tests demonstrates once again the radical nature of the nuclear arms policies of President Reagan.

President Reagan has already opposed ratification of SALT II, a treaty negotiated under three administrations, Democratic and Republican, and signed by the Presidents of the United States and the Soviet Union.

And the Reagan administration has recently given the green light to commercial use of nuclear weapons grade plutonium around the world as an everyday article of international commerce.

Yesterday's decision against any further efforts toward a nuclear test ban is but another of these steps which isolate the United States in the international community. It places emphasis on an arms buildup instead of on genuine, equitable, balanced arms reductions. Every President since John Kennedy has sought a comprehensive test ban. It is noteworthy that the administration was reluctant to explain its decision or even to announce its conclusion that still more nuclear bomb testing will improve our security because of fears of the reaction of the American people and our allies.

Today the White House has said it will reopen the Threshold Test Ban Treaty already signed and sent to the Senate because it is not satisfied with the extensive verification procedures worked out by the Ford administration and the Soviets. The Reagan administration insists on reopening verification provisions on a treaty—that because of its high threshold for nuclear tests—is relatively easy to verify. This extreme position bodes ill for the success of any arms control negotations between the Reagan administration and the Soviet Union.●

FRANK P. MOOLIN, JR.

● Mr. MURKOWSKI. Mr. President, just prior to the Independence Day recess, I was saddened to learn of the demise of my friend, Frank P. Moolin, Jr. I had the distinct pleasure of working with Frank on the board of directors of Alaska International Industries for several years. In addition to his duties as chief executive officer of A.I.I., he served as special assistant to Mr. Neil Bergt, chief executive officer of Western Airlines.

Frank Moolin was most widely known for his work on the Alaska pipeline. Frank began working as senior project officer for the pipeline project in 1973 and, within 2 years,

was given full charge of construction—the largest construction project in the history of the free world. Upon completion of the pipeline, he was named construction man of the year.

Frank was a good friend and a fine professional who will be missed by all his friends and colleagues who knew him personally or worked with him.

The Anchorage Times has published an article about Frank Moolin which was an excellent portrayal of his accomplishments and I ask that it be printed at this point in the RECORD:

[From the Anchorage Times; June 30, 1982]

PIPELINE CONSTRUCTION FIGURE DIES OF LEUKEMIA

(By Jeff Berliner)

One of the most important figures in the construction of the trans-Alaska pipeline—Frank P. Moolin Jr.—died Tuesday in Seattle at the University of Washington hospital after a long battle against leukemia. He was 48.

Moolin was a key figure in the Alaska construction industry and was named Construction Man of the Year for the nation in 1976 by Engineering News-Record magazine.

At the time of his death, Moolin was on leave as president and chief executive officer of Alaska International Industries to work as special assistant to Western Airlines chairman Neil Bergt.

Arco Alaska Inc. hired Moolin in 1973 in San Francisco to begin engineering work on the pipeline. A year later he came to Alaska on loan to Alyeska Pipeline Co. He was the senior project manager overseeing a $4.3 billion budget with 400 active contracts. He was responsible for 14,000 workers at the 19 construction camps scattered along the pipeline route.

"Anything involved in pipeline construction—he was in charge of," said Kay Eliason who managed pipeline construction under Moolin's supervision. "He was the most significant person on the project—in complete charge of the entire pipeline construction."

Eliason remembers Moolin as "a very dynamic leader" who worked 20 hours a day. "He could keep more balls in the air than any juggler I've ever seen."

Moolin left his Fairbanks office and went out into the field in the last year of the project—taking personal command of getting the nation's largest private construction project completed.

It was his work in guiding the pipeline construction which earned Moolin the Construction Man of the Year award.

Following pipeline construction, he formed his own firm, Frank Moolin & Associates Inc. It is an energy engineering, management and construction firm working with Alaska International Construction. Both were subsidiaries of AII.

Moolin formed his company with 24 management supervisory personnel who worked under him in the pipeline days. In April 1978, Moolin became president and chief executive officer of AIC and a year and a half later was promoted to the presidency of AII.

AII owner Bergt then wooed Moolin to Los Angeles to help him guide Western Airlines when Bergt was named its chairman.

Before beginning his trans-Alaska pipeline work, Moolin helped supervise the $100 million DuPont Atomic Commission waste storage project.

From 1967-71 Moolin worked for Esso Research and Engineering Co. as project engineer for refineries in France, Singapore and parts of the Far East.

Prior to that; he was one of the four engineers who developed the Bay Area Rapid Transit System (BART) in the San Francisco area.

A Chicago native, Moolin graduated magna cum laude from the University of Illinois in civil engineering. He did graduate work at the Illinois Institute of Technology.

Moolin leaves his wife Ruth, a son Stephen, and a daughter Debra who is getting a civil engineering degree from Syracuse University.

His family is establishing a memorial fund to help up-and-coming civil engineering students. Contributions may be sent to the Frank Patrick Moolin Foundation, 2518 E. Tudor Road, Anchorage.

A private family burial service is being planned in Chicago.●

SERVICE SECTOR JOBS LEAD GOODS PRODUCTION JOBS

● Mr. INOUYE. Mr. President, on several recent occasions, I have brought to the attention of my colleagues articles which I think may be of interest, regarding the service sector and its economic significance.

There is a growing recognition of the importance of the service sector as the principal dynamic sector in the modern U.S. economy. Service jobs are those in which the value added derives from the labor and knowledge and do not yield a manufactured or processed product.

Current job category statistics collected by the Federal Government do not accurately emphasize the importance of services since they include many service jobs in the goods production category and excludes service jobs in retailing, utilities, transportation, and government. Notwithstanding these definitional problems, it is noteworthy that the Department of Labor reports that for the first time jobs in the service sector—consumer, financial, and service industries—have outstripped those in the goods production sector by approximately 300,000.

According to the New York Times, the New York region Commissioner of the Department's Bureau of Labor Statistics has noted, "The shift to a service economy has meant moves increasingly to knowledge workers. It's clear that we're moving into jobs of greater diversity and into jobs that are more interesting."

Much of the loss in the manufacturing sector has been due to the severe recession into which this country has slipped. In the long run, however, there is proceeding a more fundamental restructuring of this Nation's economy toward fewer jobs in manufacturing and increasingly toward services.

I ask that the article from the New York Times be reprinted in the RECORD at this time.

The article follows:

SERVICE INDUSTRIES GAIN IN JOB TOTALS

(By Damon Stetson)

Employment in the consumer, financial and service industries has moved above the job total in the production industry for the first time in the history of the American economy, according to Labor Department data.

By April these industries, the most rapidly growing sectors of the national job market, employed 24.3 million workers, about 300,000 above the number employed in the goods-producing sector, which includes manufacturing, construction and mining.

In discussing what he called an economic milestone, Samuel M. Ehrenhalt, Regional Commissioner of the Bureau of Labor Statistics, said the changed relationship reflected not only the long-term shift toward a more service-oriented economy but also the weakness in goods production that has resulted from the current recession.

JOBS ARE NOT ALL LOW-PAYING

"A substantial proportion of the service-oriented job growth," Mr. Ehrenhalt said, "has been in professional, technical, managerial, administrative and problem-solving sectors. By no means are they primarily in the low-pay end of the job spectrum.

"They range from top-level professionals to clerical and maintenance work. But clerical work and computer operation today require more knowledge than industrial operations, and maintenance work is more mechanized than ever. The shift to a service economy has meant moves increasingly to knowledge workers. It's clear that we're moving into jobs of greater diversity and into jobs that are more interesting."

From April 1981 to last April, employment in goods-producing industries was down by 1.3 million nationwide, compared with a gain of nearly half a million in the service and finance industries, Mr. Ehrenhalt reported.

Other sectors in the economy, including wholesale and retail trade, transportation, public utilities and government, employed 41.6 million people in April, down 280,000 from a year ago.

The continuing trend toward a service-oriented society, Mr. Ehrenhalt said, has been a factor in pulling more and more women into the workplace. The bulk of production jobs are blue-collar and are held by men, he said. But the largest occupational group today is clerical, whereas it used to be blue-collar operatives. Today, he said, 43 percent of men workers and 66 percent of women workers are in white-collar employment.

Many of the jobs in the service, financial and consumer sectors, particularly the more sophisticated jobs, tend to be in urban areas. Mr. Ehrenhalt said. This may offer some hope, he went on, for the revival of the cities and may also mean more interesting and challenging work in contrast to the routines and monotony of factory assembly lines.

The majority of the increases in service and finance employment over the year were in consumer areas such as health and personal services, amusement and recreation, educational and social services and nonprofit membership organizations. The employment totals in these rose by 333,000, or 2.7 percent, to 12,766,000 over the year.

235,000 MORE HEALTH SERVICE JOBS

Most of this rise, Mr. Ehrenhalt said, was in health services, which added 235,000 jobs over the year, to a total of 5,717,000.

Business service employment rose by 47,000 or 1.5 percent to 3,248,000, and financial services, which include banking, credit agencies, securities, insurance and real estate activities, moved up by 44,000, or 0.8 percent, to 5,312,000.

Other services, including automotive and repair, legal, engineering and accounting services, were up 71,000 or 2.9 percent. The largest increase among these in the last year was in legal services, which now employ 552,000 people, 32,700 more than a year earlier. Accounting services have also increased significantly, rising by 19,000 to 358,000 over the year.

In contrast to the increases in the service and finance sectors, Mr. Ehrenhalt said, there were steep recession-related declines in manufacturing, off 1.1 million or 5.5 percent, and construction, down 378,000 or 9.2 percent. But mining jobs rose by 200,000 over the year, mostly reflecting temporarily reduced employment levels in April 1981 resulting from the United Mine Workers strike in the coal industry.

THREE AREAS TRIPLED OVER 30 YEARS

Growth in the consumer, business and financial sectors has tripled in the last three decades, rising by 17 million. As of April, Mr. Ehrenhalt said, these industries accounted for more than 27 percent of all the nation's nonfarm payroll jobs, compared with 16 percent three decades ago. Meanwhile, production employment has fallen from 41 percent to slightly less than the current service figure.

From 1972 to 1981, the sharpest increase in jobs among the consumer, business and financial sectors was in business services, up 1.5 million, or 82 percent. There was a particularly sharp advance for legal services, a part of business services, which was up 261,000, or 96 percent.

There were also substantial increases in engineering and architectural services, up 231,000 or 68 percent, and accounting, auditing and bookkeeping services, up 131,000 or 64 percent.

Jobs in social services more than doubled in this period, rising by more than 600,000. Health service jobs rose by 2.1 million or 63 percent, and amusement and recreational services rose by 269,000 or 53 percent.

The smallest increase between 1972 and 1981 was in the financial services sector, where employment rose by 1.4 million or 36 percent. Jobs in the securities sector were up 58,000 or 29 percent over the nine-year period, while the number of jobs in the insurance industry was up 342,000, or 25 percent. Banking employment rose by half a million or 46 percent, and credit agencies other than banks added 200,000 jobs, a rise of 52 percent.

In the goods-producing area, by contrast, manufacturing jobs increased by 1,022,000 or 5.3 percent and construction jobs by 287,000 or 7.4 percent over the decade. The exception in this area was mining, in which employment rose by 504,000 or 80.3 percent. This reflected growing dependence on coal as a result of the oil shortages in the 1970's and increased exploration for gas and oil, Mr. Ehrenhalt said.●

NOTICE OF DETERMINATION BY THE SELECT COMMITTEE ON ETHICS

● Mr. WALLOP. Mr. President, it is required by paragraph 4 of rule 35 that I place in the CONGRESSIONAL RECORD this notice of a Senate employee who proposes to participate in a program the principal objective of which is educational, sponsored by a foreign government or a foreign educational or charitable organization involving travel to a foreign country paid for by that foreign government or organization.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Mr. Mitch Tyson, legislative assistant to Senator PAUL TSONGAS, to participate in a program sponsored by a foreign educational organization, the Centre for Legislative Exchange, in Ottawa, Canada, on July 22-23, 1982.

The committee has determined that participation by Mr. Tyson in the program in Ottawa, at the expense of the Centre for Legislative Exchange, is in the interest of the Senate and the United States.

The Select Committee on Ethics has received a request for a determination under rule 35 which would permit Ms. Judi Nowottnick, of the staff of Senator DANIEL P. MOYNIHAN, to participate in a program sponsored by a foreign educational organization, the Centre for Legislative Exchange, in Ottawa, Canada, from July 22-23, 1982.

The committee has determined that participation by Ms. Nowottnick in the program in Ottawa, at the expense of the Centre for Legislative Exchange, to discuss effective handling of large volumes of correspondence from the public, is in the interest of the Senate and the United States.●

ORDER FOR PRINTING ADDITIONAL VIEWS OF SENATOR HELMS

Mr. STEVENS. Mr. President, I ask unanimous consent that Senator HELMS' additional views be printed as part II of the report on Senate Joint Resolution 208, with regard to Presidential certifications on conditions in El Salvador.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate go into executive session for the purpose of considering nominations on the Executive Calendar commencing with Calendar No. 853 and including Calendar Nos. 853, 854, and 855.

The PRESIDING OFFICER. Is there objection?

Mr. ROBERT C. BYRD. There is no objection.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. The nominations will be stated.

AIR FORCE

The legislative clerk read the nomination of Maj. Gen. James A. Abrahamson to be lieutenant general.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

FEDERAL MEDIATION AND CONCILIATION SERVICE

The legislative clerk read the nomination of Kay McMurray, of Idaho, to be Federal Mediation and Conciliation Director.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

NATIONAL CREDIT UNION ADMINISTRATION

The legislative clerk read the nomination of Elizabeth Flores Burkhart, of Texas, to be a member of the National Credit Union Administration.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. STEVENS. Mr. President, I move to reconsider the votes by which the nominations were confirmed.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, there is a time for convening tomorrow morning; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate stand in recess in accordance with the previous order.

There being no objection, at 6:25 p.m., the Senate recessed until Wednesday, July 21, 1982, at 9 a.m.

Executive nominations confirmed by the Senate July 20, 1982:

FEDERAL MEDIATION AND CONCILIATION SERVICE

Kay McMurray, of Idaho, to be Federal Mediation and Conciliation Director.

The above nomination was approved subject to the nominee's commitment to re-

spond to requests to appear and testify before any duly constituted committee of the Senate.

NATIONAL CREDIT UNION ADMINISTRATION

Elizabeth Flores Burkhart, of Texas, to be a Member of the National Credit Union Administration for the remainder of the term expiring April 10, 1985.

IN THE AIR FORCE

The following-named officer under the provisions of title 10, United States Code, section 601, to be assigned to a position of importance and responsibility designated by the President under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. James A. Abrahamson, [redacted] FR, U.S. Air Force.

HOUSE OF REPRESENTATIVES—*Tuesday, July 20, 1982*

The House met at 12 o'clock noon.

The Reverend Dr. Ronald E. Dunk, First United Methodist Church of Haddon Heights, N.J., offered the following prayer:

Eternal God, we, Your children, bow before You with grateful hearts. We thank You for this world, Your beloved creation. We thank You that, along with You, we are cocreators. Our task, Lord, is to strive to make our world better. We celebrate Your presence in our midst and seek Your loving guidance. We ask for wisdom in our appointed task. Open our minds and hearts to Your leading that our decisions would be made with deep empathy toward our brothers and sisters, Your children, throughout these United States and in the world that You loved and created. In Your holy name. Amen.

THE JOURNAL

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

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

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States was communicated to the House by Mr. Saunders, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On June 22, 1982:

H.R. 6132. An act to amend section 5590 of the Revised Statutes to provide for adjusting the rate of interest paid on funds of the Smithsonian Institution deposited with the Treasury of the United States as a permanent loan.

On June 23, 1982:

H.R. 4. An act to amend the National Security Act of 1947 to prohibit the unauthorized disclosure of information identifying certain U.S. intelligence officers agents, informants, and sources; and

H.R. 5432. An act to authorize the presentation on behalf of the Congress of a specially struck gold medal to Adm. Hyman George Rickover.

On June 24, 1982:

H.R. 5566. An act authorizing appropriations to the Secretary of the Interior for services necessary to the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts, and for other purposes; and

H.R. 5659. An act to authorize the Smithsonian Institution to construct a building for the National Museum of African Art and a center for Eastern art together with structures for related educational activities in the area south of the original Smithsonian Institution Building adjacent to Independence Avenue at Tenth Street Southwest, in the city of Washington.

On June 28, 1982:

H.J. Res. 519. Joint resolution to provide for a temporary increase in the public debt limit.

On June 29, 1982:

H.R. 3112. An act to amend the Voting Rights Act of 1965 to extend the effect of certain provisions, and for other purposes.

On June 30, 1982:

H.R. 1482. An act for the relief of Christina Boltz Sedders;

H.R. 3816. An act to improve the operation of the Fishermen's Contingency Fund established to compensate commercial fishermen for damages resulting from oil and gas exploration, development, and production in areas of the Outer Continental Shelf;

H.R. 3863. An act to amend the Poultry Products Inspection Act to increase the number of turkeys which may be slaughtered and processed without inspection under such act, and for other purposes.

H.R. 4569. An act to designate the U.S. Post Office Building in Hartford, Connecticut, as the "William R. Cotter Federal Building";

H.R. 4903. An act granting the consent of the Congress to an interstate compact between the States of Mississippi and Louisiana establishing a commission to study the feasibility of rapid rail service between the two States;

H.R. 6631. An act to authorize humanitarian assistance for the people of Lebanon;

H.J. Res. 230. Joint resolution imploring the Union of Soviet Socialist Republics to allow Dr. Semyon Gluzman and his family to emigrate to Israel; and

H.J. Res. 518. Joint resolution to designate the week commencing with the fourth Monday in June 1982 as "National NCO/Petty Officer Week."

On July 12, 1982:

H.R. 3127. An act for the relief of S. Sgt. Anne M. Fisher, U.S. Army Reserve; and

H.R. 6451. An act to amend title 10, United States Code, to revise and codify the permanent provisions of law relating to military construction and military family housing.

On July 18, 1982:

H.R. 6685. An act making urgent supplemental appropriations for the fiscal year ending September 30, 1982, and for other purposes.

THE REVEREND DR. RONALD DUNK

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

Mr. FLORIO. Mr. Speaker, it is a special privilege to welcome Dr. Ronald Dunk, pastor of the First United Methodist Church of Haddon Heights, N.J., as guest chaplain before the House of Representatives.

Dr. Dunk is the first minister to address the House from my district in South Jersey during my service as a U.S. Representative. Dr. Dunk is a respected member of his congregation and community.

Dr. Dunk is embarking on his fifth year with the Haddon Heights Church. In addition to serving his church, he is an avid participant in community affairs. Dr. Dunk is a member of the Lions Club and an applicant to the Juvenile Conference Committee. He has just recently received his doctorate of ministry from Drew University.

Originally from Bridgeport, N.J., Dr. Dunk has served United Methodist Churches in Milltown, South Amboy, and Bricktown. During his 15 years in Bricktown, he was bestowed several awards. In 1964, Dr. Dunk was presented with the Jaycees Distinguished Service Award, and in 1977, was named Citizen of the Year.

Dr. Dunk resides in Haddon Heights with his wife Alice and their five children: MaryBeth, Alisa, Carl, Paul, and Mark.

I am indeed pleased and honored to have sponsored Dr. Ronald Dunk to deliver the invocation for this morning's session of the U.S. House of Representatives.

PRIVATE CALENDAR

The SPEAKER. This is the day for the call of the Private Calendar. The Clerk will call the first individual bill on the Private Calendar.

REMEDIOS R. ALCUDIA, CHRISTOPHER, EZRA, VERMILLION, AND PERISTELLO ALCUDIA

The Clerk called the bill (H.R. 1547) for the relief of Remedios R. Alcudia, Christopher, Ezra, Vermillion, and Peristello Alcudia.

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

LASZLO REVESZ

The Clerk called the bill (H.R. 1352) for the relief of Laszlo Revesz.

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

JENNIFER FERRER

The Clerk called the bill (H.R. 1830) for the relief of Jennifer Ferrer.

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

The SPEAKER. This concludes the call of the Private Calendar.

IRA BOMBING

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

Mr. SHANNON. Mr. Speaker, several terrorist bombs have gone off in London, and the Irish Republican Army says it is responsible.

Friends of Ireland in the United States must ask: Why do those who claim to advance Irish unity march this hopeless path of destruction?

These killers convey a truth that they themselves fail to understand.

A peaceful and united Ireland can never be built on a foundation of bloody, innocent corpses.

Every time a bomb goes off, the unification of Ireland becomes that much more distant.

Irish Americans recognize the IRA for what it is: Men who are dedicated to destruction and death and anarchy—not to the old dream of an Irish Republic.

I speak for all Irish Americans in offering my sympathy to the families of those who were killed and to those who were injured. And I express my deep hope that the perpetrators of these crimes will be quickly brought to justice.

IN SUPPORT OF CONGRESSMAN DELLUMS' SUBSTITUTE TO THE DEFENSE AUTHORIZATION BILL

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

Mr. FAUNTROY. Mr. Speaker, I want to commend my colleague from California, RONALD V. DELLUMS, for his leadership in offering to this body a full substitute to H.R. 6030.

Mr. DELLUMS' leadership on this matter is consistent with his contribution to the Congressional Black Caucus budget, known as the Fauntroy substitute, which was the only budget proposal which incorporated in its provisions the principles of the nuclear freeze.

The Dellums amendment in the nature of a substitute would save our Nation $55 billion by eliminating the MX missile, the Trident II, the Pershing II, and other high technology nuclear weapons which buy us no real security but merely escalate global insecurity.

I appreciate the work of my colleague in continually bringing to this body the challenge to examine our assumptions about the nature of the world's problems and reminding us of the levels of insecurity and danger that are the result of our present reliance on expensive and dangerous nuclear weaponry.

IRA VIOLENCE IS CONDEMNED

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

Mr. FOLEY. Mr. Speaker, I wish to join the distinguished gentleman from Massachusetts (Mr. SHANNON) in expressing shock and outrage at the dastardly attack on innocent individuals in London, which has been claimed by the Irish Republican Army. It is yet another horrifying example of the obscene violence which has been perpetrated by this and other terrorist groups.

I hope that all Americans will respond with a shared determination to see that no funds or other support reach terrorist organizations in Ireland which could be used by them to continue the process of killing innocent men, women, and children in the Republic, Northern Ireland, the United Kingdom, or elsewhere. I also hope that all Members will take the opportunity to condemn this latest outrage.

HOUR OF MEETING ON TOMORROW

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 o'clock a.m. tomorrow.

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

Mr. WALKER. Mr. Speaker, reserving the right to object, I do so to ask the gentleman, is this being done in order to accommodate a Democratic Caucus? And it has been checked with our leadership, I understand.

Mr. FOLEY. If the gentleman will yield, the purpose is exactly as the gentleman suggests; it is for the purpose of permitting the holding of a Democratic Caucus, and it has been discussed with the leadership on the gentleman's side. There is no objection to the request, and it is a matter of accommodation that we have made in the past to each party for the purpose of these meetings.

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

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

There was no objection.

THE SPEAKER'S COMMISSION ON THE PAGES

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

Mr. ALEXANDER. Mr. Speaker, I am announcing the convening of the Speaker's Commission on the Pages to be convened at 10 a.m. tomorrow, July 21, in room H-128 of the Capitol.

Members are invited to submit their views on the questions of whether the page system should be continued; if abandoned, how will the page services be performed, and by whom; if continued, what reforms are needed in such areas as housing and supervision?

But in order to complete the report of the Commission within a timely fashion and as soon as possible, Members are encouraged to submit their views in writing to me as Chairman of the Commission.

The following is the announcement of the appointment of this Commission:

WASHINGTON, D.C.,
July 19, 1982.

THE SPEAKER'S COMMISSION ON THE PAGES

The Speaker and the minority leader have appointed a commission to study the page system of the United States House of Representatives with instructions to report recommendations as soon as possible.

The following persons were appointed to serve on the Commission: Bill Alexander of Arkansas, Chairman; John Myers of Indiana; Jim Molloy, Doorkeeper; Joel Jankowsky, Esq.; and Charles Wiggins, Esq.

The purpose of the Commission is to review the page system, in all its aspects including whether it should be continued, the need for supervised housing or improved education.

This study is limited in scope and is not intended to duplicate the present inquiry to the House Committee on Standards of Official Conduct.

AIDING THE AIRLINES

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

Mr. McDONALD. Mr. Speaker, I rise to oppose the Boeing 747 aid plan because we are refusing to accept our responsibility to admit the true purpose of this measure. We can spend additional hours debating the military usefulness of the C-5B over the 747, but

that is not the real question. Clearly, the 747 cannot perform the critically needed outsize airlift mission and we have a critical shortage in that type capability.

The real question we are debating today is whether or not the U.S. House of Representatives is going to use the Defense authorization bill as a vehicle to assist the economically ailing airline industry. Mr. Speaker, I submit that we should not.

I do not question the fact that many of our Nation's airlines are in financial difficulty. I do not question whether the U.S. House of Representatives should address this problem and, possibly, provide some relief. But if we are going to aid the airlines, let us admit it up front. Let us conduct hearings on the impact of airline deregulation. Let us analyze the facts. Let us make concrete proposals on that issue and that issue alone. Let us not jeopardize a vital military mission for the sake of expediency on an entirely separate issue.

Granted, the purchase of used 747 airplanes would provide cash for ailing airlines and, possibly, allow them to purchase more efficient aircraft. By the same token the Air Force would be crippled with a fleet of used commercial airplanes that are incapable of performing the defined military mission.

There is another aspect of this proposed purchase that has not been discussed fully. Thirteen of the surplus 747's are not owned by domestic airlines. They are owned by the manufacturer, the Boeing Co. Eight of the airplanes have been traded in by international carriers. Sale of these airplanes would aid the cash-strapped Boeing Co. So, even if we admit that this plan really is an aid package for the airline industry, let us make sure that we fully understand the implications of the proposed procurement.

If adopted, this amendment could achieve many actions. Some domestic airlines would receive cash for surplus airplanes. Those airlines that are not fortunate enough to have excess 747's will have their competitors subsidized. The airplane's manufacturer could sell excess 747's for which they have no other customers.

We can accomplish all this by merely ignoring the fact that we would erode further a seriously deficient airlift capability. To me, the losers, should we take such action as passing the 747 aid plan, would be the American taxpayer and our military personnel whose very lives will depend upon our ability to get necessary firepower and equipment where it needs to be and in time.

The only logical choice in this matter is to defeat the proposed amendment and proceed with the recommendations contained in the Defense authorization bill.

□ 1215

FEDERAL RESERVE FINALLY ACTS

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

Mr. WHITTEN. Mr. Speaker, today's Washington Post carries the headline, "Fed Cuts Discount Rate to 11½ Percent," hinting eased interest rates.

The article then states, "The Fed's move to lower the so-called discount rate was seen by financial market analysts as promoting a general easing of interest rates."

Mr. Speaker, let us hope so. Behind this action is a formal and official request made on April 26, by me as chairman of the Appropriations Committee, to the General Accounting Office to review the actions of the Federal Reserve System, and the effect that monetary and fiscal policies are having on interest rates.

Mr. Speaker, this investigation has been proceeding since April 26. Apparently, from the Fed's action, it is having its effect. A final report by the GAO is due not later than August 31.

It is hoped that by that time, further action will be taken by Federal Reserve banks to reduce present high interest rates. Such action is a must.

THE PRODUCTION OF NERVE GAS

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

Mr. BETHUNE. Mr. Speaker, during the course of the military authorization bill, the gentleman from Wisconsin (Mr. ZABLOCKI), chairman of the Foreign Affairs Committee, and I will offer an amendment to delete funding for the binary chemical weapon, in other words, the nerve gas weapon. We do so because we have concluded that it is not militarily effective and that it is a waste of the taxpayers' dollar.

Furthermore, it breaks a 13-year policy, a wise policy, that was established by President Nixon in 1969, which distinguishes America from the Soviet Union when you consider the arms race that is taking place in the world today.

Members may have the impression that they have voted for binary weapons before. That is not so. Last year Members had an opportunity to vote on a provision which would build a building which could be used later on for the production of nerve gas. Today we have the big one. It is the question of whether or not we are going to break that wise policy and commence production of nerve gas.

We urge the Members to support the Zablocki-Bethune amendment when it comes to the floor.

ANOTHER CHANCE AT A BALANCED BUDGET

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

Mr. WALKER. Mr. Speaker, yesterday in the front of the Capitol we had a rally which defined for the Nation the fact that we are attempting to achieve a constitutional amendment on balancing the budget, and hopefully sometime before the end of this session of this House we will have a chance to vote on that particular issue.

I want to assure the Members that we are going to continue to have chances to vote on balancing the budget time and time again on other bills as they arise, because the law of the land, 95-435, requires a balanced budget. For instance, I want to tell the Members that when the defense authorization that we are considering comes up I intend to offer my amendment to have us consider the balanced budget in the context of defense as well. But I would warn many people who think that this is going to be a good place to vote to comply with the law which says a balanced budget after 1981. By passing my amendment, what we would do is give the President an opportunity to arrive at the balanced budget, not necessarily cutting it all out of defense, but taking it out of where it was needed in order to make defense comply with the balanced budget act.

So people who think that they are going to get a cheap vote against defense and vote for a balanced budget better think again, because what the law says is that we balance the whole budget, not just on the back of one Department, and the President could be in compliance simply by getting us to a balanced budget using all phases of the budget in that effort. My attempts are not to balance the budget on the backs of anyone. Just to balance the budget is the objective. And once we have defined the objective in a major authorization such as this one, we will hand the President the tools necessary to get the job done using not portions of the budget, but the whole of it.

REPORT ON RECONCILIATION

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

Mr. PANETTA. Mr. Speaker, the conference report on the first concur-

rent resolution on the Budget for fiscal year 1983, adopted by the House on June 15, contained reconciliation instructions to nine House and eight Senate committees. A deadline of August 1 was set in the resolution for work on reconciliation legislation in the House. Votes on specific cuts and revenue increases may be scheduled before that date. In the Senate a July 20 deadline was set for all committees except the Finance Committee, which has a July 12 reporting date.

SPENDING REDUCTIONS

The reconciliation instructions ask for legislation that will result in reductions over the next 3 fiscal years. The outlay targets set in this year's first budget resolution are as follows: $6.573 billion for fiscal year 1983, $9.268 billion in fiscal year 1984 and $11.312 billion in fiscal year 1985.

As opposed to last year, the reconciliation process this year is limited to entitlement programs only. The principle areas assumed in the reconciliation instructions include reductions in cost of living provisions for military and civil service retirees, food stamps, SSI, AFDC, medicare, and medicaid. As always, the committees are free to follow these assumptions or implement any other approaches or to achieve the targeted reductions.

REVENUE INCREASES

This year's reconciliation also includes revenue increases. The Ways and Means Committee and the Senate Finance Committee will be working to meet the following revenue targets; $20.9 billion for fiscal year 1983, $36.0 billion for fiscal year 1984 and $41.4 billion for fiscal year 1985.

SUMMARY TABLE

Attached is a table that lists the reductions for each committee and the revenues assigned to the Ways and Means Committee. The Ways and Means Committee is already proceeding with markup on spending reductions.

We will continue to provide regular updates on the process and reconciliation measures.

CONFERENCE AGREEMENT

[In millions of dollars]

	1983	1984	1985
Agriculture:			
Budget authority	−779	−1,083	−1,428
2Outlays	−779	−1,083	−1,428
Armed Services:			
Budget authority	−213	−693	−1,231
Outlays	−213	−693	−1,231
Banking, Finance, and Urban Affairs:			
Budget authority			
Outlays	−695	−697	−687
Energy and Commerce:			
Budget authority	−514	−741	−815
Outlays	−675	−739	−811
Foreign Affairs:			
Budget authority		−2	−4
Outlays	−2	−8	−15
Merchant Marine and Fisheries:			
Budget authority	−4	−15	−27
Outlays	−4	−15	−27
Post Office and Civil Service:			
Budget authority		−242	−538
Outlays	−376	−1,061	−1,808

CONFERENCE AGREEMENT—Continued

[In millions of dollars]

	1983	1984	1985
Veterans Affairs:			
Budget authority	−77	−155	−155
Outlays	−77	−155	−155
Ways and Means:			
Budget authority	−595	−705	−928
Outlays	−3,755	−4,827	−5,168
Grand total:			
Budget authority	−2,179	−3,632	−5,119
Outlays	−6,573	−9,268	−11,312
Reconciliation of revenues	20,900	36,000	41,400

WHY NOT A COMPREHENSIVE NUCLEAR TEST BAN?

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

Mr. WEISS. Mr. Speaker, President Reagan has made his administration the first to abandon our Nation's longstanding commitment to a comprehensive test ban central to preventing the spread of nuclear weapons.

Real international peace and security is impossible in a world ruled by swelling arsenals of nuclear weapons. The 1963 aboveground ban, which at the time offered hope that nuclear proliferation could be stopped, has proved to be insufficient. Indeed, underground testing has become so commonplace that nuclear detonations are rarely reported to the public.

Since 1963 both the Soviet Union and the United States have recklessly expanded their nuclear stockpiles to a point where the world could be destroyed nine times over. But the rationale of a comprehensive test ban and an immediate nuclear freeze has escaped the President's policies. America's great, unending stream of knowledge and talent should be focused on ending the threat of nuclear confrontation, not on the testing of new nuclear weapons.

ACHIEVING A BALANCED BUDGET

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

Mr. BONKER. Mr. Speaker, yesterday President Reagan came to Capitol Hill to beat the drum for a constitutional amendment to balance the budget.

But there is no way we are going to achieve a balanced budget without significant reductions in military spending.

Pentagon spending takes up nearly 50 percent of the entire 1983 budget if one excludes social security and interest on the debt.

Unfortunately, the Reagan administration refuses to make any significant cuts in the Pentagon budget. Instead, the President plans to spend a staggering $1.6 trillion on the military over the next 5 years.

Today, when we consider the 1983 Defense Department authorization, we can trim billions of dollars of waste and mismanagement from next year's budget with just a few votes.

No one questions the need for a strong defense in today's troubled world. But the administration's military spending policies are far too excessive, are actually promoting waste and overspending, and are dangerously undermining our economy.

The President seems content just to talk about a balanced budget. Today we can actually do something to get spending under control by voting to eliminate Pentagon waste and mismanagement.

THE BALANCED BUDGET AMENDMENT

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

Mr. MILLER of California. Mr. Speaker, a number of Members of this House are much better at demonstrating their support for a balanced budget out on the west side of the Capitol than on the floor of the House of Representatives.

Yesterday's rally was like an old-fashioned medicine show, with Ronald Reagan hawking a magic elixir, guaranteed to cure what ails the country.

But this was just show. If we could really eliminate deficit spending by passing an amendment, it would have happened long ago.

The budget amendment "elixir" is nothing but political snake oil to make the American people forget the $250 billion deficit endorsed by the Reagan administration.

Most of the people who were parading around outside yesterday—including 98 percent of the Republicans—voted against the "pay as you go" plan for achieving a balanced budget which would have drastically cut the deficit and produced a $27.5 billion surplus by 1985.

So as we debate the balanced budget amendment, let no one be fooled by the rhetoric. Voting for a balanced budget amendment is one thing; but the President and his supporters failed the real test—the test of voting for a balanced budget itself.

ONE LAST OPPORTUNITY TO ASSIST HOMEBUYERS

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

Mr. EVANS of Delaware. Mr. Speaker, we have one last opportunity in

this fiscal year to provide much needed assistance to home buyers.

Yesterday, my colleague from Illinois (Mr. CORCORAN) and I met with President Reagan and Vice President BUSH because we do believe there is an alternative to the previous attempt to assist housing which was vetoed by the President.

That approach would have seriously aggravated the already bloated Federal deficit. Our approach is to transfer $1 billion in already appropriated funds from synfuels to assist housing through the mortgage revenue bond program already in place.

The President indicated that he would not oppose our initiative.

The soon-to-be-considered regular supplemental appropriations for fiscal year 1982 will give us an opportunity to vote on this proposal. It will give Members a real choice—continued subsidies for major corporations or grassroots assistance to home buyers and homebuilders and thousands of small businessmen and women all across America.

THIRD ANNUAL REPORT ON STATUS OF WEATHERIZATION ASSISTANCE PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. KILDEE) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Agriculture, the Committee on Banking, Finance and Urban Affairs, and the Committee on Energy and Commerce:

(For message, see proceedings of the Senate of today Tuesday, July 20, 1982.)

THE 1981 ANNUAL REPORT ON ADMINISTRATION OF RADIATION CONTROL FOR HEALTH AND SAFETY ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the house the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committtee on Energy and Commerce:

(For message, see proceedings of the Senate of today, Tuesday, July 20, 1982.)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken today after debate has been concluded on all of the three motions to suspend the rules.

CHARTER FOR AMERICAN EX-PRISONERS OF WAR

Mr. SAM B. HALL, JR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5380) to recognize the organization known as American Ex-Prisoners of War, as amended.

The Clerk read as follows:

H.R. 5380

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

CHARTER

SECTION 1. American Ex-Prisoners of War, organized and incorporated under the Washington Nonprofit Corporation Act (Wash. Rev. Code Ann. 24.03.005) of the State of Washington by Charles Morgan, Junior, San Antonio, Texas; Edward Fisher, Fairhaven, Massachusetts; Charles Miller, La Jolla, California; C. Earl Derrington, Jackson, Mississippi; Edward Parks, Middleboro, Massachusetts; Henry Goodall, Houston, Texas; Stanley Sommers, Marshfield, Wisconsin; Edward Allen, N. Olmstead, Ohio; Irving Rittenberg, Brookline, Massachusetts; Edgar Van Valkenberg, Saint Petersburg, Florida; W. C. Musten, Winston-Salem, North Carolina; Clifford Omtvedt, Eau Claire, Wisconsin; Orlo Natvig, Charles City, Iowa; H. C. Griffin, Houston, Texas; Milton Moore, El Paso, Texas; Marie Harre, Fairway, Kansas; Alfred Galloway, Seattle, Washington; Reginald Reed, Bremerton, Washington; Ralph Moulis, Tucson, Arizona; Betty Rodriquez, Albuquerque, New Mexico; Randall Briere, San Antonio, Texas; Joseph G. Schisser, San Leon, Texas; Herman Molen, Las Vegas, Nevada; Joseph B. Upton, Saint Louis, Missouri; Harold Page, Buckley, Washington; D.C. Wimberly, Springhill, Louisiana; Albert Braun, Phoenix, Arizona; Melvin Madero, San Diego, California; Tillman Rutledge, San Antonio, Texas; Benson Guyton, Decatur, Alabama; Frank Hawkins, Oklahoma City, Oklahoma; Melvin Routt, Tracy, California; John Romine, Muskogee, Oklahoma; Christopher Morgan, Old Bridge, New Jersey; Allen Smith, Diana, Texas; and John G. Flynn, San Antonio, Texas, is hereby recognized as such and is granted a charter.

POWERS

SECTION. 2. American Ex-Prisoners of War (hereafter in this Act referred to as the "corporation") shall have only those powers granted to it through its bylaws and articles of incorporation filed in the State or States in which it is incorporated and subject to the laws of such State or States.

OBJECTS AND PURPOSES OF CORPORATION

SEC. 3. The objects and purposes of the corporation are those provided in its articles of incorporation and shall include—

(1) encouragement of fraternity for the common good;

(2) fostering patriotism and loyalty;

(3) assistance to widows and orphans of deceased ex-prisoners of war;

(4) assistance to ex-prisoners of war who have been injured or handicapped as a result of their service;

(5) maintenance fo allegiance to the United States of America;

(6) preservation and defense of the United States from all of her enemies; and

(7) maintenance of historical records.

SERVICE OF PROCESS

SEC. 4. With respect to service of process, the corporation shall comply with the laws of the States in which it is incorporated and those States in which it carries on its activities in furtherance of its corporate purposes.

MEMBERSHIP

SEC. 5. Eligibility for membership in the corporation and the rights and privileges of members shall be as provided in the bylaws of the corporation.

BOARD OF DIRECTORS; COMPOSITION; RESPONSIBILITIES

SEC. 6. The board of directors of the corporation and the responsibilities thereof shall be as provided in the articles of incorporation of the corporation and in conformity with the laws of the State or States in which it is incorporated.

OFFICERS OF CORPORATION

SEC. 7. The officers of the corporation, and the election of such officers shall be as is provided in the articles of incorporation of the corporation and in conformity with the laws of the State or States wherein it is incorporated.

RESTRICTIONS

SEC. 8. (a) No part of the income or assets of the corporation shall inure to any member, officer, or director of the corporation or be distributed to any such person during the life of this charter. Nothing in this subsection shall be construed to prevent the payment of reasonable compensation to the officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(b) The corporation shall not make any loan to any officer, director, or employee of the corporation.

(c) The corporation and any officer and director of the corporation, acting as such officer or director, shall not contribute to, support, or otherwise participate in any political activity or in any manner attempt to influence legislation.

(d) The corporation shall have no power to issue any shares of stock nor to declare or pay any dividends.

(e) The corporation shall not claim congressional approval or Federal Government authority for any of its activities.

(f) The corporation shall retain and maintain its status as a corporation organized and incorporated under the laws of the State of Washington.

LIABILITY

SEC. 9. The corporation shall be liable for the acts of its officers and agents when acting within the scope to their authority.

BOOKS AND RECORDS; INSPECTION

SEC. 10. The corporation shall keep correct and complete books and records of account and shall keep minutes of any proceeding of the corporation involving any of its members, the board of directors, or any committee having authority under the board of directors. The corporation shall keep at its principal office a record of the names and addresses of all members having

the right of vote. All books and records of such corporation may be inspected by any member having the right to vote, or by any agent or attorney of such member, for any proper purpose, at any reasonable time. Nothing in this section shall be construed to contravene any applicable State law.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 11. The first section of the Act entitled "An Act to provide for audit of accounts of private corporations established under Federal law", approved August 30, 1964 (36 U.S.C. 1101), is amended by adding at the end thereof the following:

(57) American Ex-Prisoners of War.".

ANNUAL REPORT

SEC. 12. The corporation shall report annually to the Congress concerning the activities of the corporation during the preceding fiscal year. Such annual report shall be submitted at the same time as is the report of the audit required by section 11 of this Act. The report shall not be printed as a public document.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 13. The right to alter, amend, or repeal this Act is expressly reserved to the Congress.

DEFINITION OF "STATE"

SEC. 14. For purposes of this Act, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

TAX-EXEMPT STATUS

SEC. 15. The corporation shall maintain its status as an organization exempt from taxation as provided in the Internal Revenue Code. If the corporation fails to maintain such status, the charter granted hereby shall expire.

EXCLUSIVE RIGHT TO NAME, EMBLEMS, SEALS, AND BADGES

SEC. 16. The corporation shall have the sole and exclusive right to use and to allow or refuse to others the use of the terms "American Ex-Prisoners of War", and the official American Ex-Prisoners of War emblem or any colorable simulation thereof. No powers or privileges hereby granted shall, however, interfere or conflict with established or vested rights.

TERMINATION

SEC. 17. If the corporation shall fail to comply with any of the restrictions or provisions of this Act the charter granted hereby shall expire.

The SPEAKER pro tempore. Is a second demanded?

Mr. MOORHEAD. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas (Mr. SAM B. HALL, JR.) will be recognized for 20 minutes, and the gentleman from California (Mr. MOORHEAD) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. SAM B. HALL, JR.).

Mr. SAM B. HALL, JR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the organization known as the American Ex-Prisoners of War is a nonprofit and nonpartisan organization. It was originally incorporated in the State of New Mexico in 1943 as the Bataan Relief Organization, and currently maintains its charter in the State of Washington. This organization has 12,600 members organized in State and local chapters all across America. The terms of membership and the requirements for holding office in this organization are not discriminatory on the basis of race, color, religious, or national origin. Membership is open to U.S. citizens and members of the Armed Forces of the United States who were taken prisoner or interned in World War I, World War II, the Korean conflict and the Vietnam conflict, except those convicted of treason, subversion, or sedition. Spouses, parents, brothers, sisters, and children of ex-POW's may also be members.

The sole purpose of this organization is to serve the estimated 93,029 living American Ex-Prisoners of War and the widows and orphans of those who have died. The organization is operated for charitable, patriotic, and civic improvement purposes and has maintained its tax-exempt status pursuant to section 501(c) of title 26, United States Code. This organization clearly meets the minimum standards set forth by the Committee for Federally Chartered Organizations.

I urge my colleagues to support this Federal charter bill. Recently, we recognized our ex-prisoners of war by dedicating a week to their honor. This organization works year round to better the lives of ex-prisoners of war and their widows and orphans. The Judiciary Committee solicited comments from the Veterans' Administration on this bill. The letter from the Veterans' Administration is reprinted in the committee report. In the letter Veterans' Administrator Nimmo notes that the American Ex-Prisoners of War is a responsible, professional organization with a very cooperative relationship with the VA that has worked very hard to improve the benefits available and generally improve the lot of all former POW's.

This charter bill conforms to the standards that the Congress has evolved for charter legislation. It contains the same requirements and prohibitions that have been included in other charter bills enacted earlier in this Congress.

I direct my colleagues' attention to two committee amendments. First, we amend the bill to require the corporation to maintain its State charter. The other committee amendment simply inserts the correct subsection number in section 1101 of title 36, United States Code, the provision which defines those private corporations which are subject to the audit and reporting requirements of chapter 42 of title 36, United States Code.

I urge my colleagues to support this bill granting a Federal charter to the American Ex-Prisoners of War.

□ 1230

Mr. MOORHEAD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, prisoners of war have endured a special kind of hardship. Brutality, malnutrition, humiliation, and forced labor were a daily part of life for these brave men and women. Their ordeal, survival, and return is a very personal victory. Their experience characterizes American resolve, an unbroken spirit and the will to win. How, then, can we show our appreciation at no cost to the Government? H.R. 5380 is a bill providing a Federal charter for the American Ex-Prisoners of War. It is commemorative, it is honorary and in a small way shows the POW that we have not forgotten.

During the first session of this Congress, the Judiciary Committee revised its standards for granting Federal charters. Now it is tougher to receive this special congressional honor. For if we give this recognition too freely it would lose all its prestige. Nevertheless, the American Ex-Prisoners of War, Inc., surpass our new standards. They were originally chartered as a private nonprofit organization in 1943 and known as the Bataan Relief Organization. They have a nationwide membership devoted to charitable, educational, and patriotic endeavors. American Ex-Prisoners of War have no commercial purpose or commercial affiliation. As an organization they focus on patriotism and service. By our standards they are deserving of a Federal charter, not only for their status as POW's, but also for their continuing service to their community and their country. They do not dwell on the past, they look to the future.

I ask my colleagues to join me in supporting legislation providing a Federal charter to the American Ex-Prisoners of War. They are uniquely qualified for this honor and it will be of no cost to the taxpayer.

Mr. SAM B. HALL, JR. Mr. Speaker, at this point I would like to commend the gentleman from California (Mr. MOORHEAD) for his work on this bill. He has been untiring in his efforts and I think that what he has accomplished here today is certainly to his benefit.

Mr. MOORHEAD. Mr. Speaker, I thank the gentleman.

● Mr. HOLLENBECK. Mr. Speaker, I wish to register my strong support for H.R. 5380, legislation granting a Federal charter to the American Ex-Prisoners of War, Inc. The organization maintains an active membership of over 12,600 veterans who were held as prisoners of war during their service in defense of this Nation, as well as their wives, parents, brothers, sisters, and

children. These men and women are devoted to assisting former POW's and their families, fostering American patriotism, defending the United States, and maintaining historical records.

Mr. Speaker, in my work last year to establish National POW-MIA Recognition Day and my assignment as an ex-officio member of the House Task Force on American Prisoners and Missing in Southeast Asia, I have become acquainted in a most personal way with the terrible ordeals endured by those held as captives of enemies of the United States. These men suffered torture, malnutrition, and serious permanent disabilities in service to the Nation. Their families faced the anguish of weeks and months of waiting at home to learn the fates of their loved ones.

Through it all, they continued to profess their faith in the American system of government and their steadfast dedication to the principles for which our Nation stands. And, as the work of the American Ex-Prisoners of War, Inc. so amply illustrates, these qualities of faith and loyalty have led many ex-prisoner of war families to active peacetime roles for the betterment of their communities.

I am proud of my close association with the newly founded Northern New Jersey Chapter of American Ex-Prisoners of War, and I am proud to vote in support of H.R. 5380 today.

In the truest sense of the word, we are recognizing American heroes in granting this Federal charter.●

● Mr. MONTGOMERY. Mr. Speaker, I rise in strong support of H.R. 5380. The bill would grant a congressional charter to the organization known as American Ex-Prisoners of War. Many of the names mentioned in this legislation are very familiar to those of us who serve on the Committee on Veterans' Affairs. We worked closely with them last year in enacting H.R. 1100 (Public Law 97-37) that expanded benefits and medical services for former prisoners of war. We received counsel and good advice from Mr. Charlie Morgan of San Antonio, Tex., the current president of the American Ex-Prisoners of War. We worked closely with Stanley Sommers of Marshfield, Wis., the immediate past president of the organization; C. Earl Derrington, a close friend of mine from Jackson, Miss.; Gen. John P. Flynn of San Antonio, Tex., and many other members. So I take special pride, Mr. Speaker, in supporting this legislation, having worked with so many other ex-POW's in bringing about meaningful legislation in their behalf.

Mr. Speaker, it is most appropriate that the distinguished gentleman from Texas, my good friend, SAM HALL, is the floor manager of this bill. As chairman of our Subcommittee on Compensation, Pension and Insurance, Mr. HALL cosponsored the legislation and helped steer it through Congress without delay. The bill we passed last year did several things that will be helpful to this group of individuals for the rest of their lives.

First, it reduced the requisite period of incarceration from 6 months to 30 days for presumption of certain disabilities and diseases.

Second, it provided service-connected benefits for former prisoners of war held captive for 30 days or more for any of the anxiety states, including post traumatic stress neurosis.

Third, it gave special eligibility to ex-POW's for hospital and outpatient care.

Finally, Mr. Speaker, it established an advisory committee made up of physicians and former prisoners of war to advise the Administrator of Veterans' Affairs on the administration of new benefits for 100,000 living former American prisoners of war.

Now that we have enacted this legislation and established this advisory committee, I am pleased that the Congress is recognizing the importance of this group of American citizens by the granting of a congressional charter. This Nation owes a great debt to our former service men and women who defended our Nation in time of peril. We owe a special debt to those combat veterans who were captured by the enemy and who suffered indescribable brutality and torture at the hand of their captors. The legislation we enacted last year, which is now the law of the land, and the bill we are considering today, will go a long way toward helping these distinguished citizens overcome many hardships they have had to endure for so many years.

Finally, Mr. Speaker, the President has announced his plan to send to the Senate the name of Everett Alvarez, Jr., to be the Deputy Administrator of the Veterans' Administration. Mr. Alvarez was a prisoner of war in North Vietnam for 8½ years, the longest held American POW of that conflict. As I mentioned before, Gen. John P. Flynn has been selected to chair the Advisory Committee on Former Prisoners of War. General Flynn was a POW in North Vietnam for 5½ years and was the highest ranking American captured during the Vietnam conflict.

I am glad the President is putting former POW's in key positions in the Government. Their experience will be tremendously beneficial to all of us.

Mr. Speaker, in the years that I have worked with former prisoners of war I know of no individuals more dedicated to our Nation's welfare and I am very pleased indeed with the attention and priority we have given their recommendations during the 97th Congress. I know this bill will receive the unanimous approval of the House, and I am extremely pleased to join my friend, the gentleman from Texas, and all the others who worked so closely with this great organization in supporting this legislation.

I hope it will be swiftly adopted by the other body and sent to the President as I am sure he will take great pride in signing the bill.●

Mr. SAM B. HALL, JR. Mr. Speaker. I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SAM B. HALL, JR.) that the House suspend the rules and pass the bill, H.R. 5380, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SAM B. HALL, JR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 5380, the bill just passed.

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

There was no objection.

CHARTER FOR NATIONAL FEDERATION OF MUSIC CLUBS

Mr. SAM B. HALL, JR. Mr. Speaker. I move to suspend the rules and pass the Senate bill (S. 2317) to recognize the organization known as the National Federation of Music Clubs, as amended.

The Clerk read as follows:

H.R. 2317

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

CHARTER

SECTION 1. The National Federation of Music Clubs, organized and incorporated under the laws of the State of Illinois, is hereby recognized as such and is granted a charter.

POWERS

SEC. 2. The National Federation of Music Clubs (hereinafter referred to as the "corporation") shall have only those powers granted to it through its bylaws and articles of incorporation filed in the State or States in which it is incorporated and subject to the laws of such State or States.

OBJECTS AND PURPOSES OF CORPORATION

SEC. 3. The objects and purposes for which the corporation is organized shall be those provided in its articles of incorporation and also shall be—

(1) to bring into working relations with one another, music clubs and other musical organizations and individuals directly or indirectly associated with musical activity for the purpose of developing and maintaining high musical standards;

(2) to aid and encourage musical education; and

(3) to promote American music and American artists throughout the United States of America and the world.

The corporation shall function as a patriotic, civic, and historical organization as authorized by the laws of the State or States wherein it is incorporated.

SERVICE OF PROCESS

SEC. 4. With respect to service of process, the corporation shall comply with the laws of the States in which it is incorporated and those States in which it carries on its activities in furtherance of its corporate purposes.

MEMBERSHIP

SEC. 5. Eligibility for membership in the corporation and the rights and privileges of members shall be as provided in the bylaws of the corporation.

BOARD OF DIRECTORS; COMPOSITION; RESPONSIBILITIES

SEC. 6. The board of directors of the corporation and the responsibilities thereof shall be as provided in the articles of incorporation of the corporation and in conformity with the laws of the State or States in which it is incorporated.

OFFICERS OF CORPORATION

SEC. 7. The officers of the corporation, and the election of such officers shall be as is provided in the articles of incorporation of the corporation and in conformity with the laws of the State or States wherein it is incorporated.

RESTRICTIONS

SEC. 8. (a) No part of the income or assets of the corporation shall inure to any member, officer, or director of the corporation or be distributed to any such person during the life of this charter. Nothing in this subsection shall be construed to prevent the payment of reasonable compensation to the officers of the corporation or reimbursement for actual necessary expenses in amount approved by the board of directors.

(b) The corporation shall not make any loan to any officer, director, or employee of the corporation.

(c) The corporation and any officer and director of the corporation, acting as such officer or director, shall not contribute to, support or otherwise participate in any political activity or in any manner attempt to influence legislation.

(d) The corporation shall have no power to issue any shares of stock nor to declare or pay any dividends.

(e) The corporation shall not claim congressional approval or Federal Government authority for any of its activities.

(f) The corporation shall retain and maintain its status as a corporation organized and incorporated under the laws of the State of Illinois.

LIABILITY

SEC. 9. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

BOOKS AND RECORDS; INSPECTION

SEC. 10. The corporation shall keep correct and complete books and records of account and shall keep minutes of any proceeding of the corporation involving any of its members, the board of directors, or any committee having authority under the board of directors. The corporation shall keep at its principal office a record of the names and addresses of all members having the right of vote. All books and records of such corporation may be inspected by any member having the right to vote, or by any agent or attorney of such member, for any proper purpose, at any reasonable time. Nothing in this section shall be construed to contravene any applicable State law.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 11. The first section of the Act entitled "An Act to provide for audit of accounts of private corporations established under Federal law", approved August 30, 1964 (36 U.S.C. 1101), is amended by adding at the end thereof the following:

"(53) National Federation of Music Clubs.".

ANNUAL REPORT

SEC. 12. The corporation shall report annually to the Congress concerning the activities of the corporation during the preceding fiscal year. Such annual report shall be submitted at the same time as is the report of the audit required by section 11 of this Act. The report shall not be printed as a public document.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 13. The right to alter, amend, or repeal this Act is expressly reserved to the Congress.

DEFINITION OF "STATE"

SEC. 14. For purposes of this Act, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

TAX-EXEMPT STATUS

SEC. 15. The corporation shall maintain its status as an organization exempt from taxation as provided in the Internal Revenue Code. If the corporation fails to maintain such status, the charter granted hereby shall expire.

TERMINATION

SEC. 16. If the corporation shall fail to comply with any of the restrictions or provisions of this Act the charter granted hereby shall expire.

The SPEAKER pro tempore. Is a second demanded?

Mr. MOORHEAD. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas (Mr. SAM B. HALL, JR.) will be recognized for 20 minutes, and the gentleman from California (Mr. MOORHEAD) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. SAM B. HALL, JR.).

Mr. SAM B. HALL, JR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the National Federation of Music Clubs is a nonprofit, nonpartisan organization which was originally chartered in the State of Illinois in 1898, and which has been operating continually since that year. This organization is national in scope. The terms of membership and the requirements for holding office in this organization are not discriminatory on the basis of race, color, religion, or national origin. The sole purpose of this organization is to promote American music and American musical artists. It is therefore dedicated to patriotic, educational, charitable, and civic improvement purposes. The organization has maintained its tax-exempt status pursuant to section 501(c) of title 26, United States Code. Clearly, this organization meets our basic standards for federally chartered organizations.

I believe that this organization is particularly worthy of the honor of being federally chartered. More than 60,000 persons all over this Nation belong to this organization. It represents over 6,000 musical organizations including State federations, student and junior music clubs, college and university music departments, and both amateur and professional musicians and composers. It is supported financially by membership dues and contributions.

The federation fulfills a key role in our society by promoting American music both within their organization and in the media. The National Federation of Music Clubs provides thousands of dollars annually for scholarships. It sponsors awards programs for excellence in voice, piano, and strings; makes cash awards to blind and veteran musicians; and supports music clubs, summer music festivals, and educational institutions. Aside from these continuing projects, the organization has initiated some very special projects. For example, during World War II, the federation donated 2.5 million pieces of musical equipment to U.S. servicemen stationed abroad and at home.

I want to make it clear to the Members of the House that this charter bill conforms to the standards that the committee has evolved for such legislation. It contains the same requirements and prohibitions as were contained in the charter legislation enacted earlier in this Congress.

I call my colleagues' attention to the two committee amendments. Both are simple. First, we include by reference in the Federal charter, those objects and purposes which are enumerated in the organization's articles of incorporation at the State level. Second, we require the corporation to maintain its State charter as mandated by our committee standards. These amendments make it clear that by granting this Federal charter, Congress is giving this organization no legal authority it does not already have, and that we do not intend for this charter to supplant the State charter.

I urge my colleagues to support this charter for a very worthy organization, the National Federation of Music Clubs.

Mr. MOORHEAD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, music is the speech of angels. It is the universal communication that binds humanity. This legislation is a tribute to music lovers everywhere. Who of us does not have a favorite tune, or wish they could play an instrument. How many of us have danced in a New Year to Auld Lang Syne; or fought tears when the Wedding March sounded for kin or friend, or felt the brief rush of memories when we hear our alma mater. Few of us have not been inspired by joyful gospel or solemn hymn. Ballad and blues, calypso and classic, ragtime and raga demonstrate that there is music for everyone. S. 2317 is for the composer, the conducter, the player, the lyricist, and the listener. A bill that gives recognition to music clubs also pays silent tribute to Brahms, Beethoven, John Phillip Sousa, Scott Joplin, Benny Goodman, Duke Ellington, Nancy Wilson, Sarah Cauldwell and thousands of others in the congressional act.

Everyone who has hummed a tune in a free moment, put a child to sleep by lullaby or sang fortissimo in the shower should vote for this bill.

I ask for an aye vote in granting a Federal charter to the National Federation of Music Clubs.

● Mr. CAMPBELL. Mr. Speaker, as the original sponsor of the identical House measure, I rise in full support of S. 2317.

Mr. Speaker, for 84 years the National Federation of Music Clubs has worked for the preservation of America's musical heritage. A nonprofit, tax-exempt organization, it has grown into the largest philanthropic musical organization in the world, boasting 600,000 members and 6,000 organizations in State federations. The membership includes both professionals and amateurs, ranging from choral, dance and symphonic organizations to college and university music departments, not to mention the active senior music clubs in communities all over the United States from the smallest town to the largest city.

The federation's goals encompass a wide range of activities which include: The support and encouragement of music education; the sponsorship and promotion of performing and creative artists; increasing public knowledge and appreciation of the arts; and promotion of musical activity in the Armed Forces. In the past the federation has given hundreds of thousands of dollars annually for awards and scholarships, including special awards for the handicapped and veterans. Thanks to the talent-recognizing eye of the federation, we are today able to enjoy the virtuosity of Mr. Van Cliburn, a former federation prize winner. Their programs run the gamut of providing music in hospitals, thus giving countless hours of service and dollars to those who are ill, to an audiovisual program that encourages the networks to inspire and stimulate an appreciation for better music.

Through the years, no job proved too big for the National Federation of Music Clubs. During World War II more than $106,000 was raised by the clubs for war service, and 2½ million articles of musical equipment were shipped to our men stationed in the United States and foreign countries. Hospital ships and trains were supplied with phonographs and records and the chaplain's kit supplied by the federation provided suitable music for any type of church service. Further, when the Athens, Greece, Symphony Orchestra pleaded for money to replace the strings that had rusted on their instruments while they had been hidden in caves from the Nazis, it was the National Federation of Music Clubs that purchased and delivered the replacement parts.

During all these years of hard work and dedication, the federation has sought no assistance of any kind from the Government. In fact, the three members of the staff in the national headquarters office are the only paid employees in the entire organization. All of the members, through the payment of a small amount of dues, pay for the privilege of working for the federation without 1 cent of Government renumeration.

We now have the opportunity to express our appreciation to this outstanding organization. As you are aware, a Federal charter symbolizes congressional recognition of an existing State-chartered organization. It involves no cost to the Government, and yet provides us with a means to commend those organizations that we feel have played an important role in our Nation. I urge you to vote for passage of this bill and give the National Federation of Music Clubs the recognition it so richly deserves.●

Mr. SAM B. HALL, JR. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SAM B. HALL, JR.) that the House suspend the rules and pass the Senate bill, S. 2317, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SAM B. HALL, JR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 2317, the Senate bill just passed.

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

There was no objection.

SENSE OF CONGRESS REGARDING OLDER AMERICANS

Mr. ANDREWS. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 278) expressing the sense of the Congress that funding for community service employment programs for senior citizens for fiscal year 1983 and subsequent fiscal years should be provided at levels sufficient to maintain or increase the number of employment positions provided under such programs.

The Clerk read as follows:

H. CON. RES. 278

Whereas community service employment programs under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) currently provide employment for fifty-four thousand two hundred senior citizens;

Whereas community service agencies and community residents are benefited by the valuable community service work of these senior citizens;

Whereas these benefits to community service agencies and community residents, and the income tax and social security revenues resulting from the employment of these senior citizens, make these community service employment programs cost effective;

Whereas the Congress, in enacting the Older American Act Amendments of 1981 (Public Law 97-115; 95 Stat. 1595), clearly expressed its intent that funding for community service employment programs should at least be maintained at current levels;

Whereas these community service employment programs provide hope for a self-sufficient and dignified existence to senior citizens who otherwise would face shrinking employment opportunities; and

Whereas the Budget of the United States Government proposed by the President for fiscal year 1983 entirely eliminates funding for these community service employment programs: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that funding for community service employment programs for senior citizens under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) for fiscal year 1983 and subsequent fiscal years should be provided at levels sufficient to maintain or increase the number of employment positions provided under such programs.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from North Carolina (Mr. ANDREWS) will be recognized for 20 minutes, and the gentleman from Wisconsin (Mr. PETRI) will be recognized for 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise on behalf of House Concurrent Resolution 278, which would put the Congress on record as supporting full funding for title V of the Older Americans Act. This is popularly known as the senior community service employment program, and was reauthorized only last December for 3 additional years.

Title V provides part-time job opportunities for persons who are over 55 years of age, poor, unemployed, and who, perhaps most importantly, want to work. Rather than simply sitting back and receiving welfare or other forms of public assistance, these older citizens would prefer to work an average of 24 hours a week, at about minimum wage, making contributions to their communities at the same time. They work in libraries and day care centers, in schools and hospitals, in senior nutrition centers, and in the homes of frail elderly persons who might otherwise have to go to an institution. They work with the mentally retarded. They deliver meals to the homebound. In short, they provide varied community services, usually to those in considerable need, for low pay, which Federal, State, and local governments would be hard pressed to replace. In hearings last March before our Subcommittee on Human Resources we heard nothing but praise for this program and what it is accomplishing. Of prime importance, title V allows older workers to become taxpayers instead of tax users.

In spite of all this, the administration requested zero funding for title V for fiscal year 1983. Congress has already rejected that position, by agreeing to the first budget resolution which provides for continued funding at the 1982 level. However, if the program is to continue to be forward funded, as the authorizing legislation requires, we will need to include funds for that purpose in the spring supplemental appropriations bill. We had hoped to have this problem solved in the Urgent Supplemental Act, and the first two versions, that were vetoed by the President, did contain $210 million for title V forward funding. You know what happened to those bills.

By our action today, we hope to affirm congressional support for the future employment of the 54,200 senior citizens who work under title V, and to insure that this valuable program is not weakened by funding gaps, or eliminated altogether as the President has recommended.

I believe that causing disruption of or cutting back title V would be shortsighted, both economically and in terms of domestic policy. I urge favorable consideration of House Concurrent Resolution 278.

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Mr. Speaker, I reserve the balance of my time, and I defer to a very good friend of this program, a very valuable member of our subcommittee, our ranking minority member, the gentleman from Wisconsin (Mr. PETRI).

Mr. PETRI. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I yield such time as she may consume to my distinguished colleague, the gentlewoman from Maine (Mrs. SNOWE).

Mrs. SNOWE. I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in support of House Concurrent Resolution 278 and continued funding for the senior community service employment program.

This program has enjoyed strong bipartisan support in both Houses of Congress for the best of reasons: It is a proven effective program, the benefits of which extend not only to the elderly who receive the jobs but to their communities at large and it is one program that has actually saved our Nation money with a minimum of bureaucratic regulation. At a time when the social security system faces severe financing problems, these older workers are actually contributing money into the system. For all these reasons, Congress reauthorized title V for 3 more years last December, specifically providing that money be available for 54,200 jobs nationwide.

Three hundred and forty of these jobs are available to low-income seniors in the State of Maine. In one title V program in my State, the average age of the enrollees is 62.6 and the average annual income, excepting wages earned on the program, is $2,402. This particular program has targeted employment to widows—aged 55 to 64—the single group hardest hit by poverty and unemployment in the country.

On behalf of these 340 Mainers and the countless others nationwide who have benefited from the senior community service employment program—as workers or recipients of services—I join my colleagues in the House in this strong show of support for House Concurrent Resolution 278.

Mr. PETRI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a cosponsor of the resolution, I rise in support of this measure.

This resolution reiterates Congress strong support for the senior community service employment program operated by the Department of Labor under title V of the Older Americans Act.

Last December the Congress reauthorized the title V program for 3 additional years without making substantial changes in the program. In this reauthorization which passed the House by a vote of 379 to 4, Congress made the commitment to continue those aspects of the program which have made it perhaps the most popular and successful of the many Federal programs serving the elderly.

The program's success is largely due to the fact that it is well targeted both for the senior citizens and for the communities in which they live.

The average age of a Green Thumb worker employed under the title V program is 70. In my own State of Wisconsin a full 18 percent of the participants are age 75 or older. Another 18 percent are between the ages of 70 and 75.

These workers receive annual physical examinations, personal and job-related counseling, and assistance in obtaining placement into unsubsidized jobs. Participants work up to 1,300 hours per year and average 20 to 25 hours per week.

The program has been particularly successful in attracting minorities and undereducated individuals into the program. These individuals often are the worst off economically and stand the most to gain from participation in the program. Nationally, a full 30 percent of title V workers are minority, over 66 percent of the participants are women, and a full 60 percent have less than a high school education.

In my home State of Wisconsin, title V workers are involved in a number of projects directly enhancing the quality of life of other senior citizens. These projects include doing home repairs for low-income older persons in rural areas, operating transportation programs, assisting in health care projects, and working in libraries. In addition, title V workers are directly contributing to the operation of the nutrition projects operating through the Administration on Aging and the local aging network.

In Wisconsin's rural areas, two of the national grantees have enjoyed particular success in operating the program, the Forest Service of the U.S. Department of Agriculture and the Green Thumb program. In other aresa of the State, the National Council of Senior Citizens and the Governor's office provide the organizational structure for the program. All told, there were approximately 1,428 senior citizens in the program during the program year just ended.

Mr. Speaker, I have seen the title V program in Wisconsin and elsewhere. I think it is a well-run and effective program.

I hope my colleagues will join me in supporting this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. ANDREWS. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. PANETTA), a member of our Budget Committee.

Mr. PANETTA. I thank the gentleman for yielding this time to me.

Mr. Speaker, first of all I want to commend the gentleman from North Carolina for his efforts in getting this resolution passed, and also the chairman of the Education and Labor Committee, the gentleman from Kentucky (Mr. PERKINS), for the work he did in getting the committee to come together and expedite this resolution.

As primary author of this resolution, I urge my colleagues to support House Concurrent Resolution 278, which expresses the sense of the House that title V programs of the Older Americans Act, the senior community service employment program, should continue to be funded in fiscal 1983 to support the same number of participants as we had in fiscal year 1982. A similar resolution was adopted by the Senate in the early part of July.

As you know, the administration has recommended in its proposed fiscal year budget eliminating funding for title V entirely for future years. I am sure I do not need to detail for my colleagues the tremendous benefits that are derived from this program.

At least 54,000 disadvantaged senior citizens across this country have been provided with useful jobs that help supplement their incomes. Countless communities and individuals have benefited from the community service work provided by these workers.

In my area, these workers are used to assist in health care centers, in areas related to nutrition; they are the primary volunteers—the workers who are assisting others in a variety of elderly programs.

It was important to note today that in this country we have 32 million people who are now below the poverty line—the highest number in 15 years. Of those, 12.1 percent are the elderly of this country.

Almost 100,000 seniors are benefiting from the job training and referrals that are provided through title V employment services for seniors.

Needless to say, the Congress recently passed a reauthorization bill extending all older Americans programs, including title V, for 3 years.

The efforts to reduce the funding for this program do not only, it seems to me, make no sense in human terms, but also these efforts make no sense as far as their cost effectiveness is concerned.

The title V program, in effect, says to senior citizens: "Go out and work and be able to supplement your incomes. The opportunities are there."

We have over the last few months seen the social security system continue to be strained. Here is an opportunity to put seniors to work—to be able to help contribute toward their social security benefits rather than simply drawing them out.

Ultimately, however, the main concern regarding the administration's proposal rests in its direct impact on the senior citizens who benefit from the program. For many seniors, title V programs have meant the final hope for a self-sufficient and dignified existence, at an age when traditional employment opportunities shrink, and self-worth is hinged more and more to the desire to play a truly useful role in society.

I am sure most of you have received many letters from senior citizens in your own district who directly or indirectly benefit from this program. At a time when we are asking so much of our Nation's disadvantaged, we should not eliminate such a cost-effective and worthwhile program.

In addition, since I introduced this resolution on March 2, 1982, another important factor affecting the strength of the title V program has emerged, that of the need to protect its forward funding. Programs that are forward funded depend on their forward funding. If title V does not receive the over $200 million it needs in fiscal 1982 for forward funding, the program could crumble. Cities, counties, and private funding organizations that provide the requisite non-Federal matching shares for this program are unwilling to tie up the $30,000-$40,000 which represents the non-Federal match with little or no assurance that the program will continue.

We need to have this kind of service for seniors in this country. The main concern on this issue is that we need to provide and to continue to provide opportunities for seniors to continue to make a contribution in their communities.

This is, I think, a positive approach to try to assist our senior citizens in this country. This resolution is the expression of this Congress—and of this House—that we stand by title V and that we intend to see that it is fully funded. Furthermore, we intend to see that seniors continue to be responsible and contributing members of the communities in this country.

I urge the Members of the House to strongly support this resolution.

I yield back the balance of my time.

Mr. ANDREWS. Mr. Speaker, I yield 3 minutes to a fine member of the subcommittee, the gentleman from Puerto Rico (Mr. CORRADA).

Mr. CORRADA. Mr. Speaker, as a cosponsor of House Concurrent Resolution 278, I would like to state my full support for continuation of programs under title V of the Older Americans Act, which provide community service employment for the aging community. I believe that the title V program is effective in providing part-time public service employment to low-income elderly persons and is keeping administrative expenses low. In addition, participants are making valuable contributions to the community through their services.

Currently nearly 54,000 older persons are employed through the title V program, which is currently funded at $277.1 million. The fact is that for every dollar spent under title V, $1.15 is saved by the Government. Not only are these low-income elderly kept off the public assistance rolls, but through their employment they contribute to Federal tax revenues.

Giving these older Americans the opportunity for work not only puts their experience to good use but makes it possible for State and local govenments to use their human capital to provide services at an expanded level. The average participant—a low income female over 65 with less than a high school education—would have little chance of finding employment in the private sector. Without the title V program these people would be forced to subsist on welfare payments, kept against their will out of the productive sector of our economy.

The only criticism I can find of this program is simply that it does not encompass sufficient area—currently over 8 million older Americans are eligible for its benefits, but only 54,000 can be supported under the current budget. It is imperative that we continue to support the 54,000 slot level as a baseline, looking toward an increase in size in future years. As life spans increase and the economy forces our elderly to remain in the job market, programs such as this which provide on-the-job training to low skilled workers are vital to our Nation. The older Americans community service employment program continues to be an effective approach to solving the elderly's desire to continue as contributing, self-dependent members of society. Rather than relegating them to the public assistance rolls, let us continue to provide them the opportunity to retain human dignity and independence throughout their later years.

I trust Members will suport this resolution and I yield back the balance of my time.

Mr. PETRI. Mr. Speaker, I yield such time as he may consume to our distinguished minority leader, the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Speaker, I support this resolution, but I have to question the priority of even bringing it to the floor. Virtually every one of us supports title V programs; we funded it last year; we included it in our budget resolution; the President supports the levels in that budget resolution, and we certainly will be funding the program again this year.

It is a good program; no question about it. It has helped many of our senior citizens. There is no controversy over it.

So why do we waste the time of the Congress with political grandstanding resolutions of this sort when we have

so many other bills of vital importance still awaiting action?

Where is the regulatory reform bill? How about the export trading bill? Where is the Caribbean Basin bill? Where is the nuclear waste disposal bill; the highway aid bill; the illegal alien bill; the balanced budget amendment; the job training bill? How about the 13 regular appropriation bills and the budget reconciliation legislation that we still have not even begun to act on?

We have been procrastinating around here now for almost 7 months. It is about time we stop all this dilly-dallying and get on with the really important legislation before us.

Mr. Speaker, I thank the gentleman for yielding for that comment.

Mr. PETRI. Mr. Speaker, I thank the distinguished minority leader and share his frustration that we do not control the agenda here in this House.

Mr. Speaker, I yield such time as he may consume to the ranking minority member of the Committee on Education and Labor, our distinguished colleague, the gentleman from Illinois (Mr. JOHN ERLENBORN).

Mr. ERLENBORN. Mr. Speaker, I rise in support of House Concurrent Resolution 278.

In favorably acting upon House Concurrent Resolution 278, the Congress will be sending a clear message to senior citizens across the Nation: That America cares about the quality of life of its senior citizens.

Presently, over 52,000 persons, aged 55 or older, are participating in meaningful part-time employment under the senior community service employment program. Seniors participating in the program are employed as day care workers, telephone operators, teacher and hospital aides, receptionists, typists, security guards and drivers. They are directly contributing to the work of organizations such as the Veterans' Administration, Goodwill Industries, school systems, and others. The seniors earn an average of $3.47 per hour worked.

The goals of the program are clearly focused on enhancing the quality of life of the individuals involved. The program objectives are first, to reestablish or enhance the self-worth of the program participant; second, to develop or, as is often the case, redevelop marketable job skills; third, to place program participants into unsubsidized jobs.

Mr. Speaker, earlier this year the Subcommittee on Human Resources of the Education and Labor Committee held an oversight hearing on the title V program. At that hearing personal stories of several title V participants were related to the subcommittee:

A 56-year-old widow from Meniffee County, Ky., is now able to support herself without the aid of food stamps. At the time her employment with Green Thumb began, she had no income or savings and was selling household items out of her modest furnishings to get enough money to buy food stamps.

In Summers County, W. Va., two Green Thumb workers are assisting in the making of quilted window shades. The Shades of West Virginia Cooperative had a small grant from DOE to provide materials and labor to install various window insulation in public buildings. With the help of the two older workers, who did the quilting of these beautiful pieced designs, the agency was able to spread their small grant a long way and add beauty as well as conserve energy and provide greater warmth to these buildings.

A disabled Lee County, Ky., lady, through very careful budgeting, has been able to get a loan and buy a home for the first time since her divorce. She was receiving aid to the totally disabled for a serious cervical disorder. She had a 13-year-old daughter to support and keep in school. Because she was able to secure a Green Thumb job where she could work a split day and have bed rest in the middle of the day, she has regained her dignity and does a fabulous job in the office position she holds.

These stories are supplemented by many others. Perhaps more important, however, is the fact that the positive experiences many employees are having with the program is leading to permanent, unsubsidized jobs for many former title V workers. One researcher testifying before the subcommittee for example, found that 31 percent of the title V placements which occurred in the second quarter of 1978 are still working with the original employer, and hence have remained on the job 36 to 41 months. Among those who terminated, the most frequently cited reason for termination was because the employee had taken a new job, a somewhat surprising result, given the low-income levels and job market disadvantages apparent at program entry. Twenty-six percent of the terminations occurred for this reason.

Mr. Speaker, the title V program works. I urge my colleagues to join with me in supporting House Concurrent Resolution 278.

□ 1300

Mr. ANDREWS. Mr. Speaker, I yield two minutes to the gentleman from Connecticut (Mr. RATCHFORD), a member of the committee and a good friend of the program.

Mr. RATCHFORD. Mr. Speaker, I wish the minority leader were still on the floor, because the fact of the matter is, I have just come back from Connecticut and all weekend long older workers said to me, "What is happening to title 5?"

It is a very legitimate question because, as I understand the administration's budget recommendation, as I understand the intent of the budget resolution passed special weeks ago, this program, if we go along with the administration, will have no forward funding whatsoever. So, it is not something that is out here as an arbitrary issue. It is not out here as an illusion. It is a very real concern, and it is a concern that I carry to the floor of the House.

In Connecticut, I will tell the Members as the former Commissioner on Aging of the State, this is one of the best programs we have. It is both cost-efficient, and, at the same time allows the older worker to work with decency, to retain dignity, and to make a contribution to society. Look at some of the programs: Tutors in the schools, working with children who need help; library aides; nutrition workers; home care staff; staff for nursing homes, where they are working with patients who have legitimate complaints that otherwise cannot be determined. To cut here, as the administration calls for, is a cut in the wrong place.

A cut here, Mr. Speaker—and yes, Mr. President—would force the older worker on to welfare. Is there concern? There is legitimate concern, and the only way we can serve the older worker; the only way we can serve the older American; the only way we can say to the administration that we believe in the program, and apparently they do not, is to support this resolution. I wish we were here with the support of the administration, but if it were not for the administration this resolution would not be necessary.

Mr. PETRI. Mr. Speaker, I yield as much time as he may consume to the distinguished ranking Republican member of the Committee on Appropriations, the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Speaker, first of all I want to thank the gentleman from Wisconsin for giving this time to me and for his leadership in this matter.

I rise in strong support of House Concurrent Resolution 278, of which I am an original cosponsor with my good friend, the gentleman from California (Mr. PANETTA).

There is no doubt in my mind that Congress intends to preserve the title V community services employment program for older Americans by maintaining or increasing the 54,200 jobs the program supports. This House stated its intent last December, when it reauthorized the program for 3 years by a vote of 379 to 4. The other body spoke recently as well, when it passed Senate Resolution 340, similar to the one we are considering today, by a vote of 89 to 6.

Even so, it is important for the House to approve this resolution overwhelmingly. The debates ahead of us on funding for 1983 will be difficult;

they will be bitter; they will be divisive. Before we get there, and we will be there soon, let us step back for a moment and agree that this program—which targets jobs for less well-off older Americans who might not find jobs elsewhere and might not make it without these jobs—that this program is one we agree to preserve and we agree to support.

I, for one, am exceedingly proud of this program, which provides needed work to the participants, and which provides important and equally needed services to the communities.

There is another reason to support this resolution. Two days prior to the other body's action on its similar resolution, that body acted on H.R. 6685, the Urgent Supplemental Appropriations Act, which I am happy to say has been signed by the President. The Senate added many items to our temporary measure, but they did not add funding for this title V program. In conference, we tried to restore it, but the Senate would not yield. The chairman of the Labor/HHS Appropriations Subcommittee, the gentleman from Kentucky, my good friend Mr. NATCHER, and myself made a commitment to seek to restore that funding in the general supplemental which is currently being worked on. I hope that everyone who votes for this resolution will not back down when it comes to a decision about funding this program in the upcoming general supplemental. Likewise, I hope the Members of the other body, who voted so overwhelmingly for the principle of this program, will have the courage of their convictions when the issue becomes providing the funds that will maintain the program.

I urge you to vote for this resolution on your principles, but I warn you to be ready to stand firm on your vote today when you are called on to take the steps that will, in fact, provide 54,200 community service jobs for our older Americans.

Mrs. FENWICK. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to my good friend from New Jersey.

Mrs. FENWICK. Mr. Speaker, I thank my colleague for yielding. I am happy to see that on both sides of the aisle we have appropriate and, in my opinion, extremely proper support for this program. There is not a better one, and there are few of which this Congress can be as proud.

When we are facing a vote on something of such importance and such consideration, we should not get into partisan politics. This should not be hampered by attacks on one section of the Government or another. This is a fine program on which both sides of the aisle can join without rancor and without anger.

I thank the gentleman.

Mr. CONTE. I thank the gentlewoman very much.

Mr. PETRI. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, I would like to take this opportunity to express my support for House Concurrent Resolution 278, which expresses the sense of Congress that funding for community service employment programs for senior citizens for fiscal year 1983 under title V of the Older Americans Act and subsequent fiscal years should be provided at levels sufficient to maintain, if not increase, the number of employment positions provided under this act. As a cosponsor of this legislation, I am proud to say that over half of our colleagues in the House of Representatives have joined in support of this resolution.

Under this program over 54,000 low-income seniors across our Nation of which there are 4,000 in New York State have been provided with useful jobs to help supplement their income and many communities have benefited from their community services work.

Since the administration proposed eliminating funding for community service employment programs for senior citizens, as part of its budget recommendations for fiscal year 1983, several hearings have been held, and we have had the opportunity to listen to the testimony of many older Americans who participate in these programs. Their testimony, along with other information which we have received from offices on aging throughout the Nation, substantiates that these programs are not only cost effective, but are also vital to the dignity and self-respect of our Nation's senior citizens.

I wholeheartedly lend my support to House Concurrent Resolution 278, which aims to preserve these important programs for our elderly who serve, and are served, by them and I urge my colleagues to join in supporting this measure.

Mr. ANDREWS. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK. Mr. Speaker, I too regret that the minority leader has left. He asked why we are taking the time to pass this resolution, and the answer is very simple. As long as the President of the United States continues to scare older people, we have to take some time to reassure them. The President said that he wanted the program abolished. The gentleman from Connecticut (Mr. RATCHFORD), cited an experience that many of us have had. The people who work on this program are frightened. The people who benefit from the work of the program are frightened. Perhaps they should not take the President seriously. Perhaps the minority leader is right to chide us for assuming that when the President says he is out to abolish a program, he means it. But how are older people to know this?

Maybe we could work out a system. Maybe when the President says he is going to abolish a program, but is only kidding, he could wink or wave or in some other way communicate the fact that he is not serious. But for now, as long as the President says he wants to abolish a program, leaves it out of the budget, and objects to putting it back into the urgent supplemental, please do not think that the elderly people of this country are being hypersensitive when they think the program may be in danger.

In fact, it is a program which is a superb one. It leverages public dollars. We get work out of the senior citizens on behalf of nutrition programs, home care programs, and other programs far beyond what we could buy in an open market situation not only that it appears to be very well run. I made a point of asking, because we are told all the time that these programs have to be cut to do away with fraud, waste, and inefficiency, if there was fraud or waste here. As a member of the Select Committee on Aging, at several hearings I have asked Labor Department officials, I have asked State officials, if they know of abuse in this program, and no one has alleged any incidents of abuse or fraud or waste. So we have a program where, for ideological reasons, the President proposed to wipe out. We think it is important to give reassurance to people that it will not be abolished. I am sorry that the minority leader thinks it is a poor use of our time, but I hope that he would ask the President not needlessly to set those fires, and we would not have to take the time on the House floor to put them out.

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

Mr. FRANK. I yield.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. PETRI. Mr. Speaker, I yield 2 additional minutes to the gentleman from Massachusetts.

Mr. GREGG. Mr. Speaker, I think we are all here in favor of this program, and the minority leader, the Republican leader, also said that he was in favor of the program. In fact, was not the funding for this program contained in the budget which this House passed recently?

Mr. FRANK. The problem is with the forward funding of the appropriation. I would ask the gentleman from New Hampshire to consult with his ranking member on the Appropriations Committee. (Mr. CONTE) It was the ranking Republican member of the Appropriations Committee who pointed out his frustration that, at the

objection of the President and the Senate, title V was dropped out of the supplemental appropriation bill. We are talking about giving people some reassurance through forward funding so that they can plan ahead, and it was at the objection of the President and of the Senate that we were not able to put the money for title V into the supplemental appropriation bill.

Mr. GREGG. Was it not in the 1983 budget?

Mr. FRANK. I am not sure which budget. It was not in the President's budget. It may have been in the budget resolution.

Mr. GREGG. It was in the budget that was passed by this House for 1983, and the gentleman voted against this funding.

Mr. FRANK. Let me say to the gentleman in the interest of saving time, as the minority leader has suggested, I would suggest that he not ask me questions to which he knows the answers. If he wants to make a statement, he ought to make it.

Mr. GREGG. If the gentleman voted against the program. how can he come to the floor and now support it?

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

Mr. FRANK. I yield to the gentleman from New York.

Mr. DOWNEY. Mr. Speaker, I want to associate myself with the gentleman's remarks. The fact is, this program helps primarily older women, who are the ones who benefit from the program.

In the President's original budget message, which I think we have to pay some heed to, the whole thrust of that, and in the economic report, the suggestion was made that these people could find jobs once the economy recovered. Well, of course, the economy is not recovering. Second, these people are not going to be able to find jobs.

I want to express my strong support for House Resolution 278, which expresses congressional support for the senior community services employment program. I expect this resolution will be supported by a great majority of—if not unanimously by—my colleagues.

But I do have one question. Where were all these Members when their avowed support for title V could have been more than symbolic? I am talking about the last two opportunities we have had to override a Presidential veto to two urgent supplemental appropriations requests. These urgent supplementals included $210 million that would have allowed the program to continue. Without this money, the program will die this September.

The title V program is forward funded, and it cannot legally use 1983 moneys until July 1983. Because of funding complications last year, title V received only one-quarter of the money needed to fund it for 1982. Come the end of September, there will be a 9-month gap before the 1983 funds can be used. And who really believes that any program—and one the administration is desperately opposed to—will start up again after it has been shut down for a period of 9 months?

The resolution that we are voting on today contains a lot of pretty words—words that we can go home and repeat to our senior citizens. But these words are absolutely meaningless unless they are backed up with some substantive action.

The House will almost certainly have another opportunity to save the program, in the form of a supplemental appropriations request. Every Member that casts a "yea" vote today should be prepared to vote for that supplemental—and to override a possible Presidential veto. If they do not, then today's vote becomes nothing but an empty, hypocritical gesture made to fool their constituents in to believing a lie.

□ 1315

Mr. FRANK. Mr. Speaker, I thank the gentleman from New York (Mr. DOWNEY).

I am just a bit perplexed, and I wish the Members on the other side would decide. I ask them, are you mad at us for not taking the President seriously, or are you mad at us because we do take the President seriously? I will be glad to play it either way, but when the President says in his budget message that he does not want the program, please do not accuse us of creating issues when we want to reaffirm and reassure the people who benefit from the program that we think it ought to continue to exist.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts (Mr. FRANK) has expired.

Mr. ANDREWS. Mr. Speaker, am I correct in my understanding that we have 6 minutes remaining?

The SPEAKER pro tempore. The gentleman is correct.

Mr. ANDREWS. Mr. Speaker, I yield 1 minute to a member of the full committee, the gentleman from New York (Mr. WEISS).

Mr. WEISS. Mr. Speaker, the gentlewoman from New Jersey (Mrs. FENWICK) had occasion to say a moment ago that since everybody is for this program, we should not make a partisan issue out of it or blame another branch of Government.

Well, whom should we blame? Should we blame the tooth fairy for the lack of funding?

The fact is that the President of the United States has been responsible for eliminating forward funding of this program. This is a program which everybody agrees is a sound, solid program. It is a program which provides jobs to 55,000 older Americans who, if they do not get the assistance, are going to have to receive some kind of welfare assistance, food stamps, medicaid or SSI.

It seems to me that it is better to allow people who want to work to work, and that is what this resolution is trying to do.

Mr. Speaker, I strongly support passage of House Concurrent Resolution 278, which expresses congressional support for maintaining the title V senior community service employment program.

This program currently provides employment for 54,500 individuals 55 years or older on a daily basis. Over the years, title V has proved its value and worth to older Americans, the communities they serve, and to the Nation. It has enabled low-income senior citizens to help themselves while helping others in the community at the same time. Its administrative expenses have been kept a minimum, allowing more disadvantaged elderly persons to participate in a program. Without title V, many older Americans would be forced to depend upon food stamps, SSI, medicaid, and other assistance.

Despite the success and effectiveness of this important program, the administration wants to terminate its funding, causing nearly 55,000 elderly Americans to lose their jobs this October. This is one more item in a long list of Reagan attacks on the welfare and quality of life of our Nation's elderly.

The need to continue the senior employment program is absolutely essential because unemployment for older Americans is at an alltime record high. Nearly 92,000 persons 55 or older were added to the joblessness rolls during the past month, raising the total from 732,000 in May to 824,000 in June. In fact, unemployment has increased by 54.3 percent for individuals 55 or older in the past year. Moreover, it simply does not make good sense—economically, politically, or socially—to wipe out an extraordinarily effective employment program for older workers when the national unemployment rate has reached the near-depression level of 9.5 percent.

These grim facts underscore the bankruptcy of Reaganomics for older Americans. This administration has consistently failed to recognize and meet the needs of older Americans for jobs, as well as for health care, housing, nutrition, and income security.

This resolution represents a rejection of the administration's harsh policies toward the elderly and a clear affirmation of congressional support for assisting the older Americans with an effective jobs program that deserves to be continued, and well funded. I urge my colleagues to vote for this important bill.

Mr. ANDREWS. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. ALEXANDER).

Mr. ALEXANDER. Mr. Speaker, I want to congratulate the committee for bringing to us this opportunity to reaffirm our belief that senior Americans can make an important contribution to our Nation, that many of our older citizens need special assistance and that many of our older Americans want and need to be able to continue earning income.

There are more than 230,000 people in my State of Arkansas who are 60 years old and older. Another 63,000 are between 55 and 60 years old. More than 60 percent of our older Arkansans according to the U.S. Bureau of the Census, have incomes at or below the poverty level.

Under the older Americans employment program more than 54,000 of our senior citizens across the Nation are providing needed services to their communities and improving their income at the same time. They provide critically needed services to handicapped persons, many of them children. They help improve homes through weatherization programs for low-income persons, thereby contributing to our national energy conservation effort. And, of course, they help provide services to their fellow older Americans who, without them, would frequently be homebound and malnourished.

These older Americans move into permanent jobs when those jobs are available. They work because they want and need to do so.

Yet, President Ronald Reagan, our first older American, says let them make their contributions to their communities through volunteer service. Our senior citizens working through the older Americans employment program can afford little time for volunteering. They have to be too busy trying to find a way to earn income. And, in this time of Reagan recession with unemployment standing at the highest levels since 1941, finding jobs regardless of your age is not easy.

President Reagan, our all-time champion Federal budget deficit maker, says we have to balance the budget so let us do it by cutting out the funding for the older Americans employment program.

I have already mentioned that more than 183,000 of our older Arkansans live at or below the poverty level. We have had the money to employ only 628 of them in the older Americans program, but that is better than zero.

Mayors, county judges, citizens who have seen the benefits from the work done by the older Arkansans through this program, and our older Arkansans who take such pride in their ability to and the opportunity for work urge us to continue this employment program.

The Ronald Reagan who wants to end the Older Americans Act employment programs is the same budget unbalancing President whose spending reduction programs have blocked 100,000 Americans who could have benefited from getting the minimum social security payment of $122 per month this year. He is the same President whose policies have increased the medical costs of our older Americans. And, now he wants to slash the funding that has helped our senior citizens get work.

When we talk about the older Americans employment program we are not talking about job slots, we are talking about people who want to and need to work and take pride in doing so.

I believe that it is far better for our Government to help our older Americans who need help with the everyday cost of living and want and are physically able to earn their way, to work for the price of their food and fuel than to force them to rely on the food stamp program or low-income energy grants.

That was the kind of thinking that brought about the passage of the Older Americans Act employment program in 1973. It is the kind of thinking that went into congressional decisions every year since then to keep the older Americans jobs program going.

And, it is the kind of thinking that is behind the resolution before us today in support of continued funding for our senior Americans employment program.

Our senior citizens, by their contributions to our Nation, have earned the right to live their retirement years with dignity and a measure of economic security. Those of our older Americans who are able and who need to work to achieve that financial security ought to have the opportunity to do so that programs like the older Americans employment programs are providing, have provided in the past and can continue to provide in the future.

Mr. ANDREWS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. PEYSER), a member of the full committee.

Mr. PEYSER. Mr. Speaker, I, too, rise in strong support of title V of the Older Americans Act, which I had the good fortune to be a part of in its authorship in 1971.

I think that one of the very important subjects that is being discussed here on the floor today is the strong support being given by my Republican colleagues to this measure and we certainly welcome that support. But I think it is equally important that the senior citizens of this country recognize that this Congress sent another message last year.

As unbelievable as it may seem, the message was this: Let us cut social security, let us cut senior citizen benefits, and by so doing we will also include the President's right of cutting title V.

Well, we are glad to have our Republican colleagues back with us in an election year, but I also give the senior citizens a great deal of credit in understanding just what is happening and who has worked for them and who will continue to work for them in this Congress.

Mr. ANDREWS. Mr. Speaker, I yield 1 minute to the gentleman from Illinois, Mr. PAUL SIMON.

Mr. SIMON. Mr. Speaker, let me say to my colleagues that I wish each of you could visit beautiful southern Illinois and see what this program does for these people. We are an area of high unemployment in which people need help, and when you take the liability of unemployment and you convert it into an asset of helping people with Meals on Wheels or tearing down an old house that ought to be torn down and giving people some meaning in life, I think it is a great program.

I am pleased to join my colleague, the gentleman from North Carolina (Mr. ANDREWS) in supporting this resolution, and I commend him for his leadership. It is a marvelous program that we ought to be expanding, not contracting.

Mr. Speaker, I rise in support of House Concurrent Resolution 278, the sense of Congress resolution on full funding for title V of the Older Americans Act which provides community service employment for 54,200 senior citizens around the Nation.

In his state of the Union address in 1964, President Johnson declared "unconditional war on poverty in America." Congress created an arsenal to join with the President with programs such as Job Corps, VISTA, Foster Grandparents, Head Start, and community development programs. These programs represent a "hand up" rather than a "hand out" and provide valuable community services and employment opportunities. Over the last 17 months, we have seen successful programs of self-help, education, and service dismantled through block grants and inadequate budgets. Our economy and the resulting plight of millions of Americans should tell us that the need is still current, and that it is simply being ignored.

Those Americans at the lowest end of the income scale can profit as much from community service employment programs as when these programs were enacted and reauthorized through the administrations of both Republicans and Democrats. Our communities are perhaps in greater need of the services provided under these programs.

Two out of ten Americans living below the poverty line are over 60 years old. That statistic is getting worse. Proposed cutbacks in social se-

curity will only exacerbate the situation.

Title V of the Older Americans Act provides employment for 54,200 senior citizens in various community service jobs. Let me give you an example of what this means to the communities served and individuals in the program. In my home State of Illinois, 2,200 senior citizens are employed by title V programs. One program is Green Thumb which serves 62 counties and employs 857 part-time workers. Green Thumb is responsible for services such as Meals on Wheels, providing balanced, hot meals to the elderly who are unable to leave their homes. The benefits to the workers are as real as to the shut-ins who are served by these programs. Arthur Shewmake of Jefferson County, Ill., is 71 years old and a crew leader for Green Thumb. Two years ago Mr. Shewmake lost his leg and found himself facing a hopeless and helpless future. He was employed by Green Thumb and was able to utilize his previous supervisory experience to help others. He has said, "Green Thumb is wonderful and I have regained my feeling of self confidence. I feel like a person again."

In Harden, Ill., three men aged 75 and over are participating in the senior aides program. They have rebuilt the virtually unused fairground in the community which now hosts three events every year which are well attended. Each of the aides credits the program for giving direction and meaning to his life.

A title V worker in Joppa, Ill., opened a communal meal center in an underutilized Federal building, and is now responsible for serving 25 meals per week to senior citizens. Without the title V program, there would be no service in this area.

I began by quoting President Johnson and the beginnings of social and community service programs. In 1981 another President stated in his inaugural address:

> How can we love our country and not love our countrymen? And loving them, reach out a hand when they fall, heal them when they are sick, and provide opportunity to make them self-sufficient so they will be equal in fact and not just in theory.

That President is Ronald Reagan whose fiscal 1983 budget provides zero funding for title V of the Older Americans Act. Where is the hand reaching out, the opportunity and the jobs for self-sufficiency?

It is up to Congress to make the final determination on title V programs. I enthusiastically go on record in support of House Concurrent Resolution 278 to make the rhetoric of the President a reality for those senior citizens who have so much to give the community and who we can never fully repay for their contributions both past and present.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman from Illinois (Mr. SIMON) for his contribution.

Mr. Speaker, I yield 2 minutes to the chairman of the Select Committee on Aging, and the champion of the elderly, the gentleman from Florida (Mr. PEPPER).

Mr. PEPPER. Mr. Speaker, I thank the distinguished subcommittee chairman for his kindness in yielding some time to me.

One of the shocking provisions of the President's proposed budget at the beginning of this year was the elimination of this program, cutting 54,200 elderly people off the job rolls where they were rendering essential community services to other people, old and young. Two-thirds of the participants in this program have been women, and one-half of those have been minority members.

This program not only helps the recipients of the aid but helps the elderly people who have the privilege of getting out of their isolation and off of their loneliness and getting out and helping other people. It gives them a sense of exhilaration that in many instances lengthens their own lives, improves their health, and thus promotes their own happiness.

This program goes only to those who are needy. They must be within 125 percent of the poverty level, and 87 percent of them are below the poverty level.

Now, it is a shocking fact that the President did not propose in his budget any provision for the continuance of this program. The Congress did, and we brought it within 4 percent of the level of last year.

Mr. Speaker, this concurrent resolution, which expresses the sentiment of Congress, would have the Congress increase or at least sustain substantially the program at the level of last year. This is a great program. It is a program of great meaning to human beings. It will enable the Government to save money by enabling more elderly people to get medical care at home rather than having to go to a hospital or to a nursing home. This is a great resolution. I commend the gentleman on his leadership, I commend the authors of it and those who support it, and I hope this House will, by a resounding majority, vote for and support this program.

Mr. ANDREWS. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in strong support of this resolution.

Mr. Speaker, I would like to applaud the efforts of our distinguished colleague CLAUDE PEPPER in his support of the title V program. There is no greater representative for the elderly of this country and I wholeheartedly support his statement.

I am proud to be a supporter of title V. I have seen firsthand the help that the older citizens provide for our communities and know how title V helps the elderly maintain productive and useful lives. Throughout my district, in Austin, Tex., and the surrounding counties, the senior aides and Green Thumb workers provide services on which we have come to depend.

We are fortunate to have such a good program and I am glad that the recently passed budget resolution maintained this program, rather than phasing it out in fiscal year 1983, as the President had originally requested. I ask all of you to join me in support of the Older Americans Act and title V.

Mr. PETRI. Mr. Speaker, I yield 2 minutes to my colleague, the gentleman from New Hampshire (Mr. GREGG).

Mr. GREGG. Mr. Speaker, it is clear that this proposal has tremendous support within the House, as the title V program has had consistently within the House, and it is also clear that it has support especially on this side of the House.

I believe that the representation, especially of the Members from New York, Connecticut, and Massachusetts, that this should be a political issue and should be reflected as one in which there has been a partisan position on this side of the aisle is totally incorrect. The fact of the matter is that the budget which was just passed by this House which many Members on this side of the House voted for and which the gentleman from Massachusetts, the gentleman from Connecticut, and the two gentlemen from New York voted against, included in it specific reference for funding in 1983 of the title V proposal.

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

Mr. GREGG. I will yield in just a few seconds.

Secondly, I point out that the proposal which came from the administration originally was not to eliminate the program completely, it was to merge it with two other programs, the migrant workers program, and the seasonal farm labor program, and yes, there would have been a cut under the original proposal. But because that original proposal ran into trouble not only on that side of the aisle but also on this side of the aisle and because there is strong support for the title V program on both sides of the aisle, this program continues and will continue as a viable program. Therefore, I think it is totally inappropriate for us to make this into a partisan issue.

Mr. Speaker, I will now yield to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK. Mr. Speaker, I do not believe anybody on this side of the aisle is trying to make it into a partisan issue. The minority leader raised a question which I sought to answer. I keep getting in trouble trying to pay attention to what other people say.

The minority leader asked us why we thought it had to be brought up. Our answer is that the President of the United States has answered his opposition to the program in several forms, and we want to counteract the fears he has generated.

I am glad that the minority members have not followed him on this one, and I hope that that trend is one that will continue. But the fact is that we simply pointed out, in answer to a question by the minority leader, who first raised the question in a partisan way, that we were simply trying to reassure the people who were made nervous by the President.

Mr. GREGG. Mr. Speaker, I want to take back my time from the gentleman from Massachusetts (Mr. FRANK) and I would note that had the gentleman from Massachusetts followed the minority leader or the Republican leader, as we refer to him, then he would have voted for the title V program in the budget process which we just went through.

Mr. FRANK. Mr. Speaker, if the gentleman will yield, I would have voted for that part of this budget resolution, but it was weighted down with so much other junk that I could not support the overall budget.

The SPEAKER pro tempore. The time of the gentleman from New Hampshire (Mr. GREGG) has expired.

Mr. PETRI. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. DAUB).

Mr. DAUB. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I am proud to be one of the first cosponsors of House Concurrent Resolution 278, expressing the sense of the House that the title V, senior employment program, under the Older Americans Act, be funded adequately despite proposals to substantially cut it.

As an active member of the House Select Committee on Aging, I was particularly pleased to have the opportunity to speak on behalf of this program when our Retirement Income Subcommittee held a hearing on title V. Although I wholeheartedly share the President's determination to maximize the effectiveness and fiscal accountability of Government programs, I have some concerns in regard to the services provided under title V. This program has proved itself to be effective and cost efficient. I am fearful that any effort to eliminate this program will result in trading gainful employment costs for welfare cost. We could be trading taxpayers for tax eaters.

Beyond the fiscal considerations, this program takes advantage of a vast resource of talent often ignored by private and public employees alike. It gives our seniors job training and experience, but perhaps more important, employers learn the advantage of hiring older Americans.

As you may know, the administration has suggested that several employment related programs be consolidated into one employment and training block grant to the various States. They believe that most training and employment activities should be carried out by the private sector and that in areas where potential workers lack basic skills required for entry-level jobs, training can best be provided by the States.

The administration also recommends that a nationally administered program be authorized for providing special target groups with employment and training services and older workers are mentioned as one of these special target groups. Certainly, I am pleased to see that the special needs and contributions of older workers are recognized; however, I fail to see the need for eliminating a program which is working successfully at the present time.

The SPEAKER pro tempore. All time of the gentleman from Wisconson (Mr. PETRI) has expired.

The Chair recognizes the gentleman from North Carolina (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, I yield the balance of my time to the gentlewoman from Tennessee (Mrs. BOUQUARD).

Mrs. BOUQUARD. Mr. Speaker, I want to voice my strong endorsement of this resolution, House Concurrent Resolution 278. I was disappointed that the forward funding difficulties facing title V were not addressed in the urgent supplemental appropriations bill though I understand that this was due to administration opposition. This resolution will not solve that problem but it is at least gives us a chance to go on record in support of a jobs program for older Americans. These older citizens have contributions to make, skills that should be tapped to the benefit of their communities. I am deeply concerned that we may be overlooking this by failing to protect title V. I urge my colleagues to support not only this resolution but to join efforts in providing forward funding and maintaining the community service employment programs for senior citizens at sufficient levels.

Mr. CLAUSEN. Mr. Speaker, I am genuinely pleased to observe the overwhelming support in this Chamber for House Concurrent Resolution 278, which expresses the sense of the Congress that funding for title V of the Older Americans Act in 1983 and future years should be maintained at levels which insure that the 54,200 jobs the senior community services employment program currently provides are maintained or increased. I am proud to join 219 of my colleagues as a cosponsor of this resolution.

Mr. Speaker, the measure we are considering today is of tremendous importance as a signal to this Nation's elderly population that we, their elected representatives, are behind them 100 percent. Last November I voted for H.R. 3046, the reauthorization bill that extended all Older Americans Act programs, including title V, for 3 years. I remember how gratifying it was for me to see that measure signed into law in December 1981; I felt then that we had made an important commitment to our older Americans that we truly were keeping their interests and their welfare at heart. The task before Congress today is to reaffirm that commitment to the Older Americans Act and title V program.

I have supported, since its inception, the senior community services employment program that provides low-income senior citizens with useful jobs to supplement their incomes. This year 54,200 seniors benefitted directly from this program through jobs provided by title V. But the indirect benefits have been just as real. Since the program's start, almost 100,000 seniors have received valuable job training and referral services, while the community service work these seniors perform has enriched the lives of countless citizens across the country. Title V not only helps our Nation's elderly—it helps them by providing opportunities for fulfilling work, and it helps them in a cost effective manner.

My support for the Older Americans Act is only part of my effort to insure that senior citizens be given the opportunity to live active and fulfilling lives. I have been a strong supporter of alternatives to mandatory retirement, including phased-in retirement and training for second careers. I steadfastly believe that as the American population shifts and grows older, we must not set up roadblocks to productivity, independence and simple human dignity among our Nation's elderly.

I need not remind my colleagues of the complexities involved in financing a Government program. I am aware that the title V senior community services employment program is funded through September 30, 1982. I am also aware that several paths may be taken toward funding this program for fiscal year 1983. We must not let the complexities of the budget process cloud the fact that this Congress is committed to the Older Americans Act and, in particular, the title V program. I urge my colleagues to support House Concurrent Resolution 278, as a signal that this Congress believes all Ameri-

cans deserve the opportunity to grow older with grace and dignity.

Mrs. HECKLER. Mr. Speaker, as a cosponsor of House Concurrent Resolution 278, I rise in strong support of the resolution in behalf of full funding for senior community service.

The programs administered under title V of the Older American Act bring enormous benefit, at low Federal cost, to the older Americans who work in the programs and those senior and younger persons whom they serve. Earlier this year, I had the opportunity to meet and speak with a number of senior aides in my district, and I was encouraged by the wisdom and experience that they are contributing to their communities.

However, senior aides in my district and throughout the country are worried about the future of the program. It is my fervent hope that passage of this resolution will assure them that the Congress is full behind this effective program.

We are constantly preoccupied with the need to establish and expand cost-effective and beneficial programs, particularly those that return more to communities than they cost initially. The senior employment programs return an estimated $1.15 for each dollar spent on the program itself. These programs represent good government: They enrich communities across the country, while helping individual citizens.

As a cosponsor of this resolution, I look forward to the senior employment programs continuing to help local communities use local personal resources to solve local problems, while utilizing individuals who have given a great deal to their country and offer further services.

● Mr. MOAKLEY. Mr. Speaker, I rise in support of House Concurrent Resolution 278 expressing the sense of Congress that title V of the Older Americans Act should receive full funding for 1983 and subsequent fiscal years.

That the administration should consider cutting title V appropriations at all is merely a reflection of its myopic view of budgetary priorities. As many of my colleagues will agree, title V has been a tremendously successful program. Rhetoric about waste, fraud, and abuse does not apply to the senior community service employment program. Title V meets the strictest criteria of cost effectiveness: For every $1 spent by the program, approximately $1.15 is saved in food stamp, supplemental security income, and unemployment benefits.

Nor can the need for the title V program be disputed. At current funding levels, title V allows some 54,000 senior citizens across the country near or below the poverty level to perform valuable public service tasks in their community. Many of the participants in title V will go on to find gainful employment in the private sector.

The fight for the title V program does not end here. While I commend those of my colleagues who support this resolution, I must point out that the real test of their commitment will come in the upcoming votes on supplemental appropriations and fiscal 1983 appropriations. House Concurrent Resolution 278 should not be an empty gesture, but a real signal to the administration of our determination to keep the title V program alive at current funding levels. We owe a great debt to the generation which proceeded us. Let us not forget their plight.●

● Mrs. HOLT. Mr. Speaker, as a cosponsor of House Concurrent Resolution 278, I rise in strong support of the resolution. The ravages of inflation have really hurt our senior citizens and they are truly deserving of support, especially those who are constructively and effectively participating in community service employment programs.

The community service employment programs will provide hope and dignity to our senior citizens and they will do so in programs that have proven to be very cost-effective.●

● Mr. BOLAND. Mr. Speaker, in December of 1981, the House and Senate by overwhelming margins voted to reauthorize the Older Americans Act. Included in the reauthorization bill were provisions to extend and strengthen title V, the older Americans community service employment program.

Prior to the submission of the fiscal year 1983 budget in February, there were indications that the President might not make a specific budget recommendation for the title V program. I joined with a number of my colleagues in writing to the President and urging him not to eliminate the program. In spite of these entreaties, the fiscal year 1983 budget, as submitted, contained no specific budget request for the community service employment program. In my judgment, the lack of a request was a serious mistake.

Title V has provided nearly 100,000 senior citizens with job training and employment referral services. In the current fiscal year, 54,200 low-income seniors have been provided with a job by the program. These jobs provide our elderly citizens with a chance to perform a meaningful community service and to contribute to their own self-sufficiency. It is absolutely imperative that these job opportunities be retained.

House Concurrent Resolution 278, which I was pleased to cosponsor, will reiterate the support of Congress for title V. Weakening or eliminating the title V programs would be neither a sound fiscal nor social policy. I hope that my colleagues will agree and that House Concurrent Resolution 278 will be overwhelmingly approved.●

● Ms. OAKAR. Mr. Speaker, I rise in support of House Concurrent Resolution 278, a resolution which expresses Congress support of title V of the Older Americans Act.

Title V of the Older Americans Act enables more than 50,000 senior citizens in communities across the Nation to engage in employment. These seniors, 55 years or older and defined as low-income earners, not only contribute their services to the community at large, but establish for themselves a sense of worth. At the present time, title V programs could cease to exist in early September if Congress does not act soon.

Termination of such a worthwhile program could be devastating for those participating and those benefiting from the 54,000 part-time jobs. Studies have shown that title V jobs returns to the taxpayers $1.15 for every dollar spent on the program. Data also indicates that SSI and food stamp costs were reduced an average of $24 a month whenever a new person joined the title V program. Of course, the self-worth that is attained through helping others is immeasurable.

It is time that the Congress act affirmatively. Our senior citizens have suffered enough hardship and frustration in the name of frugal spending. Title V has been proven successful, we cannot stand idly by and watch the program cease. These jobs must be maintained.

Thank you, Mr. Speaker.●

● Mr. SANTINI. Mr. Speaker, I rise in support of House Concurrent Resolution 278 of which I am a cosponsor.

Title V moneys must be saved and passage of this resolution will mark a victory for America's senior citizens. The money we spend on senior employment is one of the best investments this Nation can make. For the few hundreds of dollars spent on each senior worker, this country reaps thousands of dollars worth of productive employment. The Government that denies employment to its seniors relegates them to living on the dole. How can we on the one hand urge our people to provide for themselves then take away the very means they have to do so?

I for one have witnessed the decimation of Green Thumb and RSVP programs in my State. The failure of this administration to fund these programs is an insult to the seniors of America. We should be ashamed that we have allowed this neglect to go on for so long.

Mr. Speaker, I intend to cast my vote in support of House Concurrent Resolution 278 and in doing so cast a vote in support of the senior citizens of the United States.●

● Mr. SCHNEIDER. Mr. Speaker, as cosponsor of House Concurrent Resolution 278, I rise today in support of this important resolution which expresses the concern of Congress for the very worthwhile and productive community service employment program. This program, serving over 52,000 seniors nationwide, allows older members of our society the opportunity to actively contribute to the local community while earning a small income which, as we all know, has become an economic necessity for those on fixed means.

In Rhode Island alone, over 300 seniors particpated in the senior employment program in 1981. These individuals worked as library aides, fire safety counselors, retail sales clerks, and in numerous other positions that allowed them access to public contact and opportunities for renewed confidence and enthusiasm.

As it was only last year that Congress voted in overwhelming support for the Older Americans Act 3-year extension, I believe the majority of this year's Members fully intend for the community service employment program to be sufficiently funded. I ask that every consideration be given to maintain adequate funding to this very valuable and yet cost-effective senior community employment program.●

● Mr. BIAGGI. Mr. Speaker, I rise to lend my full support to House Congress Resolution 278, the legislation before us which reaffirms our strong support for the title V senior community employment program. As an original member of the House Select Committee on Aging as well as a member of the House Education and Labor Committee which considered this legislation, I am heartened that we are considering this measure today. clearly, a strong endorsement of title V will send a clear signal to the While House that the Congress is serious about maintaining our commitment to this small, but vital, program.

The title V program was extended for another 3 years last year in the Older Americans Act Amendments of 1981 (Public Law 97-115). As an original cosponsor of this legislation, I can personally attest to the favorable consideration this program received from Members of both parties, throughout the entire reauthorization process.

The title V senior community service employment program provides part-time community service employment to low-income seniors over 55. The jobs which these working older Americans perform for their neighborhoods are many and varied, including delivering meals at senior centers, working with foster children and the mentally disabled, as well as providing essential support staff at community centers which serve all local residents. The current funding level for this program now supports 54,200 job slots nationwide, at a cost of approximately $5,111 per participant per year.

We bring this resolution to the floor at a time when the funding picture for this program is in grave jeopardy. At present, the 1982 appropriation only extends this program through the last quarter of this fiscal year at a level of $67 million, in part, because this is a forward-funded program. Unless the remaining $210 million is provided for title V prior to September 30, which would bring the program up to current operating levels, the title V program, its sponsors, and its participants face extinction.

The urgent supplemental appropriations bills, which were both vetoed by President Reagan, contained the $210 million to keep the program operating. Sadly, this final version which we adopted excluded money for title V despite my efforts and those of my colleagues on the Aging Committee—Chairman CLAUDE PEPPER, MATTHEW RINALDO, JOHN BURTON, and WILLIAM RATCHFORD—which urged the conferees to maintain the money in the legislation. Happily, while the money was not retained in the urgent supplemental, I have been advised by our colleague, Chairman NATCHER of the Labor-HHS Appropriations Subcommittee, that his subcommittee has included the entire $210 million in the regular supplemental appropriations bill they are now considering in committee.

Advocates of title V were further heartened by the actions taken by our colleagues in the Senate on July 1 on a similar resolution, Senate Resolution 340. By a resounding 89 to 6 vote, the Senate voted to oppose any actions which would terminate or otherwise weaken the program.

The title V program has proven its worth many times over for it keeps older workers as taxpaying citizens, rather than forcing them into dependency. It has promoted self-sufficiency for its participants as well as age-integrated services to the communities where it operates. This program has also shattered the antiquated myth that older Americans are unable to continue working and maintaining a productive and useful function within our society. Undoubtedly, the demographics of the older work force in this Nation will place greater demands upon programs for older workers and at a time when demand is escalating, it seems hardly a fair and fitting response to seek to eliminate this program which can capably respond to this demand.

I commend my colleagues, Mr. PANETTA and Mr. CONTE, for introducing this measure. Their support and leadership in this area has been invaluable for the program. I further commend my chairman, CARL PERKINS, of the Education and Labor Committee, for his expeditious consideration of this measure. His demonstrated commitment to our Nation's seniors has not once waivered in my entire tenure as a member of his committee since my election to Congress nearly 14 years ago. I urge my colleagues here to join us in support of this measure and send a clear signal to everyone that title V is a program which cannot be tampered with, for to do so would be to tamper with a program which keeps our senior citizens working and productive.●

● Mr. YOUNG of Florida. Mr. Speaker, the passage of House Concurrent Resolution 278 today, of which I am a cosponsor, will again reaffirm our commitment to title V funding for the senior community service employment program so that the jobs of the 54,200 senior Americans employed by the program continue without disruption.

As a member of the Appropriations Committee, it is my intention to see that the $210.6 million needed to fund the program through June 30, 1983, will be included in the supplemental appropriation bill we will soon consider.

The value and success of the senior employment program has been demonstrated many times over, and as I said in testimony in February before the House Select Committee on Aging, there is no part of our Nation that better exemplifies the true value of this program than Pinellas County, Fla., which I represent. During my testimony, I cited numerous examples of community service employers, including fire chiefs, law enforcement officials, library directors, and hospital administrators, who have contacted me to reiterate the importance of this program to their individual organizations and to the community as a whole.

In both 1975 and 1976, recommendations were made to eliminate funding for the senior community service employment program; however, the Appropriations Committee I serve on was successful in continuing funding for the program in those years and each year since.

It is my hope that the passage of this resolution today reassures those who depend on the senior employment program for their livelihood that their jobs will be protected so they can continue to provide a variety of important services to their communities.●

● Mr. MINETA. Mr. Speaker, I rise in support of House Concurrent Resolution 278, which expresses our strong support for the senior community service employment program.

Since its inception in 1967, this program has provided much needed job training to thousands of seniors. We endorsed this program last year when we reauthorized title V of the Older Americans Act. However, the Presi-

dent has proposed eliminating this program, and it is highly appropriate for us to reaffrim our commitment to senior employment and training at this time.

As a nation, we cannot afford to ignore the vast reservoir of experience and skill that our senior citizens have to offer. To enable elderly individuals to avoid poverty and continue as self-sufficient members of society is indeed an important function of our Government. Moreover, many of those participating in this program are providing valuable community services while in training.

In my own county of Santa Clara, this program is operated by the county council on aging. In 1982, the program will train 164 seniors, each of whom was below the poverty line before entering the training. Of these, 51 percent are in service to the general community, with the rest in senior related positions. In all, more than 80 different agencies and businesses throughout the county are participating in the senior employment program.

Since 1977, the Santa Clara program has exceeded its placement goal in each year. I have seen this program work on a local level. It fills an important community need.

Today, the House will also be considering a military spending program of more than $250 billion. Surely we can find the relatively slight funding needed to maintain this useful community service.

Mr. Speaker, I heartily endorse the senior community service employment program, and strongly support House Concurrent Resolution 278. In the words of the resolution before us, we must "provide hope for a self-sufficient and dignified existence to senior citizens who otherwise would face shrinking employment opportunities."●

● Ms. FERRARO. Mr. Speaker, I rise today in support of House Concurrent Resolution 278. This resolution expresses the sense of the Congress that the current level of 54,000 public service jobs for low-income, older Americans be maintained, under title V of the Older Americans Act, for fiscal year 1983 and subsequent years.

As you know, Mr. Speaker, the Reagan administration proposed to eliminate the title V program. The elimination of this program would mean the loss of over 54,200 federally financed jobs nationwide.

In February, I held hearings in New York on the title V program for the House Select Committee on Aging, Subcommittee on Retirement Income and Employment. Janet Sainer, commissioner of the New York City Department for the Aging, testified on the importance of this program in New York. The title V program is the last Federal employment program directed to low-income older people in the country. Last year, in New York City, 800 older people lost their jobs when CETA was eliminated. Within the same year, another 800 older workers became unemployed with the demise of the title X job opportunity program. This number would have been much greater if the city had not picked up some of the positions. If the title V program does not continue, another 900 men and women will lose their jobs. This time, New York City will not be able to pick up the positions.

Commissioner Sainer testified that if the program is eliminated, over 100 frail elderly who receive essential home care services, because of disabilities or illness, would require institutionalization. Recent studies have revealed that it now costs over $24,000/year to institutionalize one person for 1 year in New York City. The title V program also allows older Americans to continue to be productive, taxpaying citizens. Considering all these factors, the program is obviously cost effective.

The elimination of the title V program is another indication of the fiscal shortsightedness and callousness of this administration. For the President to try to save money by cutting this program is just outrageous and shameful.

I ask all of my colleagues to support this resolution and to do whatever we can to restore full funding of this highly worthwhile older worker program.●

● Mr. GRAY. Mr. Speaker, I wish to add my voice to those of my colleagues who are speaking here today in favor of the resolution by the gentleman from California.

I, too, am convinced that the administration's effort to provide zero funding for title V of the Older Americans Act is just one more example of the manner in which senior citizens are being asked to shoulder a tremendously unfair burden of the budget cuts. If the administration succeeds in cutting the more than 54,000 jobs funded by title V, it will only be adding to the misery it has already caused with its cuts in medicare, its threats to the social security program, and its attacks on a broad range of programs which are critical to the survival of our elderly people—programs such as housing assistance and nutrition services.

I am further convinced, Mr. Speaker, that there is significant support for title V not only among the American public, but in this very Chamber. I am certain that this support will be reflected in our vote today, just as it was reflected in the reponse to the two letters which I asked my colleagues to join me in sending to President Reagan on this issue.

That first letter, Mr. Speaker, in January of this year, was signed by some 68 Members. We stressed to the President that the failure to provide categorical funding for title V would seriously jeopardize an effort which has been judged to be effective in providing jobs and services to our seniors and to our community at large. We also stressed that this effort has been judged to produce a considerable cost savings, with a minimum of bureaucratic regulation.

Our first letter to the President further stated, Mr. Speaker, that beyond the stark reality of whatever cost savings lies a contribution to the lives of senior citizens who have played a major role in building the social and economic strength of our Nation. We urged that the administration not lose sight of the fact that title V takes advantage of a vast pool of talent which otherwise has been ignored by private and public employers.

We did receive a reply from the White House, Mr. Speaker. But because I felt that the reply overlooked the need to maintain categorical funding for title V, I organized a followup letter.

This time, 115 of our colleagues joined me, Mr. Speaker. We pointed out that the administration's proposed $200 million for targeted jobs assistance would force older Americans to compete with native Americans, displaced workers, offenders, and other needy groups. Given the legitimate and considerable needs of these groups, we stated our strong feelings that $200 million for these groups and senior citizens would hardly replace the $227 million we spent last year on senior citizen employment alone.

For these and other reasons, Mr. Speaker, I believe that my colleague from California is providing a very much needed statement today. I urge all of my colleagues to join me in voting for this resolution, so that we can demonstrate a mandate in support of title V.●

● Mr. BONKER. Mr. Speaker, I am pleased to see the overwhelming support for House Resolution 278, which expresses congressional support for maintaining an adequate funding level for the Older Americans Act title V jobs program.

Title V is a basic bread-and-butter economic issue to the thousands of low-income elderly that benefit from the program.

When we talk about title V, we are not talking about make-work jobs, but jobs that provide valuable community services. Many title V jobholders are employed in senior centers, nutrition and transportation projects, or other programs providing vital services to the elderly.

And when we talk about title V, we are not talking about a program to en-

tertain senior citizens for the day, but one that provides critical part-time employment to assure an older person sufficient income to put food on the table and oil in the stove.

Employment for the elderly under title V is a good self-help program that assists low-income elderly in providing for the vital necessities of life, both for themselves and often for other seniors in the community.

The roots of the title V dilemma can be traced to events earlier this year. President Reagan's 1983 budget request called for the elimination of the jobs program. In its place, the President proposed a new "displaced workers program" under which older workers would be forced to compete for funds against veterans, displaced homemakers, exconvicts, and numerous other groups. This new jobs program was to be funded at a level of $180 million in 1983, nearly one-third less than the amount earmarked just for older workers last year.

No one can express the need for this program as eloquently as a senior employed under title V. I would like to read for the record a letter I received today from a senior citizen in my State who is sincerely fearful that the Older Americans job program will be eliminated.

The letter follows:

DEAR MR. CONGRESSMAN: I received some news today that was very upsetting to say the least.

The Senior Community Service Employment Program will be terminated this September 30th.

The writer of this letter is a Senior who is in the 70th year of life. My beloved husband passed away five years ago. It was necessary for me to find work and I found work through that program. If that program goes under, I as well as many other seniors will be unemployed. What then? Welfare?

Personally, I have felt so fortunate that I have not found it necessary to go on Relief, but what happens when work for seniors is not available? Looks to me we will have to ask for help whether we want to or not.

Mr. Congressman, this is a cry for help, not only for me, but from many, many other concerned senior citizens. Please, we are asking you to do everything within your power to see that the SCSEP is not terminated.

Sincerely,

MRS. A. W. GINGER,
Bellingham, Wash.

It is my hope, Mr. Speaker, that this strong show of congressional support for the title V jobs program will convince the administration not to pull the rug out from under Mrs. Ginger and the thousands of elderly nationwide who depend upon this program.●

Mr. ANDREWS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time, if I have any time remaining.

The SPEAKER pro tempore. The question is one the motion offered by the gentleman from North Carolina (Mr. ANDREWS) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 278.

The question was taken.

Mr. PANETTA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

Debate has been concluded on all motions to suspend the rules.

Pursuant to clause 5 of rule I, the Chair will now put the question on the motion on which further proceedings were postponed and will then put the question on each motion on which further proceedings were postponed on Monday, July 19, 1982, in the order in which those motions were entertained.

Votes will be taken in the following order:

House Concurrent Resolution 278, H.R. 5228, H.R. 6258, and House Concurrent Resolution 310, all by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic votes after the first such vote in this series.

SENSE OF CONGRESS REGARDING OLDER AMERICANS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution (H. Con. Res. 278).

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. ANDREWS) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 278, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 407, nays 4, not voting 23, as follows:

[Roll No. 188]

YEAS—407

Addabbo
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Archer
Aspin
Atkinson
AuCoin
Badham
Bafalis
Bailey (MO)
Bailey (PA)
Barnard
Barnes
Beard
Bedell
Bellenson
Benedict
Benjamin
Bennett
Bereuter
Bethune
Bevill
Bingham
Biiley
Boggs
Boland
Bolling
Boner
Bonior
Bonker
Bouquard
Breaux
Brinkley
Brodhead
Brooks
Broomfield
Brown (CA)
Brown (CO)
Broyhill
Burgener
Burton, Phillip
Butler
Byron
Campbell
Carman
Carney
Chappie
Cheney
Chisholm
Clausen
Clinger
Coats
Coelho
Coleman
Collins (IL)
Collins (TX)
Conable
Conte
Conyers
Corcoran
Coughlin
Courter
Coyne, William
Craig
Crockett
D'Amours
Daniel, Dan
Daniel, R. W.
Dannemeyer
Daschle
Daub
Davis
Deckard
Dellums
DeNardis
Derrick
Derwinski
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dorgan
Dornan
Dougherty
Dowdy
Downey
Dreier
Duncan
Dunn
Dwyer
Dymally
Dyson
Early
Eckart
Edgar
Edwards (AL)
Edwards (CA)
Edwards (OK)
Emerson
Emery
English
Erdahl
Erlenborn
Ertel
Evans (DE)
Evans (GA)
Evans (IA)
Evans (IN)
Fary
Fascell
Fazio
Fenwick
Ferraro
Fiedler
Fields
Findley
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Forsythe
Fountain
Fowler
Frank
Frenzel
Frost
Fuqua
Garcia
Gaydos
Gejdenson
Gephardt
Gibbons
Gilman
Gingrich
Ginn
Glickman
Goldwater
Gonzalez
Goodling
Gore
Gradison
Gramm
Gray
Gregg
Grisham
Guarini
Gunderson
Hall (OH)
Hall, Ralph
Hall, Sam
Hamilton
Hammerschmidt
Hance
Hansen (ID)
Hansen (UT)
Harkin
Hartnett
Hatcher
Hawkins
Heckler
Hefner
Heftel
Hendon
Hertel
Hightower
Hiler
Hillis
Holland
Hollenbeck
Holt
Hopkins
Horton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Jeffords
Jeffries
Jenkins
Johnston
Jones (NC)
Jones (OK)
Kastenmeier
Kazen
Kemp
Kennelly
Kildee
Kindness
Kogovsek
Kramer
LaFalce
Lagomarsino
Lantos
Latta
Leach
Leath
Lee
Lehman
Leland
Lent
Levitas
Lewis
Livingston
Loeffler
Long (LA)
Long (MD)
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken
Lundine
Lungren
Madigan
Markey
Marks
Marlenee
Marriott
Martin (IL)
Martin (NC)
Martin (NY)
Martinez
Matsui
Mattox
Mavroules
Mazzoli
McClory
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McKinney
Mica
Michel
Mikulski
Miller (CA)
Miller (OH)
Mineta
Minish
Mitchell (MD)
Mitchell (NY)
Moakley
Moffett
Molinari
Mollohan
Montgomery
Moore
Moorhead
Morrison
Mottl
Murphy
Murtha
Myers
Napier
Natcher
Neal
Nelligan
Nelson
Nichols
Nowak
O'Brien
Oakar
Oberstar
Obey
Ottinger
Oxley
Panetta
Parris
Pashayan
Patman
Patterson
Pease
Pepper
Perkins
Petri
Peyser
Pickle
Porter
Price
Pritchard
Pursell
Quillen
Rahall
Railsback
Ratchford
Regula
Reuss
Rhodes
Richmond
Rinaldo
Ritter
Roberts (KS)
Roberts (SD)
Robinson
Rodino
Roe
Roemer
Rogers
Rosenthal
Rostenkowski
Roth
Roukema
Roybal
Rudd
Russo
Sabo
Santini
Savage
Sawyer
Scheuer
Schneider
Schroeder
Schulze
Seiberling
Sensenbrenner
Shamansky
Shannon
Sharp
Shaw
Shelby
Shumway
Shuster
Siljander
Simon
Skeen
Skelton
Smith (AL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (OR)
Smith (PA)
Snowe
Snyder

Solarz
Spence
St Germain
Stangeland
Stanton
Stark
Staton
Stenholm
Stokes
Stratton
Studds
Stump
Swift
Synar
Tauke
Tauzin
Taylor
Thomas
Traxler
Udall
Vander Jagt
Vento
Volkmer
Walgren
Walker
Wampler
Washington
Watkins
Waxman
Weaver
Weber (MN)
Weber (OH)
Weiss
White
Whitehurst
Whitley
Whittaker
Whitten
Williams (MT)
Williams (OH)
Wilson
Winn
Wirth
Wolf
Wolpe
Wortley
Wright
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Young (MO)
Zablocki
Zeferetti

NAYS—4

Ashbrook
Crane, Philip
McDonald
Paul

NOT VOTING—23

Akaka
Albosta
Biaggi
Blanchard
Bowen
Brown (OH)
Burton, John
Chappell
Clay
Coyne, James
Crane, Daniel
de la Garza
Fithian
Green
Hagedorn
Jones (TN)
LeBoutillier
Rangel
Rose
Rousselot
Schumer
Solomon
Trible

□ 1345

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on all the additional motions to suspend the rules on which the Chair has postponed further proceedings.

IMPLEMENTING THE CONVENTION ON PHYSICAL PROTECTION OF NUCLEAR MATERIAL

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 5228, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. HUGHES) that the house suspend the rules and pass the bill, H.R. 5228, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 396, nays 9, answered "present" 1, not voting 28, as follows:

[Roll No. 189]

YEAS—396

Addabbo
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Archer
Aspin
Atkinson
Badham
Bafalis
Bailey (MO)
Bailey (PA)
Barnard
Barnes
Beard
Bedell
Beilenson
Benedict
Benjamin
Bennett
Bereuter
Bevill
Bingham
Bliley
Boggs
Bolling
Boner
Bonior
Bonker
Bouquard
Breaux
Brinkley
Brodhead
Brooks
Broomfield
Brown (CA)
Brown (CO)
Broyhill
Burgener
Burton, Phillip
Butler
Byron
Campbell
Carman
Carney
Chappie
Cheney
Chisholm
Clausen
Clinger
Coats
Coelho
Coleman
Collins (IL)
Collins (TX)
Conable
Conte
Conyers
Corcoran
Coughlin
Courter
Coyne, William
Craig
Crockett
D'Amours
Daniel, Dan
Daniel, R. W.
Dannemeyer
Daschle
Daub
Davis
Deckard
Dellums
DeNardis
Derrick
Derwinski
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dorgan
Dornan
Dougherty
Downey
Dreier
Duncan
Dunn
Dwyer
Dymally
Dyson
Early
Eckart
Edgar
Edwards (AL)
Edwards (CA)
Edwards (OK)
Emerson
Emery
English
Erdahl
Erlenborn
Ertel
Evans (DE)
Evans (GA)
Evans (IA)
Evans (IN)
Fary
Fascell
Fazio
Fenwick
Ferraro
Fiedler
Fields
Findley
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Forsythe
Fountain
Fowler
Frank
Frenzel
Frost
Fuqua
Garcia
Gaydos
Gejdenson
Gephardt
Gibbons
Gilman
Gingrich
Ginn
Glickman
Goldwater
Goodling
Gore
Gradison
Gramm
Gray
Gregg
Grisham
Guarini
Gunderson
Hall (OH)
Hall, Ralph
Hall, Sam
Hamilton
Hammerschmidt
Hance
Hansen (ID)
Hansen (UT)
Hartnett
Hatcher
Hawkins
Heckler
Hefner
Heftel
Hendon
Hertel
Hightower
Hiler
Hillis
Holland
Hollenbeck
Holt
Hopkins
Horton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Jeffords
Jeffries
Jenkins
Johnston
Jones (NC)
Jones (OK)
Kastenmeier
Kazen
Kennelly
Kildee
Kogovsek
Kramer
LaFalce
Lagomarsino
Lantos
Latta
Leach
Leath
Lee
Lehman
Leland
Lent
Levitas
Lewis
Livingston
Loeffler
Long (LA)
Long (MD)
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken
Lundine
Lungren
Madigan
Markey
Marks
Marlenee
Marriott
Martin (IL)
Martin (NC)
Martin (NY)
Martinez
Matsui
Mattox
Mavroules
Mazzoli
McClory
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McKinney
Mica
Michel
Mikulski
Miller (CA)
Miller (OH)
Mineta
Minish
Mitchell (MD)
Mitchell (NY)
Moakley
Moffett
Molinari
Mollohan
Montgomery
Moore
Moorhead
Morrison
Mottl
Murphy
Murtha
Myers
Napier
Natcher
Neal
Nelligan
Nelson
Nichols
Nowak
O'Brien
Oakar
Oberstar
Obey
Ottinger
Oxley
Panetta
Parris
Pashayan
Patman
Patterson
Pease
Pepper
Perkins
Peyser
Pickle
Porter
Price
Pritchard
Quillen
Rahall
Railsback
Ratchford
Regula
Reuss
Rhodes
Richmond
Rinaldo
Ritter
Roberts (KS)
Roberts (SD)
Robinson
Rodino
Roe
Roemer
Rogers
Rosenthal
Rostenkowski
Roth
Roukema
Roybal
Rudd
Russo
Sabo
Santini
Savage
Sawyer
Scheuer
Schneider
Schroeder
Schulze
Seiberling
Shamansky
Shannon
Sharp
Shaw
Shelby
Shumway
Shuster
Siljander
Simon
Skeen
Skelton
Smith (AL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (OR)
Smith (PA)
Snowe
Snyder
Solarz
Spence
St Germain
Stangeland
Stanton
Stark
Staton
Stenholm
Stokes
Stratton
Studds
Stump
Swift
Synar
Tauke
Tauzin
Taylor
Thomas
Traxler
Udall
Vander Jagt
Vento
Volkmer
Walgren
Walker
Wampler
Washington
Watkins
Waxman
Weaver
Weber (MN)
Weber (OH)
Weiss
White
Whitehurst
Whitley
Whittaker
Whitten
Williams (MT)
Williams (OH)
Wilson
Winn
Wirth
Wolf
Wolpe
Wortley
Wright
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Young (MO)
Zablocki
Zeferetti

NAYS—9

Ashbrook
Crane, Daniel
Crane, Philip
Harkin
Kindness
McDonald
Paul
Petri
Sensenbrenner

ANSWERED "PRESENT"—1

Gonzalez

NOT VOTING—28

Akaka
Albosta
AuCoin
Bethune
Biaggi
Blanchard
Boland
Bowen
Brown (OH)
Burton, John
Chappell
Clay
Coyne, James
de la Garza
Dowdy
Fithian
Green
Hagedorn
Jones (TN)
Kemp
LeBoutillier
Pursell
Rangel
Rose
Rousselot
Schumer
Solomon
Trible

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

INTERNATIONAL TRAVEL ACT AUTHORIZATION FOR 1983

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 6258.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. FLORIO) that the House suspend the rules and pass the bill. H.R. 6258, on which the yeas and nays are ordered.

The vote was taken by electronic vote, and there were—yeas 241, nays 167, not voting 26, as follows:

[Roll No. 190]

YEAS—241

Addabbo
Alexander
Anderson
Annunzio
Anthony
Applegate
AuCoin
Badham
Bafalis
Bailey (PA)
Barnard
Barnes
Bedell
Benedict
Benjamin
Boggs
Boland
Bolling

Boner
Bonior
Bonker
Bouquard
Brinkley
Brodhead
Broomfield
Brown (CA)
Burton, Phillip
Byron
Campbell
Carman
Carney
Chisholm
Clausen
Coelho
Coleman
Collins (IL)
Conte
Conyers
Courter
Coyne, William
Crockett
D'Amours
Daschle
Davis
Deckard
Dellums
DeNardis
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dorgan
Dougherty
Dowdy
Downey
Duncan
Dwyer
Dymally
Dyson
Early
Edwards (AL)
Edwards (CA)
Emery
Erdahl
Ertel
Evans (DE)
Evans (GA)
Fary
Fascell
Fazio
Ferraro
Fish
Florio
Foglietta
Foley
Ford (TN)
Fowler
Frank
Frost
Fuqua
Garcia
Gaydos
Gibbons
Gilman
Gingrich
Ginn
Gonzalez
Gore
Gray
Guarini
Hall, Ralph
Harkin
Hawkins
Heckler
Hefner
Heftel
Hendon
Holland
Hollenbeck
Horton
Howard
Hoyer
Hubbard
Hughes
Hunter
Hutto
Jeffords
Jenkins
Jones (NC)
Kastenmeier
Kazen
Kemp
Kildee
Kogovsek
Kramer
LaFalce
Lagomarsino
Lantos
Lee
Lehman
Leland
Lent
Long (LA)
Lott
Lowery (CA)
Lowry (WA)
Luken
Lundine
Madigan
Markey
Marks
Marlenee
Marriott
Martin (NY)
Martinez
Matsui
Mavroules
McClory
McCollum
McDade
McGrath
McHugh
McKinney
Mica
Mikulski
Miller (CA)
Mineta
Minish
Mitchell (MD)
Mitchell (NY)
Moakley
Molinari
Mollohan
Morrison
Motti
Murphy
Murtha
Napier
Nelligan
Nelson
Nowak
Oakar
Oberstar
Ottinger
Panetta
Parris
Pashayan
Patterson
Pepper
Perkins
Peyser
Pickle
Price
Pritchard
Quillen
Rahall
Railsback
Reuss
Rhodes
Richmond
Rinaldo
Roberts (SD)
Rodino
Roe
Rogers
Rosenthal
Rostenkowski
Roth
Roybal
Russo
Santini
Savage
Sawyer
Scheuer
Schneider
Shamansky
Shannon
Shaw
Shuster
Siljander
Simon
Skelton
Smith (NJ)
Smith (PA)
Snowe
Solarz
Spence
Stangeland
Stark
Staton
Stokes
Stratton
Studds
Swift
Synar
Tauke
Traxler
Vander Jagt
Vento
Walgren
Wampler
Washington
Watkins
Waxman
Weaver
Weiss
Williams (MT)
Wilson
Wirth
Wolf
Wortley
Wright
Wyden
Yatron
Young (AK)
Young (FL)
Young (MO)
Zablocki
Zeferetti

NAYS—167

Andrews
Archer
Ashbrook
Aspin
Atkinson
Bailey (MO)
Beard
Beilenson
Bennett
Bereuter
Bethune
Bevill
Bingham
Bliley
Breaux
Brooks
Brown (CO)
Broyhill
Burgener
Butler
Chappie
Cheney
Clinger
Coats
Collins (TX)
Conable
Corcoran
Coughlin
Craig
Crane, Daniel
Crane, Philip
Daniel, Dan
Daniel, R. W.
Dannemeyer
Daub
Derwinski
Dornan
Dreier
Dunn
Eckart
Edgar
Edwards (OK)
Emerson
English
Erlenborn
Evans (IA)
Evans (IN)
Fenwick
Fiedler
Fields
Flippo
Forsythe
Fountain
Frenzel
Gejdenson
Gephardt
Glickman
Goldwater
Goodling
Gradison
Gramm
Gregg
Grisham
Gunderson
Hall (OH)
Hall, Sam
Hamilton
Hammerschmidt
Hance
Hansen (ID)
Hansen (UT)
Hartnett
Hatcher
Hertel
Hightower
Hiler
Hillis
Holt
Hopkins
Huckaby
Hyde
Ireland
Jacobs
Jeffries
Johnston
Jones (OK)
Kennelly
Kindness
Latta
Leach
Leath
Levitas
Lewis
Livingston
Loeffler
Long (MD)
Lujan
Lungren
Martin (IL)
Martin (NC)
Mattox
Mazzoli
McCloskey
McCurdy
McDonald
McEwen
Michel
Miller (OH)
Montgomery
Moore
Moorhead
Myers
Natcher
Neal
Nichols
O'Brien
Obey
Oxley
Patman
Paul
Pease
Petri
Porter
Ratchford
Regula
Ritter
Roberts (KS)
Robinson
Roemer
Roukema
Rudd
Sabo
Schroeder
Schulze
Seiberling
Sensenbrenner
Sharp
Shelby
Shumway
Skeen
Smith (AL)
Smith (IA)
Smith (NE)
Smith (OR)
Snyder
St Germain
Stanton
Stenholm
Stump
Tauzin
Taylor
Thomas
Udall
Volkmer
Walker
Weber (MN)
Weber (OH)
White
Whitehurst
Whitley
Whittaker
Whitten
Williams (OH)
Winn
Wolpe
Wylie
Yates

NOT VOTING—26

Akaka
Albosta
Biaggi
Blanchard
Bowen
Brown (OH)
Burton, John
Chappell
Clay
Coyne, James
de la Garza
Findley
Fithian
Ford (MI)
Green
Hagedorn
Jones (TN)
LeBoutillier
Moffett
Pursell
Rangel
Rose
Rousselot
Schumer
Solomon
Trible

□ 1400

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

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

GENERAL LEAVE

Mr. FLORIO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just considered.

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

There was no objection.

SENSE OF CONGRESS RE SITUATION ON CYPRUS

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution (H. Con. Res. 310), as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. HAMILTON) that the House suspend the rules and agree to the concurrent resolution (H. Con. Res. 310), as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 405, nays 6, not voting 23, as follows:

[Roll No. 191]

YEAS—405

Addabbo
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Archer
Ashbrook
Aspin
Atkinson
AuCoin
Badham
Bafalis
Bailey (MO)
Bailey (PA)
Barnard
Barnes
Beard
Bedell
Beilenson
Benedict
Benjamin
Bennett
Bereuter
Bethune
Bevill
Bingham
Bliley
Boggs
Boland
Bolling
Boner
Bonior
Bonker
Bouquard
Breaux
Brinkley
Brodhead
Brooks
Broomfield
Brown (CA)
Brown (CO)
Broyhill
Burgener
Burton, Phillip
Butler
Byron
Campbell
Carman
Carney
Chappie
Cheney
Chisholm
Clausen
Clinger
Coats
Coelho
Coleman
Collins (IL)
Collins (TX)
Conable
Conte
Corcoran
Coughlin
Courter
Coyne, William
Craig
Crane, Daniel
Crane, Philip
Crockett
D'Amours
Daniel, Dan
Daniel, R. W.
Dannemeyer
Daschle
Daub
Davis
Deckard
Dellums
DeNardis
Derrick
Derwinski
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dorgan
Dougherty
Dowdy
Downey
Dreier
Duncan
Dunn
Dwyer
Dymally
Dyson
Early
Eckart
Edgar
Edwards (AL)
Edwards (CA)
Edwards (OK)
Emerson
Emery
English
Erdahl
Erlenborn
Ertel
Evans (DE)
Evans (GA)
Evans (IA)
Evans (IN)
Fary
Fascell
Fazio
Fenwick
Ferraro
Fiedler
Fields
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Ford (TN)
Forsythe
Fowler
Frank
Frenzel
Frost
Fuqua
Garcia
Gaydos
Gejdenson
Gephardt
Gibbons
Gilman
Gingrich
Ginn
Glickman
Goldwater
Gonzalez
Goodling
Gore
Gradison
Gramm
Gray
Gregg
Guarini
Gunderson
Hall (OH)
Hall, Ralph
Hall, Sam
Hamilton
Hammerschmidt
Hance
Hansen (ID)
Hansen (UT)
Harkin
Hartnett
Hatcher
Hawkins
Heckler
Hefner
Heftel
Hendon
Hertel
Hightower
Hiler
Hillis
Holland
Hollenbeck
Holt
Hopkins
Horton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Jeffords
Jeffries
Jenkins
Johnston
Jones (NC)
Jones (OK)
Kastenmeier
Kazen
Kemp
Kennelly
Kildee
Kindness
Kogovsek
Kramer
LaFalce
Lagomarsino
Lantos
Latta
Leach
Leath
Lee
Lehman
Leland
Lent
Levitas
Lewis
Livingston
Loeffler
Long (LA)
Long (MD)
Lott
Lowery (CA)
Lowry (WA)
Lujan
Luken
Lundine
Lungren
Madigan
Markey
Marks
Marlenee
Marriott
Martin (IL)
Martin (NC)
Martin (NY)
Martinez
Matsui
Mattox
Mavroules
Mazzoli
McClory
McCloskey
McCollum
McCurdy
McDade
McEwen
McGrath
McHugh
McKinney
Mica

Michel	Regula	Stanton
Mikulski	Reuss	Stark
Miller (CA)	Rhodes	Staton
Miller (OH)	Richmond	Stenholm
Mineta	Rinaldo	Stokes
Minish	Ritter	Stratton
Mitchell (MD)	Roberts (KS)	Studds
Mitchell (NY)	Roberts (SD)	Stump
Moakley	Robinson	Swift
Moffett	Rodino	Synar
Molinari	Roe	Tauke
Mollohan	Roemer	Tauzin
Montgomery	Rogers	Taylor
Moore	Rosenthal	Thomas
Moorhead	Rostenkowski	Traxler
Morrison	Roth	Udall
Mottl	Roukema	Vander Jagt
Murphy	Roybal	Vento
Murtha	Rudd	Volkmer
Myers	Russo	Walgren
Napier	Sabo	Walker
Natcher	Santini	Wampler
Neal	Savage	Washington
Nelligan	Sawyer	Watkins
Nelson	Scheuer	Waxman
Nichols	Schneider	Weaver
Nowak	Schroeder	Weber (MN)
O'Brien	Schulze	Weber (OH)
Oakar	Seiberling	Weiss
Oberstar	Sensenbrenner	White
Obey	Shamansky	Whitehurst
Ottinger	Shannon	Whitley
Oxley	Sharp	Whittaker
Panetta	Shaw	Whitten
Parris	Shelby	Williams (MT)
Pashayan	Shumway	Williams (OH)
Patman	Shuster	Wilson
Patterson	Siljander	Winn
Pease	Simon	Wirth
Pepper	Skeen	Wolf
Perkins	Skelton	Wolpe
Petri	Smith (AL)	Wortley
Peyser	Smith (IA)	Wright
Pickle	Smith (NE)	Wyden
Porter	Smith (NJ)	Wylie
Price	Smith (OR)	Yates
Pritchard	Smith (PA)	Yatron
Pursell	Snowe	Young (AK)
Quillen	Snyder	Young (FL)
Rahall	Spence	Young (MO)
Railsback	St Germain	Zablocki
Ratchford	Stangeland	Zeferetti

NAYS—6

Conyers	Grisham	Paul
Findley	McDonald	Solarz

NOT VOTING—23

Akaka	Clay	LeBoutillier
Albosta	Coyne, James	Rangel
Biaggi	de la Garza	Rose
Blanchard	Fithian	Rousselot
Bowen	Fountain	Schumer
Brown (OH)	Green	Solomon
Burton, John	Hagedorn	Trible
Chappell	Jones (TN)	

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

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1415

GENERAL LEAVE

Mr. GREGG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Concurrent Resolution 278.

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

There was no objection.

DEPARTMENT OF DEFENSE AUTHORIZATION ACT, 1983

Mr. PRICE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 6030) to authorize appropriations for fiscal year 1983 for the Armed Forces for procurement, for research, development, test, and evaluation, and for operation and maintenance, to prescribe personnel strengths for such fiscal year for the Armed Forces and for civilian employees of the Department of Defense, to authorize appropriations for such fiscal year for civil defense, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. PRICE).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 6030, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Monday, July 19, 1982, the Clerk had designated section 1.

Pursuant to the provisions of House Resolution 525, it is in order to consider the amendments printed in the CONGRESSIONAL RECORD of July 15, 1982, by and if offered by Representatives BENNETT, STRATTON, and DAN DANIEL of Virginia, and said amendments shall not be subject to amendment while pending, except pro forma amendments for the purpose of debate.

The Chair recognizes the gentleman from Florida (Mr. BENNETT).

AMENDMENT OFFERED BY MR. BENNETT

Mr. BENNETT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BENNETT: Page 4, line 7 strike out "$2,485,000,000" and insert in lieu thereof "$1,786,000,000".

Mr. BENNETT. Mr. Chairman, the amendment just read would reduce the authorization for the Trident submarine program by one submarine, from two to one, and would reduce the authorization for appropriation by $699 million. The amendment is the first of three amendments to be offered to achieve the reductions mandated by the budget resolution. The amendment was arrived at after consultation with the Seapower Subcommittee, which concluded that a reduction in the Trident program was the best course of action to satisfy the spending levels targeted in the budget resolution. Mr. SPENCE, the ranking member of the subcommittee, concurs in the amendment.

Let me briefly explain why the subcommittee concluded that a reduction in the Trident program was the best way to make the reduction.

Subsequent to completion of committee action on the Defense authorization bill the Secretary of Defense informed the committee that he had decided the most cost-effective way to deploy the Trident II missile would be to build the two Trident submarines requested in the fiscal year 1983 budget to carry the Trident II missile. The submarine equipment necessary to support the larger, heavier, and more accurate Trident II missile will add several hundred million dollars to the cost of each of the two Tridents included in the authorization bill as passed by the committee.

In light of the adoption of a budget resolution that mandates reductions in the Defense budget, the subcommittee concluded that it would not be possible to add the necessary funds for two Trident submarines, equipped to carry the Trident II missile, to the 1983 budget. Accordingly, the subcommittee was faced with the situation of feeling compelled to make some reductions to the bill as reported and with a bill containing an authorization for the Trident program that authorized two ships but which did not authorize appropriations sufficient to build the two ships. Therefore the subcommittee concluded that one ship should be authorized, and that the authorization should be sufficient to construct the ship fully equipped to carry the Trident II missile. This action would result in a net reduction of $699 million in authorization for the Navy shipbuilding program.

Mr. Chairman, in light of the reductions in the Defense budget that the House has targeted in adopting the first budget resolution, I urge my colleagues to support the amendment. It represents the best way of achieving the mandated reduction.

Mr. SPENCE. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, as I rise in support of the amendment offered by my chairman, I wish to state that I endorse his actions and also the action taken by the House Armed Services Committee to reduce the Navy's Trident budget for fiscal year 1983 by $699 million.

We carefully examined the alternatives that would permit us to fulfill our obligation to reduce recommended authorizations for naval shipbuilding to conform with the committee's desire to approve legislation generally consistent with the House-passed budget resolution.

I had hoped that in reaching our decision that we could do so without cutting into major programs essential to broad plans to build at least a 600-ship Navy and to strengthen and modernize our naval combatant fleet. The Tri-

dent ballastic missile submarine is a vital element in our strategic Triad, and with the new D-5 Trident II missile installed, is likely to play an even greater deterrent role in the future. The members of the Armed Services Committee feel strongly about that.

Consequently, it was difficult to deny the Navy a submarine which it should have. However, I was persuaded by the most recent letter from the Secretary of the Navy that it is possible that the restructured Trident program will bring on line the advanced D-5 ballistic missile sooner, produce cost savings by reducing the requirements for C-4 missiles and subsequent retrofitting procedures and still retain the D-5 system initial operating capability—IOC—date of 1989. Based on this information, a reduction to one Trident submarine for fiscal year 1983 seems to be an acceptable alternative at this time without prejudice to future enhancement of the Navy's submarine programs.

Mr. HUCKABY. Mr. Chairman, I move to strike the last word.

I would like to inquire from the gentleman from Florida, if I might—we are all aware that we have one Trident at sea today. How many are under construction at this point in time?

Mr. BENNETT. There are nine.

Mr. HUCKABY. And will all nine of these—how will they be equipped as far as with the new Trident II missile?

Mr. BENNETT. They will all be Trident I, except the ones we are going to build; from henceforth, it will be Trident II.

Mr. HUCKABY. But would the gentleman agree with the proposition that our submarine forces are probably the most effective of our Triad forces today, since they are probably the least vulnerable?

Mr. BENNETT. I think everybody agrees on that, and I do.

Mr. HUCKABY. The gentleman does concur with that, and yet the gentleman, even aware of this, is willing to cut back the authorization by 50 percent?

Mr. BENNETT. Well, I am not very happy about it, but the Congress has enacted a law that requires us to reduce the national defense and the Navy has to take its share of it.

Mr. HUCKABY. My point is, is this the most effective point we should be obtaining these moneys? I agree we have got to make some cutbacks as such, but here we are talking about the most effective leg of our Triad and making cuts there.

Mr. BENNETT. Well, actually, it is not going to slow up any of these ships getting to sea. They are all going to get to sea about the same time that they would have, anyway. In other words, we are really not slowing up the program, because they have a backlog of work that they have not yet done anyway.

I guess the worst argument that one could make against the thing that I have offered, one could say, they do have an option to build this submarine, but the argument against that is that the option cannot be fulfilled anyway, because they are going to make it a Trident II submarine. Therefore, it has to be opened up and we would not save any money.

As far as time is concerned, we are not going to lose any time.

I myself did not start off with this idea of doing this with the Trident. I was a last-minute convert and the real reason I was converted was because all the suggestions of other places for cuts lacked candor. They were not real savings. They were apparent savings that really were not going to take place, like cost overruns and things like that which are not going to be effective. That is like saying you are going to cut out waste and extravagance in Government. Unless you have a specific place to do it, it does not cut it out.

The suggestions given to us by the Navy did not meet, in my opinion, the standard of candor.

Mr. HUCKABY. If what the gentleman is saying, the immediate construction program of the Tridents will not be affected at all by this out?

Mr. BENNETT. It will not. It will go just as fast for the whole Trident fleet.

Mr. KAZEN. Mr. Chairman, will my colleague yield?

Mr. HUCKABY. I yield to the gentleman from Texas.

Mr. KAZEN. The state of the matter is the fact that under the budget resolution we must cut some funds in defense and the gentleman, as chairman of the Subcommittee on Seapower of the Committee on Armed Services, has reviewed the entire naval program, came forward with this proposition to the full committee, and the full committee has agreed with him.

Now, the gentleman is a very strong advocate of a strong national defense. The majority of us on the floor are and it goes against the grain for us to vote to cut funds for defense.

I think that we have no option except to go with the gentleman. He has studied the budget very carefully and has found out that this is the more effective way that we can cut back to the limits of the budget resolution already adopted by this Congress and at the same time not do any harm or less harm than we would do by cutting somewhere else as far as our defense posture is concerned.

Mr. BENNETT. Mr. Chairman, if the gentleman will yield, the gentleman has stated it very accurately. This amendment is the least harmful amendment that we could come up with, because it is not going to really delay, in my opinion, the production of the Trident.

Mr. KAZEN. We are not doing it because we want to, but because we are mandated by the budget; am I correct?

Mr. BENNETT. That is correct, and it should in no way be construed as a criticism of the Electric Boat or how these Tridents are produced or anything else. They are being produced well. This is not a criticism of that. It is not a rebuke to anybody. The Trident submarine is going to come out just about the same time it was going to come out anyway. It is an honest statement that we are not going to give the money in this bill, however.

Mr. KAZEN. I thank my colleague.

Mr. BENNETT. Mr. Chairman, on this I would like to ask for a rollcall vote.

□ 1430

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. BENNETT).

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

RECORDED VOTE

Mr. BENNETT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 344, noes 65, not voting 25, as follows:

[Roll No. 192]

AYES—344

Addabbo	Coelho	Evans (IA)
Anderson	Coleman	Evans (IN)
Andrews	Collins (IL)	Fary
Annunzio	Collins (TX)	Fascell
Anthony	Conte	Fenwick
Archer	Conyers	Ferraro
Ashbrook	Corcoran	Fiedler
Aspin	Coughlin	Fields
AuCoin	Coyne, William	Findley
Badham	Craig	Fish
Bafalis	D'Amours	Flippo
Bailey (MO)	Daniel, Dan	Foglietta
Barnard	Daniel, R. W.	Foley
Barnes	Dannemeyer	Ford (TN)
Beard	Daschle	Forsythe
Bedell	Daub	Fountain
Benedict	Davis	Fowler
Benjamin	Deckard	Frank
Bennett	Dellums	Frenzel
Bereuter	Derrick	Frost
Bethune	Derwinski	Fuqua
Bevill	Dickinson	Garcia
Bingham	Dicks	Gaydos
Bliley	Dixon	Gephardt
Boggs	Dorgan	Gibbons
Boland	Dornan	Gilman
Boner	Dougherty	Gingrich
Bonior	Dowdy	Ginn
Bonker	Dreier	Glickman
Bouquard	Duncan	Goldwater
Breaux	Dunn	Gonzalez
Brinkley	Dwyer	Goodling
Brodhead	Dymally	Gore
Brooks	Dyson	Gradison
Broomfield	Early	Gramm
Brown (CA)	Eckart	Gray
Brown (CO)	Edgar	Gregg
Broyhill	Edwards (AL)	Grisham
Burgener	Edwards (CA)	Guarini
Burton, Phillip	Edwards (OK)	Hagedorn
Butler	Emerson	Hall (OH)
Byron	Emery	Hall, Ralph
Campbell	English	Hall, Sam
Carman	Erdahl	Hamilton
Carney	Erlenborn	Hammerschmidt
Chappie	Ertel	Hance
Clausen	Evans (DE)	Hansen (ID)
Clinger	Evans (GA)	Hansen (UT)

Harkin
Hatcher
Hawkins
Hefner
Heftel
Hertel
Hightower
Hillis
Holland
Hollenbeck
Holt
Hopkins
Horton
Howard
Hoyer
Hubbard
Hutto
Hyde
Ireland
Jacobs
Jeffords
Jenkins
Johnston
Jones (NC)
Jones (OK)
Kastenmeier
Kazen
Kildee
Kindness
Kogovsek
LaFalce
Lagomarsino
Lantos
Latta
Leach
Leath
LeBoutillier
Lehman
Leland
Levitas
Lewis
Livingston
Loeffler
Long (LA)
Lott
Lowry (WA)
Lujan
Luken
Lundine
Lungren
Madigan
Markey
Marks
Marlenee
Marriott
Martin (IL)
Martin (NC)
Martinez
Matsui
Mattox
Mavroules
McCloskey
McCollum
McCurdy
McDade
McDonald
McEwen
McGrath
McHugh
Mica
Mikulski
Miller (OH)
Minish
Mitchell (MD)
Moakley
Mollohan
Montgomery
Moore
Moorhead
Morrison
Mottl
Murphy
Myers
Napier
Natcher
Neal
Nelligan
Nelson
Nichols
Nowak
Oakar
Obey
Oxley
Parris
Pashayan
Patman
Patterson
Paul
Pease
Pepper
Perkins
Petri
Peyser
Pickle
Porter
Price
Pritchard
Pursell
Rahall
Railsback
Rangel
Regula
Reuss
Richmond
Rinaldo
Ritter
Roberts (KS)
Roberts (SD)
Robinson
Rodino
Roe
Roemer
Rogers
Rosenthal
Rostenkowski
Roth
Roukema
Roybal
Rudd
Santini
Savage
Sawyer
Scheuer
Schroeder
Seiberling
Sensenbrenner
Shamansky
Shannon
Sharp
Shaw
Shumway
Shuster
Simon
Skeen
Skelton
Smith (AL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (OR)
Smith (PA)
Snowe
Snyder
Spence
Stangeland
Stanton
Stark
Staton
Stenholm
Stokes
Stratton
Stump
Swift
Synar
Tauke
Tauzin
Taylor
Thomas
Traxler
Trible
Udall
Vander Jagt
Volkmer
Walgren
Walker
Wampler
Washington
Watkins
Waxman
Weaver
Weber (MN)
Weber (OH)
Weiss
White
Whitehurst
Whitley
Whittaker
Whitten
Williams (OH)
Winn
Wirth
Wolf
Wortley
Wright
Wyden
Wylie
Yates
Yatron
Young (FL)
Zablocki

NOES—65

Alexander
Applegate
Atkinson
Bailey (PA)
Beilenson
Cheney
Coats
Conable
Courter
Crane, Daniel
Crane, Philip
DeNardis
Dingell
Donnelly
Downey
Fazio
Florio
Ford (MI)
Gejdenson
Gunderson
Hartnett
Heckler
Hendon
Hiler
Huckaby
Hughes
Hunter
Jeffries
Kemp
Kennelly
Kramer
Lee
Lent
Long (MD)
Lowery (CA)
McClory
McKinney
Michel
Miller (CA)
Mineta
Mitchell (NY)
Moffett
Molinari
Murtha
O'Brien
Oberstar
Ottinger
Panetta
Quillen
Ratchford
Rhodes
Russo
Sabo
Schneider
Schulze
Shelby
Siljander
Solarz
St Germain
Studds
Vento
Williams (MT)
Wilson
Wolpe
Zeferetti

NOT VOTING—25

Akaka
Albosta
Biaggi
Blanchard
Bolling
Bowen
Brown (OH)
Burton, John
Chappell
Chisholm
Clay
Coyne, James
Crockett
de la Garza
Fithian
Green
Jones (TN)
Martin (NY)
Mazzoli
Rose
Rousselot
Schumer
Solomon
Young (AK)
Young (MO)

□ 1445

The Clerk announced the following pair:

On this vote:

Mr. Akaka for, with Mr. Chappell against.

Messrs. MINETA, PANETTA, and VENTO changed their votes from "aye" to "no."

Messrs. WEBER of Minnesota, GUARINI, ARCHER, and DICKS changed their votes from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. STRATTON

Mr. STRATTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STRATTON: Page 2, line 11, strike out "$2,612,200,000" and insert in lieu thereof "$2,541,600,000".

Page 2, line 12, strike out "$2,948,500,000" and insert in lieu thereof "$2,898,500,000".

Page 2, line 14, strike out "$4,843,100,000" and insert in lieu thereof "$4,707,700,000".

Page 2, line 15, strike out "$2,622,600,000" and insert in lieu thereof "$2,439,000,000".

Page 2, line 16, strike out "$4,638,000,000" and insert in lieu thereof "$4,509,500,000".

Page 2, line 21, strike out "$11,774,600,000" and insert in lieu thereof "$11,424,500,000".

Page 6, line 7, strike out "$2,209,000,000" and insert in lieu thereof "$1,984,900,000".

Page 6, line 13, strike out "$18,116,300,000" and insert in lieu thereof "$17,243,400,000".

Page 6, line 14, strike out "$6,388,800,000" and insert in lieu thereof "$6,333,300,000".

Mr. STRATTON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Chairman, I know that on the previous amendment offered by the gentleman from Florida (Mr. BENNETT) there was a certain amount of confusion among the membership as to exactly what was happening when senior members of the Armed Services Committee were getting up and offering amendments to cut the defense program, items like the *Trident* submarine, and others. I am sure that many Members are feeling that something has gone haywire when the Member from the 28th District of New York rises to offer an amendment that would cut $2 billion from defense programs originally authorized by the Armed Services Committee. I have not gone berserk. I have not been converted by the various caucuses that have been trying to convert me.

The amendment is being offered rather, as the gentleman from Florida explained in connection with his own amendment, because the House in its wisdom, when it adopted the budget resolution, required a $10 billion cut in defense. Since our committee had spent a good deal of time in developing the initial defense legislation, we wanted to try to see if it was possible to cut that kind of money out of defense without doing harm at least in a major way. I must say I think the amendment I am proposing now does accomplish that reduction in the procurement account, some $2.070 billion, remarkably well in the sense that it does not gut or do severe damage to any major programs.

What the amendment would do would be to delete $568.1 million from the Army; $574.4 million from the Navy, which comes in addition to the reduction offered by the gentleman from Florida, and $928.4 million from the Air Force. Together with the other amendments that are going to be offered, this will bring the total cost of H.R. 6030 into full conformity with the First Concurrent Resolution on the budget.

There are some 37 programs involved in these amendments, and I do not plan to discuss each of them since the program reductions that make up the amendments have already been published in the CONGRESSIONAL RECORD. Individuals who have a heartburn about one item or another should consult the CONGRESSIONAL RECORD, but I ought to point out that we have tried to spread the suffering as widely as possible, including the districts and States represented by members of the Armed Services Committee. For example, we have deleted six F-14's, one of the Nation's greatest aircraft and produced in the Nation's Empire State, simply to demonstrate that we are all suffering a little bit with these reductions.

However, make no mistake about it, we are going beyond the fat layer down to the muscle and bone. Our amendments would delete 42 combat aircraft, 114 combat vehicles. They curtail major aircraft, vehicle and missile modifications; a major program, the Copperhead cannon-launched guided missile, is terminated. The amendments reduce spare and repair parts, ammunition and communications programs, the critical readiness items that make our forces able to shoot, move and communicate, by over $400 million.

Obviously, this will demonstrate that whenever we cut defense budgets we are going to have problems. Perhaps already those who at the time of the budget debate proposed so glibly and easily substantial cuts in defense

may now feel that they made a little mistake. But we have responded to the directions of the House and we offer this amendment in that spirit.

I am not proposing to delete these various items because I believe they are not needed. If I believed that I would have recommended they be deleted when H.R. 6030 was marked up in committee back in April.

Rather, I am offering this amendment because it was the will of the Congress that the 1983 defense budget ge reduced by $10 billion. I believe that it is the responsibility of senior members of the committee to make responsible recommendations to the House on where reductions should be taken, instead of marking up the bill on the floor of the House without a careful review of all the consequences of some of the amendments offered.

Many of these reductions will be painful to individual Members because all of these cuts ultimately translate into lost jobs and lost capability. They are painful to me and my colleagues from New York where the F-14 is made, since one of these amendments as I have already pointed out deletes six F-14's.

The truth is, that I can probably make a better case against these reductions than anyone in this House on the merits of the individual programs. But Mrs. HOLT and I did not prepare this amendment in isolation. We worked on it for more than 3 weeks, trying to weigh all the priorities, and I can assure you it was not a labor of love. But what you have before you is our best judgment as to where programs should be reduced in order to conform to the congressional mandate.

I reluctantly urge the adoption of these amendments.

The CHAIRMAN. The time of the gentleman from New York has expired.

(At the request of Mr. MARKS and by unanimous consent, Mr. STRATTON was allowed to proceed for 2 additional minutes.)

Mr. MARKS. Mr. Chairman, will the gentleman yield?

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

Mr. MARKS. I wonder if I might ask the gentleman from New York a question. He seemed to indicate that the cutting of two aircraft that would be built in the State of New York was being done just to show good faith by the State of New York. Is that the gentleman's comment? Does he really mean that? Was there not some consideration given as to whether or not we need those two aircraft at some point in time?

Mr. STRATTON. Let me say to the gentleman that the bill that was reported out by the House Armed Services Committee in April was a bill that, in my judgment, was vitally important, every single item in that bill, for the defense of the country. We would not have put those items in if they were not important. But subsequent to that time, and before our bill had an opportunity to come on the floor, the House directed the Armed Services Committee to cut $10 billion. You cannot really cut $10 billion without cutting bone and muscle in a very substantial number of programs.

The point is that if we are going to get people to agree to this kind of massive reduction we have got to make it clear that we are spreading the impact, as I indicated earlier, over a number of areas and a number of programs. We on the Armed Services Committee, felt we had to make it clear that we are not shielding our own districts and our own States and only making other districts and other States take all the cuts.

Mr. MARKS. I thank the gentleman for that explanation.

The CHAIRMAN. The time of the gentleman from New York has again expired.

(At the request of Mr. SANTINI and by unanimous consent, Mr. STRATTON was allowed to proceed for 3 additional minutes.)

Mr. SANTINI. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I yield.

Mr. SANTINI. I thank the gentleman for yielding.

Mr. Chairman, I was unaware that the committee was considering any action to reduce the Minuteman extended survivable power program until the details of the Stratton amendment were published in the RECORD on July 15. However, at the same time I learned of the details of the Stratton amendment, I also found that the rule on H.R. 6030 precluded any amendments to the Stratton amendment.

Let me be candid about this issue. The lithium battery program is matter of parochial interest to me. The plant is located in Henderson, Nev., and cancellation of the program would result in the loss of approximately 100 jobs in the Henderson area and it would have a significant impact on the economy of southern Nevada. As their Representative, that concerns me.

But as an American and a strong supporter of national defense, I am even more concerned about the military implications of this decision. We are going to have to rely on the Minuteman system for strategic deterrence until the MX becomes a reality. And particularly in view of the current uncertainties surrounding the MX, we must plan on keeping the Minuteman force at a high state of readiness for some time to come. The current lead-acid batteries in the Minuteman are beginning to deteriorate to the point of affecting the system's operational readiness.

It has been estimated that the lithium batteries could increase Minuteman operational readiness by a factor of 20 and in addition, these batteries could be used for MX power modules.

I appreciate the practical necessity of asking for a rule that would make the Stratton amendment not subject to amendment. However, since I cannot offer an amendment at this point to restore the funds, I would like to ask the gentleman from New York if he would give consideration to restoring the authorization in the conference with the Senate.

Mr. STRATTON. Mr. Chairman, I certainly recognize that the gentleman from Nevada (Mr. SANTINI) has been a strong supporter of defense, and he has made, in conversation with me, a very persuasive case. I am really indebted to him indeed for bringing the merits of the lithium battery to my attention. I know that the gentleman from Nevada (Mr. SANTINI) has fought for this program very effectively over the past few years when the former Secretary of Defense, Harold Brown, and the current Secretary, Caspar Weinberger, both appeared lukewarm on the program. In fact, I would go so far as to say that there would probably not be a lithium battery program today if it had not been for the gentleman from Nevada (Mr. SANTINI).

As I said in my statement and in response to the gentleman from Pennsylvania (Mr. MARKS) we had to cut a lot of good, sound programs, in this amendment, not because they were without merit, but because of the mandate of the Congress to cut the defensed budget by $10 billion.

□ 1500

Mr. Chairman, the gentlewoman from Maryland (Mrs. HOLT), the ranking minority member of the committee, and I made some very hard choices in putting this amendment together.

The CHAIRMAN. The time of the gentleman from New York (Mr. STRATTON) has expired.

(By unanimous consent, Mr. STRATTON was allowed to proceed for 1 additional minute.)

Mr. STRATTON. Mr. Chairman, to conclude my response to the gentleman from Nevada (Mr. SANTINI) we made some very hard choices in putting this amendment together, including the recommendation to reduce the F-14 program, as I pointed out earlier to the gentleman from Pennsylvania, which is important to my own State.

But, as I said, the gentleman from Nevada (Mr. SANTINI) has made some sound points, and I would certainly be prepared to review the lithium battery program and give serious consideration to a restoration of authorization during the committee of conference.

Mr. SANTINI. Mr. Chairman, I thank the gentleman from New York

(Mr. STRATTON) for yielding, and I thank him for his responsive answer.

Mrs. HOLT. Mr. Chairman, I rise in support of the amendment to H.R. 6030 offered by the distinguished chairman of the Procurement and Military Nuclear Systems Subcommittee, Mr. STRATTON.

As Chairman PRICE indicated, in offering these amendments the committee is complying with the spirit of the budget resolution. As the cosponsor of this amendment, I must tell you, however, that identifying the program reductions required by the budget resolution was a very difficult task. It was especially difficult because I am of the belief that these reductions are beginning to cut into the muscle of many of our national defense programs. Unfortunately, this is occurring at a point in our Nation's history when we should be investing in building our defense muscle, not reducing it. However, we have no alternatives but to recognize the fiscal realities imposed by tight budget constraints and to reduce the levels of authorizations for the procurement of defense systems in fiscal year 1983.

In order to reach these reduced levels of authorizations, it was necessary to review—for the second time—the Defense Department's entire procurement request. I must add that as a result of this exhaustive second review, I am even more convinced that the Defense Department's authorization bill—H.R. 6030—which I supported earlier, is lean and executable. I believe that H.R. 6030 contains only those programs which are necessary to continue to close the gap between what we need to accomplish our national defense objectives and what we have available in terms of defense resources. As you may recall, in previous years we have witnessed a downward trend in defense spending. In my judgment, the fiscal year 1982 defense authorizations and appropriations represented the first installment toward reversing this downward trend. I certainly feel that we should continue those defense improvements that the Congress started last year.

Notwithstanding my commitment to continue to reverse this dangerous downward trend, I fully understand our obligation to the people of this great Nation to enact authorizing and spending legislation which is fiscal responsibility. Consequently, I feel that we must report reductions in defense spending which not only comply with the spirit but also with the intent of the recently passed budget resolution. How does one reconcile a strong commitment to enhance our national defense with a commitment to reduce the rate of Federal spending? It was not easy. This amendment, however, attempts to satisfy these seemingly diameterical objectives by recommending program reductions which will have the least adverse impact upon many of the programs which are vital to our national defense.

As the chairman indicated, Army Navy, Marine Corps and Air Force procurement programs were cut by over $2½ billion. These program reductions are wide sweeping and include:

A $568.1 million reduction in Army programs; over $1.27 billion reductions in Navy-Marine Corps programs; and $928.4 million worth of program reductions in the Air Force.

This represents a distribution of program reductions across the military services of 20 percent for the Army, 45 percent for the Navy/Marine Corps, and 35 percent for the Air Force.

I would be remiss, however, if I did not inform you that as a result of these reductions there is a greater potential for increased cost inefficiencies in the acquisition of several defense programs. These inefficiencies could occur because several reductions will require that programs be stretched-out, underfunded, or terminated. Historically, when programs are stretched out or underfunded, frequently they experience program and procurement unit cost increases. I am clearly not suggesting that these increases are acceptable should they occur, but I am only pointing out the probable cost implications of making these reductions. I might also point out that in structuring these program reductions, my colleague and I have made a concerted effort to minimize, where possible, any program cost inefficiencies which might have resulted from interruptions in production lines.

As you know, I have long been a staunch advocate of improving our defense posture by acquiring the necessary defense systems to allow this country to meet and counter the ever increasing Soviet threat. You will, therefore, not be surprised when I tell you that it goes against my grain to propose cuts in defense spending of this magnitude. However, as I said earlier, I recognize the reality of the situation, and under the circumstances it would appear that reducing defense programs is a reasonable and prudent action. Again, I must caution you, however, that we are cutting into defense muscule, and we—the Congress—must resist any further cuts—beyond those offered by the Armed Services Committee—in our national defense programs.

I hope you will support this amendment.

Mr. MONTGOMERY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will be very brief. I, like other Members, do not particularly like this amendment. It cuts into some of my favorite programs. But certainly I am going to support the amendment because we have been directed by the budget resolution, which I supported, that we have to make cuts somewhere, and someone has to come up with some recommendations.

I would like to point out to my colleagues that one of the key programs is equipment for the National Guard and the Reserves. There was an add-on of about $1,200,000,000 in this bill for equipment that is certainly needed for the Guard and Reserves. As I understand from the gentleman from New York (Mr. STRATTON) and the gentlewoman from Maryland (Mrs. HOLT) there has been about a $600 million cut from the Guard and Reserve programs. It still leaves some funding there, and I wonder if the gentleman from New York (Mr. STRATTON) would like to comment on how much of a cut had to be made pertaining to the National Guard and the Reserves in this amendment?

Mr. STRATTON. Mr. Chairman, if the gentleman will yield, I will be glad to respond.

I share the gentleman's deep concern over the cuts that were forced in the programs that he and I supported very strongly in the committee to add combat capability to the Guard and the Reserves. This is the same thing that happened last year when President Reagan asked for a $2 billion cut, and then the recommendations that came up from the Department of Defense wiped out almost the entire $1 billion we had put in earlier for the Guard and the Reserves.

What has happened in this particular bill is that we have cut $600 million, which is about one-half of the $1.2 billion that we had previously added on for Guard and Reserve programs.

Mr. MONTGOMERY. Mr. Chairman, I understand why the gentleman had to do that.

I support the amendment. I am sorry that we had to take the F-16's away from the National Guard, but we have to make cuts across the board to get within the budget, and I commend the gentleman for taking this tough step.

Mr. STRATTON. Mr. Chairman, I thank the gentleman from Mississippi (Mr. MONTGOMERY).

Mr. DICKINSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, just let me say by way of explanation and in line with what the gentleman from New York (Mr. STRATTON) was saying earlier that it is somewhat out of character for many of us to be supporting such drastic cuts. We do so reluctantly. Because of the action taken by the full House on the budget resolution, we found ourselves, after the committee had already reduced the budget by some $3 billion, being compelled to find $3 billion in additional cuts.

As a result of the action of the Budget Committee, we went back to

the full committee to reassess the authorization bill that had already been passed by the full committee. We went back to the various subcommittees and reexamined what had been done, and it was agreed that in three areas we would take additional cuts. Those areas were in procurement, shipbuilding, and operation and maintenance. The three areas took their proportionate part of the $3 billion in additional cuts that had been mandated by the budget resolution.

As a result of this, the Sea Power Subcommittee came up with its proportionate part, then the Procurement Subcommittee and then the Readiness Subcommittee. We agreed that they would be presented in three different parts in three different amendments, and that the Members of the House would be given an opportunity to express themselves in each of these areas.

So it is for this reason that we have done this, and we have just finished the shipbuilding part of it. We are dealing now with the procurement part. This will be followed by the operation and maintenance part, and these will be the committee recommended cuts worked out in conjunction with the Department of Defense. This is where we determined that the cuts would hurt the least if we had to make the cuts.

□ 1510

So we have made the cuts and these are the proposals that we bring to the House as areas in which we can make reductions totaling the $3 billion we have been ordered to make.

So we have done it.

After these three amendments offered by the committee are completed we will be in compliance with what the House has said. We will have made the $3 billion additional in cuts.

It is our hope that time that the membership would be satisfied with the level of expenditure for the Department of Defense and that there will be no more additonal cuts because it is the intention of the majority of the members of the committee, at least, to resist any further cuts after having taken some $6 billion out of the original bill.

So with that explanation I hope it will be helpful to some of the Members who ask why we are supporting these cuts in defense when normally we resist them.

We are doing it because we have been ordered to do so. We are doing it surgically rather than with a meat axe approach.

We hope we have done this where we do the least harm to our defense posture.

I yield back the balance of my time.

Mr. DOWNEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. MOFFETT. Mr. Chairman, will the gentleman yield?

Mr. DOWNEY. I yield to my colleague the gentleman from Connecticut.

Mr. MOFFETT. Mr. Chairman, in the past I have often supported efforts to cut defense spending on projects which I believe were wasteful or unnecessary. I have always felt that the Pentagon should not be exempt from close scrunity by the Congress. We must make every effort to cut down on waste and mismanagement in the military as well as in other Government agencies. But I simply cannot support this amendment, offered on behalf of the House Armed Services Committee, which would cut defense spending by $2.1 billion by attacking some of the Defense Department's most worthwhile systems, while leaving many more dubious programs completely intact.

I am especially opposed to the committee's attempt to cut over $500 million from two of our most important fighter planes; that F-14 and the F-16.

The F-16 is the world's best fighter. General Dynamics, Pratt & Whitney, and other firms have pushed our technology to the limit to produce this extraordinary aircraft. In the Middle East, it has accumulated what is probably the best batting average of any fighter in history, in both air-to-air and air-to-ground missions. But it is not only an incredible performer, far outclassing anything the Soviets have; it is relatively cheap to build and maintain as well.

The F-14 is by far the world's best interceptor, offering an excellent example of how highly advanced technology can be made to work, and work well, in the fleet. It has a strong capability against both the Soviet Backfire bomber and the Foxbat reconnaissance jet. Yet the committee's amendment proposes to cut production of the F-14 by one-fifth—from 30 per year to 24 per year—even though the committee's own report acknowledged that such a cutback would result in less efficient production, costing the taxpayers an additional $21 million per aircraft.

We do not have to look very hard to find items in the military budget which ought to be cut. The Navy's F-18 fighter, which will receive $2.85 billion in this year's defense budget, is known to naval aviators as the "Fat Dog." It is a lightweight fighter that is not lightweight anymore, and its cost growth is even greater than its weight growth. Although this fighter is not in the same class as the F-14 and the F-16, it has been spared any cuts. Another such white elephant in the military budget is the B-1 bomber. At a cost of nearly $4 billion per plane, it will not be able to penetrate Soviet air defenses for more than a few years after its completion. But once again, the committee has made no effort to cut spending on this program.

I would be the first to admit that substantial cuts could and should be made in the defense budget. But such cuts should be made carefully and thoughfully, without attacking those programs which are so important to our national security.

Mr. DOWNEY. Mr. Chairman, I suppose those of us who think that the armed services budget could be cut even more should not be rising to question where the Armed Services Committee in fact cut.

Having served as a member of the committee, I can see from the list that the choice was painful and difficult and I congratulate the committee on some of the choices.

But on some of the choices I have some questions because the fact that you have cut does not necessarily mean that in all instances you have cut wisely.

I want to ask, beginning with the subheading "ammunitions" on Copperhead, which is, as I understand it, a precision guided projectile which has had some cost growth and is an unglamorous system, but one that is capable of wreaking havoc on the battlefield against Soviet armor.

Because of its unattractive nature it seems to me to be one of those systems that we single out.

Why did the committee decide that $183 million out of the precision guided projectiles, which is, frankly, one of the directions I think we need to be going in on the modern battlefield, was a target for reduction?

Can the chairman of the Procurement Subcommittee or someone else respond to that?

Mr. STRATTON. Mr. Chairman, will the gentleman yield to me?

Mr. DOWNEY. I am happy to yield to the gentleman.

Mr. STRATTON. Let me say I am delighted the gentleman is pleased with some of the things we have done. I would have really been shocked had he agreed with everything that we have done.

Mr. DOWNEY. So would I.

Mr. STRATTON. Let me say in response to the gentleman's question on Copperhead that at the present time the Army has on hand some 8,400 Copperheads.

We cut the program by $183.6 million for two fundamental reasons. One was that the cost has been increasing dramatically and the second is that the recent tests have been plagued by failures.

One out of every three test shots has been a failure.

The Army is considering terminating the Copperhead in either fiscal year 1984 or perhaps reviewing the possibility of terminating in 1983.

Mr. DOWNEY. Can I ask the gentleman on that question, given the development problems and the development costs, there are a number of weapons systems, and I cite for the gentleman's edification the Mark 48 torpedo that was riddled with development problems and has turned out to be a superb weapon system, is it the intention of the committee that because of these problems that possibly in the next fiscal year or the fiscal year thereafter that the committee will try and make sure that money is kept in for the Copperhead program?

Mr. STRATTON. I think if the record of the Copperhead is as bad as I have outlined it to the gentleman, we would certainly want to look very closely as to whether we should go along with the Army if they should request such funds.

As the gentleman well knows, the committee, and certainly this member, is no patsy for the Defense Department or the Army, and a number of programs that have been requested have been denied.

So I cannot give the gentleman a statement as to how many Copperheads we are going to authorize for next year. But a program that has only one out of three failures I think is one that is in trouble.

Mr. DOWNEY. One out of three successes? I understand that it has a 78-percent effective rate.

I might also ask why again is the Maverick missile not included, since the Maverick missile spends most of its time striking the ground as opposed to targets?

I hope that is not reason alone, the fact that it has had some short-term development problems.

I might add for the rest of the membership, the Copperhead is not built in my district or in New York, as far as I know. It is simply one of those systems that for the future for the Army it seems to me makes an eminent amount of sense to procure in large numbers.

I would hope that the gentleman and the members of the committee will not quickly cast it aside, both because of cost increases and because of some developmental problems.

Mr. STRATTON. I have forgotten exactly how many systems we considered, several hundred systems, and I am not sure we want to go through every system. But the Maverick program was reduced by $72 million. That was done to hold it at a low rate of production. It, too, has had some problems, as the gentleman knows.

Mr. DOWNEY. Let me ask next about the F-16, if I can ask the gentleman, since it is scheduled for $329.5 million in reductions.

If we have learned anything from the Arab-Israeli conflict, the latest numbers that the Israelis have given us with respect to kill ratios suggest that they dominated the skies as a result of the high technology and the weapons systems that we have sold them, principally the F-16 and the F-15.

With respect to the F-16, what is the justification for cutting that, which I consider to be one of the finest air superiority fighters built in the world? what is the justification for cutting that and not, for instance, cutting more out of the F-15?

The CHAIRMAN. The time of the gentleman from New York (Mr. DOWNEY) has expired.

(By unanimous consent Mr. DOWNEY was allowed to proceed for 2 additional minutes.)

Mr. STRATTON. Let me take one aircraft at a time rather than mixing them all up.

We all have our favorite types of aircraft.

Mr. DOWNEY. I know the gentleman has made reference to the F-14, obviously, not one of his favorites.

Mr. STRATTON. The fact of the matter is that we cut back what we had previously added on. We had added on 20 F-16's for the Guard and the Reserve, as I have just pointed out in the colloquy with the gentleman from Mississippi, and that is what we then cut out.

We felt that because of the prior requirements of the active forces we needed to go back to the original request figure.

I might point out that under the Carter administration we were going to buy 180 a year of the F-16's. Under the Reagan administration we are now down to 120 a year. This is the number that we went back to in our reductions.

Mr. DOWNEY. Back to 120?

Mr. STRATTON. That is right.

Mr. DOWNEY. Let me ask about a parochial concern and that is the F-14. Why was it that the F-14 was cut and, for instance, not the F-18, which has had severe developmental problems and other concerns, as the gentleman is well aware?

Mr. STRATTON. I thought I had indicated rather clearly in my exchange with the gentleman from Pennsylvania (Mr. MARKS) that I wanted to give some indication that the chairman of the Procurement Subcommittee, who was offering this amendment on his own, because as the gentleman well knows from his service on the committee that individual members are not going to be very happy to vote for reductions in weapons systems they have previously authorized. So the gentleman from Florida (Mr. BENNETT), myself, and the gentleman from Virginia (Mr. DAN DANIEL) are taking upon our shoulders the pain and suffering of the members of the committee.

We are offering the amendments ourselves.

I felt that if we were to retain everything for Grumman in our bill that the gentleman from New York would like, and that this Member from New York would like, we would be placing ourselves in an untenable position.

Mr. MITCHELL of Maryland. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am asking for this time because I have at least one important question that I want to raise. Then I think I have an important comment to make.

Could the chairman advise me how much is cut out of the Navy, the naval appropriation?

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. MITCHELL of Maryland. I yield to the gentleman from New York.

Mr. STRATTON. As I indicated in my earlier remarks, which the gentleman may not have heard, we cut some $574.4 million from the Navy in the procurement bill, and previously the distinguished gentleman from Florida (Mr. BENNETT) also with anguish in his heart, cut $699 million by slowing down one of the very vital Trident submarines.

That adds up to the astonishing total of $1,273,000,000, I say to my friend from Maryland.

□ 1520

I thank the gentleman for his reply.

I will now tell my colleagues what prompts this question. Bethlehem Steel shipyards, right outside of the city of Baltimore, normally employs about 3,000 people. The work force is now reduced to 700. We had a meeting with the Maryland congressional delegation and Mr. Lehman at Bethlehem Steel, and during the course of that conversation he pointed out that the shipyard had not been getting contracts for many years for many reasons but that he would look into them. Subsequent thereto, representatives of management and of the unions have approached me, and I assume that they have approached other Members of the Maryland delegation—I do not know this—saying that the word has come down that unless the entire Maryland delegation votes for the DOD authorization bill, there will be no contracts.

If there is one scintilla of truth in this, if there is the slightest minuscule element of truth in this, then this is the most despicable kind of behavior that can be found in government. We do not operate a government by extortion. We do not operate a government by blackmail. I would hope that the Armed Services Committee would look into these very, very serious allegations that are being brought to me by both management and by the unions. The allegations are that if any single Member of the Maryland delegation

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fails to vote for this bill, then it is guaranteed that there would be no contracts coming to the shipyard at Bethlehem Steel.

Mr. STRATTON. Will the gentleman yield to me just so that I understand what he is saying?

Mr. MITCHELL of Maryland. I yield to the gentleman from New York.

Mr. STRATTON. No contract for what?

Mr. MITCHELL of Maryland. For shipbuilding or anything else with reference to the Navy.

Mr. STRATTON. Are there contracts that are under consideration?

Mr. MITCHELL of Maryland. Bethlehem Steel has assiduously sought contracts and has not gotten them. The unions have made many, many, many concessions to management in order to try to get some contracts. But that is not the issue. The issue is that I am asking that you look at and investigate whether or not there is any truth to these allegations. Let me tell you why.

Mr. STRATTON. If the gentleman can give me some names and places and dates, certainly the Investigation Subcommittee, I am sure, would be willing to look into it.

Mr. MITCHELL of Maryland. I can give you the names of those representatives who came to my ofice this morning urging my vote, pointing out that that is what the situation is, insofar as they are concerned.

Let me tell you why I think this is so serious. It is really not a matter of the Bethlehem Steel shipyards. It is a matter of whether or not any agency of Government could use that kind of tactic to dominate the legislative process. And once that occurs, then you have put in jeopardy the democratic system under which we operate.

Mrs. HOLT. Mr. Chairman, will the gentleman yield?

Mr. MITCHELL of Maryland. I yield to the gentlewoman from Maryland.

Mrs. HOLT. I thank the gentleman for yielding.

I attended the same meeting that the gentleman from Maryland attended. I heard the same statements by Secretary Lehman, and the way I heard the statement was that we had many shipyards in this country that are desperate for work and that unless we go forward with creating the 600-ship Navy, that there is not going to be enough work to go around for every shipyard.

Mr. MITCHELL of Maryland. I will recover my time because that also was what I heard; and I made it very clear that in that meeting the Secretary indicated that he would do his best to look at this situation and try to help. What I am talking about has transpired since then. I am talking about a delegation from management and union coming to my office today, saying that the word is out that if a single Member in the delegation fails to vote favorably, then contracts for the shipyard are in jeopardy. I will give you as much information as I can.

The CHAIRMAN pro tempore. (Mr. AuCoin). The time of the gentleman from Maryland (Mr. MITCHELL) has expired.

(By unanimous consent, Mr. MITCHELL of Maryland was allowed to proceed for 3 additional minutes.)

Mr. MITCHELL of Maryland. All that I ask is that you look into this, because it is deadly serious.

I frankly would not care to serve any longer in the Congress of the United States if that kind of tactic can be used against the Maryland delegation, or any other State delegation. That is extortion, and it borders on blackmail.

Mrs. HOLT. If the gentleman will yield, the same delegation came to my office this morning. They were members of the AFL-CIO. And they said that they had realized that they had been pricing themselves out of the market, that unless we build these ships to defend this country, unless we build these ships to restore our Merchant Marine, that there were going to be no jobs in that area, and that they would like for us to go with the 600-ship Navy.

Mr. MITCHELL of Maryland. I will reclaim my time again, because what the gentlewoman is saying is not addressing the concern that brings me to this well. The concern is what those people told me this morning, and that is: No full compliance, no contracts. And that is no way to run a government.

Mr. ASPIN. Mr. Chairman, will the gentleman yield?

Mr. MITCHELL of Maryland. I yield to the gentleman from Wisconsin.

Mr. ASPIN. I thank the gentleman for yielding.

Mr. Chairman, I think that the gentleman is raising an important issue here, because I think this kind of thing happens quite often in this lobbying that surrounds the defense authorization bill.

I know that, for example, when I am offering an amendment, at times the word comes back from a contractor in Wisconsin—I have no contractors in the District—but if my amendment passes, this particular contractor in Wisconsin is the one that is going to fall out of the system. Or the word will come back that if an amendment I am offering is passed, then the Guard and the Reserve will lose the money, and the funny thing is that the Guard and Reserve units that happen to be in southeastern Wisconsin will lose. It is said a lot of times, or the word gets back, or maybe it gets exaggerated as it goes down. I think that the gentleman is raising a point that happens here more often than we would like to admit, not that I think what the gentleman is saying or that the threats that are being made are in any sense true. I do not think, in fact, that it would happen, that if, for example, the Maryland delegation were to vote unanimously against the defense budget, that in the last analysis it would affect the amount of contracts going to the shipyard the gentleman is talking about. But I think that that kind of lobbying and that kind of discussion does take place, and when the gentleman said it, it sounded awfully familiar to me.

Mr. MITCHELL of Maryland. I will refer you to an editorial that appeared in the Sunpapers in Baltimore City shortly after a visit by Mr. Lehman. The Sunpapers indicated in their editorial that this is no way to handle a difficult situation for a shipyard that is in trouble, by almost threatening no contracts if we do not get full compliance.

Mr. ASPIN. I agree with the gentleman from Maryland.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in January of this year the Under Secretary of Defense made a decision which has a relevance to the debate that we are entering into today. At that time the Under Secretary of Defense, Mr. Carlucci, said that he had found $3.7 billion of funds that could be used to go ahead with the procurement of the C-5B in lieu of the C-17 which had won a competition last fall to be the new modern airlifter.

Now, I would like to ask the gentleman from New York if it is not true that the amount of money that we have in his amendment, I think, totals about $872 million, almost exactly the $860 million request for the C-5.

Now, I guess the point that I am trying to make is that there is not any $3.7 billion of found money that can be used to finance the C-5.

We are faced here, as we were with the Navy amendment, with major cuts in vitally important programs that would not have to have been made if the Under Secretary had not overturned the decision of the Army and the Air Force, because it would not have required as much money this year to go forward with the C-17, which is the airplane which was recommended by the Army and the Air Force.

□ 1530

So I take exception to Mr. Carlucci's statement that he found money that would not impact upon the defense budget because by requesting $862 million this year, for the C-5, we have had to cut back the F-16's by 20. We have had to cut back the F-15 ground support equipment by $97 million, we have had to make a reduction of four C-130H's, we have had to reduce by

$115 million the funding for the KC-135 reengining, which by the way it would improve the productivity of the C-5 by 25 percent, we have had to reduce spare parts by $72 million, we have had to cut back on AWACS and Pods for the A-7's and $33 million for B-52 modifications, and other amendments to make reductions in order to find room for the C-5.

So, I want to make it clear that we have paid a tremendous price on existing weapon systems and Mr. Carlucci I think was wrong on the facts when he said that he had found $3.7 billion over the next 5 years to fund the plane.

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from New York.

Mr. STRATTON. I thank the gentleman for yielding.

I am not clear as to whether the gentleman was asking me a question or if he was simply making a statement. If it is a question I would ask him to repeat the question.

Mr. DICKS. The question is, Is it not true that we had to make cuts in vitally important programs in order to fund the C-5? In other words, if we had been going forward with the C-17, which was the recommendation of the Army and the Air Force, we would have had a lower funding profile in 1983 and thus would have been able to afford some of the programs mentioned on the list of cuts in the aircraft area.

Mr. STRATTON. Let me respond to the gentleman in this way.

First of all, I do not recall Mr. Carlucci saying anything about finding $3.7 billion lying around.

Mr. DICKS. That is how he justified the C-5 decision. He testified before the gentleman's committee that he had found an additional $3.5 billion.

Mr. STRATTON. I would be happy to have the gentleman cite the place in the record. I was present at all of the meetings and I do not recall——

Mr. DICKS. It was on the June 15 hearing.

Mr. STRATTON. Let me point out that the cuts that we are proposing today were not made in any desire to get any particular aircraft but simply to respond to the will of the House of Representatives, to the Congress, as a matter of fact, with respect to the budget resolution; and I might point out to the gentleman, because I have had the opportunity of hearing the gentleman's views previously, as late as last evening, that in order to pay for the 747's, we would be required to expend in present year and next year outlays $2 billion more than would be required in the case of the C-5.

Mr. DICKS. It is very hard for me to understand that when we are talking about $350 million in fiscal year 1983 versus $860 million in fiscal year 1983, but we will correct the record.

Mr. VENTO. Mr. Chairman, I rise in support of the Stratton amendment to cut the procurement of a variety of weapon systems.

While I will vote aye on the amendment, I find the cuts in some instances to be very curious. Equally puzzling is the weapon systems that have been insulated from any reductions. Certainly with a skyrocketing defense budget and procurement costs and our National Government's fiscal policy in disarray, this amendment is merely a feeble attempt to respond to the wrath of public opinion that demands a more equal sharing in program reductions.

Amendments by Congressmen BENNETT of Florida, STRATTON of New York, and DANIEL of Virginia really do not begin to restore equity to our budget. The fact is that the DOD budget will far exceed the rate of inflation and continue the breakneck pace of irrational spending resulting in significant additional waste for our recession plagued economy.

Adding insult to injury we note that some of these cuts enhance the risk that the American people face. For example, by reducing the Trident submarine purchase, a survivor in a nuclear conflict, and maintaining the Pershing II missile procurement, we give the distinct impression of a U.S. interest or tilt toward first strike capacity.

The symbolic cutback of two F-14's with an explanation that good faith must be demonstrated is perplexing especially in light of the extensive purchase of the outlandish F-18.

I have been a critic of the F/A-18 and remain so. This aircraft does not enhance our defense capabilities and is siphoning away limited funds from essential programs. The F/A-18, I understand, is again under review by the Navy and well it should be. Is there not any better way to meet our fighter and attack missions without the purchase of such a low performance, high cost overrun plagued program as the F/A-18?

I have maintained for the past couple of years that there is and has been such an option, to be met with irrational arguments on this floor.

Perhaps it is not too late, if only those who are having this outrageous program foisted upon them would finally speak up. If finally we would reckon with reality.

I hope that these three amendments, somewhat symbolic in substance, are the genesis for the Congress reclaiming some legislative responsibility in holding the Pentagon, as well as the contractors, accountable to the American people and the need to eliminate wasteful spending.

That would be no small feat.

The CHAIRMAN pro tempore (Mr. AUCOIN). The question is on the amendment offered by the gentleman from New York (Mr. STRATTON).

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

RECORDED VOTE

Mr. STRATTON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 406, noes 6, not voting 22, as follows:

[Roll No. 193]

AYES—406

Addabbo	DeNardis	Hall (OH)
Anderson	Derrick	Hall, Ralph
Andrews	Derwinski	Hall, Sam
Annunzio	Dickinson	Hamilton
Anthony	Dicks	Hammerschmidt
Applegate	Dingell	Hance
Archer	Dixon	Hansen (ID)
Ashbrook	Donnelly	Hansen (UT)
Aspin	Dorgan	Harkin
Atkinson	Dornan	Hartnett
AuCoin	Dougherty	Hatcher
Badham	Dowdy	Hawkins
Bafalis	Dreier	Heckler
Bailey (MO)	Duncan	Hefner
Barnard	Dunn	Heftel
Barnes	Dwyer	Hendon
Beard	Dymally	Hertel
Bedell	Dyson	Hightower
Beilenson	Early	Hiler
Benedict	Eckart	Hillis
Benjamin	Edgar	Hollenbeck
Bennett	Edwards (AL)	Holt
Bereuter	Edwards (CA)	Hopkins
Bethune	Edwards (OK)	Horton
Bevill	Emerson	Howard
Biaggi	Emery	Hoyer
Bingham	English	Hubbard
Bliley	Erdahl	Huckaby
Boggs	Erlenborn	Hughes
Boland	Ertel	Hunter
Boner	Evans (DE)	Hutto
Bonior	Evans (GA)	Hyde
Bonker	Evans (IA)	Ireland
Bouquard	Evans (IN)	Jacobs
Breaux	Fary	Jeffords
Brinkley	Fascell	Jeffries
Brodhead	Fazio	Jenkins
Brooks	Fenwick	Johnston
Broomfield	Ferraro	Jones (NC)
Brown (CO)	Fiedler	Jones (OK)
Broyhill	Fields	Kastenmeier
Burgener	Findley	Kazen
Burton, Phillip	Fish	Kildee
Butler	Fithian	Kindness
Byron	Flippo	Kogovsek
Campbell	Florio	Kramer
Carman	Foglietta	LaFalce
Carney	Foley	Lagomarsino
Chappie	Ford (MI)	Lantos
Cheney	Ford (TN)	Latta
Clausen	Forsythe	Leach
Clinger	Fountain	Leath
Coats	Fowler	LeBoutillier
Coelho	Frank	Lee
Coleman	Frenzel	Lehman
Collins (IL)	Frost	Leland
Collins (TX)	Fuqua	Lent
Conable	Garcia	Levitas
Conte	Gaydos	Lewis
Conyers	Gephardt	Livingston
Corcoran	Gibbons	Loeffler
Coughlin	Gilman	Long (LA)
Courter	Gingrich	Long (MD)
Coyne, William	Ginn	Lott
Craig	Glickman	Lowery (CA)
Crane, Daniel	Goldwater	Lowry (WA)
Crane, Philip	Gonzalez	Lujan
Crockett	Gore	Luken
D'Amours	Gradison	Lundine
Daniel, Dan	Gramm	Lungren
Daniel, R. W.	Gray	Madigan
Dannemeyer	Green	Markey
Daschle	Gregg	Marks
Daub	Grisham	Marlenee
Davis	Guarini	Marriott
Deckard	Gunderson	Martin (IL)
Dellums	Hagedorn	Martin (NC)

Martinez	Pickle	Solarz
Matsui	Porter	Spence
Mattox	Price	St Germain
Mavroules	Pritchard	Stangeland
Mazzoli	Pursell	Stanton
McClory	Quillen	Stark
McCloskey	Rahall	Staton
McCollum	Railsback	Stenholm
McCurdy	Rangel	Stokes
McDade	Ratchford	Stratton
McDonald	Regula	Studds
McEwen	Reuss	Stump
McGrath	Rhodes	Swift
McHugh	Richmond	Synar
McKinney	Rinaldo	Tauke
Mica	Ritter	Tauzin
Michel	Roberts (KS)	Taylor
Mikulski	Roberts (SD)	Thomas
Miller (CA)	Robinson	Traxler
Miller (OH)	Rodino	Trible
Mineta	Roe	Udall
Minish	Roemer	Vander Jagt
Mitchell (MD)	Rogers	Vento
Mitchell (NY)	Rosenthal	Volkmer
Moakley	Rostenkowski	Walgren
Molinari	Roth	Walker
Mollohan	Roukema	Wampler
Montgomery	Roybal	Washington
Moore	Rudd	Watkins
Moorhead	Russo	Waxman
Morrison	Sabo	Weaver
Mottl	Savage	Weber (MN)
Murphy	Sawyer	Weber (OH)
Murtha	Scheuer	Weiss
Myers	Schneider	White
Napier	Schroeder	Whitehurst
Natcher	Schulze	Whitley
Neal	Schumer	Whittaker
Nelligan	Seiberling	Whitten
Nelson	Sensenbrenner	Williams (MT)
Nichols	Shamansky	Williams (OH)
Nowak	Shannon	Wilson
O'Brien	Sharp	Winn
Oakar	Shaw	Wirth
Oberstar	Shelby	Wolf
Obey	Shumway	Wolpe
Ottinger	Shuster	Wortley
Oxley	Siljander	Wright
Panetta	Simon	Wyden
Parris	Skeen	Wylie
Pashayan	Skelton	Yates
Patman	Smith (AL)	Yatron
Patterson	Smith (IA)	Young (AK)
Paul	Smith (NE)	Young (FL)
Pease	Smith (NJ)	Young (MO)
Pepper	Smith (OR)	Zablocki
Perkins	Smith (PA)	Zeferetti
Petri	Snowe	
Peyser	Snyder	

NOES—6

Downey	Kemp	Moffett
Gejdenson	Kennelly	Santini

NOT VOTING—22

Akaka	Brown (OH)	Holland
Albosta	Burton, John	Jones (TN)
Alexander	Chappell	Martin (NY)
Bailey (PA)	Chisholm	Rose
Blanchard	Clay	Rousselot
Bolling	Coyne, James	Solomon
Bowen	de la Garza	
Brown (CA)	Goodling	

□ 1550

Mr. WILSON changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DAN DANIEL

Mr. DAN DANIEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DAN DANIEL: Page 11, strike out line 8 and all that follows down through line 25 on page 13 and insert in lieu thereof the following:

SEC. 301. (a) ARMY.—Funds are hereby authorized to be appropriated for fiscal year 1983 in the total amount of $16,697,100,000 for expenses, not otherwise provided for, for the operation and maintenance of the Army as follows:

(1) For general purpose forces, $6,129,145,000.

(2) For intelligence and communications, $911,868,000.

(3) For central supply and maintenance, $4,906,339,000.

(4) For training, medical, and other general personnel activities, $3,587,108,000.

(5) For administration, $1,039,204,000.

(6) For support of other nations, $123,436,000.

(b) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 1983 in the total amount of $21,545,000,000 for expenses, not otherwise provided for, for the operation and maintenance of the Navy and the Marine Corps as follows:

(1) For strategic forces, $1,775,212,000.

(2) For general purpose forces, $10,604,659,000.

(3) For intelligence and communications, $930,902,000.

(4) For central supply and maintenance, $5,942,966,000.

(5) For training, medical, and other general personnel activities, $1,806,858,000.

(6) For administration, $484,208,000.

(7) For support of other nations, $195,000.

(c) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 1983 in the total amount of $1, 481,500,000 for expenses, not otherwise provided for, for the operation and maintenance of the Marine Corps as follows:

(1) For general purpose forces, $864,292,000.

(2) For central supply and maintenance, $359,561,000.

(3) For training, medical, and other general personnel activities, $186,669,000.

(4) For administration, $70,978,000.

(d) AIR FORCE.—Funds are hereby authorized to be appropriated for fiscal year 1983 in the total amount of $17,278,100,000 for expenses, not otherwise provided for, for the operation and maintenance of the Air Force as follows:

(1) For strategic forces, $3,085,928,000.

(2) For general purpose forces, $3,745,598,000.

(3) For intelligence and communications, $1,418,292,000.

(4) For airlift and sealift, $1,205,813,000.

(5) For central supply and maintenance, $5,458,958,000.

(6) For training, medical, and other general personnel activities, $1,968,882,000.

(7) For administration, $387,822,000.

(8) For support of other nations, $6,807,000.

(e) DEFENSE AGENCIES.—Funds are hereby authorized to be appropriated for fiscal year 1983 in the total amount of $5,673,640,000 for expenses, not otherwise provided for, for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments) as follows:

(1) For general purpose forces, $343,208,000.

(2) For intelligence and communications, $1,903,274,000.

(3) For central supply and maintenance, $1,377,576,000.

(4) For training, medical, and other general personnel activities, $1,699,005,000.

(5) For administration, $350,577,000.

Mr. DAN DANIEL (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DAN DANIEL. Mr. Chairman, on behalf of Mr. WHITEHURST and myself, I am offering an amendment to title III that would reduce the Department of Defense fiscal year operation and maintenance (O. & M.) authorization $398.5 million below the amount earlier approved by the Armed Services Committee and $1.5 billion below the President's request.

Yesterday I cautioned against further reductions in O. & M. that were not accompanied by a careful rebalancing of procurement, manpower, and O. & M. requirements. However, in view of the amendments offered by Mr. STRATTON and Mrs. HOLT and Mr. BENNETT and Mr. SPENCE, and Mr. NICHOLS' forthcoming recommendations on further military personnel savings, Mr. WHITEHURST and I believe that additional O. & M. cuts are possible. The Daniel-Whitehurst amendment represents a fair and proportional share of this balanced approach to bring H.R. 6030 in line with the budget resolution enacted by Congress.

Briefly, the reductions contained in the Daniel-Whitehurst amendment fall into two categories. The first is force structure reductions and delayed unit activations totaling $337.9 million. The bulk of the force structure changes are adjustments in timing. They reflect service preferences on how to absorb additional cuts in O. & M. I believe strongly that it is better to have a slightly smaller force that is ready, than to allow overall force readiness to suffer.

The remaining reductions involve revised economic assumptions, $9.9 million; additional cutbacks in recruiting and advertising in view of the continuing success by all services to meet and exceed accession goals, $30.1 million; and other minor programmatic cuts, $20.6 milion.

In sum, the Daniel-Whitehurst amendment offers the best way of making further reductions in O. & M. that will have the least impact on readiness, or the quality of life of our military personnel and their families yet provide the Department of Defense the greatest possible latitude in absorbing these cuts. This amendment is an integral part of a comprehensive effort to make responsible adjustments in H.R. 6030 in the face of extraordinary economic conditions and budgetary realities.

It is with some misgivings that I ask your support of this amendment.

Mr. WHITEHURST. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment offered by my colleague from Virginia and for which I am a cosponsor. As he has so ably pointed out, the amendment represents a responsible and responsive approach to further reductions in the defense authorization bill now under consideration.

It is responsible because it clearly reflects priorities acceptable to the Department of Defense and the great majority in the Congress. At the expense of minor alterations in force structure, the amendment preserves readiness increases and sustains the momentum generated by increased congressional support of O. & M. over the past 2 years. It is also responsible because it does not touch "people programs" or committee quality-of-life initiatives. Despite the considerable pressure to effect further reductions in O. & M., Mr. DANIEL and I were in full agreement that we would not support any additional cuts that would sacrifice readiness or the well-being of our service personnel and their families.

The amendment is responsible because it recognizes existing budgetary realities and the requirement to aline H.R. 6030 with the budget resolution recently enacted. It further recognizes that Secretary Weinberger has already identified some $340 million of the reductions contained in the amendment in previous congressional testimony. As these have been identified as potential cuts, their survival during the remainder of the authorization/appropriation process is problematical at best.

In closing, I want to emphasize that the amendment has been crafted to be a responsible and bipartisan effort within an overall approach to balanced reductions in the fiscal year 1983 defense request. These O. & M. reductions have been examined carefully to insure that readiness and "people programs" remain intact.

I join with Mr. DANIEL in urging your support.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Virginia (Mr. DAN DANIEL).

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

RECORDED VOTE

Mr. DAN DANIEL. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 386, noes 19, not voting 29, as follows:

[Roll No. 194]

AYES—386

Addabbo
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Archer
Ashbrook
Aspin
Atkinson
AuCoin
Badham
Bafalis
Bailey (MO)
Barnard
Barnes
Beard
Bedell
Beilenson
Benedict
Benjamin
Bennett
Bereuter
Bethune
Bevill
Biaggi
Bingham
Bliley
Boggs
Boland
Boner
Bonior
Bonker
Bouquard
Breaux
Brinkley
Brodhead
Brooks
Broomfield
Brown (CO)
Broyhill
Burgener
Burton, Phillip
Butler
Byron
Campbell
Carman
Carney
Chappie
Cheney
Clausen
Clinger
Coats
Coelho
Coleman
Collins (IL)
Collins (TX)
Conable
Conte
Conyers
Corcoran
Coughlin
Courter
Coyne, William
Craig
Crane, Daniel
Crane, Philip
Crockett
D'Amours
Daniel, Dan
Daniel, R. W.
Dannemeyer
Daschle
Daub
Davis
Deckard
Dellums
DeNardis
Derrick
Derwinski
Dickinson
Dicks
Dixon
Donnelly
Dorgan
Dornan
Dougherty
Dowdy
Downey
Dreier
Duncan
Dunn
Dwyer
Dymally
Dyson
Early
Edgar
Edwards (AL)
Edwards (CA)
Edwards (OK)
Emerson
Emery
English
Erdahl
Erlenborn
Ertel
Evans (DE)
Evans (GA)
Evans (IN)
Fary
Fascell
Fazio
Fenwick
Ferraro
Fiedler
Fields
Findley
Fish
Fithian
Flippo
Florio
Foglietta
Foley
Ford (TN)
Forsythe
Fountain
Frank
Frenzel
Frost
Fuqua
Garcia
Gaydos
Gephardt
Gibbons
Gilman
Gingrich
Ginn
Glickman
Goldwater
Gonzalez
Goodling
Gore
Gradison
Gramm
Gray
Gregg
Grisham
Guarini
Gunderson
Hagedorn
Hall (OH)
Hall, Ralph
Hall, Sam
Hamilton
Hammerschmidt
Hance
Hansen (ID)
Hansen (UT)
Harkin
Hartnett
Hatcher
Hawkins
Heckler
Hefner
Hendon
Hightower
Hiler
Hillis
Holland
Hollenbeck
Holt
Hopkins
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Jeffords
Jeffries
Jenkins
Johnston
Jones (NC)
Jones (OK)
Kastenmeier
Kazen
Kennelly
Kildee
Kindness
Kogovsek
Kramer
LaFalce
Lagomarsino
Lantos
Latta
Leach
Leath
LeBoutillier
Lee
Lehman
Leland
Levitas
Lewis
Livingston
Loeffler
Long (LA)
Long (MD)
Lott
Lowery (CA)
Lowry (WA)
Lundine
Lungren
Madigan
Markey
Marks
Marlenee
Marriott
Martin (IL)
Martin (NC)
Martinez
Matsui
Mattox
Mavroules
Mazzoli
McClory
McCloskey
McCollum
McCurdy
McDade
McDonald
McEwen
McGrath
McHugh
McKinney
Mica
Michel
Mikulski
Miller (CA)
Miller (OH)
Minish
Mitchell (MD)
Mitchell (NY)
Moakley
Molinari
Montgomery
Moore
Moorhead
Morrison
Mottl
Murphy
Murtha
Myers
Napier
Natcher
Neal
Nelligan
Nelson
Nichols
Nowak
O'Brien
Oakar
Ottinger
Oxley
Panetta
Pashayan
Patman
Patterson
Paul
Pease
Pepper
Perkins
Petri
Pickle
Porter
Price
Pritchard
Pursell
Quillen
Rahall
Railsback
Rangel
Ratchford
Regula
Reuss
Rhodes
Richmond
Rinaldo
Ritter
Roberts (KS)
Roberts (SD)
Robinson
Rodino
Roe
Roemer
Rogers
Rosenthal
Rostenkowski
Roth
Roukema
Roybal
Rudd
Russo
Santini
Savage
Sawyer
Scheuer
Schneider
Schulze
Schumer
Seiberling
Sensenbrenner
Shamansky
Shannon
Sharp
Shaw
Shelby
Shumway
Shuster
Siljander
Skeen
Skelton
Smith (AL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (OR)
Smith (PA)
Snowe
Snyder
Solarz
Spence
St Germain
Stangeland
Staton
Stenholm
Stokes
Stratton
Stump
Swift
Synar
Tauke
Tauzin
Taylor
Thomas
Traxler
Trible
Udall
Vander Jagt
Vento
Volkmer
Walgren
Walker
Wampler
Washington
Watkins
Waxman
Weaver
Weber (MN)
Weber (OH)
Weiss
White
Whitehurst
Whitley
Whittaker
Whitten
Williams (MT)
Williams (OH)
Wilson
Winn
Wolf
Wolpe
Wortley
Wright
Wyden
Wylie
Yatron
Young (AK)
Young (FL)
Young (MO)
Zablocki
Zeferetti

NOES—19

Dingell
Eckart
Evans (IA)
Ford (MI)
Fowler
Gejdenson
Green
Hertel
Kemp
Mineta
Moffett
Oberstar
Obey
Sabo
Schroeder
Simon
Stark
Studds
Wirth

NOT VOTING—29

Akaka
Albosta
Bailey (PA)
Blanchard
Bolling
Bowen
Brown (CA)
Brown (OH)
Burton, John
Chappell
Chisholm
Clay
Coyne, James
de la Garza
Heftel
Horton
Jones (TN)
Lent
Lujan
Luken
Martin (NY)
Mollohan
Parris
Peyser
Rose
Rousselot
Solomon
Stanton
Yates

□ 1610

Messrs. SABO, WIRTH, GREEN, and SIMON changed their votes from "aye" to "no."

Mr. PHILIP M. CRANE changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore. Pursuant to the provisions of House Resolution 525, further amendments to the committee amendment in the nature of a substitute are in order as if the substitute as so perfected were the original bill for the purpose of amendment under the 5-minute rule. It is in order to consider an amendment in the nature of a substitute to said substitute consisting of the text of the bill, H.R. 6696, by, and if offered by, Congressman DELLUMS.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. DELLUMS

Mr. DELLUMS. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. DELLUMS. Strike out all after the enacting clause and insert in lieu thereof the following:

SHORT TITLE

SECTION 1. This Act may be cited as the "Department of Defense Authorization Act, 1983".

PURPOSE

SEC. 2. The purposes of this Act are—

(1) to authorize appropriations for the Department of Defense for fiscal year 1983 at levels consistent with a strong national defense and a sound national economy;

(2) to minimize the risk of nuclear confrontation;

(3) to eliminate areas of waste and abuse in the budget of the Department of Defense for fiscal year 1983;

(4) to provide for improved military personnel policies designed to enhance readiness and morale; and

(5) to make other improvements in the management of the Department of Defense.

TITLE I—PROCUREMENT

AUTHORIZATION OF APPROPRIATIONS

SEC. 101. (a) Funds are hereby authorized to be appropriated for fiscal year 1983 for the military functions of the Department of Defense for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, other weapons, ammunition, and other procurement in amounts as follows:

AIRCRAFT

For aircraft: for the Army, $1,682,200,000; for the Navy and the Marine Corps, $6,250,000,000; for the Air Force, $8,177,850,000.

MISSILES

For missiles: for the Army, $655,443,000, for the Navy, $1,854,180,000; for the Marine Corps, $246,959,000; for the Air Force, $3,210,900,000.

NAVAL VESSELS

For naval vessels: for the Navy, $3,397,700,000.

TRACKED COMBAT VEHICLES

For tracked combat vehicles: for the Army, $2,050,350,000; for the Marine Corps, $325,409,000.

TORPEDOES

For torpedoes and related support equipment: for the Navy, $499,964,000.

OTHER WEAPONS

For other weapons: for the Army, $234,400,000; for the Navy, $167,800,000; for the Marine Corps $157,477,000.

AMMUNITION

For ammunition: the Army, $2,375,100,000.

OTHER PROCUREMENT

For other procurement: for the Army, $3,673,445,000; for the Navy, $3,573,180,000; for the Air Force, $5,260,700,000; for the Marine Corps, $1,246,887,000.

DEFENSE AGENCIES

For capital equipment for the defense agencies: $539,632,000.

(b) Of the funds authorized to be appropriated in this section for aircraft for the Air Force, the sum of $186,100,000 is available only for contribution by the United States as its share of the cost for fiscal year 1983 of acquisition by the North Atlantic Treaty Organization of the Airborne Warning and Control System (AWACS).

CERTAIN AUTHORITY PROVIDED SECRETARY OF DEFENSE IN CONNECTION WITH THE NATO AIRBORNE WARNING AND CONTROL SYSTEM (AWACS) PROGRAM

SEC. 102. Effective on October 1, 1982, section 103(a) of the Department of Defense Authorization Act, 1982 (Public Law 97-86; 95 Stat. 1100), is amended by striking out "fiscal year 1982" both places it appears and inserting in lieu thereof "fiscal year 1983".

PROHIBITION OF ACQUISITION OF CERTAIN WEAPON SYSTEMS

SEC. 103. None of the funds appropriated pursuant to an authorization of appropriations in section 101 may be obligated or expended for the MX missile program, the B-1B bomber program, the CVN nuclear aircraft carrier program, the Pershing II missile program, the Tomahawk sealaunched cruise missile program, or the ground-launched cruise missile program.

PROHIBITION OF ACQUISITION OF BINARY CHEMICAL WEAPONS

SEC. 104. None of the funds appropriated pursuant to an authorization of appropriations in section 101 may be obligated or expended to purchase binary chemical weapons.

PROHIBITION ON CONSTRUCTION OF NAVAL VESSELS IN FOREIGN SHIPYARDS

SEC. 105. None of the funds appropriated pursuant to an authorization of appropriations in section 101 may be obligated or expended for the construction or conversion of a naval vessel, or a major component of the hull or superstructure of a naval vessel, in a foreign shipyard.

PROHIBITION OF ACQUISITION OF 9-MILLIMETER HANDGUN

SEC. 106. None of the funds appropriated pursuant to an authorization of appropriations in this Act may be obligated or expended in connection with the purchase of a 9-millimeter handgun for the Armed Forces or to carry out any activity concerned with evaluating the feasibility or desirability of purchasing a 9-millimeter handgun for the Armed Forces.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

AUTHORIZATION OF APPROPRIATIONS

SEC. 201. (a) Funds are hereby authorized to be appropriated for fiscal year 1983 for the military functions of the Department of Defense for research, development, test, and evaluation in the amount of $18,200,000,000.

(b) In addition to the funds authorized to be appropriated in subsection (a), there are authorized to be appropriated for fiscal year 1983 such additional sums as may be necessary for increases in salary, pay, retirement, and other employee benefits authorized by law for civilian employees of the Department of Defense whose compensation is provided for by funds authorized to be appropriated in such subsection.

PROHIBITION OF RESEARCH, DEVELOPMENT, TEST, AND EVALUATION OF CERTAIN WEAPON SYSTEMS

SEC. 202. None of the funds appropriated pursuant to an authorization of appropriations in section 201 may be obligated or expended for the MX missile program, the B-1B bomber program, the Trident II missile program, the Pershing II missile program, or the ballistic missile defense program.

PROHIBITION OF DEVELOPMENT OF BINARY CHEMICAL WEAPONS

SEC. 203. None of the funds appropriated pursuant to an authorization of appropriations in section 201 may be obligated or expended for research, development, test, or evaluation of binary chemical weapons.

TITLE III—OPERATION AND MAINTENANCE

AUTHORIZATION OF APPROPRIATIONS

SEC. 301. (a) Funds are hereby authorized to be appropriated for fiscal year 1983 for the military functions of the Department of Defense for operation and maintenance in the amount of $62,267,000,000.

(b) In addition to the funds authorized to be appropriated in subsection (a), there are authorized to be appropriated for fiscal year 1983 such additional sums as may be necessary (1) for increases in salary, pay, retirement, and other employee benefits authorized by law for civilian employees of the Department of Defense whose compensation is provided for by funds authorized to be appropriated in such subsection, and (2) for unbudgeted increases in fuel costs and for increases as the result of inflation in the cost of activities authorized by subsection (a).

ELIMINATION OF NATIONAL BOARD FOR THE PROMOTION OF RIFLE PRACTICE

SEC. 302. None of the funds appropriated pursuant to an authorization of appropriations in section 301 may be obligated or expended for the National Board for the Promotion of Rifle Practice.

TITLE IV—ACTIVE FORCES

AUTHORIZATION OF END STRENGTHS

SEC. 401. The Armed Forces are authorized strengths for active duty personnel as of September 30, 1983, as follows:

(1) The Army, 751,285.

(2) The Navy, 541,050.

(3) The Marine Corps, 152,495.

(4) The Air Force, 565,845.

TITLE V—RESERVE FORCES

AUTHORIZATION OF AVERAGE STRENGTHS FOR SELECTED RESERVE

SEC. 501. (a) For fiscal year 1983, the Selected Reserve of the Reserve components of the Armed Forces shall be programed to attain average strengths of not less than the following:

(1) The Army National Guard of the United States, 398,016.

(2) The Army Reserve, 351,849.

(3) The Naval Reserve, 94,000.

(4) The Marine Corps Reserve, 38,540.

(5) The Air National Guard of the United States, 100,100.

(6) The Air Force Reserve, 63,736.

(7) The Coast Guard Reserve, 10,700.

(b) The average strength prescribed by subsection (a) for the Selected Reserve of any Reserve component shall be proportionately reduced by (1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at any time during the fiscal year, and (2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at any time during the fiscal year. Whenever such units or such individual members are released from active duty during any fiscal year, the average strength prescribed for such fiscal year for the Selected Reserve of such Reserve component shall be proportionately increased by the total authorized strength of such units and by the total number of such individual members.

AUTHORIZATION OF END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES

SEC. 502. (a) Within the average strengths prescribed in section 501, the Reserve components of the Armed Forces are authorized, as of September 30, 1983, the following number of Reserves to be serving on full-time active duty for the purpose of organizing, administering, recruiting, instructing, or training the Reserve components:

(1) The Army National Guard of the United States, 11,782.

(2) The Army Reserve, 6,474.

(3) The Naval Reserve, 214.

(4) The Marine Corps Reserve, 460.

(5) The Air National Guard of the United States, 3,411.

(6) The Air Force Reserve, 479.

(b) Upon a determination by the Secretary of Defense that such action is in the national interest, the end strengths prescribed by subsection (a) may be increased by a total of not more than the number equal to 2 per centum of the total of the end strength prescribed.

TITLE VI—CIVILIAN PERSONNEL

AUTHORIZATION OF END STRENGTH

SEC. 601. (a) The Department of Defense is authorized 813,313 permanent positions for civilian employment as of September 30, 1983, of which no more than 31 shall be in the Executive Schedule, as provided in sections 5312 through 5316 of title 5, of which no more than 1,415 shall be in the Senior Executive Service, as established in section 3131 of such title, and of which no more than 56,000 shall be at Grade GS-13 (or comparable level) or higher.

(b) The positions authorized in subsection (a) shall be apportioned among the Department of the Army, the Department of the Navy (including the Marine Corps), the Department of the Air Force, and the agencies of the Department of Defense (other than the military departments) in such numbers as the Secretary of Defense shall prescribe. The Secretary of Defense shall report to the Congress within sixty days after the date of the enactment of this Act on the manner in which the initial allocation of such positions is made among the military departments and the agencies of the Department of Defense (other than the military departments) and shall include the rationale for each allocation.

(c) In computing the strength for civilian personnel, there shall be included all direct-hire and indirect-hire civilian personnel employed to perform military functions administered by the Department of Defense (other than those performed by the National Security Agency) whether employed on a full-time, part-time, or intermittent basis, but excluding special employment categories for students and disadvantaged youth such as the stay-in-school campaign, the temporary summer aid program and the Federal junior fellowship program and personnel participating in the worker-trainee opportunity program. Personnel employed under a part-time career employment program established by section 3402 of title 5, United States Code, shall be counted as prescribed by section 3404 of that title. Whenever a function, power, or duty, or activity is transferred or assigned to a department or agency of the Department of Defense from a department or agency outside of the Department of Defense, or from another department or agency within the Department of Defense, the civilian personnel end strength authorized for such departments or agencies of the Department of Defense affected shall be adjusted to reflect any increases or decreases in civilian personnel required as a result of such transfer or assignment.

TITLE VII—MILITARY TRAINING STUDENT LOADS

AUTHORIZATION OF TRAINING STUDENT LOADS

SEC. 701. (a) For fiscal year 1983, the components of the Armed Forces are authorized average military training student loads as follows:

(1) The Army, 57,996.

(2) The Navy, 65,133.

(3) The Marine Corps, 18,311.

(4) The Air Force, 46,389.

(5) The Army National Guard of the United States, 7,467.

(6) The Army Reserve, 8,456.

(7) The Naval Reserve, 1,041.

(8) The Marine Corps Reserve, 2,835.

(9) The Air National Guard of the United States, 2,377.

(10) The Air Force Reserve, 1,405.

(b) In addition to the number authorized in subsection (a), the following components of the Armed Forces are authorized a military training student load to be utilized solely for one station unit training of not less than the following:

(1) The Army, 17,732.

(2) The Army National Guard of the United States, 7,070.

(3) The Army Reserve, 2,374.

(c) The average military student loads for the Army, the Navy, the Marine Corps, and the Air Force and the Reserve components authorized in subsection (a) for fiscal year 1983 shall be adjusted consistent with the manpower strengths authorized in titles IV and V of this Act. Such adjustment shall be apportioned among the Army, the Navy, the Marine Corps, and the Air Force and the Reserve components in such manner as the Secretary of Defense shall prescribe.

TITLE VIII—CIVIL DEFENSE

AUTHORIZATION OF APPROPRIATIONS

SEC. 801. There is hereby authorized to be appropriated for fiscal year 1983 to carry out the provisions of the Federal Civil Defense Act of 1950 (50 U.S.C. App. 2251 et seq.) the sum of $136,095,000.

PROHIBITION OF CRISIS RELOCATION PLANNING

SEC. 802. None of the funds appropriated pursuant to the authorization of appropriations in section 801 may be obligated or expended for planning for population relocation in time of crisis.

TITLE IX—GENERAL PROVISIONS

REPORT ON EFFECT OF DEFENSE SPENDING ON ECONOMIC GROWTH

SEC. 901. Not later than 90 days after the date of the enactment of this Act, the President shall transmit to Congress a report on the effect of the current and projected levels of defense spending on the economy, including the effect on rates of growth in the economy, the rate of inflation, interest rates, and the availability of capital for private productivity enhancement investment.

Mr. DELLUMS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN pro tempore. Pursuant to the rule, before the consideration of amendments, the gentleman from California (Mr. DELLUMS) will be recognized for 30 minutes, and the gentleman from Texas (Mr. WHITE) will be recognized for 30 minutes.

The Chair recognizes the gentleman from California (Mr. DELLUMS).

Mr. DELLUMS. Mr. Chairman, I yield myself 25 minutes.

Mr. Chairman, the Rules Committee made in order H.R. 6696, an amendment in the nature of a substitute to the Armed Services Committee bill.

Mr. Chairman, back on January 29 of this year, as I have indicated earlier on the floor, I sent the chairperson of the Armed Services Committee a communication suggesting that we expand the parameters of the discussion in the debate in the Armed Services Committee in light of the fact that this administration has proposed a military budget in excess of $1.6 trillion in the first 5 years of the decade of the 1980's, and with the fact that millions of American people and millions of people around the world are raising significant questions with respect to our locked-step effort toward thermal nuclear war, I felt that we had a profound obligation to go beyond the parameters of the Armed Services Committee to hear from other witnesses who had a positive and constructive alternative to our present military policies in this country and around the world.

The Chair sent back a polite letter indicating that for a number of bureaucratic reasons they had an obligation to go forward with the military budget. I understood that and responded to the Chair by indicating that it was my belief that it is a moral imperative that we establish a platform to provide an opportunity for brilliant minds to come together to pose an alternative to America's present military and nuclear policy.

Therefore, in April of this year we held 6 days of hearings to look at the full implications of the military budget. We looked at the national security and foreign policy implications of the military budget, the tactical and strategic implications of the military budget, and arms escalation versus arms control. We looked at the economic implications and the moral implications of the military budget, we looked at the economic implications of America's global arms sales, and finally we looked at citizen responsibility in ending the absurdity and the insanity of our nuclear arms race and our rapidly escalating military budget.

Mr. Chairman, a number of brilliant witnesses came to Washington from all around the country to testify at these hearings. I would like briefly to give a few highlights that a number of the witnesses presented during those hearings in April.

The first witness was former Senator J. William Fulbright of Arkansas, former Chairperson of the Senate Foreign Relations Committee from 1959 to 1975. Senator Fulbright led off the hearings. He stated as follows, and I quote:

This budget, together with the propaganda to sell it to the public and the Congress, has the effect of shifting the focus of our policy from that of deterrence of nuclear war to the waging and the winning of a nuclear war.

Further quoting, he said:

This military budget is so large and the emphasis upon nuclear weapons so strong, and the rhetoric about the Soviet threat is so extreme, that one cannot resist the feeling that we are preparing to fight and win a nuclear war. . . . I believe if this is the case, that it is a dangerous game, and could easily get out of control and lead to a disaster. It is not only dangerous, it is costly and it threatens the stability and the soundness of our domestic economy. . . .

Mr. Paul Warnke, former Director of the Arms Control and Disarmament Agency, testified as follows:

There is no basis in fact for the assertion that the Soviet Union has strategic nuclear superiority. We lead in strategic warheads. Again, it really doesn't matter, but we have a lead. We also lead, when it comes to survivable forces.

Mr. Paul Warnke, former Director of the Arms Control and Disarmament Agency:

There is no credible scenario in which we and the Soviet Union could fight a nuclear war and have either one of us be declared the winner. Either one of us might come out somewhat better than the other, but we would be worse off than Uganda or Bangladesh. We would no longer be recognized as superpowers. In fact, the question is, would we be recognizable as a national entity.

Ms. Randy Forsberg, president and executive director of the Institute for Defense and Disarmanent Studies:

Pulling the nuclear tripwire ever tighter by improving first strike capabilities is extremely risky and dangerous. If we continue to make nuclear escalation in a first strike format easier and more likely, then, in a crisis, it will become inevitable. Clearly the stakes in the Third World are not worth the risk to the whole of humanity. . . .

What is the extraordinary is the hubris, the arrogance, the almost criminal carelessness of the men who pursue this policy in their confidence that they can play nuclear chicken forever without ever losing control of the situation once.

Dr. Paul F. Walker, charter member of the Boston Study Group, and coauthor of "The Price of Defense":

The Defense Department states boldly that this naval plan is based on the determination "to restore and maintain maritime superiority over the Soviets in order to wage several wars worldwide against the Soviet military empire".

Such planning is based on several false assumptions: one, that we have somehow lost naval supremacy; two, that overwhelming maritime superiority enhances national security; and three, that aircraft carriers around which the current fleet is designed continue to be the most effective way to build and deploy navies. . . .

We can continue to fulfill our real national security goals with a no growth Navy, maintaining approximately a 400-ship fleet. By escalating to the proposed 640-ship fleet, I suggest we will undermine security in the following ways: the heavy expense will be damaging economically, although, of course, keeping shipyards at peak capacity, the fleet will all the more portray a Pax Americana-type military and political image abroad—something I think we can ill-afford today—and a widespread interventory force I would argue, may very well encourage U.S. interventions in the Third World.

Mr. William P. Winpisinger, president of the International Association of Machinists and Aerospace Workers (IAM):

The economic consequences of buying more weapons will be substantial. Job, investment and economic growth absolutely will be sacrificed. Technological progress will be distorted and social programs aimed at decreasing human suffering will be cut."

Bishop Walter F. Sullivan, Bishop of the Catholic Diocese of Richmond, Va.:

Are we really secure as a Nation if, because of our defense spending, the most defenseless of our own are made to suffer? * * * When resources are transferred from welfare to warfare, our country casts aside millions of people who have a right to share in this Nation's blessings. What message do we give to the world when we opt for the privileged at the expense of the powerless?

□ 1620

Mr. Chairman, after these hearings we then assembled a number of witnesses, military analysts, budget analysts, in a number of working sessions to help us discuss the policy considerations upon which we could develop an enlightened and intelligent and responsible military budget.

We engaged in a number of discussions but first we looked at the proposal of the House Armed Services Committee and the administration of this country.

We raised a number of arguments against the proposal presented by the President and by the committee.

No. 1, regarding national security and foreign policy, this budget is based on incorrect policy assumptions, faulty analysis and improper budget priorities.

It is also internally inconsistent in military, political and economic terms.

No. 2, unlimited military buildup does not increase national security. It may in fact lessen it because of the uncontrollable aspects of new weapons technology.

No. 3, true national security can be obtained and preserved through an efficient defense establishment, complemented by serious arms control and disarmament initiatives.

No. 4, we face a greater danger from the internal disruption of the national economy through an unwarranted arms buildup than from any foreign foe, real or imagined.

This budget offers a constructive alternative, Mr. Chairman, based on the true elements of national security which I would submit include the following:

A noninterventional foreign and military policy, a doctrine of sufficiency rather than superiority, which in a nuclear age is a contradiction in terms.

The whole notion of superiority is a fleeting concept that in my estimation has no intellectual, political, or military substance to it.

Three, it preserves sufficient deterrence in both nuclear and conventional forces on land, sea, and in the air.

It is a first step, Mr. Chairman, toward mutual, balanced force reductions. It is not a move to unilateral disarmament.

As to some of the policy considerations in establishing this budget, we first said we have a profound obligation to ourselves and future generations to reduce, if not remove the risk of nuclear war.

We agreed that it was our responsibility, and in order to do that we challenged the weapons that we referred to as crisis destabilizing weaponry.

We believe that weapons that we referred to as crisis destabilizing are weapons that make the world more dangerous, that bring greater insecurity rather than security, and weapons that provide the basis for the Soviet Union to put their weapons in a launch on warning capacity because our weapons become so powerful that we thwart the Soviets' capacity to establish a credible deterrence.

First strike, hard target, time urgent weapons are the weapons we chose to challenge in this category.

The MX missile, Mr. Chairman, is a crisis destabilizing weapon. It is one of the most accurate, powerful weapons that has ever been devised.

I have asked this question on a number of occasions. Why do we want to build a new and powerful weapon to put it in the ground? To absorb the Soviet strike?

The Soviet and the rational answer is no, we have this weapon or we want this weapon because it gives us a first strike capability, in my estimation, bringing destabilization and insecurity to the world.

The Trident II missile is a hard target, time urgent, first strike weapon. It is highly accurate. It is a very powerful weapon.

Why do we want this weapon? For the purposes of deterrence? No. For the purposes of first strike.

Mr. Chairman, the cruise missile, the sea-launched cruise missile and ground-launched cruise missile are very dangerous because they begin to defy verifiability. Remember, the basis upon which we have established an arms control environment is based on

the notion that we can verify an agreement.

I would suggest that cruise missiles begin to defy verifiability. You can place a cruise missile virtually anywhere, land, sea, and in the air.

If we are committed to verifiability, then why are we going forward with technology that in many ways defies accountability and defies verifiability?

Mr. Chairman, the Pershing II missile that the President proposes to deploy in Europe is a crisis destabilizing weapon. This is a cheap way to buy an ICBM and place it in Western Europe 4 to 6 minutes from the Soviet Union.

How do my colleagues believe the Soviet Union will react when there are nuclear weapons between 4 and 6 minutes from them providing the capacity to create great danger?

Remember, this Nation, the United States, was prepared to risk thermonuclear war because of missiles in Cuba. What makes us believe that the Soviets will respond to the Pershing II missile deployment in West Germany in some peaceful way?

This is a provocative thing.

I defy any mind on the floor of this Congress to be able to make an intelligent and rational decision based upon the deployment of a weapon that may strike or a weapon that can strike the Soviet Union in between 4 to 6 minutes.

Mr. Chairman, the B-1 bomber and the last Trident submarine in this bill are unnecessary and wasteful weapons. The B-1 bomber is a political weapon. There is no military value.

□ 1630

By the time we develop 100 B-1 bombers at an approximate cost of between $30 billion and $40 billion, it will be an irrelevant weapon. Some have said that maybe in a thermonuclear war the safest place to be is in a B-1 bomber because by the time the bomber gets there, the whole thing is over anyway. This is an irrelevant weapon. A manned penetrating bomber in the 1980's, given the incredible level of our technology, is an absurdity and a waste, particularly at a time when we are forcing millions of American people to pay desperately in this country as we build this massive monument to military madness.

Mr. Chairman, when we threaten the Soviet deterrence, we force their defense to become offensive. When they perceive their deterrence to be threatened, then they begin to place their weapons in a launch-on-warning mode. That is an insane thing to happen, and it would seem to me that all of us in this Congress should work diligently not to put ourselves or the world in the position where these kinds of crisis destabilizing situations can occur.

Mr. Chairman, the only role of nuclear weapons in our lives is for deterrence. In that regard, I make two comments. As I have said on a number of occasions on this floor, when McNamara was Secretary of Defense, he defined deterrence as when you develop a nuclear capacity to destroy 30 percent of another nation's population and 70 percent of their economic infrastructure. We achieve that when we develop 400 nuclear weapons. We have 10,000 strategic nuclear weapons, to say nothing of the 15,000 or more nuclear weapons that have the capacity to wreak great havoc upon the world.

Mr. Chairman and Members of the Committee, we are far beyond deterrence at this moment. This bill proposes to fight to survive and win a nuclear war. I would suggest that anyone believing that we can fight, survive, and win a nuclear war is living in a never-never-land. This is a very frightening and a very dangerous thought.

I would again like to quote Lord Mountbatten, who made the statement in 1979, after a long military career. He said, "I have come to the conclusion that nuclear weapons cannot be used in war, and any person who believes that we can use nuclear weapons in the same way we can use rifles and tanks are committed to a day gone by, and that what imperils life on the face of this Earth is in the illusion that in some way we can use these weapons."

I believe that that was a magnificient statement, suggesting that the only role for nuclear weapons in our lives is not the insanity of using them, but to deter nuclear war. We are far beyond the capacity to deter. The danger in this bill is twofold. No. 1, we are talking about going beyond deterrence to a war-fighting capability, which is a major policy shift in this country and, No. 2, we are developing weapon technology that goes beyond our ability to verify, when verifiability has been at the cornerstone of all of our arms control negotiations.

But these are the sexy, big ticket items, the B-1, the Pershing, the Trident, the MX. But if you want to significantly reduce the military budget, if you really want to bring cost savings, it is not just these big ticket items. Nuclear weapons and forces comprise less than 20 percent of our total budget authority. Seventy-nine percent of our budget authority is in land divisions, tactical airwings, surface Navy units, and airlifts; $204 billion, 79 percent, of our total budget. So if you want to make cuts, then we have got to move beyond the nuclear arsenal and look also at the conventional arsenal. The real budget must come in conventional force and personnel systems. To do so requires a rethinking of America's role in the world regarding our NATO alliance system, Third World interventionism, forced projections in the Pacific Ocean, what constitutes proper and adequate American conventional force systems, and policy. The remainder that any conventional force, Mr. Chairman, in confrontation between the superpowers or their alliance surrogates would almost automatically escalate the theater nuclear war exchanges, and ultimately strategic nuclear war, is something that ought to cause us to begin to rethink the nature of our role in the world.

Escalation of nuclear weaponry further escalates the arms race throughout the Third World, thereby increasing the possibility of superpower intervention directly or indirectly. The drain on resources and brainpower further threatens the domestic economic situation here at home.

With respect to conventional forces, what is a defense budget? It has the purpose of amassing dollars to buy forces. Forces are related to missions. Missions are related to regions of the world. Therefore, we ought to look at the various regions of the world, look at the missions, to determine whether our troop deployment around the world is appropriate. We cannot cut the budget without reducing conventional forces significantly. This means, as I said earlier, a rethinking of our commitment.

With respect to NATO, over 50 percent of our defense budget, $130 billion, is committed to our involvement in NATO. I raise two questions: How much for NATO? Is this enough, or is this too much? And who should pay? Why is it that NATO countries are paying a disproportionately lower amount than us? Is it because their perception of the threat is less significant than ours? I would suggest that they have a responsibility to pay, and if their perceptions are not as threatening as ours, then maybe that says something about the nature of our perceptions.

With respect to Asia, we spend $40 billion per annum. Why? To defend dictatorships in the Philippines and in Korea? This needs to be rethought. How can you justify this to American people?

Mr. Chairman, 500,000 troops are outside the United States acting as tripwires, and there is a potential of involving us in Third World adventurism. If anyone on this floor thinks that these troops in some way are going to engage in some long-term, massive confrontation with the Soviet Union, they are living in an absurd world. These troops are there, providing the basis for our involvement in Third World countries, and I think that is dangerous.

With respect to our surface Navy, I make the following comments: The surface Navy will not function is a nuclear war environment. In a nuclear war environment this surface Navy is the first thing that goes out. There

will be no major Soviet-United States naval confrontation. If it is, these ships are going right out of the water in a nuclear bomb blast. The fleet should not be shaped for United States-Soviet conflicts. This is the absurdity of this present approach. This is one of the faulty assumptions upon which we rest our case to build a 640-ship surface Navy. It is too large for any other mission. We should wean the Navy from its reliance on aircraft carriers. We build an aircraft carrier, then we have to have more planes to protect it, more ships to protect it, more ships to protect them. If we get away from aircraft carriers and begin to apply our presence in the ocean with small, much cheaper submarines, we do not have to spend these billions of dollars in this large surface Navy.

With respect to our rapid deployment force, our rapid deployment force speaks to an interventionist policy. Why do we need 30,000 troops able to make a response somewhere in the world? If the response is significant, 30,000 troops are not going to do anything. Thirty thousand troops only brings us closer to war. If it is 30,000 troops, why do we not use the Marine Corps? That was their function in the first place. But a rapid deployment force, Mr. Chairman, is interventionist for use in the Third World, and I think that is dangerous and a serious mistake. Its limited size would not allow us to bring stabilization and, as I said earlier, the Marine Corps can more than adequately address that problem.

With respect to civil defense, the crisis relocation program, in my estimation, is absurd for a variety of reasons. We can discuss that further in this debate.

With respect to the economic arguments, Mr. Chairman and members of this committee, it takes money away from other spending. As I said earlier, when I first came to Congress in 1971, our military budget was below $80 billion. This year it is 250-some-odd billion dollars. By the end of this decade it is conceivable that it could exceed $500 billion.

Many people suggest that we are going to spend somewhere in the neighborhood of $4 trillion to $4.5 trillion in the 10 years of the 1980's. It destroys the civilian economy. Seymour Melman called it "looting the means of production." It has an inflationary impact. It means that more money is chasing no increase in goods, totally nonproductive. Where will the money go, and from whence will it come? New taxes? No. New deficits? No. We will continue to cut social programs to fan the flames of this budget.

The job argument is false. Many more jobs per dollar are spent when we spend money in the civilian sector of our economy.

I will, finally, with respect to the economic arguments, end with a quote from Prof. Seymour Melman:

> The viability of the United States as an industrial society is threatened by the concentration of capital in a fund that yields no product useful for consumption or further production. A nation with a crumbling infrastructure, skyrocketing unemployment, increasing poverty and declining economy can ill-afford the cost of such a massive military buildup. The nation's security and strength are not defined only through military power but also through the vitality of our domestic economy and society.

Mr. Chairman, in the remaining few moments, we have offered a bill that we have worked diligently upon. We tried to bring the most capable minds that we could around this country to look at our alternative approach. I recognize significantly that this is a minority point of view, but at one time America's involvement in Vietnam was challenged by the minority point of view. Finally, the majority of people in this Congress saw the insanity and the absurdity and the cruelty of continued prosecution of the Vietnam war. The American people are beginning to awaken to the trade-off of big military budgets against their lives, escalating lockstep toward nuclear war, finding it frightening, registering and potentially drafting their children, and they are raising significant questions. America is on the threshold of transition, and I would suggest, Mr. Chairman and members of the committee, that we begin to look at a positive and constructive alternative to this present approach that I perceive to be a recipe for ultimate disaster. If we are going to survive in this country and in the world, let us move beyond confrontation to negotiation, let us move beyond nuclear weapons and war to peace in this country and peace in the world. That is the greatest security that we can bring.

Mr. Chairman, I reserve the balance of my time.

□ 1640

Mr. WHITE. Mr. Chairman, on behalf of the Committee on Armed Services, I yield 15 minutes to the gentlewoman from Maryland (Mrs. HOLT), representing the minority of the committee, pending which I yield myself such time as I may consume.

Mr. WHITE. Mr. Chairman, Deputy Soviet Foreign Minister V. V. Kuznetsov agreed in 1962 to remove Soviet missiles and bombers from Cuba, but warned: "Never will we be caught like this again." There are those who believe that in the close Moscow circles, nuclear war is unthinkable only if it is unwinnable.

It can be argued that an American failure to develop and maintain a deterrent capability to convince the occupants of the Kremlin that a nuclear war is unwinnable might provide the Soviets with an incentive that nuclear war is, in fact, thinkable. The Congress, therefore, must resist the call for massive defense reductions, abandonment of major strategic systems, and freezing of our present developments that lead the Soviet leaders to think about the unthinkable.

Winston Churchill wrote of the events that led to World War II, "multitudes remained plunged in ignorance" about the Nazi threat while most Western leaders "did not dare to undeceive them." We cannot engage in self-deception, as the statistics on the Soviet military buildup are available to any member. Playing semantics about the Kremlin's military might and intentions are counter to the responsibility that our fellow citizens have entrusted in us. For some years, our intelligence experts have warned the Congress in the gravest tones that the "window of vulnerability" for the United States would be wide open in the mideighties. Their dismal predictions have unfortunately come to fruition and the temptation for the Soviet Union to exploit its vast military power is more than just slight.

We, in the Congress, have received intelligence that clearly shows that the Soviet margin of military superiority is substantial and continuing unabated to grow. This military buildup could lead to a mind-set that increases the incentives for the Soviet leadership to launch the first strike against the United States. The Soviets have increased the hardness of their missile silos, diminishing their vulnerability to existing U.S. ICBM warheads; and MIRV'ing has increased the number of Soviet warheads which would survive a nuclear attack. More than half of the 1,398 Soviet ICBM launchers have been rebuilt to house ICBM's in vastly more survivable, hardened silos. These weapons, all of which are MIRV'd, are in the forefront of ICBM technology and certain versions of the SS-18 and SS-19 are among the most accurate ICBM's operational anywhere. Together, these systems have the capability to destroy a large percentage of the U.S. ICBM force, using only part of their total numbers. In the last 10 years, the Soviets have introduced an unprecedented array of new strategic systems into their arsenal, including the SS-17, SS-18, and SS-19 ICBM's, the Backfire bomber, the Typhoon submarine, and several new types of submarine-launched missiles, and the SS-20 intermediate range missile. The United States, on the other hand, exercised restraint and introduced only the Trident submarine and the cruise missile.

During the past decade, the Soviet Union has built up its forces across the board. During the same period, the U.S. defense expenditures declined in real terms. This year, the Armed Services Committee has taken steps to

assist the Armed Forces in their recovery from that decade of neglect. The Soviets already have more than four times as many ICBM warheads as the U.S. Strategic Air Command (SAC) has missile silos which are static targets. Most of Moscow's arms are in the megaton range, and the Soviet hard target capabilities place the undefended U.S. fixed site ICBM's at risk. General Ellis, the SAC commander, said the increased yield and accuracy of Soviet ICBM's "have put our Minuteman at risk to a point where . . . we could not respond effectively in a coherent manner." Statements that the United States and the Soviet Union are at parity in warheads discounts the fact that figures on Soviet warheads are estimates which do not take into account probably concealed or rapidly reloadable missiles—such as the SS-17's and SS-18's. Soviet strategic operational employment plans, based on Soviet doctrine and writings, point to seizing the initiative through preemptive attack. Such attack would effectively reduce the impact of a retaliatory strike, limiting damage to the U.S.S.R.

Existing U.S. ICBM and heavy bomber forces are the 1960's era and face technological obsolescence as well as severe aging problems. Our ICBM force is at total risk; one-half of our SLBM force which is in port at any given time present the Soviets with lucrative and vulnerable target objectives. Further, it has been stated that most of our B-52 bombers—even those on alert status—would be destroyed by a Soviet first strike. Soviet targeting objectives are U.S. strategic offensive assets that would place American population centers under the terrible threat of annihilation. Could the President order surviving U.S strategic nuclear weapons to be launched against the Soviet heartland under this coercion?

The Soviets currently maintain a significantly greater proportion than NATO of their equivalent throw-weight capability (a rough measure of the ability to deliver large warheads) in ICBM's—about 62 percent compared to 31 percent for NATO. The Soviets maintain a greater proportion than NATO of their megatonnage in ICBM's. Moreover, the sustained Soviet modernization of its ICBM's has given rise to particular concern as the newer warheads—new versions of the SS-18 and SS-19—are large and accurate enough to destroy U.S. ICBM silos. NATO by contrast does not have a corresponding capability against Soviet ICBM silos because of the relatively limited amount of highly accurate ICBM warheads and the hardness of the Soviet silos.

It is very prudent to assume that the Soviet Union would attempt to win any military war by denying the United States the physical ability to continue to wage it. The United States must reverse the shift toward Soviet nuclear superiority and forestall any notion that the Soviet Union could fight, survive and win a nuclear war. Blackmail is a tactic that is being used now by the Kremlin. The Soviets have offered to guarantee not to use nuclear weapons against countries in Northern Europe, the Balkans, and Mediterranean which would declare a freeze on deployment of nuclear weapons in their territories. This simply says we will use nuclear weapons against you if you allow the United States to base the Pershing II or the ground-launched cruise missile systems in your country.

There is a moral issue linked to nuclear weapons. If nuclear weapons are the only deterrent to Soviet blackmail, there are those who argue that we should submit rather than pose the risk of nuclear conflict. We, in the Congress, cannot accept this false choice, as it would be the surrender of our survival as a people and civilization. Deterrence is not automatic and certainly does not come cheaply. Our objective in this nuclear era is to reduce the risk of war and to establish a stable military balance at lower levels of risk and effort.

Unless one subscribes to the "better Red than dead" approach, we must maintain nuclear stability and capability with the Soviet Union. While it is not necessary for the United States to match the Soviets missile for missile, megaton for megaton, it is necessary that our military forces have the capability to make the Soviets pay an unacceptably high price for aggression. Whatever impact nuclear freeze advocates have in our own society, there is no like force within the Soviet Union. Unilateral American constraints on nuclear weapons would receive a warm welcome by the Soviet leadership, both civilian and military, as the Soviet advantage would be solidified. It is strange that the thesis of the advocates of the nuclear freeze movement is that the United States forced the Soviets into the nuclear arms race and thus must now take the risks involved in nuclear disarmament.

It must be pointed out that an unequal nuclear freeze would halt U.S. weapons production lines, but do nothing to Soviet defense production outputs.

The freeze proposal is indeed politically attractive and unfortunately irresponsible.

We believe that it is essential to get some agreement with the Soviets, as only with an verifiable pact can the hair trigger in Central Europe be taken off its hair trigger and can the massive cost of defense be reduced. Lessen the threat, and the need for more defense is reduced proportionately. This reality holds true for both the Soviet Union and the United States. Defense Secretary Weinberger said in May that:

> An unequal freeze would only perpetuate and exacerbate existing military imbalances, decrease our deterrent capability, and eliminate any incentive for the Soviets to agree to real reductions. Only by demonstrating a commitment to maintain our deterrent capability, with or without arms control, will we convince the Soviets that it is their best interest to join us at the negotiating table.

There is a critical need to maintain the Soviet incentive to negotiate arms reductions, that would be undermined by endorsement of many of the weapons reduction proposals before us. Most proposals would freeze the existing instabilities and condone and approve of current Soviet advantages. They would effectively eliminate the incentives for the Kremlin to negotiate toward the even lower levels of nuclear arms. It is imperative that we try to achieve real reductions and thus lessen the risk of war.

Richard Burt, Director of Politico-Military Affairs of the Department of State testified:

> It is apparent to all that we have little hope for substantial reductions in weapons if we begin negotiations from anything less than a confident military position and the certainty that we will not allow continued Soviet growth to go unchallenged. We must pursue a vigorous, balanced modernization program if the Soviets are to have any incentive to negotiate toward the agreements we seek.

Why should the Soviet Union make any concrete concessions in the START negotiations, if they can accept offers of a freeze that will cost them nothing and could yield them eventual nuclear superiority?

Nuclear weapons raise profound moral, political, and strategic problems that concern thoughtful people within our democracy. Yet, only through the power of the United States and its policy of deterrence has Europe been spared from repeating the tragic loss of 50 million of its citizens who died in this century. The United States has signed numerous treaties with the Soviet Union over the past 20 years, but the sad fact is that the Kremlin has yet to fully comply with any significant pact. For example, use of chemicals in both Southeast Asia and Afghanistan, violation of the Helsinki human rights accords and the Cuban missile agreement of 1962. The Soviets' word is clearly not good enough, and certainly not good enough to allow the ultimate security of the United States to be lost to the vows of the Soviet leadership.

The United States has attempted through a course of self-restraint and unilateral arms reduction to convince the Soviets to do the same. The Kremlin never reciprocated. We must, therefore, place primary reliance on our national strength and be willing to negotiate. We must avoid the delu-

sions and self-deceptions of the past 12 years. Moscow has acted with force to expand its influence. In Vietnam, in Kampuchea, Afghanistan, and soon, perhaps, in Central America, we have reaped the grim harvest of self-delusion. We need a foundation upon which to build an arms control agreement that the American people can trust as being the best possible result of successful diplomacy—not empty promises, but verifiable procedures that would insure that the Soviets would not exploit our trust.

Realities of the nuclear threat impose the requirement on the Soviets and the United States to impose equal limits and obligations on both sides with reductions of strategic weapons.

The Armed Services Committee is concerned that the present substitute could frustrate American attempts to achieve stability and a military balance in the world. Détente did not alter Soviet priorities and while the West sought to ease tensions, the Soviet Union greatly expanded its military forces. There are those who would exploit the anxieties of the public that have been building up since the deterioration of America's superiority over the Soviet Union was so clearly demonstrated during the previous administration.

It is odd that the timing of the seemingly national cry for the so-called nuclear freeze fell in line just as the United Nations Special Session on Disarmament took place.

There are thousands of well-intentioned Americans who support the "freeze-now" concept. But a complex of professional organizers has followed a carefully designed scenario in pushing the oversimplified idea of a freeze. Nuclear weapons have, for over 30 years, helped deter Soviet aggression. Tragically, the answer to how much defense is enough does not rest in the pulpits or town halls of America, but rather in the nuclear planning bureaus of the Kremlin.

The painful negotiations that face our START specialists are just beginning and we pray that they can achieve some success, but there is little prospect that the Soviet Union will ever agree to reduce its heavy, multiwarheaded intercontinental missiles unless it can be persuaded that the United States will respond by deploying comparable systems itself.

Soviet leaders, as of now, understand that without some acquiescence to U.S. demands in arms control, the United States will launch into a military building program that could place the U.S.S.R. in a militarily and politically inferior position relative to its current position. Thus, to strengthen the concept of arms control within the halls of the Kremlin, the United States must reject unilateral conciliatory gestures toward the Soviet Union and emphasize its military capability and determination to pursue its own military advantages. This is the stuff that the Soviets understand. We must negotiate from strength not a weakness brought on by unilateral cutbacks.

It is time that we took a page out of the Soviet textbook and talk parity while planning and working to be second to none.

A survivable strategic U.S. arsenal acts as a direct credible deterrent against any Soviet threat to launch these nuclear weapons and it supports the deterrent capacity of American conventional combat Forces.

No sane man could ever advocate nuclear war. No responsible individual has ever attempted to minimize the horrors of a nuclear confrontation between the superpowers. America's leaders have recognized that the sole nuclear strategy that was consistant with our values and survival was the strategy of deterrence and that is our highest objective.

Deterrence has been supported by most Americans because it works. It is nuclear deterrence and collective defense that has preserved the peace in Europe.

There have been over 130 international and civil wars since World War II and yet it was deterrence that kept nuclear conflict from the Russian and American homelands. We must sustain our national security in a changing international environment and in the face of an expanding Soviet force. This can only be accomplished with close cooperation with our allies, and with an arms agreement based on the principle of equality which is demonstrably fair, mutually beneficial and realistic.

□ 1650

Mr. Chairman, I reserve the balance of my time.

Mrs. HOLT. Mr. Chairman, I yield myself 2 minutes. I rise in opposition to the amendment.

I would like to ask the author of the amendment, the gentleman from California, a question about the amendment if he would engage in a colloquy with me here.

Is it true, the gentleman did not get into any specifics in the amendment, the gentleman dealt in generalities, but is it true that this would effectively terminate the carriers, the MX, the B-1, the Pershing II, the GLCM and the Trident II?

Mr. DELLUMS. Yes. The answer is yes.

Mrs. HOLT. That is what I wanted to know.

Then the amount of the reduction is 31 percent less than the Reagan proposal. The committee has reduced that amount from $183 billion to about $177 billion; but that of the gentleman would be a 31-percent reduction from the Reagan proposal?

Mr. DELLUMS. To be more specific, our bill calls for $126.1 billion. If that is 31 percent, that is what it is. That is the specific figure, as against the Armed Services Committee of $177.03 billion.

Mrs. HOLT. I thank the gentleman for his response.

Mr. Chairman, I yield 6 minutes to the gentleman from New York (Mr. MITCHELL).

Mr. MITCHELL of New York. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the prime determinant of what we should spend for defense has to be based on what our potential adversary is spending. We have to evaluate how strong he is. We have to figure out how we can counter that strength if we want to have peace.

I do not begin to propose that the Soviets are 10 feet tall. Except for defense, they are not doing anything very well. Their agricultural economy is in a shambles. Their consumer goods are in scarce supply. Their average income is far below our poverty level; but they have built the god-awfullest war machine that have ever been assembled by any nation in the world in history. They are spending about $40 billion more than we are on defense and they have for about the last 10 years and it really shows.

The common wisdom in preventing war is to be as strong as your potential adversary. That is the way to preserve peace. When people say it costs a great deal of money to support this defense budget, when they say that there is some waste in it, I would agree on both counts. There obviously almost assuredly is waste and it certainly is a huge amount of money, nearly $300 billion; but I would suggest that the only situation with far more waste and that costs a great deal more not only in dollars and materials, but also in people, is a condition of war. We have to spend enough to prevent that from happening. I do not feel the gentleman's amendment provides adequate funds to prevent that situation from occurring.

Those who want to cut defense often want to spend what is left over for social programs, certainly a worthy goal; but we have already done this for the last 10 years. We have cut defense over the past 25 years, in fact, compared to what we used to spend for defense.

Some round numbers, Mr. Chairman: In 1955 we spent almost 55 percent of our budget on defense.

In 1965, we dropped down to around 45 percent.

In 1975, way down to 25 percent.

In 1978 was the lowest, 22 percent.

In 1981, we went back up to 25 percent.

Then the 1983 budget will provide almost 30 percent of our entire expenditure for defense.

Most of those dollars that we have not been spending for defense through the years have been spent for social programs, spent for good causes; but there just never will be enough money to do all the things we would like to do for all the people that are unable to care for themselves at the level we think they should.

□ 1700

I also would like to point out, in line with social responsibility, that the first responsibility of a nation to its people is to keep them alive and free. That is the primary purpose for defense spending, to keep them, in America, alive and free.

Another argument for cutting the defense budget is that the Soviets are afraid of the United States because of our awesome strength; if we just cut back in a unilateral way that they will follow.

Well, we have cut back since the Vietnam war, as I pointed out, in proportion to what our overall expenditures had been. Did they cut back? Obviously not.

Mr. WHITE, the gentleman from Texas, brought that out thoroughly earlier.

Instead, as I said, they increased defense spending nearly $40 billion a year for the past 10 years.

To bring some meaning to this, I intend to quantify, Mr. Chairman, the situation, just what weapons we have in comparison to what the Soviet Union has in certain key areas. I am talking about ships, planes, tanks, people, missiles, just to find out how we do rate with them, just how equal are we, what kind of parity do we have according to these numbers.

I admit at the outset that there are a lot of qualitative differences in weapons. We have more loyal allies than the Soviets do; our technology is far superior; we are a much wealthier nation. I admit also that we have different defense requirements than the Soviets have.

We are not ringed with enemy nations as they are; we have oceans on both sides of us that they do not have.

Let us look at the numbers to see how they do compare with us.

These are the various categories that I selected that would be important to forwarding a war: Military investment includes procurement, R.D.T. & E. military construction. The Soviet Union is in the first column, the United States is in the second column. In that category it is 1.85 to 1.

ICBM's, 1.3 to 1; SLBM's, 1.5 to 1.

ICBM MIRV warheads, 2 to 1; throwweight, 2.8 to 1, almost 3 to 1; equivalent megatonnage, 1.4 to 1; tanks, both heavy and medium, 4.6 to 1; ICBM reentry vehicles, 2 to 1; personnel carriers, 4.2 to 1; artillery, 5 to 1; bombers, strategic bombers, and here we do lead the Soviets, 1 to 1.8, but our planes are 25 years old.

Planes other than strategic, 1.7 to 1; attack submarines, 4 to 1; major combatant ships, 1.4 to 1; helicopter gunships, 1 to 1.1. We are slightly ahead in helicopters also. That is a second area.

In strategic spending, it is 3 to 1; in R.D.T. & E. it is 2 to 1.

If we add in civil defense, the money spent is 20 to 1, the people involved in civil defense is almost 20 to 1, and the nuclear war casualties—and here is where we lead—it is 10 to 1.

The point I am making is that in the 17 categories listed, the Soviets are ahead in 15. If we factor in civil defense, in 19 categories they are ahead 17 to our 2 categories. It is a very, very poor ratio, under any sort of comparison. The tragedy is, ladies and gentlemen, that we used to be ahead in nearly all these areas.

The trend until the Reagan administration came to power was alarming.

The CHAIRMAN pro tempore. The time of the gentleman has expired.

Mr. MITCHELL of New York. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON. Mr. Chairman, I yield 1 minute to the gentleman from New York.

Mr. MITCHELL of New York. I thank the gentleman for yielding this time to me.

I am going to vote against this amendment. I would urge all my colleagues to vote against it. I want to help restore the imbalance that already exists in our defense comparison. Even if we voted for the budget that we have cut already today, it still would not close the gap in defense spending but, Mr. Chairman, it would keep us in the game.

Mr. Chairman, I yield back the balance of my time.

Mr. WHITE. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. DYSON).

Mr. DYSON. I thank the gentleman from Texas for yielding to me.

Mr. Chairman, I reluctantly rise in opposition to the amendement in the nature of a substitute offered by the gentleman from California. The sponsor is a very fine member of our committee and is sincere, I am certain, in his efforts to bring Federal spending under control.

I wish we could afford to strike over $50 billion from the Federal budget and not jeopardize the defense needs of the United States. One aspect of this substitute especially disturbs me. The gentleman from California brings the shipbuilding program of the Navy down to about $3 billion in comparison to the $18 billion which we have in the authorization. I think this is unacceptable.

Today the members of the Maryland delegation were approached by the president and executive secretary of the Industrial Union of Marine and Shipbuilding Workers of America, Sparrows Point Local 33. They pointed out that over 3,000 workers at the Sparrows Point Shipyard depend heavily on the future of the Navy shipbuilding program. They are deeply concerned that if this program in its present form, does not pass, or is radically altered in any way, that the Sparrows Point Shipyard will close down completely and place these 3,000 workers on the growing list of the Nation's unemployed.

Mr. Chairman, I would like to submit to the Members of this House a letter from Mr. Spence Shiflett and Mr. James C. Harmon, their views of this serious situation:

INDUSTRIAL UNION OF MARINE AND SHIPBUILDING WORKERS OF AMERICA, SPARROWS POINT LOCAL NO. 33,

Baltimore, Md., July 19, 1982.

Hon. ROY DYSON,
U.S. House of Representatives,
Longworth Building,
Washington, D.C.

DEAR REPRESENTATIVE DYSON: The 3000 workers at the Sparrows Point Shipyard are presently experiencing the highest rate of unemployment in the long history of the Sparrows Point Shipyard.

The only hope that we as Shipyard workers have for our future employment is the Navy Shipbuilding. If Navy contracts aren't obtained soon the possibility of the Sparrows Point Shipyard closing will become a reality, and my 3000 Members plus the 1000 or so non-represented workers will lose their jobs permanently.

Therefore, we strongly request that you and the other members of the Maryland Delegation support H.R. 6030 for the Defense Budget. This budget, in our opinion, will mean thousands of jobs in the Maryland area.

My Members are highly productive workers who want to work. I am sure we can build U.S. Navy ships at below cost and in advance of delivery dates, if given the opportunity.

We appreciate the help you have given us in the past, and hope that you can help us in this present crisis.

Yours truly,

SPENCE SHIFLETT,
President, Local No. 33.
JAMES C. HARMON,
Executive Secretary, Local No. 33.

Mr. Chairman, I am encouraged that the defense authorization bill before us is a positive step toward building a stronger national defense and particularly, that the shipbuilding programs authorized by the bill will take the Nation a step closer to achieving a 600-ship Navy. There should be no doubt that attainment of a larger and more capable Navy is essential if we are to have a Navy that can carry out the missions assigned to it. There certainly is no question that building a 600-ship Navy will require continuing large shipbuilding programs. But support

for large naval ship construction programs to build a strong Navy is not sufficient to maintain the United States as a strong maritime nation. The maritime interests of our country require that we maintain a strong merchant marine, with modern ships manned by skilled American crews, and a strong shipbuilding and repair industry to support both the Navy and the merchant marine.

In previous conflicts—World War II, Korea, and Vietnam—there were as many or more merchant ships involved in direct support of the war effort than naval ships. It is reasonable to expect that this would be true in future conflicts as well.

The naval shipbuilding program authorized by this bill does not maintain the essential shipbuilding industrial base that woud be essential in a future conflict. Nearly three-fourths of the $18 billion for naval shipbuilding will go to only four shipyards that build aircraft carriers, nuclear submarines, and Aegis guided missile cruisers.

Yet the present shipbuilding industrial base is composed of 26 shipyards that have the facilities and work force to construct ships. Less than one-half of these yards are currently constructing naval vessels. There is little prospect that many additional yards will be employed in the naval shipbuilding program.

The prospects for commercial work for the Nation's shipyards is even more bleak. In testimony before the committee earlier this year, Mr. Edwin Hood, president of the Shipbuilder's Council of America, stated that by the end of the year the backlog of commercial ships under contract in U.S. shipyards would total eight. He further stated that employment in merchant ship construction was declining from 35,000 in 1976 to a projected employment of less than 10,000 by the end of the year.

The administration's maritime policies have done nothing to reverse this alarming trend. Construction differential subsidies have been suspended indefinitely. Operating differential subsidies are being paid for ships built in foreign yards, and policies are being proposed that will move virtually all repair work of U.S.-flag merchant ships to foreign yards.

The maintenance of a strong maritime capability is not solely a military interest and the importance goes beyond the defense needs of our country. The maritime sector of the economy contributes to the general welfare of the American people. Ocean borne commerce brings one-third of our daily use of petroleum products from distant parts of the globe. It also brings many strategic and critical materials that are essential to both the civilian economy and to the maintenance of our national defense.

I would hope that this Congress will act to maintain the shipbuilding base and rebuild a strong and competitive merchant marine. In the interim the only business available to sustain the shipbuilding industry is the naval construction and repair programs. It is essential that we approve it in its entirety.

There are a number of naval programs, including the maritime prepositioning ships, fast logistics ships, hospital ship, oilers, salvage ships, and ship overhauls and repairs that offer the opportunity for work to shipyards not currently engaged in combatant ship work. The award of one of these programs to a yard could well sustain a shipyard that would otherwise close its doors.

I believe that the Navy should reexamine its so-called home port policy which tends to give preference for contracts for repair and overhaul work to yards in areas where naval ships are home ported. In the past decade naval ship home ports have been increasingly concentrated. The home port policy for repair and overhaul work will lead to a similar concentration of industrial facilities. I believe that this is shortsighted policy and that its logical consequences are not in our national security interests.

In summary, I urge my colleagues' support for the naval shipbuilding and repair programs authorized in H.R. 6030. But the action we take on this legislation is only a portion of that necessary to maintain the maritime sector of our economy. The maintenance of U.S. maritime interests requires a strong merchant marine and a strong ship construction and repair industry.

Mr. DICKINSON. Mr. Chairman, I yield 3 minutes to the gentleman from South Carolina (Mr. SPENCE).

Mr. SPENCE. Mr. Chairman, the gentleman from California, my good friend, is concerned about war. I think we are all concerned about war. He suggests that anything we do to defend ourselves is provocative, is destabilizing, and could upset our adversaries to the extent that they might want to have some kind of a confrontation with us.

I yield to no one in my determination to do all those things we can to prevent war. You have got to be crazy to want to fight a war.

However, sincere, honest, dedicated people can disagree on the method, the best method to accomplish what we all seek, and that is to prevent a war.

To my way of thinking there are two ways to prevent a war: You can give in to the other side voluntarily and have peace, the kind of peace that I do not think any of us would want to live under. The other way is to be so strong that no potential adversary would risk a confrontation with us.

In that connection, I would like to quote also from someone who was very much in the news until 2 years ago when he retired as Secretary of Defense. On leaving that office, Harold Brown uttered some words which I very much agree with, when he said:

> Critical turning points in the histories of nations are difficult to recognize at the time. Usually, they become clear only in retrospect. Nonetheless, the United States may well be at such a turning point today. We face a decision that we have been deferring for too long; we can defer it no longer. We must decide now whether we intend to remain the strongest nation in the world. The alternative is to let ourselves slip into inferiority, into a position of weakness in a harsh world where principles unsupported by power are victimized, and to become a nation with more of a past than a future.

Mr. DICKINSON. Mr. Chairman, may I inquire, does the gentleman on this side have any more time?

The CHAIRMAN pro tempore. The gentleman has 3 minutes remaining.

Mr. DICKINSON. Mr. Chairman, I yield myself the balance of my time.

Let me say I would like to rise in opposition to the amendment. While no one can doubt the sincerity of the proponent and the gentleman offering the amendment, his views are well known; for many years he has espoused these views both on and off the floor.

We have had many conversations in and out of committee.

What this amendment would do would totally denude the United States so far as its military posture is concerned. We would strip ourselves unilaterally, receiving nothing in benefit; all our major weapons systems, prospective in nature, the B-1, the Trident, the MX, all of the very things that General Rowney is addressing in the START talks now in Europe, trying to come to agreement with our potential adversary, the Soviet Union, trying to come to a reasoning with them, a mutual balanced reduction of forces, a deescalation of the arms race.

We have seen in the past that any unilateral action on our part does not evoke a similar response on the part of the Soviets.

□ 1710

When our former administration very foolishly announced unilaterally that they would cancel production of the B-1 bomber, shortly thereafter I, as a delegate to the Disarmament Conference, was in Geneva and heard some of our negotiators laughing and saying, "Well, we really have embarrassed the Soviets now. We have the lads in a tough position because we have shown our good faith and they are embarrassed because they are going to have to make a similar response."

The fact is, their response was to go forward with a follow-on to the Back-

fire bomber. So, whatever good intentions we show, whatever unilateral disarmament we might engage in, evokes no similar response from the Soviets. As a matter of fact, I think it probably causes them to redouble their efforts.

So, I think it would be shortsighted in the extreme to strip ourselves of our capabilities, both present and in the future. I think there is nothing we could do that would show a greater sign of weakness, which in turn will invite aggression and attack, and I think the House should reject the amendment out of hand.

The gentleman from California (Mr. DELLUMS) cannot be serious when he proposes to virtually kill every strategic improvement proposed by the past three administrations and supported by the Congress. He must be jesting when he proposes to kill both offensive and defensive naval weapons. He cannot be serious when he proposes to kill the Army's M-1 tank and Apache helicopter.

Further, Mr. Chairman, I cannot believe that the gentleman would have us kill the Pershing II and ground-launched cruise missiles and force our Government to renege on its solemn agreement with NATO. In the Intermediate Nuclear Force (INF) negotiations we propose, with our allies' concurrence, to forgo Pershing II and GLCM deployment if the Soviets will take out the powerful SS-20's that threaten Europe. If we scrap plans for those new systems what incentive is there for the Soviets to agree to take out their SS-20's?

By cutting the defense procurement request in half, from $89 billion to $44 billion, the gentleman defeats his substitute's stated purposes.

The first of these is to provide authorizations consistent with a strong national defense. Yet, the substitute would gut national defense.

The second stated purpose is to "minimize the risk of nuclear confrontation." Yet, by gutting all new strategic programs, the substitute would actually invite nuclear blackmail.

The third stated purpose of the substitute is to "eliminate areas of waste and abuse in this budget." Yet, the substitute would create massive waste by closing down large segments of the defense industrial base sending thousands of skilled workers to the unemployment lines.

Finally, the substitute seeks to "enhance readiness and morale." Yet, the amendment would deny defensive and offensive missiles to the Navy, prevent the modernization of the Navy and Marine Corps air arms, deny equipment to the Rapid Deployment Force, and decrease the defensive and offensive power of Navy surface forces.

Mr. Chairman, I urge my colleagues to vote to defeat this amendment.

Mr. DELLUMS. Mr. Chairman, I yield myself the balance of my remaining time.

The CHAIRMAN pro tempore. The gentleman from Califorinia (Mr. DELLUMS) is recognized for 5 minutes.

Mr. DELLUMS. Mr. Chairman, in summary I would like to begin by quoting again from Paul Warnke, a partial quote:

> The Soviet Union regrettably has something like 80 percent of its strategic resources in that vulnerable system * * *

Meaning land-based missiles.

> That is too bad. I would rather that they have a greater percentage in survivable forces, because the survivability of deterrents on both sides is what gives us the only security that we have in the nuclear age. But the concept that somehow we have let them get ahead of us is really a criticism of this country having made the right decisions. We have made the correct decisions, and we ought to be proud rather than poormouthing our capabilities.

Mr. Chairman, I realize that we need defense in this unstable world at this unstable moment. The question is, What constitutes an appropriate and adequate defense? What are our realistic defense needs? I agree with these persons who raise the question of deterrance. What I am simply suggesting is that H.R. 6030 threatens deterrence.

I would ask America, Mr. Chairman, to be logical. These are very complicated issues, but they have a certain kind of simplistic logic. No. 1, the Soviets have over the years demonstrated their intellectual capability, their scientific capability, their military and political will to build whatever they have to build in response to us. Simply stated, whatever heinous weapon we build, within some relatively short space of time we are looking down the barrel of the same weapon that we developed. At some point the logic of continuing down that road escapes me.

Mr. Chairman, we cannot use nuclear weapons. The only use is for deterrence. Deterrence works. If it did not work, why are we not throwing weapons at each other at this moment? To go beyond deterrence is what creates danger. To talk about a war fighting capability is what I am challenging here. Deterrence works. We are not throwing bombs at the Soviet Union; they are not throwing bombs at us because those big, dirty bombs on either side act as deterrence weapons.

But once we develop the capacity to threaten the Soviet's credible deterrent capability, the only way they can defend themselves is to go on offense. Do you want to give that to yourselves and your children and your childrens' children?

This is what I am challenging. We need defense, we need deterrence. What we do not need is war fighting capability and what we do not need is nuclear technology that goes beyond our ability to verify.

Be logical, America. We cannot use these weapons. A surface Navy in a nuclear age is an irrational effort. Be logical, America.

I would finally conclude with this, Mr. Chairman: Dr. Jack Geiger, in testimony before our ad hoc committee, told a story that he thought characterizes the absurdity of the nature of the arms race between the United States and the Soviet Union. He likened it to two men standing in a room up to their necks in gasoline, one with 7 matches in his hand and the other with 10 matches in his hand. The one with 10 matches said, "I will not enter into an agreement not to strike a match in this room until I have 15 matches," when we all know that one match not only destroys the room, the building, but the community and world within which it finds itself. That is exactly where we are. The Soviet Union has 7,000 strategic weapons. We have 10,000, and we are sitting there saying that we need 15,000 strategic weapons before we can sit down and begin the process of backing away from the insanity, the cruelty, the absurdity, of nuclear weapons.

I am not antidefense or the reality of the real world, but what I am anti is defense that makes no sense, building monuments to madness that we do not need. We do not need war fighting capability. If deterrence is the reality then let it go forward.

On the one hand we have those persons advocating MAD, mutual assured destruction. On the other side we have those persons advocating NUTS. The problem is, the NUTS are leading. We need to come back to the concept of deterrence and get away from the war fighting capability.

I appreciate this opportunity, Mr. Chairman, to try to open the parameters of this discussion. I realize it is a minority view at this moment, but I believe America is awakening and we need each opportunity we have to grapple with each other. I appreciate the sincerity and the respect that has transpired in this debate.

Mr. CONYERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to join in this debate and, first of all, extend to my colleague from California (Mr. DELLUMS) the gratitude of many Members of the Congress who have listened to him, and in their heart of hearts subscribe to the positions that he has articulated. And more, to the millions of Americans, hundreds of millions of Americans, who are fervently hoping that his position will be supported by more Members in the Congress than ever before. I thank you, sir.

I do not subscribe to the notion that this is a minority view, but would posit for this debate that there are more people in America that want a $50 bil-

lion reduction of the defense budget today, right now, in each of the 435 districts, then there are people who do not want a $50 billion reduction. And if I am wrong, it is still a very, very close question.

This debate is a signal one that has been followed by a series of reductions unanimously agreed to by the membership in this body, some four or five. I voted on them in a state of semi-shock. Some of my dearest colleagues, supporters of a strong defense, of a larger budget authority for the Pentagon, were the introducers of these amendments. How many billions we have cut now I have no idea, but it has been a shocking slice from the Pentagon pie.

Over in the Pentagon there are generals laying on the floor in shock that some of their best friends in the Congress would desert them in this moment of crisis in American political and military history. I said to one of the subcommittee chairmen of the Armed Services Committee and author of one of the amendments, "How could you do this without me on the floor? All these years I have begged for modest reductions and today they went through this Chamber like a hot knife through butter. Before we could get back to our offices there was another cut and another cut and another cut."

□ 1720

Why? How come? I will yield to anyone in this Chamber for enlightenment on this point.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from California.

Mr. DELLUMS. I thank my colleague.

First of all, just in order to recap history, may I just say first to my colleague I appreciate his comments. No. 2, when I mentioned the minority point of view I agree with the gentleman, out there beyond the confines of these Chambers I think it is a majority opinion. I am talking about within the confines of these Chambers.

In order to answer the gentleman's question, back several weeks ago the Armed Services Committee, in a 4 hour and 40 minute meeting, passed a military budget authority figure of $255.1 billion. This action was taken prior to the time that this body worked its will on a budget resolution for fiscal year 1983.

In the budget resolution for fiscal year 1983 worked out between the House and the other body it required that the Armed Services figure come in at $253.8 billion. So the Armed Services Committee was required to make up the difference between $253.6 billion and $255.1 billion in order to reconcile the budget with the budget process.

So they came in with a lower figure. That is why you saw a number of our colleagues who opposed cuts having to bring cuts to the floor, because the Armed Services Committee bill had to correspond to the budget resolution. That is why we had this rather uncanny and interesting moment.

The CHAIRMAN pro tempore. The time of the gentleman from Michigan (Mr. CONYERS) has expired.

(By unanimous consent Mr. CONYERS was allowed to proceed for 5 additional minutes.)

Mr. CONYERS. The gentleman's response I am sure is as correct as it is technical. But could the gentleman just tell me again in perhaps less complicated language why leaders on the Armed Services Committee led in a brief but welcome round of military reductions. Permit me to be direct: Is this an order from the administration? Do the Pentagon warlords themselves seek these reductions? Is there some hidden motive behind this unexpected behavior on the part of congessional militarists? Is it the people that are demanding this? Where does it come from?

Mr. DELLUMS. Is this an order from the House and the other body; or is it a grass roots demand coming from the people themselves that require this action?

Mr. CONYERS. It is a reconciliation, a set of reconciliation cuts?

Mr. DELLUMS. This is reconciliation; the gentleman is perfectly correct. We are reconciling the Armed Services original $255.1 billion with the budget resolution which said you better come in with $253.6 billion. If you are over the budget you are a budget-buster and, as you know, a lot of my colleagues really challenge being budget-busters.

Mr. CONYERS. Let me ask the floor manager, my distinguished friend from Texas, how much did we cut today, total, aggregate amount?

Mr. WHITE. Will the gentleman yield?

Mr. CONYERS. I yield to the gentleman for that purpose.

Mr. WHITE. Before this was reported the committee had already cut $3.2 billion. On the floor today I am advised that the total was $3.2 billion, an additional $3.2 billion, which makes, of course, $6.4 billion that has been cut out.

Mr. CONYERS. I thank the distinguished chairman for those figures.

I am hoping that those who voted for these cuts will continue. This cut I think tracks the Congressional Black Caucus defense budget from the budget debates.

I think it is supportable on the grounds that it will not impair our national security. It will, as a matter of fact, take, I think, into consideration a number of nuclear developments.

But I think we can argue, and it has been argued rather cogently, that we will not impair national security.

I repeat: we will not impair our national security capability if this amendment is agreed to by the House of Representatives and the other body and signed into law.

If there is some disagreement from any of my colleagues on that it should be spread upon the record at this point.

My support for this amendment is predicated upon a premise that I yield to no man or woman in this Chamber that our Nation should be as secure as we can in a dangerous world, a world we have made more dangerous.

I yield to no one on the question of the importance of military security and the national defense of the United States of America.

So I support this amendment in perfectly good conscience. I think anybody else that wants to, can, too.

But there is another premise that dogs this debate, and that premise was summed up by a distinguished professor of physics who said: "Several members of the Government have stated repeatedly that we are inferior to the Soviet Union in strategic weapons and that we need to build up our weapons."

In testimony before the Senate Foreign Relations Committee 2 months ago he said there is no such inferiority because, among other things, we have more nuclear warheads than the Russians, and this he considers to be the most important measure of relative strength.

In addition, and he refers to Dr. Kissinger's comments of several years back, "At the present level of strategic armaments, superiority in numbers of megatons has no meaning."

I am going to put this detailed comment into the RECORD.

The article referred to follows:

THE INFERIORITY COMPLEX

I have been a Professor of Physics at Cornell University since 1935. In 1967 I was awarded the Nobel Prize for studies of nuclear reactions in the stars. I was leader of the Theoretical Division of the Los Alamos Scientific Laboratory from 1943 to 1945 when that laboratory developed the first atomic bomb. I have consulted for the Los Alamos Laboratory at least once a year. I was a member of the President's Science Advisory Committee from 1957 to 1960, and remained a member of its Strategic Military Panel until 1969 when the panel was dissolved. In 1958 I participated in the Experts Conference in Geneva which discussed the verification of a ban on nuclear weapons tests, and led to the Partial Test Ban Treaty in 1963. I am testifying on behalf of the Union of Concerned Scientists of Cambridge, Massachusetts, but the ideas expressed in my testimony are my own.

Several members of the government have stated repeatedly that we are inferior to the Soviet Union in strategic weapons, and that we need to build up our weapons. In my opinion there is no such inferiority. We

have more nuclear warheads than the Russians, and I consider this to be the most important measure of relative strength. In addition, as Dr. Kissinger stressed many years ago, at the present level of strategic armaments superiority in numbers or megatons has no meaning.

We are told that there is a window of vulnerability because the Russians might use their large ICBMs to destroy our land-based ICBMs. It is generally agreed that this is not possible now, but with the improving accuracy of Russian missiles it might become possible in a few years. Leaving the question of the technical feasibility aside, I claim that such a first strike would give no significant military advantage to the Russians.

The reason is that ICBMs make up only one-fourth of our strategic nuclear forces, as measured by the number of warheads. One-half of our force is on invulnerable nuclear-powered submarines, and another one-fourth is on bombers, many of which can take off from their widely dispersed airfields in case of an alert. We would therefore have ample striking force left even if all our ICBMs were destroyed.

An attack on our ICBMs would surely arouse the will to fight in the American people. The fallout from such an attack would kill millions of Americans. This would have an even more profound psychological effect than Pearl Harbor, but would have fewer military consequences than Pearl Harbor did.

It is sometimes argued that our submarine-based nuclear missiles do not have sufficient accuracy. However, if a Russian attack on our ICBMs is to make any sense at all, it would be accompanied by a massive invasion of Western Europe. The military installations for such an attack (airfields, munitions, and fuel storage depots), and the staging areas for an invasion, are all soft targets for which our submarine-based missiles would have plenty of accuracy. Therefore, a hypothetical first-strike against our ICBMs would have practically no effect on our war-fighting ability. Therefore the window of vulnerability does not exist.

It is also often claimed that the Russians have introduced many new weapons of great power, such as the SS-18, SS-19, and SS-20, while we have done nothing. The latter statement is not true. While the outer envelope of our Minuteman ICBM has remained the same, we have progressed from Minuteman 1 to 2 to 3, and in the latter we have introduced MIRV, a development which the Russians imitated, and which led them to their great striking capability. More important, on our submarines we have progressed from the Polaris warhead to the Poseidon, and then to Trident I. The latter represents very significant progress. The range of Trident I is 4,000 miles, compared to about 2,000 for Poseidon. This permits our submarines to operate over most of the North Atlantic, and to still hit Russia. Submarines at sea are very difficult to find. Now that they can roam over such a vast area of ocean, they are far more elusive. This greatly enhances their invulnerability. The US has not stood still in nuclear weapons deployment.

The most important addition to our arsenal is the cruise missile, which is being deployed on our B-52 bombers. The cruise missile can penetrate into the Soviet Union. No defense system against it exists. The elaborate and costly Russian air defense system has been made obsolete by the cruise missile, 3,000 of which are to be installed on our bombers. In short we have, and will continue to have into the foreseeable future, two completely independent and essentially invulnerable strategic forces.

Because the cruise missile can penetrate the Soviet Union as no bomber can, and because it has extreme accuracy, we do not need a new bomber, the B-1, and even less its follow-up, the Stealth. Perhaps the B-52 will eventually have to be replaced, but I cannot see why this replacement should have elaborate electronic equipment to penetrate into Russia, equipment which accounts for the enormous cost of the B-1 and the Stealth. Penetration can be achieved much more effectively and cheaply by the cruise missile.

The government has stated that we need parity in strategic forces in every category. If this means that we need parity also in ICBMs, I disagree. With the increasing accuracy of missiles, on both sides, all land-based weapons will become vulnerable. I cannot think of any deployment on land that will be secure, and in my opinion the deployment of MX is a futile expenditure of money. We should maintain the emphasis on submarine and bomber forces; this makes our forces largely invulnerable, and thereby superior to those of the Soviets. If anyone has a window of vulnerability, it is the Soviet Union.

As I have said, several of our weapons programs are unnecessary: the B-1, the STEALTH, and the MX. But the submarine program deserves our full support, especially the further improvement of secure communication links to our submarines, as has been rightly emphasized by this administration. Also, if we wish to decrease our dependence on nuclear weapons in Europe, a goal which I strongly support, our conventional forces must be built up, especially by exploring our available high-technology in anti-tank weapons.

We are not inferior to the Russians in strategic armaments. But we, the Russians, and Western Europe are severely threatened by the possibility that the enormous arsenal of nuclear weapons on both sides may some day be used. Our only hope lies in substantial reduction of these armaments. A good first step would be the ratification of the SALT II agreement by the Senate. The advantages of doing so have been persuasively demonstrated by Senator Gary Hart in The New York Times of May 2. Among other things, if SALT II had been ratified in 1980, the Russians would now have 250 fewer strategic missiles than they actually have, and they could not continue their buildup.

Obviously we must do more. I was happy to see that President Reagan has now proposed a plan for negotiating arms reduction with the Soviet Union. The first phase of this plan calls for a reduction of the nuclear warheads on each side from about 7,500 to about 5,000, and significant (but apparently not specified) reduction in the number of missiles. This seems to me a reasonable and equitable plan. The proposed second phase, to equalize the throw-weight of the missiles, may be very difficult to negotiate because it requires greater sacrifices from the Soviet Union than from the U.S. It will be vitally important to choose an American negotiator who combines flexibility with firmness and is devoted to the goals of arms reduction and reaching an agreement with the Soviets.

Negotiations with the Russians are difficult and lengthy in any case. The SALT II treaty took six years to negotiate. We cannot wait that long. We must stop the arms race by measures which are not subject to such long delay. I find most attractive the proposal by George Kennan, the famous expert in the Soviet Union, which has recently been revived by Admiral Noel Gayler in *The New York Times Magazine* of April 25. The plan calls for similar reductions by both superpowers, let's assume by 5 percent of the existing force per year. Each side would choose the weapons it wants to retire, and compliance could easily be verified by our satellites. This plan is so simple that it might be agreed on with very brief negotiation, like the Limited Test Ban in 1963, But it would, in fact, not require any agreement; we could make such a reduction, and challenge the Russians to do the same. If they do so, we would make another similar reduction the following year, and so on. This would not require any treaty, and it would enhance our security.

Such mutual reductions could not replace a negotiated treaty, which has a permanence far beyond the bilateral reductions that I just proposed. Furthermore, a treaty could optimize the balance and invulnerability of the two strategic forces. This would remove the threat of pre-emptive strikes, and the current hairtrigger readiness that could lead to nuclear war by accident or miscalculation.

To summarize:

Our strategic forces are, if anything, superior to the Soviets';

Our national security, and that of our allies, is most threatened by the grotesque size and continuing growth of both nuclear arsenals.

These are the basic facts. Once they are recognized, the essential features of a sound national security policy become apparent.

Mr. CONYERS. It seems to me that before we can determine whether we support or oppose this amendment we have to determine whether we are militarily inferior to the Soviet Union.

The CHAIRMAN pro tempore. The time of the gentleman from Michigan (Mr. CONYERS) has again expired.

(By unanimous consent Mr. CONYERS was allowed to proceed for 2 additional minutes.)

Mr. CONYERS. It seems to me that we are at an incredible flashpoint in our decisions on the magnitude of American military power. I urge that anyone in this Chamber who can add to my intelligence on this subject to please take the floor and proceed to do that.

If they do not choose to debate me on the floor I would invite them to mail me written communications.

If they do not choose to mail me written communications, I would urge, plead with them, to give me the citations or references on which they rely.

A question of this magnitude is very important and I respect the disagreements that may obtain, not only between my position and anyone else's but between positions among those who believe in a strong national defense. But out of the differences can come a new understanding so desperately needed.

I urge that this amendment be given the full consideration to which it is entitled.

I will now yield to anyone who may want to enter into this discussion.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from California.

Mr. DELLUMS. I appreciate my colleague yielding.

At this point I would like to enter into the RECORD a brief colloquy on this matter between myself and Dr. Jeremy Stone, executive director of the Federation of American Scientists. This is a question I posed to the gentleman:

Can you respond to whether or not you believe that the United States is in some way at risk from the Soviet Union regarding our comparative nuclear strength?

This was his response:

The two sides are equal in the most fundamental method of measurement. That is this: each side can destroy the other after absorbing the attack from the other.

So each side can retaliate devastatingly to the other side. And in that sense, they are both equal and remain equal. And this is the only measure of equality that I consider to have much importance.

I would say, if you have to ask who is behind, that both super powers are behind, and the reason they are behind is that if a nuclear war occurred, these two super powers would be blown to bits, but Bolivia wouldn't be blown to bits and neither would Australia. The whole planet may suffer, but we know that we are in the line of fire and that the Soviet Union is in the line of fire, so these two super powers have gotten themselves into a unique fix.

□ 1730

The CHAIRMAN pro tempore. The time of the gentleman from Michigan (Mr. CONYERS) has expired.

(On request of Mr. DELLUMS and by unanimous consent, Mr. CONYERS was allowed to proceed for 2 additional minutes.)

Mr. DELLUMS. Therein lies where we are at this point. My colleagues talk about superiority and inferiority. The main category of superiority and inferiority is whether you can blow the other one off the face of the Earth. Both sides can do that. It seems to me that the whole notion of superiority is absurd.

Back when we had one weapon and we dropped it, we could be superior. In the 1950's, when there was only a handful of warheads in the world and we had most if not all of them, we could be superior. But what is superiority in 1983, when the world has thousands and thousands and thousands of nuclear weapons? This is an absurdity. It is like counting matches, it is like counting marbles or counting baseballs. When you have the kind of accuracy, megatonnage, kill capability on both sides, to talk about superiority is absurd. And even if we develop a so-called superior weapon for a moment, it will only be for a moment, and then the Soviets will develop their weapon, and somebody from the Pentagon will run into the Armed Services Committee and say, "See, they caught up with us, let us build a new weapon." And it keeps going ad infinitum. The point I make is that superiority breeds danger.

Mr. CONYERS. I thank the gentleman. I, as one Member who will have an opportunity to cast his vote on this and other military questions, am convinced more than I have ever been in my career in the Congress that we must decrease our military buildup, particularly with reference to nuclear weapons.

Mrs. SCHROEDER. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Dellums substitute.

Mr. DICKINSON. Mr. Chairman, will the gentlewoman yield for a parliamentary inquiry?

Mrs. SCHROEDER. I yield to the gentleman from Alabama for a parliamentary inquiry.

PARLIAMENTARY INQUIRY

Mr. DICKINSON. Mr. Chairman, I would like the Chair, if it would, to advise the Committee and this Member exactly what the parliamentary situation is, because this was an unusual rule.

In addition to the general 3 hours of debate, the gentleman from California was given an additional 1 hour, which would be divided.

Now, in addition to that, is there any limitation of debate under the 5-minute rule? Are we under the 5-minute rule as to that? And is there any limitation on the 1 hour?

The CHAIRMAN pro tempore. The Chair will state to the gentleman that we are now under the 5-minute rule, under normal and regular consideration, and that all Members will be recognized who wish to be recognized under the 5-minute rule. But because of the procedure specified in the rule, those Members who controlled the time for debate and used their time will have to now ask for unanimous consent to be recognized to extend that time.

Mr. DICKINSON. There is no amendment to the amendment in the nature of a substitute, but each Member who desires to be recognized for a pro forma amendment would then be recognized?

The CHAIRMAN pro tempore. Each Member would then be recognized.

Mr. DICKINSON. Or to strike the requisite number of words?

The CHAIRMAN pro tempore. Or to strike the requisite number of words.

Mr. DICKINSON. There is no limitation on the number of Members to be recognized or how many can be recognized for that purpose; is that right?

The CHAIRMAN pro tempore. The gentleman is right.

Mr. DICKINSON. I thank the Chair.

Mrs. SCHROEDER. Mr. Chairman, I rise in support of the Dellums substitute. Back in February, after President Reagan submitted his huge and unwarranted defense budget request, both the gentleman from California and I decided separately to formulate our own alternative defense budgets, aimed at providing a sound and adequate defense without bankrupting our Nation. We each found that billions of dollars could be saved by eliminating waste, fraud, and abuse.

I fully support the Dellums proposal. Nevertheless, I feel it would be useful to my colleagues to read into the RECORD the text of the narrative summary of my substitute, entitled, "Building a Strong America: A Progressive Defense Policy":

BUILDING A STRONG AMERICA: A PROGRESSIVE DEFENSE POLICY

(By Representative PATRICIA SCHROEDER)

President Reagan and Defense Secretary Weinberger, in their budget presentations to Congress, have argued that administrations and congresses controlled by Democrats have weakened the defense posture of the United States. The Reagan Administraton tries to show that defense spending, new weapon procurement, and strategic defenses all fell under hard times during the Carter Adminstration. Actually, real defense spending (other than Vietnam-related expenditures) declined in the late sixties and early seventies but increased during the late seventies. Both Carter and Reagan agreed that defense spending should account for a larger share of total economic activity during the next five years. What they disagree on is how much larger.

The Reagan Administration has endorsed the deceptively simple notions that more is better and there's no such thing as too much. Unexpended balances, a good indicaton of what's too much, are much larger under the Reagan budget than under Carter's. It's clear the President's 1983 budget request and the Annual Report of the Secretary of Defense both rely, exclusively, on the level of spending as a determination of strength. Neither analyzes what is really needed for a strong nation. Neither questions the assumption that numerical parity with the Soviet Union is the best strategy on which to base defense spending. Neither is willing to prune eonomically unsound projects for fear the Soviets will have the numerical advantage. And, neither looks at our defense policy in the broad and cross cutting way that is necessary.

This paper offers basic tenets on which to build a stronger defense, and then applies these tenets, in numerical form, to Reagan's proposed defense budget. This exercise results in savings of $30 billion in the 1983 defense budget; surely, additional areas of savings could be found by experts in the Pentagon, if they had the incentive to pare, rather than pad. But, when the President announces that there will be a huge increase in defense spending before anyone has ascertained what the real military needs are, it is understandable that no one in the Pentagon comes forward with cost cutting suggestions. This proposal is one individual's effort to come to grips with $245 billion worth of Federal spending. Someone with greater expertise and more advanced equipment could arrive at greater reduc-

tions. The point is that many of Reagan's spending priorities are misplaced and that, just as David Stockman suggested, there is a great deal of waste within the defense sector. Approaching the defense budget with the idea of eliminating unnecessary expenditures which do not help our national defense, this paper does not analyze the pros and cons of specific weapon systems like the MX, F-18, or B-1B, although rational defense policy would dictate terminating funding for all three.

I. ECONOMIC CONSIDERATIONS

World history shows military might comes from economic strength. Ancient Rome fell more because of internal economic failure than invasions by the Visigoths. To support a strong military machine a country needs a robust economy, a supply of skilled labor, and a sophisticated infrastructure of manufacturing, supply, communications, and distribution. A nation with high unemployment, high interest rates, an aging inventory of capital equipment, stagnant research and development, and huge government deficits cannot field a strong military force no matter how much it spends on arms.

Conversely, spending on defense alone cannot prop up a sagging economy. A recent report by the Reagan-appointed Council of Economic Advisers raises the spectre that too rapid escalation of defense spending will crowd out private investment, excite inflation, and reduce productivity. Rather than spurring economic recovery, the Reagan defense budget will probably harm the economy.

The first government priority for defense must be reversing our economic decline. A reduction in the Federal deficit, through higher tax revenues, and a reduction in Federal borrowing, thereby reducing interest rates, is a far better way to spur economic growth than spending a quarter of a trillion dollars on arms. Long-term defense planning argues for government efforts to provide new incentives for invention and innovation to spur technological advances, particularly through funding of education and research. Our defense industrial base can best be expanded by providing job training to the unemployed. The domestic social programs which have been treated so adversely by the Reagan Administration are precisely the type of programs which lead to a strong defense in the future. Vocational education, scientific research, and social insurance programs do more to build and preserve the industrial base of the United States than does spending $18 billion on a mobile missile system. During World War II, shockingly low scores on physical and mental tests of draftees led to the enactment of new educational and nutritional programs by the Federal government. Perhaps, the recent Department of Defense data on recruitment test scores should lead to a similar governmental initiative.

Defense planners maintain that economic revitilization is outside their bailiwick. Traditionally, defense spending and economic growth have been separate issues. Nevetheless, for each additional dollar which has to be borrowed to spend on defense, there is one less dollar available for private investment. One fewer machine is replaced. One less invention is made. Excessive defense spending weakens a nation's industrial base and, therefore, weakens national defense.

A related economic consideration also bears on the strength of a nation. When a nation goes to war, all its resources are devoted to that war effort. But now the United States has decided to build a military machine entirely separate from the basic economy. Instead of negotiating with the private sector to use surplus property, such as wide-bodied aircraft, in time of war, the Reagan budget proposes building an entirely duplicative set of resources for rapid deployment. This is economically wasteful. Airplanes, ships, trucks, computers exist throughout the country. Instead of maintaining a redundant inventory of equipment to be used only in a crisis, the military must work out ways to use the resources of the economy to build a strong defense. The attached budget reflects savings that could be achieved in that way.

Military bodies to work out ways to share the country's resources do exist. The Department of Defense's Industrial Preparedness Planning Program, first formulated in the 1950s, plans with private industry to meet potential wartime needs. However, GAO claims this program remains in a state of disarray (May 27, 1981). Restructuring and improving programs like this should be of highest priority.

This same concept should be applied to personnel as well. Right now, we are registering, for possible induction, all 18 year old males. It is hard to conceive of a class of citizens with fewer skills or less experience. Modern war requires highly skilled individuals. Currently, there are severe shortages of doctors, other medical personnel, computer technicians, and other skilled personnel. GAO shows the demand for medical personnel in war, for example, will far outstrip the supply unless corrective action is taken (June 24, 1981). If our country truly needs peacetime draft registration to show the Soviets we mean business, a proposition which is dubious, we should be registering citizens with needed skills to call up in case of war. Pilots, navigators, electrical engineers, radio repairers, and the like exist in great number in our society. Under the theory advanced to justify peactime draft registration, the government should know where to find these people in case of an emergency. Indeed, if registration is needed to supply foot soldiers, hunters and target shooters would probably make better soldiers than 18 year olds after three months of basic training.

II. FOREIGN POLICY CONSIDERATIONS

President Reagan's view to the contrary notwithstanding, the United States cannot stand alone in protecting democracy and freedom in the modern world. Our defense policy is inextricably linked to our foreign policy in a myriad of ways. The United States has signed a variety of mutual defense treaties with other nations. Our defense decisions affect other nations. And our national defense is strengthened or weakened by which national leaders we befriend.

Past treaty alliances of the United States emerged as cooperative ways to guard against Soviet expansion and aggression. NATO continues to be the biggest and most highly budgeted of these organizations. Others exist in the South Pacific (ANZUS) and in South East Asia (SEATO). More recently, military alliances have been formed in Israel, with Japan, and with South Korea. Under the auspicies of our treaty alliance obligations, we pour enormous resources into West Germany, Italy, South Korea, and Japan.

Although the cost of these commitments has skyrocketed since the end of World War II, the share the United States pays for these commitments had not been reduced. Indeed, although Japan and West Germany are now two of the most successful industrial democracies in the world, the United States continues to pay for most of their defense needs. Our commitments to NATO account for over one-third of our defense expenditures. Our defense budget is really a budget for the defense of Western Europe. Costs of the Rapid Deployment Joint Task Force should be allocated to our NATO partners because the primary mission of the task force is to protect oil resources in the Persian Gulf. This goal is of equal or greater interest to Western Europe than to the United States.

Now is the time to revamp the proportionate shares paid by the partners in NATO and other treaty alliances. It makes no sense, given the current balance of wealth and industrial growth in the world, for the United States to continue to shoulder the entire burden of mutual defense. Canada chips in only 1.6 percent of its GNP for NATO. West Germany coughs up only 3.2 percent. The U.S., on the other hand, gives close to 6 percent. Changes in gross national products ought to be the basic factor in computing new shares. While new allocations should be phased in, the readjustment must start immediately. The attached budget reflects some readjustment.

Another foreign policy issue concerns the development of chemical and biological weapons, including binary weapons. The Reagan Administration claims to have strong evidence of Soviet use of such devises. We would be less than prudent if we did not develop protective equipment for our soldiers, detection devices and methods to neutralize lethal gasses. The attached budget reflects this.

Yet, the Reagan Administration, caught in the numerical parity rut, is about to start the development of our own biological and chemical weapons to serve as a deterrent. We do not need lethal weapons to deter the use of Soviet lethal weapons. We have conventional and nuclear weapons which continue to provide a strong deterrence. By building our own chemical weapons, we are sending a message throughout the world that other countries should start building the same weapons. While many countries cannot afford the technology to produce nuclear weapons of their own, they can afford chemical weapons. Only the force of world opinion has kept them from doing so. Once the United States commences its buildup of chemical weapons, international opprobrium vanishes.

The last three Presidents have all been committed to the process of negotiating arms limitations with the Soviets. While the process has been difficult and lengthy, some success has been achieved. Ronald Reagan won campaign points from the Right Wing in rejecting the Strategic Arms Limitation Treaty (SALT II). His campaign was marked by Cold War rhetoric about the Soviet threat. His performance in the White House has carried on that tradition. This belligerent rhetoric has retarded the arms control process. His recent public statements expressing his willingness to hold the Geneva talks hostage to Soviet concessions in Poland set the negotiations back months. It has made the Soviets extra wary of the President's proposal to terminate deployment of cruise and Pershing II missiles in Europe in exchange for Soviet dismantling of SS-20, SS-4, and SS-5 medium range ballistic missiles.

This rhetoric must be shelved at the insistence of both Congress and the general public. An excellent vehicle to do this with

is the nationwide Nuclear Arms Freeze Campaign, a grass roots, church-supported effort to force the Administration into serious nuclear nonproliferation negotiations. Congress should help this campaign by assisting in the education and awareness of the effects of nuclear war and the prospects for peace taught to the general population.

One last foreign policy issue is worthy of note. The role played by the United States in the Third World is crucial. Revolts, coups, brushfire wars, wars of national liberation all can affect the basic interests of the United States. Even without direct United States involvement, a civil war in Nicaragua, a clash in Angola, or a terrorist attack in Israel will have repercussions for our country. It is, undoubtedly, in the interest of the United States to reduce hostilities throughout the world diplomatically.

Our ability to do so is a direct product of whether we are trusted throughout the world. Allying ourselves with unpopular dictators like Somoza in Nicaragua and with the Shah in Iran undermines that level of trust and respect. Further, unpopular dictators seem to have a nasty habit of being overthrown. When this happens, the cost to the United States are often severe. Our foreign policy should take into account the advantages of allying ourselves with popular and democratically elected regimes, rather than repressive ones.

III. WEAPONS ISSUES

There are a number of tenets about weapons policy which are too often forgotten by defense planners:

First, weapons should be designed so the average soldier can use them. In the name of technological advances we have been building systems which are extremely complex to use and difficult to maintain. This results in numerous weapons being unavailable when needed. Readiness is subverted. Other countries, like the Soviets and the Israelis, develop rifles which are cheap to produce, easy to maintain, and simple to fire. Our rifles have grown in complexity. The M-16, for example, often misfired during use in Vietnam.

The situation gets more serious as the weapons get more sophisticated. The F/A-18, originally designed as a low cost attack aircraft, contains such complex and expensive navigational equipment that it is often out of commission and the training time for its use is long. The Bradley Fighting Vehicle System and the M1 Abrams tank have faced gigantic cost overruns because the complexity of their specifications led to unexpected costs and delays. Letters recently released by the Services, mandated by the Nunn-Schroeder Amendment to the Defense Appropriations Act for 1982, point to ten weapon systems that have incurred cost overruns of more than 25 percent directly because of unforseen complexity. Clearly, the weapons trend goes the wrong way. The attached budget reflects support for R&D of simple weapons and scrutiny for complex weapons.

Second, too much attention is paid to the new and splashy. Existing weapon systems can be modified rather than investing in new systems which are likely to look better on paper than in production. The decision to build the B1-B bomber is an obvious example. The B-52, with appropriate retrofitting can serve the interim strategic bombing needs of this country, as CBO points out. The Air Force proposal to install brand new CFM-56 engines on existing KC-135 tanker planes, rather than retrofitting them with existing and more cost efficient JT3D engines, as CBO recommends, is another example of the mentality of the military to buy something new rather than modify something which exists. Defense savings by recycling are realized in the attached budget.

Third, overlap and duplication among the services result in added costs and useless effort. Joint Chief of Staff Chairman David Jones recently criticized the intramural scramble for resources which spills over into weapons procurement. Because of parochial interests, the Navy must have its own Phoenix, the Army its own Stinger, the Air Force its own Sparrow. The Defense Department should establish a standard missile design to be modified for the individual needs of the services or the mission involved. Helicopters, radio, aircraft, ships, and numerous other systems items could also be standardized, if interservice rivalries did not interfere. Further, training on each of these weapon systems should be more unified to avoid the duplication that currently exists.

Fourth, we should not pursure weapons systems and strategies which make little sense. The most obvious example of this is the strategic manned bomber. Missiles, both land-based and submarine-based, have made such a bomber an anachronism, Land-based missiles can provide extremely accurate attacks on enemy targets. Submarine-based missiles can survive a first attack. The third leg of our triad strategy is in reality, a fifth wheel. Yet, research, development, and production of the B1-B continues. Indeed, if a bomber leg of the triad is truly essential, virtually any jumbo jet could be fitted with the capacity to fire cruise missiles, rather than building a new bomber capable of penetrating Soviet detection devices. Further, we still spend considerable resources on developing a manned bomber strategic defense. The Soviets are as well aware of the limitations of manned bombers as we are. We should reduce our efforts in the manned bomber defense area as well and redirect those resources to more useful purposes.

Fifth, spare parts, an undervalued budget item, have been cut to the bone, because they involve immediate outlays and, therefore, instant savings in the eyes of budget cutters. As a result, weapon systems fall into disrepair and remain out of commission, to the detriment of our readiness. Weapons repair shops fall behind schedule and become less economically run. And we lose a chance both to stimulate our industrial base, which produces these parts, and to stimulate the economy. Good management and wise use of our resources dictates that we must maintain proper funding for spare parts. This is reflected in the attached budget.

Sixth, too much of the budget goes for nuclear war. The move away from a strategy of mutual assured destruction to one of limited nuclear war offers a blank check for defense spenders. The ludicrous notion of civil defense evacuation, that we can safely and orderly escape a nuclear attack, springs from the limited nuclear war strategy. Limited, survivable nuclear war is not, however, a proven concept. It is probable that no nuclear exchange will be limited and that massive destruction will result. Continuing the development of clean bombs, neutron bombs, and other weapons of limited nuclear war is dreadfully expensive and only increases the chance to confirm our suspicions. We cannot abandon the development of all weapons of nuclear war, without a similar commitment from other nuclear powers. However, it makes abundant good sense to reduce our procurement of new nuclear weapons and actively pursue meaningful arms reduction negotiations.

IV. MANAGEMENT ISSUES

The management of our defense establishment has grown slack due to the windfall of resources in the Pentagon. Despite this windfall, management must maintain an atmosphere of austerity to ensure that the best and most efficient decisions are made enhancing management effectiveness, program efficiency, and productivity. Better management among supply depot managers, for example, is one way for DoD to increase productivity and decrease costs. Serious mismanagement exists now at these depots, according to GAO and the House Armed Services Committee.

Not all management problems, however, deal with hardware. For many years, the Army has maintained the morale-destroying, and budget-consuming personnel management policy of soldier rotation. The effect of this policy on morale was evident in Vietnam. On an average day, one out of five soldiers is on the road, moving between assignments. Again, morale and readiness suffers. An experimental Army program of training soldiers as a permanent fighting unit is underway which will help solve the problem. The idea is not new. In ancient Greece, Spartans boys grew up together and learned to fight as a team, to the fear and respect of all. Army Chief of Staff Edward Meyer points to this unit training (called COHORT) as the prelude to the Army of the future. He may be right.

Rotation is a serious problem for officers as well. Rotation leaves them at posts or installations for two or three years. Often, just as they learn their job, they are transferred. As a result, the productivity of Army installations, like hospitals and depots, is reduced. This rotation policy hampers the weapons acquisition process, too. Program managers, those military officers responsible for the timely and economic procurement of a weapon system, are transferred every three years. No one takes a maternal attitude to a weapon to see it through to a cost-effective, reliable conclusion. It has been suggested each weapon system be named after the Secretary of Defense who started it, so that he (or she) would be encouraged to get it built on time.

Procurement contracting has traditionally been an area fraught with abuse. Although numerous laws to correct the abuse have been passed, what is really needed is better management. Sole source contracting continues unabated, cost overruns come in at unprecedented levels, as seen from the "Nunn-Schroeder" letters, and the contractor is rarely held responsible. Specifications continue to be modified, and the competitive bidding procedures, when they are used, do not always result in the best performance at the lowest price. Multiple layers of management also bog down the procurement process. Time is money applies to the public sector too. For example, the Department of Defense has an Acquisition Review Council to review and approve decisions on weapon systems already made by parallel boards in each of the services. Such duplication is time-consuming and costly. The attached budget makes sizable reductions in the procurement appropriations to underscore the need for better managment.

Increasingly, the Department of Defense is top heavy, both with civilian managers and with military brass. Reagan's proposed budget calls for a 4.7 percent increase in the

number of officers and only a 2.7 percent increase in the number of enlisted personnel, since 1981. An arithmetic increase in the number of officers produces a geometric increase in the number of staff. Now, the Reagan Administration wants five new Assistant Secretaries, a move which will result in more layering at all levels in the Pentagon. Admiral Rickover was right when he suggested splitting the Department of Defense in three. Groups one and two would write memos to one another, while group three would do all the work. Again, in the weapons acquisition process, too many decisions are made at or close to the top. Many of these decisions can be made can be delegated to lower levels, as suggested by a Special Navy Advisory Group.

Finally, the defense budget has paid little attention to the Nation's best defense resource, the men and women in the military, both in the active and reserve forces. Until recently, pay and benefits have been too low, especially in the enlisted ranks, while a self-survival mentality has replaced teamwork as the functional ethos. It's shocking that a separate appropriation appears in the defense budget for the apprehension of deserters. This illustrates that poor morale is not only tolerated but budgeted for. There is no mention of desertion prevention. Military personnel is a valuable resource that must be preserved and nurtured through policies which are sensitive to the needs of military men, women and spouses. Increases for health, housing, and human services, reflected in the attached budget, will help retention, morale and, ultimately, the readiness of America's fighting force.

Mr. MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

□ 1740

Mr. Chairman, first of all, I would like to thank my colleague from California (Mr. DELLUMS) for providing the House this opportunity to discuss his amendment, but in a more fundamental way to discuss the role of military spending in our economy, the role of military spending keeping or destroying the peace, and the role of military spending in preparing this country to defend itself.

In the past as this legislation has come to the floor from time to time it has had specific narrow amendments based upon a single weapon system, a single piece of military equipment, based upon cost overruns or ineffectiveness or what have you; but this is one of the few times in the 8 years in which I have served in the Congress in which we have been presented with the opportunity to make a fundamental evaluation of the role of the military in the American society.

It is very interesting that those who have spoken against the amendment have suggested that you could only support this amendment if you thought that you were better red than dead; you could only support this amendment if you did not care about jobs; or you could only support this amendment if you were in favor of unilaterally denuding the United States.

All of those statements are in fact false and all of those statements fail to contend with the meaningfulness of this amendment.

Because if in fact they want to stand before the American people and this committee and tell you that we are going to spend in excess of $200 billion, based upon a jobs policy, they cannot substantiate the systems in this bill.

We cannot build ships because of 3,000 people at Sparrows Point. What the people at Sparrows Point need is to help the economy, not the ships that fail to meet our defense needs.

Those who would suggest this would unilaterally denude the United States I think are wrong because that is not what this amendment says. What this amendment does is in fact realize and recognize in an honest fashion that there are simply some weapons systems under production in our aresenal, there are weapons systems that have already been procured in our arsenal that simply do not live up to their advance billing, they simply do not work in a productive fashion, they do not provide us the margin of defense, the margin of security, that the American people have been led to believe that she should.

We have seen the arguments over the MX and we have seen this administration cancel the basing mode. Was it somehow all right in the first 8 or 9 years of debate that went on on this floor against that basing mode? Was that debate for nothing?

We have seen the B-1 brought into serious question by military experts, by the people who are supposed to fly it. That debate is valid. We see a tank now that has very questionable battlefield capabilities, that may have been built on assumptions about Soviet tanks that have not proven to be true in the last several weeks in the Middle East. That debate is important. But it must be all encompassing, and my colleague, the gentleman from California (Mr. DELLUMS), has provided that all encompassing amendment.

I think it is tragic that more Members are not on the floor to debate this amendment because what must be understood is that he also attacks those weapons systems that he believes lend to the destabilization of the military and the peaceful situation in the world today, those weapons that pose a greater conceivability of war in the world tomorrow than they do of stabilizing the situation today.

I think that we must understand that that is what this amendment provides us, the opportunity to debate on the floor of the House and hopefully Members will support it.

Because it is very clear not simply because the gentleman from California (Mr. DELLUMS) seeks to bring forth his list of amendments, I would hope that others would have other amendments either to knock out, if they do not agree with what he has done, or to add to that list, because in fact they have other ideas about destabilization.

But most importantly, what that amendment does is it presents to us an opportunity to take not what is a minority view but to present to the American people a discussion of grave concern to them, because if you are going home to your district and talking to individuals you will see that for the first time they are starting to understand the tradeoffs that are taking place in our economic system because of military spending, you will hear their expressions of fear and concern about the edging toward greater possibility of war and destabilization in our society.

The CHAIRMAN pro tempore. The time of the gentleman from California (Mr. MILLER) has expired.

(By unanimous consent, Mr. MILLER of California was allowed to proceed for 2 additional minutes.)

Mr. MILLER of California. Finally, let me suggest that it has been suggested on this floor today that the support of this amendment is somehow wrapped up in the support for the freeze movement and the sliding of that movement, but let us all remember, all 435 of us who are elected to this body, the freeze movement in this country, the freeze movement in Eurpoe, did not come from this body, it came from the American people, it came from the European people, and the Members may not like it, the Members may think it is simple, the Members may not think it is the answer, but it is the reason that the superpowers are sitting down and discussing the reduction of arms, because without that mass movement of the people who are concerned about the buildup of nuclear weapons in the world today, those arms talks would have never been undertaken at this early date. But it came from the homes of your constituents, it came from the concerns of mothers and fathers about the future of their children and that amendment and that movement is so fundamental that it is calling into question the basic notions of military spending in this country.

If the Dellums amendment does not succeed today then let me beseech my colleague from California that this amendment must continue to be a landmark amendment for the discussion of military spending in this Congress. We can no longer go after that budget because we read an article or "60 Minutes" produced a show that showed us various military weapons and systems were not working, that the cost overruns were embarrassing, that they could not carry out their mission, that they were awarded because of political power instead of military and defense policy. This

amendment provides for the full discussion of those issues and it must be this amendment that the Congress must come to grips with because it underlies the fundamental notions of what is security for this country and what is foolishness and what is the waste of money for this country that brings us no closer to a peaceful world.

Mr. GLICKMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am not sure I am going to support this amendment and I am going to ask the gentleman from California in a moment to relate to some specific questions. But it is curious that 2 days ago the President was on the west front of the Capitol arguing for a constitutional amendment to balance the budget, and there is no possible way to balance the budget without either some tax increases or some meaningful reduction on the defense side of the picture, and I do think that the gentleman from California has given us at least an option to discuss meaningful reductions on the defense side of the picture, discussions on important things, like weapons systems, where we have to vote on it, as opposed to abstractly removing "the waste from the Defense Department." Unfortunately, there is no line item in the Defense Department called waste that we can reduce or eliminate by amendment. And so we have to deal on this kind of picture when we talk about specific procurement items.

My real concern as it relates to the Dellums amendment goes not to the MX or the Trident missile but relates to force reductions particularly in Western Europe.

In the gentleman's amendment I think that he calls for a 5-percent reduction in our forces, perhaps in Western Europe, maybe throughout the world, and at this stage reducing our conventional forces in the world worries me because it might cause some instability with respect to some of our allies.

I would ask the gentleman from California to discuss this matter.

Mr. DELLUMS. Mr. Chairman, I thank my colleague for his kind opening remarks.

What we are attempting to do in this bill is broaden the parameters of the discussion and the debate. It is terribly important that we begin to come to grips with many of those complex and vital issues of our time and I thought that this bill would provide that opportunity.

One thing that keeps the body politic honest is when there are countervailing analysis and countervailing proposal based on those different analysis, when we all start thinking in the same direction what keeps the process, what keeps creative tension in the process, and so we are proposing an alternative to provide an opportunity for our colleagues to think and to be analytical.

□ 1750

With respect to the troop reduction issue, what we have done in this bill for fiscal year 1983 is to mandate what we perceive to be a token 5-percent force reduction, 5 percent across the board in troop reduction. What we are hoping that this will do is trigger our colleagues to begin to rethink the nature of our role in the world, what budget dollars buy or troops. Those troops are deployed for purposes of certain missions and missions are carried out in various regions of the world.

We think that it is time now for our colleagues to begin to rethink these issues.

With respect to NATO, it is very difficult to calculate, but when you try to bring together the cost expenditures, both direct and indirect, for our forces directed at NATO, you come out with a figure somewhere in the neighborhood of $130 billion, or roughly 50 percent of our budget directly and indirectly related to American involvement in NATO. Now, that ought to raise several questions. First, what is our appropriate role in NATO; second, should we be paying at this level? Why is it that our other NATO allies are not paying such a high percentage as we are? Is it because their perception of the threat is much lower than our perception of the threat, and if that is the case, then I think we ought to think those things through.

No. 2, when you look at the issue of NATO and you ask my colleagues on the Armed Services Committee, all of them responding to you honestly will say that the probability of the United States and the Soviet Union going to war in Europe on a scale of 1 to 10 is somewhere between 0 and 1. So there is no high order of magnitude in terms of the risk and the threat in Europe. The potential threat in Europe is miniscule.

The second thing that they will tell you is that on a number of occasions where we have raised the question, if a war started in Europe, even a conventional war, could that war be contained as a conventional war? The best thinking in this country at this moment is that within a relatively short period of time that war would escalate into global strategic nuclear war, raising the following questions: Why do we need to amass a whole number of land-based troops in Europe? Why do we need all these prepositions of forces in Europe?

We need to rethink the mission statement.

In looking at NATO, I raise the following questions, I make this observation: I think the problems in NATO are political and economic under the umbrella of NATO. They are not military problems. You cannot apply a military solution to what are ostensibly political, social, and economic realities. If you are going to solve the problems in Europe, you have got to do it within that context.

Finally, as I said, to summarize, all we have attempted to do in this bill was to suggest that our colleagues cut 5 percent overall force levels to force us to begin to rethink the nature of our role in the world. A military budget is a statement about how you perceive your role in the world and what threats you perceive.

I think it is time for us now to begin to rethink these kinds of things. This is a very modest and token effort.

The CHAIRMAN pro tempore. The time of the gentleman from Kansas has expired.

(At the request of Mr. CONYERS, and by unanimous consent, Mr. GLICKMAN was allowed to proceed for 2 additional minutes.)

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. GLICKMAN. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I congratulate the gentleman on tying the real world into our budget dilemma with the very excellent possibility of reducing the military budget.

I think the gentleman's question about conventional weapons is very important.

May I deduce from that that the nuclear halt in technological development is one which the gentleman has no quarrel about?

Mr. GLICKMAN. I would say on an item by item basis I have less of a quarrel with the nuclear reductions than I do on the conventional weapons side. That is a fair statement.

I do think, you know, there seems to be unanimity of thought in this body, particularly from the authorizing committee on many of these issues and it is refreshing, while I do not agree with the gentleman from California very often, but it is refreshing to come down here periodically and hear some constructive, thoughtful policy debate on the defense of this Nation. I do not hear very much of it and I am glad to have participated in this.

Mr. DELLUMS. Mr. Chairman, will my colleague yield further to me?

Mr. GLICKMAN. Yes, I would be glad to.

Mr. DELLUMS. Mr. Chairman, one of the reasons I think it is imperative that we begin to look at our conventional forces is because approximately 20 percent of our budget resources, weapons and forces, surround our nuclear capabilities. Seventy-nine percent of our budget is on personnel issues. Therefore, if you are going to cut the budget, you have got to look at conventional issues and personnel

issues. Here I think we ought to begin to look at the nature of our role in the world if there are going to be any substantial cuts. All the sexy big ticket items, even if you cut all of them out, are not going to cut an incredible amount of money. We need to cut them in order to preserve the integrity of life on this planet for ourselves and for our children and their children; but if you are talking about greater economic impact, you have got to go to the conventional forces. You have got to go to the personnel issues. This is a matter that we very seldom discuss on this floor. I think it is terribly important that we begin to rethink these matters within the framework of the evolving realities of the 1980's.

Mr. WEAVER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I support the substitute amendment offered by the gentleman from California. I do so with the belief that our Nation will be very well defended if the amendment passes, because I want, as the other people who have spoken on behalf of the Dellums substitute amendment have said, they want our Nation to be very well defended. I enlisted in the Navy at the age of 17 and served at the end of the Second World War on an aircraft carrier. I would go again if my Nation was threatened. I want the strongest possible defense, but I would like to assure myself and other Members of the House that we will be adequately defended, and when I heard the comments of my dear friend, the gentleman from Alabama, the ranking member on the committee, say that this would be unilateral disarmanent, or that we would be totally denuded, I became worried; so I would like to ask my friend if he would not mind answering a question. If the Dellums amendment passes, how many nuclear warheads would the U.S. military still have available to it?

Mr. DICKINSON. Well, I do not know. I will if the gentleman really wants it, furnish it for the RECORD, the total number that will be available.

Mr. WEAVER. Roughly the total number of nuclear warheads; I am sure the gentleman knows that.

Mr. DICKINSON. Well, it would be in the range of 9,000 and decreasing gradually.

Mr. WEAVER. We would have around 9,000, that is strategic nuclear warheads, correct?

Mr. DICKINSON. That is total nuclear warheads.

Mr. WEAVER. Do we not have more tactical nuclear warheads?

Mr. DICKINSON. Well, let me see, we have 1,000 Minuteman III's, each of which, as I recall, has 3 warheads.

Mr. WEAVER. The Minuteman III has three nuclear warheads, right.

Mr. DICKINSON. I am corrected. We only have 550 of those. The others are older, but it is in the neighborhood of 9,000 strategic.

Mr. WEAVER. Do we know many nuclear warheads of this kind the Soviet Union has?

Mr. DICKINSON. About 8,000.

Mr. WEAVER. Roughly the same, although I understand the Soviets are larger megatonnage; but how many of those 9,000 warheads if delivered would it take to pretty much do away with the Soviet Union?

Mr. DICKINSON. Well, assuming that they all impacted on target, I would think certainly considerably less than half would take out all effective targets.

Mr. WEAVER. I have heard the figure that 500 would pretty much pulverize and destroy the Soviet Union. Does that make any sense?

Mr. DICKINSON. Well, possibly so; the theory being that we have always announced that we would not have a first strike capability, that we would want an effective credible deterrent, but we would have sufficient capability to absorb a first strike and still have a sufficient inventory to retaliate with what Mr. McNamara used to describe as an "unacceptable destructive residual capability."

Mr. WEAVER. I thank the gentleman, and I have also been told that one Trident submarine, if the gentleman would not mind answering this question, one Trident submarine equipped with the new Trident II missiles would be able to destroy every single city of the Soviet Union over the size of 50,000 people, just the one submarine with its 196 nuclear warheads.

Mr. DICKINSON. Now, I do not think that is correct. In the first place, you do not have the range from one submarine, nor am I convinced that you could target that many from a single submarine and, of course, if the gentleman is talking about the D-5, and I think the gentleman is, this is very prospective in nature. We do not have that capability now; it is something like 10 years from now.

Mr. WEAVER. But I have been told that one Trident submarine today with its present equipment that is going on line now could destroy up to 150 major Soviet cities, just this one submarine, because it does have 196 warheads on it.

Mr. DICKINSON. That is not my understanding. I do not think one submarine could target that many viable targets.

Mr. WEAVER. In other words, we run out of targets is really what the gentleman is saying. We have got the capability, but there would not be the people there.

I thank the gentleman very much.

□ 1800

Mr. SAVAGE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment by the gentleman from California, because I strongly oppose the defense authorization bill—a bill to provide authorizations for the massive military buildup planned by the Reagan administration to the tune of some $1.7 trillion between fiscal years 1983 and 1987, authorizing purchase of 50 C-5B aircraft, for the rapid deployment of Armed Forces, 100 B-1B bombers to penetrate Soviet air space with nuclear bombs, 91 Pershing II missiles, a nerve gas program, and the development and procurement of the MX missile, among other items.

I am fed up with the President's upside-down priorities, providing for the development and procurement of super means for killing, at the expense of the greater need for healing.

The Falkland, Iran, and Iraq, the Israeli invasion of Lebanon—tens of thousands of fellow human beings killed this summer alone, with war weapons of destructive efficiency unknown before, produced and supplied by the American Government with tax revenues that are needed to aid our retirees, aid our jobless, aid our students, and aid our mothers and children.

How insane it will all seem in the history books of the future. Why, as of this very moment, the United States has the nuclear capability to kill every man, woman, and child on the face of this Earth, many times over—as if annihilating all of us once is not enough!

Sure, we should strive to remain the greatest nation on Earth—the greatest not in might but in right. Nazi Germany was powerful, but it was wrong—and its power led to war. We have made Israel the most powerful nation in the Middle East, but this has not produced peace.

Indeed, the United States needs to immediately reduce its production and distribution of arms by ceasing all military aid to Israel and any other military aggressor-nation.

The implements and weapons systems of death and destruction proposed for authorization today will heighten the already tense relations between the superpowers and will do nothing to improve constructive dialog to contain nuclear proliferation. They will violate the agreement we have with the Soviet Union to abide by the interim strategic arms agreement which bans building of new ICBM launchers. I submit to you that we cannot afford to predicate the world's survival on a childish game of let us see who can put together the world's biggest nuclear arsenal.

Mr. Chairman, the worst thing of all is that these weapons, especially the MX missile, are symbolic of the immoral policy of the "reverse Robin Hood" who occupies the White House.

Surely, we need to inject an element of rationality into our defense spending. We can begin by passing this amendment offered by my colleague of courage and conscience, the Honorable RONALD V. DELLUMS. This substitute provides a comprehensive and rational alternative to the lunacy of spending more than $2.5 trillion before the end of this decade on military madness.

National security begins at home—it begins in our cities and in our towns and in servicing the needs of our citizens—because national security is best served by a country that best serves its' people.

Because the amendment before us, now, lessons the risks of nuclear war, eliminates areas of waste and abuse, eliminates spending for impractical and unnecessary weapons systems; yet, it still provides for a sufficiently strong national defense more importantly, it reduces war expenditures to a more proper balance with our domestic needs.

Finally, this amendment offers us a timely opportunity to express our moral outrage in protection of the sanctity of human life, the moral outrage this body has been unable to properly muster regarding the present American-backed slaughter in Lebanon. Therefore, I urge my colleagues to support this amendment.

I thank you, Mr. Chairman.

The CHAIRMAN pro tempore. The time of the gentleman from Illinois (Mr. SAVAGE) has expired.

(On request of Mr. CONYERS and by unanimous consent, Mr. SAVAGE was allowed to proceed for 2 additional minutes.)

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. SAVAGE. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, let me congratulate my colleague, because it is not easy to come to the floor and ask for a debate on the question of the military buildup. To be popular, it would be better perhaps to submit a statement and "Keep on stepping," as it is said.

So I feel very encouraged by my colleague's response.

I would like to say further to my colleagues here that this Member is calling for a record vote on the substitute. I want to tell everybody that now so that if there is any attempt to mask from the American people what our real views are about this modest proposal, I want to ask Members to please reconsider.

The least we can do under these circumstances is to have every man and woman recorded as to what his or her position may be on it.

I just wanted to let that be known, if this debate is, by any chance winding down.

I thank the gentleman for yielding to me.

The CHAIRMAN pro tempore. The time of the gentleman from Illinois (Mr. SAVAGE) has expired.

(On request of Mr. DELLUMS and by unanimous consent, Mr. SAVAGE was allowed to proceed for 1 additional minute.)

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. SAVAGE. I yield to the gentleman from California.

Mr. DELLUMS. First I would like to thank the gentleman and congratulate him for taking the well in support of this effort.

Mr. Chairman, I disagree with my colleague that this effort is modest. We cut $50.8 billion from what we conceive to be a monument to military madness, death, and destruction.

I would like to quote for a moment from the proceedings of the hearings that were the underpinnings of the amendment in the nature of a substitute which is presently before the body at this time, from Rear Adm. Gene R. LaRocque, U.S. Navy, retired, Director of the Center for Defense Information. I quote:

But I submit that any war with the Soviet Union is going to be a nuclear war. Once started, it is almost inevitable that a small nuclear war will rapidly become a big nuclear war. Neither we nor the Russians will permit the other side to get the upper hand in battle, so escalation is inevitable. General Rogers, the Supreme Allied Commander in Europe, recently said he believes there can be no such thing as a "limited" nuclear war; that "the use of theater nuclear weapons would, in fact, escalate to the strategic level, and very quickly." In the nuclear area, we could quite safely adopt a freeze on the production of nuclear weapons. . . . A freeze could be negotiated mutually with the Soviet Union. The United States today has upwards of 30,000 nuclear weapons, about 12,000 of which can be exploded on the Soviet Union. This is far more than sufficient to destroy the Soviet Union, even if they strike us first. If all the nuclear weapons the President has requested are produced, we will be able to explode 20,000 nuclear weapons on the Soviet Union by 1990. We simply have no offensive or defensive need for all these very expensive weapons.

The admiral finally ends with this statement, and this is a retired rear admiral of the Navy of this country:

"I would at the minimum eliminate the MX missile"—which we do in this substitute—"the B-1 bomber"—which we do in this substitute—"the Trident II missile"—which we do in this substitute—"the sea-launched cruise missiles, the Pershing II and the ground-launched cruise missiles"—which we do.

The CHAIRMAN pro tempore. The time of the gentleman from Illinois (Mr. SAVAGE) has again expired.

(On request of Mr. DELLUMS and by unanimous consent, Mr. SAVAGE was allowed to proceed for 1 additional minute.)

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. SAVAGE. I yield to the gentleman from California.

□ 1810

Mr. DELLUMS. Mr. Chairman—

The sea-launched cruise missiles, the Pershing II and the ground-launched cruise missiles for Europe, Continental Air Defense Bombers, expanded A.B.M. programs, expanded civil defense programs and the new effort to acquire antisatellite capability.

All of these we do in this proposal. Here is a retired naval officer looking at the realities of what we are doing and saying that there is extraordinary room for us to cut these weapons.

A number of my colleagues suggest that this is in some way unilateral action. It is not unilateral action. What we are saying is, let us not develop new weapons that take us beyond deterrence to war-fighting capability, and let us not develop nuclear technology that gets beyond our ability to control. This is dangerous. This is what we are doing.

This is no modest effort. This is a clear rethinking of American foreign policy, a policy the assumptions upon which we have established a multibillion defense establishment in this country.

I thank my colleague.

Mr. WHITE. Mr. Chairman, I wonder if we could reach an agreement as to the time of voting on the Dellums amendment.

Mr. Chairman, I ask unanimous consent that we commence voting at 6:45 p.m.

Mr. CONYERS. Mr. Chairman, I object.

The CHAIRMAN pro tempore. Objection is heard.

AMENDMENT OFFERED BY MR. WEAVER TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. DELLUMS

Mr. WEAVER. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. WEAVER to the amendment in the nature of a substitute offered by Mr. DELLUMS: On page 14, after line 21, insert a new section 902:

The Secretary is hereby authorized to establish a military preparedness grain reserve. The sum of $2,000,000,000 is hereby authorized to be appropriated in fiscal year 1983 to purchase corn, wheat, and soybeans and to construct storage facilities. The Secretary may use for guidance in such purchases the amounts of corn, wheat, and soybeans purchased by the Union of Soviet Socialist Republics in calendar year 1982.

POINT OF ORDER

Mr. DICKINSON. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN pro tempore. The gentleman will state his point of order.

Mr. DICKINSON. Does the gentleman insist on being heard on the amendment?

Mr. WEAVER. Surely.

The CHAIRMAN pro tempore. The gentleman will state his point of order.

Mr. DICKINSON. I make the point of order, Mr. Chairman, that the amendment is not germane to the authorization bill now under discussion.

Mr. Chairman, I can hardly add to that. This authorizes the Secretary to establish a grain reserve of some $2 billion for the purchase of grain. As a matter of fact, if the soybeans are bought from the Second District of Alabama, it might improve our economy, but I think this is not germane to the authorization matters under discussion, and I make a point of order against it.

The CHAIRMAN pro tempore. Does the gentleman from Oregon wish to be heard?

Mr. WEAVER. Mr. Chairman, I simply say that the amendment in the nature of a substitute contains, as does the bill before us, authorization to purchase food supplies for the military. This is just an additional procurement, a reserve of food supplies for the military.

The CHAIRMAN pro tempore. The Chair is prepared to rule on the gentleman's point of order.

The Chair views the amendment as described by its author as an additional fiscal year 1983 military procurement amendment which does not affect any law or program within another committee's jurisdiction. The amendment is germane, the point of order is overruled, and the gentleman from Oregon is recognized for 5 minutes in support of his amendment.

Mr. WEAVER. I thank the Chairman.

Mr. Chairman, I would like to point out to my colleagues that what the gentleman from California has done in his substitute is to cut $50 billion from the committee bill, and that my amendment adds $2 billion. So, therefore, the net reduction would be a $48 billion cut.

I would like to submit that this $2 billion expenditure for military preparedness grain reserve would add more to the security of the United States than all the other entire $50 billion that has been cut. If we really talk sense about our national security, we would see that food and food supply is a far more important thing to the security of this Nation within the entire world than are these weapons of holocaust and madness that simply jeopardize our security and do not enhance it.

Now, I would like to point out to my colleagues the farce—the farce and absurdity of our policy today. We spend billions and billions of dollars defending ourselves against the Soviet Union, and at the same time turn around and sell the Soviet Union the single most important thing there is in the world, and that is food. We sell it to the Soviet Union at less than it costs our farmers to produce. We are presently selling billions of dollars worth of grain, millions of tons of grain, to the Soviet Union at a subsidy, at a billion-dollar subsidy. We are giving it away. As one Member has said, we are giving food stamps to the Soviet Union while cutting food stamps for our people here at home.

Now, what kind of sense does this make? Why, on the one hand, do we arm ourselves against the Soviet Union, and then on the other hand give them grain, needed grain? The Soviet Union has had three major crop failures now in the last 3 years. They are in trouble. Their invasion of Afghanistan has completely gone asunder, and they cannot even win that little war. Their major satellite nations, like Poland, are up in arms against them, and they are having trouble keeping them quiet. Forty-five of their greatest and crack divisions are on the Chinese border. They are in trouble, and what is our response but to help them, to help them, to give them our precious grain.

How can I vote for this bill? How can I vote my constituents tax money for any weapons when we are turning around and selling the Soviet Union grain at below the cost of production, and bankrupting our farmers? I do not see how I can do it, so I am saying, let us have the military buy this grain instead of the Soviet Union. Let us have our military have the grain and not give it to the Soviet Union. That is what my amendment does. It says $2 billion, and our military can buy the grain.

Perhaps then I can go ahead with the Agriculture Committee, of which I am a member, and offer an amendment that says, sell the Soviet Union grain at these base prices. If we can pass this amendment to this bill, then I think we can pass the amendment in the Agriculture Committee to stop selling the Soviet Union, or giving, in effect, the Soviet Union this grain.

I urge the adoption of this amendment.

Mr. WHITE. Mr. Chairman, I move that all debate on the amendment in the nature of a substitute offered by the gentleman from California (Mr. DELLUMS) and all amendments thereto cease at 6:45 p.m., and that a vote be taken at that time.

The CHAIRMAN pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. WHITE).

The question was taken; and on a division (demanded by Mr. CONYERS) there were—ayes 32, noes 8.

Mr. CONYERS. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the motion was agreed to.

□ 1820

The CHAIRMAN pro tempore. Members standing at the time the motion was agreed to will be recognized for 3 minutes each.

The Chair recognizes the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Ladies and gentlemen of the House, this perhaps is the most embarrassing and extraordinary procedure of a floor manager on a bill of this magnitude that I have ever witnessed in my career.

For what reason, not even given, should this House terminate debate on the question of nuclear buildup for which we have been duly elected to decide on behalf of 275 million Americans?

Why, at this totally arbitrary moment in the evening, should we be told by the manager of this bill, who I have come to Congress with, served with, supported and worked with in the course of our careers, without even the courtesy of an explanation much less a discussion that we have tarried too long, necessitating this procedural gag rule which is worst of all sustained by a majority of the handful of Members on the floor?

I am embarrassed, sir. I resent and reject the manner in which you determined that the interests of the American people will best be served by the lack of debate.

I suggest that you do the gravest disservice to your views and to the American people for whom we have all been sent here to speak.

Mr. WHITE. Will the gentleman yield?

Mr. CONYERS. I will not yield to the gentleman because he has 3 minutes in which to respond, just like I have.

This is an outrage. I do not mind anybody in this floor disagreeing with this Member. I do not mind being voted down, as I have been, or supported, as I have been, in the course of my career.

But for a committee to come to the floor to discuss that unique subject that combines the questions of the future of the human race, our national security, and the possibility of nuclear holocaust; that begs the interests of our citizens from one end of this Nation to the other; in every city and town, this question is being debated, asked about, prayed over, marched over—and we have a chairman, a floor manager who has the arrogance to tell the Congress and the American people, "You have talked enough. I have got all the votes anyway, so what difference does it make if anybody disagrees? We are running this show. If we want to vote for more nuclear, more military, we not only will do it but we will do it without debate."

The CHAIRMAN pro tempore. The time of the gentleman from Michigan (Mr. CONYERS) has expired.

The Chair recognizes the gentleman from Illinois (Mr. DERWINSKI).

Mr. DERWINSKI. Mr. Chairman, I was on the floor the last hour and I did not notice anything arrogant and I did not notice anything over which somebody should be upset.

As I understand it, the gentleman from Texas (Mr. WHITE) made the motion. By a careful count of the Chairman, the motion was sustained. That, I take it, is standard parliamentary procedure—the side with the majority prevails.

I see nothing about which anybody should be upset. In fact, I was a little worried since what we are really debating is not matters of temper between two normally gentle people. What we are debating is an amendment by the gentleman from Oregon, one of the great scholars of this body.

Yet I was afraid that when the gentleman offered his amendment that somebody might yield to temptation and call it mischievous, call it frivolous, call it irrelevant, because it could be that someone would have thought that.

But having the great regard that every Member does have for the gentleman from Oregon, we would merely say, that it is a very erroneous, ill-timed, impractical, unnecessary, and unworkable amendment.

The facts are that given the tremendous, tremendous surplus that we have in the agricultural area, if we adopt the gentleman's amendment and forced on the military the business of storing further agricultural products, the gentleman from Oregon, in his zeal for the well-being of the taxpayer, would be the first to accuse the military of letting the food in storage go to rot.

Certainly, we do not want that blame to be placed on the military. They are being accused of enough.

The next thing the gentleman from Oregon would want to do is to strip the silos of their necessary weapons to defend the country and store them with this surplus farm product that the military really does not want.

So I would say, given the nature of the debate which suddenly may have deteriorated, given the long hours, given the end of a tough day, that perhaps, as the Members who are watching in their offices come to the floor, just remember that the issue before us is an amendment offered by the gentleman from Oregon (Mr. WEAVER) normally a very thoughtful, placid, responsible Member. But he has an amendment which I earnestly urge you to reject overwhelmingly.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from New York (Mr. WEISS).

Mr. WEISS. Mr. Chairman, when I first sought time I had not intended to address the issue of Israel and Lebanon, but my distinguished friend and colleague from Illinois who had taken the well in the interim chose the occasion to do so.

Just for the record, I want to say that it is my understanding that the Dellums substitute amendment has no mention at all about Israel or Lebanon. I know that all of us grieve and mourn for the lives of all lost in Lebanon, whether they be Israelis or Lebanese or Palestinians or Syrians, but to attack Israel as an aggressor when for the entire length of its existence it has been subject to the bitter emnity of her neighbors which have wanted to destroy her and drive her into the sea and, indeed, the people whom she is fighting currently have to this moment refused to recognize her existence is I think totally unfair, totally wrong, and totally out of place in this discussion.

□ 1830

As to the particular issue which we are debating, the Dellums substitute, my constituents constantly ask me, "When are you people going to do something about that awful military budget?" And they are talking about "that awful military budget" in two contexts—one, which I think the gentleman from California has brilliantly demonstrated, is the rush toward nuclear confrontation and nuclear holocaust. The American people are demanding of us that we do something to slow down that nuclear race. The gentleman from California, by his substitute, offers to do something about it. Second, they are asking of us: How can it be fair, when the social programs of this country are being cut to smithereens, to bloat even further an already bloated military budget, which in the 4 years of the Reagan administration is expected to more than double? At the same time that we are cutting so much out of the domestic programs, the President comes forward with a balanced budget constitutional amendment that he favors, which would take even more out of the hides of those who cannot afford it.

So I want to express my appreciation to the gentleman from California because he has done a great service to this body, more important, to the American public and to the cause of world peace.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Mr. Chairman, the projections for the Reagan military budget for the next 5 years come to $1.7 trillion. I understand that inside the Pentagon that is viewed as a conservative estimate. Whether it is conservative or not, the fact is that if you do the arithmetic, it amounts to approximately $1 billion a day for every day of the next 5 years.

Now, the President likes to talk about how the Russian economy is a basket case. What do you think is happening to our economy? And what do you think is the reason? For every billion dollars that we spend on the Pentagon, we lose 9,000 jobs. On my reckoning, $100 billion works out at about 900,000 jobs less, and a $200-billion military budget works out at about 1.8 million jobs less in our economy.

Incidentally, $1 billion a day is $40 million an hour. You can use that as a yardstick in measuring some of the other spending bills we will be considering.

The gentleman from California (Mr. DELLUMS) has highlighted some egregiously wasteful and unnecessary military expenditures which his amendment would curtail. But even then, if you take the last 3 fiscal years, plus his amendment for fiscal 1983, you would still have approximately 3-percent real growth in defense spending which is what our country and NATO agreed to several years ago.

So I submit to you that his substitute would still result in a very, very large military budget.

Now, the solution, of course, to all of this would be if we could negotiate disarmament, not only nuclear disarmament but general disarmament. In that connection I would like to read one sentence from a recent letter that the President sent to the minority leader of the House. Here is what it says:

> While it is my intention that MX not be a bargaining chip in the START negotiations, we need to secure the powerful leverage that a commitment to produce the MX would provide as we begin effective arms reduction talks with the Soviets.

Now, that is a non sequitur. Either it is a bargaining chip, in which case it gives us leverage in the negotiations, or it is not a bargaining chip, in which case it does not give us leverage. But that is the kind of thinking that we seem to be faced with on this whole subject of military spending, the Nation's economy, and the public's demand for an end to this wasteful, endlessly expanding weapons race that, if it is not soon brought under control, will inevitably destroy us all.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Oregon (Mr. WEAVER).

Mr. WEAVER. Mr. Chairman, the first vote that will occur upon the conclusion of the debate will be on the Weaver amendment, which creates a military preparedness grain reserve. And for those—and my beloved friend from Illinois, who is a scholar also—who think that that is mischievous, may I point out that a close reading of history will show that far more wars

have been won by those who controlled the food supply than those who had the weapons. Food is the essential for any kind of security and strength of the Nation. And we continue to give away our grain to the very nation considered our primary adversary and for whose benefit we are voting all of these billions of dollars in defensive weapons. We are giving the grain to the Soviet Union.

My amendment says that instead of giving our grain to the Soviet Union—and the Soviet Union has had three major crop failures in the last 3 years and it is in real trouble, and we are rushing to aid them by selling them and giving them grain at below the cost of production, bankrupting our farmers to boot—my amendment says our military will keep this grain, it will buy it from the farmers and keep it for our security. And let me tell you, that is true security, when you have that kind of strength. That is the kind of security that wins, in the long run, and keeps the Nation whole and intact.

I urge the Members to vote for the creation of a military preparedness grain reserve. It makes the most sense of anything, in my estimation, in the entire bill we have before us.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from New York (Mr. STRATTON).

Mr. STRATTON. Mr. Chairman, I want to extend my congratulations to the gentleman from California for his carefully prepared and carefully reasoned statement. I had wanted to comment on one part of it, but I did not want to interrupt the gentleman from California in the middle of his presentation. But one of the points that I noted with respect to the gentleman's comment was that he said that we had enough military capability for deterrence, but he did not want to have any more for fighting nuclear war. I think the fact of the matter is that, in order to have a credible deterrent, it is necessary for any potential adversary or enemy to recognize that if the deterrent does not deter, you have a capability of fighting whatever engagement it is you want to deter. The fellow who has bulging muscles but no real strength behind them is not going to deter the bully on the block. It is only the recognition that you really have not only what appears to look like a strong physique but you have got to have that physique itself. So I do not think the gentleman can make that kind of division. We have got to have nuclear weapons that represent a real assurance to the Soviet Union that if they attack they are going to get something back from us. Just where you draw that line is something that I do not think many people are prepared to say. It is not an easy question to answer.

Let me just say, if my time has not expired, that I urge the defeat of the Weaver amendment, and I reluctantly oppose the substitute of the gentleman from California.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Texas (Mr. WHITE).

Mr. WHITE. Mr. Chairman, I want to advise the membership that we have counted at least 50 amendments that are pending or will be pending and probably will be offered. It was the desire to try to rise at approximately 7 o'clock; therefore, we selected 6:45. The gentleman from Michigan seems to be the only one who is exercised. The gentleman from California (Mr. DELLUMS) certainly was not exercised. We started at about 4 o'clock, we have had about 2½ hours of time. I think a good part of that time the gentleman from Michigan had, too.

Now, as to the Weaver amendment itself, it is a totally new program without guidance as to how the funds would be allocated. It calls for expenditures of $2 billion, when they are talking about trying to save money, and it also does not provide any guidance as to whom the purchases would be made. It says "for any purchases made by the Union of Soviet Socialist Republics in the calendar year 1982," which could be from anyone, Argentina, and the whole world. So I say that really the amendment itself gives no guidance, if you are talking about the amendment itself.

Mr. DICKINSON. Mr. Chairman, will the gentleman yield?

Mr. WHITE. I yield to the gentleman from Alabama.

□ 1840

Mr. DICKINSON. I have done my best to understand it. The amendment says the Secretary is hereby authorized to establish a military preparedness grain reserve.

Could the gentleman tell me—and I was going to ask the author but he would not yield—does this refer to the Secretary of Agriculture, the Secretary of Defense, or the Secretary of the Army?

Mr. WHITE. It says the Secretary. It does not indicate. I am not sure whether by reference it would indicate the Secretary of Defense.

Mr. DICKINSON. Or perhaps the Secretary of Agriculture?

Mr. WHITE. It could have been. It is hard to say. I do not know whether the author could enlighten us or not.

Mr. Chairman, I yield back the balance of my time.

Mr. DELLUMS. Mr. Chairman, I ask unanimous consent that I be allowed to proceed for 2 minutes.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from California?

Mr. DICKINSON. Mr. Chairman, reserving the right to object, since this is something of an unusual procedure and we have all had an opportunity to speak, may I ask, is the gentleman speaking on the amendment pending or on his own amendment on which he has already spoken?

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from California.

Mr. DELLUMS. I thank the gentleman for yielding.

I simply want to conclude by thanking my colleagues.

Mr. DICKINSON. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DELLUMS. Mr. Chairman, we are now at the end of the debate on the substitute, the amendment in the nature of a substitute to the committee print, H.R. 6030.

I join my colleague from Michigan in the desire and hope that we could have extended the nature of this debate but I understand the realities that are taking place.

I simply want to take the well to thank all of my colleagues who provided an opportunity for this discussion and debate to occur. I thank all of my colleagues who participated in this debate and I would finally say to the Chairman and members of the Committee, that this is not where it ends. We brought this substitute to the floor in order to broaden the parameters of the debate. We need to continue to challenge each other to think and to act and to be analytical. I feel part of my responsibility is to pose an alternative that I believe is appropriate and significant given the incredible dangers to our Nation and our world at this particular moment.

I thank all of my colleagues for their generosity and for the opportunity to engage in this debate.

As I said, we will be back next year and the year after that and the year after that until we right the wrongs in this madness.

The CHAIRMAN pro tempore. The questions on the amendment offered by the gentleman from Oregon (Mr. WEAVER) to the amendment in the nature of a substitute offered by the gentleman from California (Mr. DELLUMS).

The amendment was rejected.

The CHAIRMAN pro tempore. The question is on the amendment in the nature of a substitute offered by the gentleman from California (Mr. DELLUMS).

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

RECORDED VOTE

Mr. DELLUMS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 55, noes 348, not voting 31, as follows:

[Roll No. 195]

AYES—55

Addabbo
AuCoin
Bedell
Beilenson
Biaggi
Bingham
Bonior
Bonker
Brodhead
Burton, Phillip
Chisholm
Conyers
Coyne, William
Crockett
Dellums
Dixon
Donnelly
Dymally
Edgar
Edwards (CA)
Ford (TN)
Forsythe
Frank
Garcia
Goldwater
Gray
Harkin
Kastenmeier
Lehman
Leland
Lowry (WA)
Markey
McKinney
Miller (CA)
Oberstar
Ottinger
Rangel
Reuss
Rodino
Rosenthal
Roybal
Sabo
Savage
Schroeder
Schumer
Seiberling
Stark
Stokes
Studds
Washington
Weaver
Weiss
Wolpe
Wyden
Yates

NOES—348

Anderson
Andrews
Annunzio
Anthony
Applegate
Archer
Ashbrook
Aspin
Atkinson
Badham
Bafalis
Bailey (MO)
Barnard
Barnes
Beard
Benedict
Benjamin
Bennett
Bereuter
Bethune
Bevill
Bliley
Boggs
Boland
Boner
Bouquard
Breaux
Brinkley
Brooks
Broomfield
Brown (CA)
Brown (CO)
Broyhill
Butler
Byron
Campbell
Carman
Carney
Chappie
Cheney
Clausen
Clinger
Coats
Coelho
Coleman
Collins (TX)
Conable
Conte
Corcoran
Coughlin
Courter
Craig
Crane, Daniel
Crane, Philip
D'Amours
Daniel, Dan
Daniel, R. W.
Dannemeyer
Daschle
Daub
Davis
Deckard
DeNardis
Derrick
Derwinski
Dickinson
Dicks
Dingell
Dorgan
Dornan
Dougherty
Dowdy
Downey
Dreier
Duncan
Dunn
Dwyer
Dyson
Early
Eckart
Edwards (AL)
Edwards (OK)
Emerson
Emery
English
Erdahl
Erlenborn
Ertel
Evans (GA)
Evans (IA)
Evans (IN)
Fary
Fascell
Fazio
Fenwick
Ferraro
Fiedler
Fields
Findley
Fish
Fithian
Flippo
Florio
Foglietta
Foley
Ford (MI)
Fountain
Fowler
Frenzel
Frost
Fuqua
Gaydos
Gejdenson
Gephardt
Gibbons
Gilman
Gingrich
Ginn
Glickman
Gonzalez
Goodling
Gore
Gradison
Gramm
Green
Gregg
Grisham
Guarini
Gunderson
Hagedorn
Hall (OH)
Hall, Ralph
Hall, Sam
Hamilton
Hammerschmidt
Hance
Hansen (ID)
Hansen (UT)
Hartnett
Hatcher
Heckler
Hefner
Heftel
Hendon
Hertel
Hightower
Hiler
Hillis
Holland
Hollenbeck
Holt
Hopkins
Horton
Howard
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Hyde
Ireland
Jacobs
Jeffords
Jeffries
Jenkins
Johnston
Jones (NC)
Jones (OK)
Kazen
Kemp
Kennelly
Kildee
Kindness
Kogovsek
Kramer
LaFalce
Lagomarsino
Lantos
Latta
Leach
Leath
LeBoutillier
Lee
Lent
Levitas
Lewis
Livingston
Loeffler
Long (LA)
Long (MD)
Lott
Lowery (CA)
Lujan
Luken
Lungren
Madigan
Marlenee
Marriott
Martin (IL)
Martin (NC)
Martinez
Matsui
Mattox
Mavroules
Mazzoli
McClory
McCloskey
McCollum
McCurdy
McDade
McDonald
McEwen
McGrath
McHugh
Mica
Michel
Mikulski
Miller (OH)
Mineta
Minish
Mitchell (NY)
Moakley
Moffett
Molinari
Montgomery
Moore
Moorhead
Morrison
Mottl
Murphy
Murtha
Myers
Napier
Natcher
Neal
Nelligan
Nelson
Nichols
Nowak
O'Brien
Oakar
Obey
Oxley
Panetta
Parris
Pashayan
Patman
Patterson
Paul
Pease
Pepper
Perkins
Petri
Pickle
Porter
Price
Pritchard
Pursell
Quillen
Rahall
Railsback
Ratchford
Regula
Rhodes
Rinaldo
Ritter
Roberts (KS)
Roberts (SD)
Robinson
Roe
Roemer
Rogers
Rostenkowski
Roth
Roukema
Rudd
Russo
Santini
Sawyer
Scheuer
Schneider
Schulze
Sensenbrenner
Shamansky
Shannon
Sharp
Shaw
Shelby
Shumway
Shuster
Siljander
Simon
Skeen
Skelton
Smith (AL)
Smith (IA)
Smith (NE)
Smith (NJ)
Smith (OR)
Smith (PA)
Snowe
Snyder
Solarz
Spence
St Germain
Stangeland
Staton
Stenholm
Stratton
Stump
Swift
Synar
Tauke
Tauzin
Taylor
Thomas
Traxler
Udall
Vento
Volkmer
Walgren
Walker
Wampler
Watkins
Waxman
Weber (MN)
Weber (OH)
White
Whitehurst
Whitley
Whittaker
Whitten
Williams (MT)
Williams (OH)
Wilson
Winn
Wirth
Wolf
Wortley
Wright
Wylie
Yatron
Young (AK)
Young (FL)
Young (MO)
Zablocki
Zeferetti

NOT VOTING—31

Akaka
Albosta
Alexander
Bailey (PA)
Blanchard
Bolling
Bowen
Brown (OH)
Burgener
Burton, John
Chappell
Clay
Collins (IL)
Coyne, James
de la Garza
Evans (DE)
Hawkins
Jones (TN)
Lundine
Marks
Martin (NY)
Mitchell (MD)
Mollohan
Peyser
Richmond
Rose
Rousselot
Solomon
Stanton
Trible
Vander Jagt

□ 1900

The Clerk announced the following pairs:

Mr. Richmond for, with Mr. Akaka against.

Mr. Mitchell of Maryland for, with Mr. Jones of Tennessee against.

Mrs. Collins of Illinois for, with Mr. Chappell against.

Mr. RUSSO changed his vote from "aye" to "no."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore. The Clerk will designate title I.

Title I reads as follows:

TITLE I—PROCUREMENT

AUTHORIZATION OF APPROPRIATIONS, ARMY

SEC. 101. Funds are hereby authorized to be appropriated for fiscal year 1983 for procurement of aircraft, missiles, weapons and tracked combat vehicles, and ammunition and for other procurement for the Army as follows:

For aircraft, $2,541,600,000.

For missiles, $2,898,500,000.

For weapons and tracked combat vehicles, $4,707,700,000.

For ammunition $2,439,000,000.

For other procurement, $4,509,500,000.

AUTHORIZATION OF APPROPRIATIONS, NAVY AND MARINE CORPS

SEC. 102. (a) AIRCRAFT.—Funds are hereby authorized to be appropriated for fiscal year 1983 for procurement of aircraft for the Navy in the amount of $11,424,500,000.

(b) WEAPONS.—Funds are hereby authorized to be appropriated for fiscal year 1983 for procurement of weapons (including missiles and torpedoes) for the Navy as follows:

For missile programs, $3,068,600,000.

For the MK-48 torpedo program, $144,300,000.

For the MK-46 torpedo program, $141,200,000.

For the MK-60 torpedo program, $151,400,000.

For the MK-30 mobile target program, $19,400,000.

For the MK-38 mini-mobile target program, $2,300,000.

For the anti-submarine rocket (ASROC) program, $10,100,000.

For the modification of torpedoes, $89,300,000.

For the torpedo support equipment program, $66,900,000.

For the MK-15 close-in weapons system program, $118,700,000.

For the MK-75 76-millimeter gun mount program, $10,700,000.

For the MK-19 gun mount program, $400,000.

For the 25-millimeter gun mount program, $400,000.

For the modification of guns and gun mounts, $19,700,000.

For the guns and gun mounts support equipment program, $17,500,000.

(c) SHIPBUILDING AND CONVERSION.—Funds are hereby authorized to be appropriated for fiscal year 1983 for shipbuilding and conversion for the Navy as follows:

For the Trident submarine program, $1,786,000,000.

For the CVN nuclear aircraft carrier program, $6,795,300,000.

For the SSN-688 nuclear attack submarine program, $1,443,400,000.

For the battleship reactivation program, $417,400,000.

For the aircraft carrier service life extension program, $699,500,000.

For the CG-47 Aegis cruiser program, $3,134,400,000.

For the LSD-41 landing ship dock program, $417,000,000.

For the LHD-1 air-capable amphibious ship program, $55,000,000.

For the FFG-7 guided missile frigate program, $706,400,000, of which $40,000,000 is available only for the installation of an X-band phased array radar.

For the mine countermeasures (MCM) ship program, $371,600,000.

For the T-AO fleet oiler ship program, $320,000,000.

For the ARS salvage ship program, $84,000,000.

For the TAKRX fast logistic ship program, $322,600,000.

For the TAHX hospital ship program, $300,000,000.

For service craft and landing craft, $162,100,000.

For outfitting, post delivery, cost growth, and escalation on prior year programs, $1,091,500,000.

For ship contract design, $97,200,000.

For the manufacturing technology program, $25,000,000.

(d) OTHER.—Funds are hereby authorized to be appropriated for fiscal year 1983 for other procurement for the Navy in the amount of $3,959,000,000, of which—

(1) the sum of $568,900,000 is available only for the ship support equipment program;

(2) the sum of $1,477,600,000 is available only for the communications and electronics equipment program; and

(3) the sum of $787,200,000 is available only for the ordnance support equipment program.

(e) PROCUREMENT, MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 1983 for procurement for the Marine Corps (including missiles, track combat vehicles, and other weapons) in the amount of $1,984,900,000.

AUTHORIZATION OF APPROPRIATIONS, AIR FORCE

SEC. 103. (a) Funds are hereby authorized to be appropriated for fiscal year 1983 for procurement of aircraft and missiles and for other procurement for the Air Force as follows:

For aircraft, $17,243,400,000.

For missiles, $6,333,300,000.

For other procurement, $5,656,700,000.

(b) Of the funds authorized to be appropriated in this section for aircraft for the Air Force, the sum of $186,100,000 is available only for contribution by the United States as its share of the cost for fiscal year 1983 of acquisition by the North Atlantic Treaty Organization of the Airborne Warning and Control System (AWACS).

AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES

SEC. 104. Funds are hereby authorized to be appropriated for fiscal year 1983 for procurement by the Defense agencies in the amount of $863,400,000.

CERTAIN AUTHORITY PROVIDED SECRETARY OF DEFENSE IN CONNECTION WITH THE NATO AIRBORNE WARNING AND CONTROL SYSTEM (AWACS) PROGRAM

SEC. 105. Effective on October 1, 1982, section 103(a) of the Department of Defense Authorization Act, 1982 (Public Law 97-86; 95 Stat. 1100), is amended by striking out "fiscal year 1982" both places it appears and inserting in lieu thereof "fiscal year 1983".

PROHIBITION ON CONSTRUCTION OF NAVAL VESSELS IN FOREIGN SHIPYARDS

SEC. 106. None of the funds appropriated pursuant to an authorization of appropriations in section 101 may be obligated or expended for the construction or conversion of a naval vessel, or a major component of the hull or superstructure of a naval vessel, in a foreign shipyard.

CONSTRUCTION OR CONVERSION OF NEW HOSPITAL SHIP IN UNITED STATES SHIPYARD

SEC. 107. The T-AH hospital ship for which funds are authorized to be appropriated by section 101 shall be constructed in a United States shipyard or, if such ship is converted from an existing ship, shall be converted in a United States shipyard from a ship built in a United States shipyard.

PROHIBITION OF ACQUISITION OF 9-MILLIMETER HANDGUN

SEC. 108. None of the funds appropriated pursuant to an authorization of appropriations in this Act may be obligated or expended in connection with the purchase of a 9-millimeter handgun for the Armed Forces or to carry out any activity concerned with evaluating the feasibility or desirability of purchasing a 9-millimeter handgun for the Armed Forces.

AMENDMENT OFFERED BY MR. MAVROULES

Mr. MAVROULES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MAVROULES: Page 6, line 14, strike out "$6,333,300,000" and insert in lieu thereof "$5,191,400,000".

● Mrs. KENNELLY. Mr. Chairman, I am extremely concerned with the amendment offered by the gentleman from New York (Mr. STRATTON) which proposes spending cuts of $2.1 billion including cuts in aircraft systems that are vital to our Nation's conventional defenses. I fail to see merit in a proposal to cut funding for the F-14, our Navy's primary fleet defense weapons system; the F-15 and the F-16, the Air Force's air superiority fighters; and the AWACS system, our primary early-warning aircraft system. These systems are critical for our conventional strength, and I cannot support proposals to cut these programs in the face of a constantly increasing threat to our forces' air superiority capabilities.

Too often we are reminded by tragic world events of the vital need for a strong conventional defense. Already we have seen our Nation with all its sophisticated nuclear might unable to protect a credible stabilizing military posture when it was vitally needed. Despite this, we are once again being asked to cut back our conventional strength. We must ask ourselves, can we truly afford this reduction? I do not think we should be considering reductions in systems of proven capability and which are vitally needed while we are asked to fund nuclear systems of questionable capability, questionable value, questionable need, and outrageous cost.

I believe the people of this country demand a strong defense, and I believe this body is obligated to soundly and wisely provide that defense. I do not believe the defense of this country is best served by funding cuts from our Nation's best and most capable systems.●

● Mr. LELAND. Mr. Chairman, I support H.R. 6696 because it provides Congress with an opportunity to provide for a strong national defense and, at the same time, recognize the constraints of an unhealthy economy, apply much-needed standards of efficiency and cost effectiveness to the military budget, and address the growing risk of a nuclear confrontation between the United States and the Soviet Union.

Careful examination of this bill makes it abundantly clear that we do not seek to hamstring our Armed Forces or send provocative signals to our adversaries by irresponsibly slashing defense spending. H.R. 6696 provides for levels of defense expenditures which substantially exceed levels sought by the Carter and Reagan administrations and approved by the Congress. At the same time, this bill recognizes the need for restraint in the increases in defense spending proposed in the committee bill, H.R. 6030. Restraint is clearly called for, Mr. Chairman, not only because we are in a period of economic austerity that calls for belt tightening—and that means everybody's belt, the Pentagon included—but because the committee bill does not deal adequately with a clear pattern of waste and inefficiency in defense spending.

The catalog of wasteful and unessential defense spending runs from unscrutinized and often duplicative procurement procedures, which waste millions of taxpayer dollars and result in unneeded or obsolete weapons development, to millions for military bands and expenditures for veterinary services for the pets of military personnel.

Let there be no mistake, Mr. Chairman, the debate here is not on whether or not we provide for the national defense. The debate is, or should be, over whether in providing for a strong national defense we are willing to apply the same standards of economy and efficiency that are wheeled out whenever there is an opportunity to salvage a nonmilitary expenditure.

If we are unwilling to apply the budget-cutter's scalpel to the defense budget; if we are unwilling to trim defense spending at a time when other programs essential to the health and safety and survival of millions of Americans are slashed; if we seek out waste and inefficiency only where it is politically convenient—we have confirmed the darkest suspicions of those who view the budget-cutting mentality of the Congress with deep alarm. They believe that the debate is a matter of guns or butter, rather than a question of how to provide both guns and butter in an equitable manner during a time of fiscal austerity. If we fail to force the Pentagon to seek out waste and inefficiency by trimming its budget, we will have proved the critics right. We will have demonstrated that rather than cutting the budget, we simply transferred funds from essential social programs to defense.

There is, however, a reason to approve H.R. 6696 that transcends the economic concerns I have raised here. A clear thrust of this bill is the systematic reduction in procurement and research and development of weapons systems that represent a threat to peace, rather than an enhancement of our national security. An increase in the number and sophistication of nonverifiable and invulnerable systems like the MX missile and the Trident

II, Pershing II, and cruise missiles can only result in a speedup in the arms race by the Soviet Union. Moscow is not likely to view such weapons in a context that will enhance our ability to secure meaningful reductions in the levels of nuclear weapons on both sides. It is one thing to debate the relative levels of nuclear preparedness—ours and theirs—and the best means for achieving reasonable and meaningful reductions in those levels. It is another matter entirely to embark on a clear escalation of the arms race through the development of destabilizing weapons and then cite the Soviet response as an indication of their lack of commitment to arms reduction. I am deeply concerned about the impact the development of such weapons will have on world peace.

There is, in H.R. 6696, nothing that should give pause to those who are committed to a strong national defense. There is nothing in H.R. 6696 that should trouble those of you whose first concern is a realistic and equitable reduction in Federal spending. There is, in this bill, an opportunity for this body to apply standards of economy and efficiency which are in real danger of being discredited by those who see the need for fiscal restraint as a golden opportunity to destroy programs which are essential sources of assistance and protection for millions of America's most needy citizens.

And, finally, Mr. Chairman, this bill gives us an opportunity to speak out on the danger to world peace which an unbridled arms race represents. Our substitute to the committee bill represents a step forward in our recognition of the fact that we are responsible for the consequences of our actions with regard to nuclear weapons development and that the consequences of the unrestrained development of destabilizing weapons are frightening indeed.●

Mr. WHITE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. AuCoin, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 6030) to authorize appropriations for fiscal year 1983 for the Armed Forces for procurement, for research, development, test, and evaluation, and for operation and maintenance, to prescribe personnel strengths for such fiscal year for the Armed Forces and for civilian employees of the Department of Defense, to authorize appropriations for such fiscal year for civil defense, and for other purposes, had come to no resolution thereon.

PERMISSION FOR COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO SIT TOMORROW DURING 5-MINUTE RULE

Mr. FORD of Michigan. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be permitted to sit tomorrow morning, July 21, during proceedings under the 5-minute rule for the purpose of considering its reconciliation proposals.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5320, JOB TRAINING PARTNERSHIP ACT

Mr. DERRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 97-647) on the resolution (H. Res. 527) providing for the consideration of the bill (H.R. 5320) to establish a community public-private training and employment assistance system and to provide employment and training services, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5203, INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT AMENDMENTS OF 1982

Mr. DERRICK, from the Committee on Rules, submitted a privileged report (Rept. 97-648) on the resolution (H. Res. 528) providing for the consideration of the bill (H.R. 5203) to amend the Federal Insecticide, Fungicide, and Rodenticide Act, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5427, RADIO BROADCASTING TO CUBA ACT

Mr. DERRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 97-649) on the resolution (H. Res. 529) providing for the consideration of the bill (H.R. 5427) to authorize support to Radio Broadcasting to Cuba, Incorporated, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2329, JURISDICTION OF CERTAIN COURTS TO RENDER JUDGMENT ON CERTAIN CLAIMS OF THE CHEROKEE INDIANS

Mr. DERRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 97-650) on the resolution (H. Res. 530) providing for consideration of the bill (H.R. 2329) conferring jurisdiction on certain courts of the United States to hear and render judgment in connection with certain claims of the Cherokee Nation of Oklahoma, which was referred to the House Calendar and ordered to be printed.

ANTAGONISM TOWARD AMERICAN MILITARY PRESENCE IN GERMANY

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

Mr. BLILEY. Mr. Speaker, I must report to you and my other colleagues that a crude and unwarranted insult has been heaped upon the United States by our allies the West Germans. It has come to my attention that private requests have been made that we send fewer black soldiers to units stationed in Germany. Disregarding any statement on the present composition of our Armed Forces, I must say that in my whole life I have never heard a more ungrateful or objectional request. America has 300,000 of our best troops stationed in Europe to deter or defend that area from attack. For the main host nation to attempt to tell us which members of our Army or our society we can defend them with is outrageous.

In looking into this matter I have learned that there have been a growing number of violent incidents inflicted on American servicemen in Germany. Apparently these attacks have been directed against troops in uniform and against our black troops even in civilian dress because those men and women are assumed to be servicemen. The problem indicates a growing antagonism toward American military presence in Germany. There are Members of this body who have been advocating a reduction of our forces in Europe. I must say that an action like this will win more converts to that cause. I have been a proponent of our allies sharing more of the burden of their own defense, but these incidents leave me with the feeling that if they do not like our troops in their country then maybe we should just let them do it all by themselves.

AUTHORIZING CLERK TO MAKE CORRECTION IN ENGROSSMENT OF H.R. 6530, ESTABLISHING THE MOUNT ST. HELENS NATIONAL VOLCANIC AREA

Mr. WEAVER. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill (H.R. 6530) to establish the Mount St. Helens National Volcanic Area, and for other purposes, as amended, as passed yesterday, the Clerk be authorized to make a technical correction in section 4(c)(3)(B)(i) to change "Township 4" to "Township 14."

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

Mr. GREGG. Mr. Speaker, reserving the right to object, that is purely technical; is that correct?

Mr. WEAVER. Mr. Speaker, it is a typographical error.

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

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

There was no objection.

GENERAL LEAVE

Mr. FRANK. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks and to include therein extraneous material on the subject of the special order speech today by the gentleman from Iowa (Mr. BEDELL).

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

There was no objection.

CYPRUS AFTER 8 YEARS

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

Mr. KILDEE. Mr. Speaker, today marks the end of the 8th year of the Turkish occupation of the sovereign nation of Cyprus. Unfortunately, an end to the occupation does not seem as if it will occur in the near future. Yesterday, we debated House Concurrent Resolution 310 relating to Cyprus, and this afternoon we will vote on the resolution.

All of us are probably familiar with the tragic statistics which have become synonymous with Cyprus in our lexicon. Because of the very magnitude of those statistics, however, and because they have remained virtually unchanged for 8 years, I fear that we may lose sight of their significance. It is sometimes easier to relate to individual tragedies than to massive tragedies whose magnitude numbs our minds.

It is easy to understand the grief of the mother of Andrew Kassapis, an American citizen and native of Michigan who disappeared during the invasion 8 years ago. Almost every one of us knows the pain we would incur if one of our own children disappeared under similar circumstances. It is more difficult to fathom the grief, though, when we realize that Mr. Kassapis is one of about 2,000 people for whom there has never been an accounting; 2,000 families share the grief of the Kassapis family.

Similarly, we can relate to the tragedy of a small number of families being forced to leave their homes because of a natural disaster. We know how difficult it is for them to resume a normal life. Try to conceive, however, the dimensions of the tragedy on Cyprus where 200,000 Greek and Turkish Cypriots have become displaced persons and not only lost their homes and possessions but also lost their jobs and the very communities around which their lives had been structured. Imagine the trauma each of them has experienced and try to multiply that by 200,000.

I fear that with the passage of time, these tragedies will lose their full significance, and the present situation will assume a degree of permanence. We cannot permit that to happen. Yesterday, I spoke of the lessons which the youth of Cyprus must be learning and the resentment fostered by current conditions. The thoughts shaping the character of the next generation of Cypriots are not thoughts of love and toleration.

We should be compelled by the tragic circumstances in Cyprus to find a just solution. We have a moral responsibility not to turn our heads and ignore the suffering. A failure to act will only make the task more difficult in the years to come. I appeal to our friends on both sides to be more yielding in their positions and to put less emphasis on political considerations and more emphasis on what may be done to end the suffering of thousands of individuals and to help them resume a normal life. Finally, I would ask our own Government to place a higher priority on finding a solution and encouraging the parties to take actions that will benefit all Cypriots in the future.

MY RESPONSIBILITY TO AMERICA

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

Mr. HUNTER. Mr. Speaker, from time to time I believe it is important for all of us to step back and look at the great privileges and awesome responsibilities we share as Americans. Rarely have I seen these rights and privileges more clearly and forcefully expressed than in the essay by Amanda Miller entitled "My Responsibility to America." Amanda, 11 years old, from Chula Vista is this year's winner of the highly competitive essay contest sponsored by the Lions Club of Chula Vista.

Amanda has a wealth of insight on what it means to be an American. She says in part:

When my ancestors from Russia, Scotland, and Ireland, came to this country, they were given the right to be free and they accepted the responsibility of protecting and defending that freedom. This responsibility has been passed to me. I accept it proudly. I must ask myself what I can do to earn the right to call myself an American.

Mr. Speaker, I am inserting the entire text of Amanda's essay into the RECORD. I believe my colleagues can benefit, as I have, by reading the thought-provoking words of this young American leader, Amanda Miller.

MY RESPONSIBILITY TO AMERICA

(By Amanda Miller)

"My country 'tis of thee,
Sweet land of liberty,
Of thee I sing:"

America is my country. Every time I stand to salute the flag the words "democracy" and "liberty" sing in my heart. I am proud to say that I am an American.

This country is a true "original," one of a kind. Made up of all nationalities, America has sheltered, for more than 200 years, every man and woman who has sought freedom.

The inscription on the Statue of Liberty, which stands proudly in New York Harbor, reads: "Give me your tired, your poor. Your huddled masses yearning to be free, the wretched refuse of your teeming shore. Send these, the homeless, tempest-tost to me, I lift my lamp beside the golden door!"

When my ancestors from Russia, Scotland, and Ireland came to this country, they were given the right to be free, and they accepted the responsibility of protecting and defending that freedom. This responsibility has been passed to me. I accept it proudly. I must ask myself what I can do to earn the right to call myself an American.

I can exercise my right to vote whenever possible. I can work hard and pay taxes to support the country. Conserving and protecting natural resources is another way in which I can be a responsible American. Working to have a strong and loving family is important because the strength of America is in the family.

I believe that education is a cornerstone of America, and that new ideas and progress come from people who have had the opportunity to learn and to share their thoughts.

"Land where my Fathers died
Land of the Pilgrim's pride"

I call myself an American by birth, but that does not mean I can take the rights set in the Declaration of Independence for granted.

I can have a good life and it is my responsibility to try to make others lives hopeful, safe and secure. If I am a good friend and neighbor, kind and thoughtful, then I will have earned some right to call myself an American.

The Constitution of the United States, written by visionary men has guaranteed us freedom for almost 200 years. Each Ameri-

can citizen should realize what a precious guarantee it is. When we realize what the Constitution stands for—liberty and justice—only then will we understand how much freedom in America is worth and that it is worth defending and dying for.

"from every mountainside
let freedom ring!"

The great frontiersman, Daniel Boone, was my seventh great-grandfather. As the nation moved westward he led pioneers to new settlements in Kentucky and Tennessee. He was part of the land and treated it with respect. The pioneer spirit has been passed down through our family. To endure hardships, to try new ideas, and to love, nurture, and defend the soil—this is part of our heritage.

As America leads the world into the future, I hope for peace. I hope I can be a part of contributing to that peace. In the words of John Donne, "No man is an island, intire of itself; every man is a piece of the continent, a part of the maine . . . any man's death diminishes me, because I am involved in mankind . . ."

I am an American and I am responsible.

□ 1910

INTERNATIONAL DAY OF ACTIVITY FOR IDA NUDEL

The SPEAKER pro tempore (Mr. FOLEY). Under a previous order of the House, the gentlewoman from Massachusetts (Mrs. HECKLER) is recognized for 60 minutes.

Mrs. HECKLER. Mr. Speaker, I appreciate the warm response I have had from my colleagues to our request for a special order today to recognize the importance of this day, an International Day of Activity for Ida Nudel. Individuals and organizations all over the world are sending telegrams to the Soviet authorities reading, "Stop harassing Ida Nudel! Allow her to join her sister in Israel!"

What has prompted this international cry? It is another of a series of episodes that have characterized Ida Nudel's 11-year struggle to leave the oppression of the Soviet Union and be reunited with her sister in Israel.

I would like to read to you excerpts from a letter I received this week from Elena Friedman, Ida Nudel's sister. The letter is dated June 27. She says:

Ida's release from Siberian exile and her return to her Moscow apartment on March 26 sparked hope and anticipation in my heart. I thought it might be the first step toward our long-awaited reunion in Israel. Instead, It turned out to be the beginning of a new round of the Soviet authorities' campaign to further embitter her life. This time they have evidently decided to throw her into a bureaucratic maze which seems to provide no way out and is obviously designed to strangle her hope and spirit.

Since this letter was written, events in the Soviet Union seem to prove that Elena Friedman is correct. Ida Nudel's first step upon returning to Moscow was to get an ID from the Moscow Police. Her second step was to fill out a new application for an exit visa, renewing her efforts to leave the Soviet Union for Israel.

At the visa office she was told that applications were accepted only from residents and she must apply for a residence permit. She did this, and was turned down. Forced out of Moscow for her determination in seeking a visa, she tried to join friends in Riga, the capital city of Latvia. Denied permission to reside there, she spent the night on a bench in the Riga train station.

This courageous woman, who has suffered so much at the hands of the Soviet authorities, is again the focus of their attention. For 11 years she has been harassed, arrested, beaten, tortured, and starved—all because she wants to join her sister in Israel and has tried to buoy the spirits of others who also would like to go to Israel.

These years have taken their toll on this woman. She has numerous ailments, including a heart condition that went untreated during her 4-year Siberian exile. During her stay in Moscow, she was unable to get medical help, as the hospitals are reserved for residents.

Throughout Ida Nudel's struggle, I have supported her. I have sent telegrams and letters to the Soviet authorities, and most recently, last week, when I first learned that she had been forced to leave Moscow. I have corresponded with her sister in Israel, Elena Fridman. We have signed, many of us in this House, many letters, many resolutions, and spoken out on her behalf.

I urge my colleagues and all concerned people all over the world of every religion to join in protesting the treatment Ida Nudel has received.

In 1980, I adopted Ida Nudel, thereby signifying that I would consistently and continuously work for her cause until such time as we, together with her sister in Israel, would be able to secure her release. The work is not done, and those colleagues who have fought on her behalf are fighting again. What we say to the Soviet authorities is that we will continue to work, and we will be here again and again and again until her freedom is secured and justice is achieved.

This month I was joined by many in this House in a message to President Reagan urging that he put the issue of human rights, and particularly the case of Ida Nudel, on the agenda in his forthcoming talks with Soviet President Leonid Brezhnev on the topic of the nuclear arms reduction.

We in Congress, concerned not only with Ida Nudel but with all the other dissidents and all those whose religious rights are discriminated against and denied, must lift our voices today to join in this international chorus directed at the Soviet Union. The Chorus says, "Stop harassing Ida Nudel! Allow her to join her sister in Israel!"

We live in freedom because we constantly fight to see freedom achieved, and we must fight to see freedom extended to others.

Today, somewhere in the Soviet Union, Ida Nudel is by herself; she is alone; she is searching for a place where the authorities will let her live, and she is searching for the opportunity to renew her attempts to go to Israel, where her only close relative, her sister, resides.

I call upon the Soviet authorities to end their psychic barbarism of this woman. She has suffered enough. She has been a Prisoner of Conscience, vainly attempting for 11 years to emigrate to Israel. During all this time Ida has been arrested countless times, imprisoned, harassed by authorities, beaten, starved, and kept in isolation. Last March, she was permitted to return after 4 years sentence in Siberian labor camp for what the Soviets called "malicious hooliganism."

Ida Nudel today is still the victim of psychic bararism, and we in Congress who support her cause plead that the Soviet authorities will take cognizance of the world outcry against their barbarism and grant Ida Nudel her freedom.

Mr. GILMAN. Mr. Speaker, will the gentlewoman yield?

Mrs. HECKLER. I will be glad to yield to the gentleman from New York.

Mr. Speaker, I want to commend the gentlewoman for her long enduring, courageous struggle on behalf of Ida Nudel, and on behalf of other Soviet citizens who have long sought release; and commend the gentlewoman for arranging this special order so that, along with her, many of our colleagues can express themselves with regard to this very important cause.

Mr. Speaker, it was only recently that I called to the attention of my colleagues the continuing plight of Ida Nudel, whose 11-year struggle to emigrate to Israel from the Soviet Union has resulted in a long and difficult struggle. Today I am pleased to join my colleagues in dedicating this day as the day of international solidarity with Ida Nudel.

When I last addressed the cause of Ida Nudel, it was to once again urge that Ida be released from the Soviet Union, and allowed to emigrate to Israel, where her family has long awaited her. After 4 years of exile in Siberia, Ida Nudel's imprisonment ended in April of this year. Upon her return to Moscow she was met with further harassment and was informed by the Soviet authorities that she would have to report periodically to local police. Ida has now been denied a permit to live in Moscow. Not only is Ida forbidden to emigrate to Israel, to

join her sister Elena and to live among loved ones, she is also forbidden to live in her former neighborhood, the place where her remaining ties are, and with which she is most comfortable and familiar.

After Ida was denied a permit to live in Moscow, she temporarily assumed residence in Riga, the capital of the Latvian S.S.R. Again, she was refused residency, and reports indicate that she continues to move from place to place, attempting to secure a resident's permit and being forced to sleep on benches in train stations. What next, we ask. Will the Soviets next arrest Ida and sentence the 51-year-old woman into exile for sleeping on a park bench as a result of their refusal to grant her a residency permit?

We join in Ida's suffering on this day of international solidarity. But the suffering is far greater because Ida is far from alone in her struggle. Our most recent information indicates that only 182 Soviet Jews arrived in Vienna, with Israeli visas, from the Soviet Union during the month of June. This is a decrease of 96 percent from the 4,500 Jews who received exit visas in June of 1979. This represents the sharpest decline in emigration since it effectively began in 1971. During the first half of this year, about 1,500 Jews arrived in Vienna from the Soviet Union. During the first half of 1979, 25,000 Jews received exit visas. Last year, only 9,447 Jews were permitted to emigrate, as compared to the 51,320 who were granted visas in 1979.

Today is a day of solidarity, not just for Ida Nudel, but also for Anatoly Shcharansky, for Mark Nashpitz, and, in fact, for the 500,000 Soviet Jews who, like Ida Nudel, have continually applied for, and have been denied, exit visas, and who have been harassed, imprisoned, persecuted and exiled solely because they do not choose to remain residents of the Soviet Union.

I recently spoke in behalf of Ida Nudel, and today I am speaking again. I will continue to work for Ida's release, and will continue to oppose the distressing violation of human rights in the Soviet Union. We must demonstrate to the Soviet Union that we have not tired of this issue. We will not give up our fight for what we know to be a vital cause. I urge my colleagues to join in this day of solidarity for Ida Nudel, and for the 500,000 Soviet Jews who have applied for exit visas, and I ask that we all join together in an effort to assist the emigration of Soviet Jews and the release of all Prisoners of Conscience in the Soviet Union.

□ 1920

I thank the gentlewoman for yielding.

Mrs. HECKLER. I wish to thank my colleague for his comments. I think he has continued to make a very impressive contribution to the issue and concern not only of the freedom of Ida Nudel, but that of all Soviet dissidents who deserve and await the conscience of the world.

As my colleague spoke, I must respond that as we hear of the figures of the exit visas and the limitation upon the right of exit, one wonders how a great United States of America could be achieved if indeed exit visas had been required from every country. How would the Irish and the Poles and the Italians and Portuegese have had the opportunity to come to this country to form the melting pot that is America, and today the right of exit, the right to choose one's country is denied simply because of one's religious faith in the Soviet Union, and that particularly which pertains to Ida Nudel as well as others of other religious faiths.

Today's special order is designated to focus upon the psychic barbarism that the Soviet Union has inflicted upon Ida Nudel and that hallmark of their treatment of all others under their jurisdiction all over the world.

Mr. DORNAN of California. Mr. Speaker, will the gentlewoman yield?

Mrs. HECKLER. I yield to the gentleman from California.

Mr. DORNAN of California. First and foremost I want to commend the gentlewoman from the great Commonwealth of Massachusetts for her untiring efforts to speak out for those who are seemingly so forgotten behind all of the various curtains of oppression around the world.

Today is a very fitting day for people throughout the free world to speak out for a real 20th century hero like Ida Nudel because this is a day that went down in the history books of mankind for a stunning scientific achievement, that one step of a man that became a giant step for mankind when an American astronaut really, for all human beings on the planet Earth, walked on our nearest celestial body, the Moon, and showed just how far this tiny little mortal existence on this planet can go in reaching out for the stars.

But it seems like the world always seems to go in two directions at the same time. As we move forward with great scientific and medical achievements, as some people reach out with tentative little moves toward democracy, and other continents that have known nothing but oppression for all of recorded history, we see other areas of the world slipping backward into a dark age again where one lonely voice of someone who simply wants to join a relative somewhere in the world or speak out for a little bit of freedom, we see that person crushed.

I was in Moscow shortly after Ida Nudel made her courageous statement for justice, hanging a sheet out over her apartment balcony on that great boulevard called Gorki Prospect in Moscow. Shortly thereafter the door was kicked down by big, strong policemen from the KGB and other authorities there.

It did not dampen her spirit at all. I received, as did some of the Members participating in this special order, a letter from Elena Fridman, her sister, thanking me. For what? It seems like in 6 years here whatever we do is such a small effort, and that is why it is so great of the gentlewoman to keep pushing and pushing.

I remember in traveling to Moscow for one of my five trips there with my good friend and colleague from New York, the Honorable BENJAMIN GILMAN, that we were with a group of 10 Congressmen and we met in the Kremlin itself at a long paneled desk in a beautiful room in what they called the Congress, with representatives from all levels of government.

I happened to be sitting directly across from the chief justice of their supreme court, a very grandfatherly looking man with white hair and noble features that would have indicated that he was a justice from any country on the face of the Earth.

When we brought up the human rights stand, all 10 of the Congressmen had on bracelets remembering Anatoly Shcharansky, who a few months before had been sent off to a long, lone sentence in Siberia. His last words were "Next year in Jerusalem." His spirit has not been broken.

We had met with his brother, Leonold, his mother. We all showed that we wore a bracelet for one simple human being whose human rights were being violated, the chief justice of the Soviet Supreme Court said that human rights was only a tool of propaganda of the West.

How wrong this grandfatherly looking man is. Human rights does not originate in the West. It originates in those far-off camps of concentrated human beings, political prisoners everywhere and in every dark corner of this planet, and the spirit or love for freedom that burns so vividly in the hearts of courageous women like Ida Nudle, her sister in Israel who will not let her be forgotten, with people all over the world who simply want to be able to move with freedom or speak out with simple freedom about what they think is the fairest concept of political justice.

That flame is never going to be extinguished as long as there is one man or woman standing erect on two legs anywhere here on this planet.

I think if we keep our pressure up, the gentlewoman keeps her work up with her colleagues from the great State of Massachusetts, and the two New Yorkers that I see here on the

floor with us, every now and then something magnificent happens.

A nun who has known persecution for most of her adult life, from her early twenties to her late forties, has just been released.

I remember walking through the night in Riga, Latvia, where Ida Nudel has tried to set up her new residence.

In seeking out some of the dissidents, I found out their mailboxes had been pried off, smashed in and broken, and the door to the mailbox was all that remained of one prominent member of the Helsinki team living in Riga.

There is not a corner of what is the Soviet Empire that does not have its pentacostals, its refusniks, its dissidents of some type speaking out for the right to teach Hebrew as a native language, the right to study scripture, the right to speak out about politics. It just simply is not going to go away, no matter how it is characterized by the chief justice of their supreme court.

I think that if Ida Nudel keeps her fighting heart, and there is no indication that she will not, that sooner or later she will be with her sister in Israel and that she will be visiting with the gentlewoman from Massachusetts in one of the anterooms or dining rooms here, and she will be telling us about some other courageous woman or senior citizen or young man or young girl who is now in need of our assistance.

I think one of the noblest things we can do here in the Senate of the United States and in the great House of Representatives is to constantly make contact with those people whose names come to the fore, to pick days of solidarity like this, and to pick days that already have historical significance like this great day of July 20 when American astronauts first walked on the Moon.

□ 1930

Walking on the Moon is important, but getting freedom for any one single heroic person anywhere in the world who reaches for their rights and for the rights of their fellow citizens, that is far more important, even if it is not recorded in the history books, than any scientific or medical achievement. The spirit of freedom in the world is still the greatest thing that has ever been wrought by man, religious freedom, freedom of speech, freedom to assemble. The Soviets can spend all of the energy they want trying to suppress this, but is is like a mercury thermometer breaking open and you try to press your thumb down on that chemical substance, the more you push on it, the more little parts it breaks into, the more directions it flies off into. The greatest thing about the indomitable spirit of human beings is that they will always reach out for freedom and speak out, even if it means that they will be crushed as individuals.

Ida Nudel, God bless you, God bless your sister Elena, and God bless everyone in the world who speaks out for human rights. The seemingly forgotten heroes, they are not forgotten.

Mrs. HECKLER. My colleague has spoken eloquently on an issue that I think touches all of our lives and our consciences. I think with his sharing of his international experience in Moscow, we understand the dimensions of the Ida Nudel odyssey, because we come here to stand behind Ida Nudel, but also behind all that she symbolizes, the fight for freedom of religion and freedom of exit, freedom to choose where one will live and what one will eat, and the freedom to live a life of one's own choice. Ida Nudel, Shcharansky, and so many others come to mind. But in fighting for the quest of freedom, we also fight for the survival of humankind.

I think my colleague from California has made a very unique contribution, in that he has offered the inspiration that the freedom for Ida Nudel will indeed be a great leap forward for humankind. I think that it is sad for those us in the House who have served with our colleague from California to know that his eloquent voice will not always be available. We do expect it to return in this body or another, we do feel for those eloquent words that he has submitted on so many different issues, and we know that his contribution will be memorable in whatever role he may fulfill.

I take this time to urge Soviet authorities—both those in the Soviet Union and their representatives in the United States—to listen to the protests of the world. Ida Nudel has suffered enough. Let her go to Israel.

● Mr. KEMP. Mr. Speaker, I wish to join my colleagues today in focusing attention on the plight of a very courageous woman, Ida Nudel, who has steadfastedly clung to the dream she has worked toward for so many years—to emigrate to the State of Israel.

Ida's struggle with Soviet authorities exemplifies the indefatigable spirit carried by many prisoners of conscience who have had to endure Soviet oppression and harassment. Her case is one more glaring example of the Soviet Union's refusal to honor its commitments under the Helsinki accords. In serving her sentence of internal exile to Siberia from 1978 to March of this year, Ida clung to the hope that she would one day be able to live a life of dignity and happiness in Israel, bolstered by the thousands of letters of support she received from friends around the world.

Elena Friedman, Ida's sister in Israel, expressed the thoughts we all had in a letter she wrote me last month:

> Ida's release from Siberian exile and her return to her Moscow apartment sparked hope and anticipation in my heart. I thought it might be the first step toward our long-awaited reunion in Israel. Instead it turned out to be the beginning of a new round of the Soviet authorities' campaign to further embitter her life.

Ida's indomitable spirit continues to prevail. She has stood firm against Soviet officialdom's attempts to erode her will by subjecting her to the machinations of impenetrable bureaucracy which Elena writes "seems to provide no way out and is obviously designed to strangle her hope and spirit." Obviously, the Soviets do not know our Ida. She will continue to fight until she is freed from the bonds of Soviet oppression and intimidation.

This is a part of the Soviet policy to deny Jews the right to emigrate to their homeland. There has been an incredible disparity in the emigration figures of 1982 and 1979—96 percent! According to the figures of the National Conference on Soviet Jewry, only 182 Jews were permitted to emigrate from the Soviet Union this past June, compared to 4,500 in June of 1979; only 1,500 in the first 6 months of this year compared with 25,000 for the same period in 1979. These are people we are talking about—not just statistics.

Ida is a particularly affecting victim of this policy. How ironic that a woman whose only crime has been to assert her entitlement to a basic human right should be in the forefront of those denied their exit visas. We cannot abandon our efforts on behalf of this brave woman, and all the other refuseniks. We must continue to be active in support of Ida's efforts to seek redress from the Soviet Union, continue to make ourselves heard so that the Soviet Union will know that Ida is renowned throughout the world as a fighter, a leader, and that she and others like her will not be forgotten; that the United States and all freedom-loving people everywhere will raise there voices in protest of the unjust, illegal, and inhumane treatment of Ida Nudel and all other refuseniks.●

● Mr. SMITH of New Jersey. Mr. Speaker, it was only 5 days ago that I received a letter from Elena Fridman on behalf of her sister Ida Nudel, a Soviet Jewish refusenik. Elena expressed her fear that Soviet authorities were going to force Ida from her apartment in an effort to discourage Ida from her struggle to obtain an exit visa.

And today, Mr. Speaker, Elena's fearful speculation has become reality. I have been informed by the National Conference on Soviet Jewry that Ida Nudel was evicted from her home, and with no place to go, was living in a train station in Riga.

Ida Nudel had first applied for an exit visa with her family in May 1971. While her family was granted permission to leave the Soviet Union, Ida's request to emigrate was refused, as Soviet officials claimed that Ida had knowledge of unspecified secrets. Her requests to emigrate were continually denied and after many refusals Ida realized that she was being singled out.

And so began Ida Nudel's struggle for freedom.

Mr. Speaker, her struggle for freedom became a struggle on behalf of all refuseniks and Ida became known as the Guardian Angel of Soviet Jews. Through public demonstrations, Ida gathered strength within the Soviet Jewish community and encouraged refuseniks to act collectively in countering Soviet persecution. Under the constant threat of harassment and abuse by Soviet officials, Ida refused to remain silent. In a final, desperate attempt to obtain an exit visa, Ida had hung a banner from her balcony which read "KGB give me my visa." Three weeks after this public display, on June 21, 1978, Ida Nudel was convicted of "malicious hooliganism." She was sentenced to 4 years of exile in Siberia for expressing her wish to emigrate from the Soviet Union.

Mr. Speaker, even while serving her sentence in the oppressive surroundings of Siberia, Ida would not remain silent. I would like to quote from a letter that Ida wrote to her sister Elena in Israel:

> I am not a delinquent. I did not kill or rob, I did not insult or slander anyone. But I dared to go out and demonstrate in defense of the right of Jews to leave Russia. I dared to write and sign open letters in defense of the persecuted and condemned. I dared to turn to the Soviet leaders and to political and intellectual leaders in other countries with the call and request to carry out the obligation that they took upon themselves voluntarily—the obligation to honor the values of others and their right to live where they want.

In May 1982 Ida was released from Siberian exile only to face new barriers constructed by the Soviet authorities. Soviet officials refused to reinstate Ida's permanent resident status, thus denying her the right to obtain an apartment in Moscow. Ida moved to Riga where she once again received a denial to establish residency.

Mr. Speaker, as of Friday, July 16, the whereabouts of Ida Nudel are unknown.

I think it is time for Soviet harassment to come to a complete halt. Ida Nudel has done everything that the Soviet Government has forced her to do except to cease her campaign for an exit visa. The Soviet Union should live up to the Helsinki accords and allow Ida Nudel to join her family in Israel. It is time for the Soviet Union to release Ida Nudel and to grant her the basic human right to be free.

Mr. Speaker, I would like to submit a copy of Elena Fridman's letter on behalf of her sister Ida Nudel for the RECORD:

HOLON, ISRAEL,
June 27, 1982.

Hon. CHRISTOPHER H. SMITH,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN SMITH: I am deeply moved and encouraged by your concern and activity on behalf of my sister, Ida Nudel, as expressed in your letter to Ambassador Anatoly Dobrynin dated February 26 co-signed by you and 73 of your colleagues in the U.S. House of Representatives. I enclose a volume, "Our Ida Nudel", which you may find interesting and helpful in learning more about her person and struggle. If you receive any response from Ambassador Dobrynin you can well appreciate how anxious I will be to have you share it with me.

Ida's release from Siberian exile and her return to her Moscow apartment on March 26 sparked hope and anticipation in my heart. I thought it might be the first step toward our long-awaited reunion in Israel. Instead, it turned out to be the beginning of a new round of the Soviet authorities' campaign to further embitter her life.

This time they have evidently decided to throw her into a bureaucratic maze which seems to provide no way out and is obviously designed to strangle her hope and spirit.

Immediately after having received her I.D. card from the police in Moscow, Ida went to the Ovir office to again apply for an exit visa to Israel. There she was told that such application could only be received from persons who are resident in the district. Since no address was written into her new I.D. card, she would have to apply for a residence permit. Ida's subsequent application for the reinstatement of her permanent residence status in Moscow has now been turned down. She does not know where she will live if she is indeed forced out of her apartment in Moscow.

Of equal concern is the fact that Ida has expressed her need to enter a hospital for long overdue treatment of her heart condition. This is also impossible because hospital facilities in Moscow are unavailable to nonresidents. During conversations in Moscow, Ida has indicated that what kept her going during her difficult exile were the thousands of letters she received from well-wishers around the world. I believe that continuing the flow of letters now is the most important thing we can do. The only address I can give you is that of her Moscow apartment. I do not know whether letters will actually reach her there, but I believe we must try for as long as this is her only address: U.S.S.R., Moscow Yunikh Lenintzev St. No. 79, CPRP. 6, Apt. 28 NUDEL Ida (Personal Delivery—Acknowledgment of Receipt Requested).

Obviously, I would also be very grateful if you would continue to place pressure on the Soviet authorities so that they might finally relent in this senseless campaign and allow Ida to go.

Sincerely yours,

Elena Fridman.●

● Mr. McGRATH. Mr. Speaker, again we take time to express support and admiration for the struggle carried on by Ida Nudel against the arbitrary and inhuman policies of the Soviet Government. Once more, we are reminded of the brutality of the Soviet regime against its own people. For more than a decade Ida Nudel has stood fast in her beliefs and refused to be dominated by the police state that seeks to crush religious freedom and personal dignity. What threat does Ida Nudel pose to the massive military machine and bureaucracy of the Soviet Union? Why do they refuse to allow her to join her sister and friends in Israel? There are no reasonable answers to those questions. However, I submit that the major reasons for Soviet intransigence lie in the fact that Ida's release would signify a victory of the human spirit and the quest for freedom over the forces which try in vain to crush both. It is often upsetting to learn of the widespread misunderstanding of what true Soviet policies are. The lifestyle Ida Nudel has been subjected to by her own government is beyond comprehension for many Americans. Internal exile and continuous harassment by Soviet officials have not broken the will of this courageous woman to continue her effort for freedom.

I hope that every Member of the House will join us today in supporting every possible attempt to secure permission for Ida Nudel to leave the U.S.S.R. and emigrate to Israel. Our thoughts, prayers, and work are her best chance for release.●

● Ms. FIEDLER. Mr. Speaker, Ida Nudel, the refusenik and Jewish Prisoner of Conscience, has survived Siberian exile to return to more savage repression. It is up to us who are free to speak out to let the Soviet Union know that we are watching their conduct and we will not cease from speaking out until Ida Nudel enjoys the freedom for which she has suffered so long.

When Ida Nudel was released from Siberia, she was denied permission to return to her home in Moscow. She was, instead, given permission to live in Riga. But this too was revoked. The Soviet regime seemed determine to force Ida Nudel into a new exile, to keep her in a place where she would be isolated from the Jewish community and from any foreign visitors. Forced again from her home, Ida Nudel has now reportedly been forced to live as a nomad, moving from place to place, without a home, and unemployable as a refusenik. Frequently, in the Soviet scheme of things, such people are then arrested for parasitism. We must make sure that this does not happen to Ida Nudel, which is why we must not relax our vigilance.

This brave woman still has not achieved her dream of rejoining her family in Israel. She, like most of the Soviet Jewish population, still suffers under the most severe repression since the death of Stalin, repression that has stemmed the flow of emigrants to a pitiful trickle. Until they, like Ida

Nudel, are free, we must not let our voices be silent.●

Mr. WOLF. Mr. Speaker, it is with great pleasure today that I participate in this special order for Ida Nudel. For 11 years this brave woman has had only one simple goal, and that is to leave the Soviet Union and rejoin her sister who is living in Israel. For this crime she has been imprisoned, unceasingly harassed by the Soviet authorities, and denied any of the most basic human rights.

She has recently completed a 4-year sentence of internal exile in Siberia on the charge of malicious hooliganism after hanging out a banner which read, "KGB, Give Me a Visa to Israel." Upon her return to Moscow in March of this year she declared that it was still her intention to leave Russia and live in Israel. For this she was banished from Moscow.

There are many, many more examples of the heartless and brutal treatment afforded Ida Nudel by the Soviets, and they are well documented. For this reason the Congress and the American people must not be silent regarding her suffering.

We must speak loudly enough for the Soviet leaders in the Kremlin to hear, and call on them to cease their mistreatment of this woman who is now in poor health from spending four winters in a hut in Siberia. We must also make it clear that we believe Ida Nudel should be allowed to leave the Soviet Union and spend the remaining years of her life with her sister in a land that will make her welcome.

● Mrs. HOLT. Mr. Speaker, those of us who live in this blessed country have great difficulty imagining why the leaders of the Soviet Union insist on running their country as a prison.

The case of Ida Nudel is an example. This woman wants to leave the Soviet Union to live with her sister in Israel. She has been trying to leave for 11 years, but her applications for emigration have been rejected.

She was recently released from exile in Siberia, where she was sent for protesting the injustices committed against her and others like her. She has been denied a permit to live in Moscow, so she went to Riga, Latvia. She has been denied permission to live there, and Soviet authorities still refuse to let her leave the country.

What we see in this case and others like it is nothing less than calculated cruelty by a government committed to ruthless exercise of power instead of serving and representing its people.

This is a government that punishes even modest dissent with imprisonment of Siberian exile, and when members of its captive population apply to emigrate, it treats them as criminals.

Mr. Speaker, I am pleased to join my colleagues in this appeal for the freedom of Ida Nudel and to remind the House of what her case demonstrates about the character of the Soviet leadership.●

● Mr. HOLLENBECK. Mr. Speaker, I rise to address the serious plight and mistreatment accorded Ida Nudel in the Soviet Union.

Ida's situation and subsequent problems with Soviet authorities began over 10 years ago. In 1971, Ida applied for an exit visa to Israel. She was refused by the Soviet Government on the grounds that she knew too much as an economist to leave. This is when Ida began her crimes against the state. Because of sheer compassion, Ida began caring for other individuals imprisoned for similar crimes of conscience. For 7 years, Ida acted as an "angel of prisoners." During this time she was continually harassed by the KGB secret police. This soon led to threats of violence by her Muscovite neighbors. Finally in 1978, Ida Nudel committed the crime that would eventually send her into isolation in Siberia. Out of desperation, she hung a banner on her Moscow balcony stating: "KGB—Give Me My Visa." Ida was convicted of "malicious hooliganism" and sent away for 4 years.

Mrs. Nudel is one of many such persons persecuted by the Soviet Government for demanding their deserved human rights. However, Ida is unique in the fact that she is one of the three oldest such prisoners and the only woman among them. I have received correspondence from her sister Elena Fridman who Ida desires to join in Israel. As Mrs. Fridman explains, "Ida has proven to be a strong woman, but I hesitate to imagine how much more of this she can take." Between her threadbare clothing and meager heating, it is a miracle that Ida has survived these long harsh winters in Siberia.

Under the constitution of the Union of Soviet Socialist Republics, the right to emigrate is guaranteed. Furthermore, under the Helsinki Act of 1975 signed by the Soviet Union, the rights of all persons to secure and exercise their fundamental human rights are fully protected. All Ida Nudel is asking for is the right to leave a country where she is being persecuted for her religious affiliation and humanitarian practices. If this is too much to request, then the Soviet Union should not have deceitfully misled the rest of the world by signing the Helsinki Act. I have sent several letters to the Kremlin alerting them to my concern, but have yet to receive a reply.

Mr. Speaker, time and time again I have stood before this Chamber to register my utter distaste for the manner in which the Soviet Government has treated Ida Nudel. Mrs. Nudel was released from Siberian exile recently, however the Soviet authorities have compounded her problems, not alleviated them. They refuse to issue her a residency permit for her old Moscow apartment nor allow her to stay with friends in another town. Thus, the Soviet authorities have effectively made it impossible for Ida Nudel to live comfortably in the Soviet Union. I feel strongly that this is the time to help obtain an exit visa for Mrs. Nudel, now, before it is too late.●

● Mr. CONTE. Mr. Speaker, today we focus our attention and that of the people of the world on the plight of a courageous individual who is seeking her freedom and basic human rights. Ida Nudel has come to personify the suffering of all who are trying to emigrate from the Soviet Union to join family abroad.

For 11 years Ida Nudel has sought to emigrate to Israel. After her application was refused, she worked untiringly to assist other refuseniks with food, medicines, and encouragement. For her efforts over a 7-year period, she became known as the "Guardian Angel of the Prisoners of Conscience." She was also harassed by the Soviet authorities and finally arrested in 1978 and sentenced to 4 years internal exile in remote Siberia for "malicious hooliganism."

Ida Nudel survived her 4 arduous years in exile and this past March returned to Moscow. But evidently Soviet authorities feel she has not suffered enough. She has been denied residency permission in Moscow as well as in Riga and has been forced to sleep on a bench in a train station. How cynical and heartless the Soviet system can be. I am sure any city in the United States or Israel would be more than willing to grant Ida Nudel a residency permit.

Today we call on all freedom-loving people to protest this shameful treatment to the Soviet authorities. The treatment of Ida Nudel is a clear violation of the Helsinski accords and a reminder of the tragic lack of basic human rights in the Soviet Union. I join my colleagues in appealing to the Soviet Government to "Let Ida Nudel Go!"●

● Mr. FISH. Mr. Speaker, I join my colleagues today in an international day of solidarity with Ida Nudel. This remarkable woman, an inspiration to all of us, has been persecuted for over a decade because of her unflinching loyalty to her religion and conscience.

Since 1978 she has survived the exile of four Siberian winters, withstanding both physical and mental strain. I was quite relieved to learn of her release this past spring—but the struggle for her freedom continues. Ida Nudel is now fighting the atrocious Soviet emigration system, as well as unending hardships. She has applied for an emigration visa, but in the meantime she is spending her nights on a bench in a train station, because several Russian

cities have refused her application for a propiska, or residency permit.

Ida Nudel is now 52 years old. She has fought all her life for the basic rights we enjoy as Americans and that others in the free world take for granted. Her simple wish is to join her sister in Israel, yet the Soviet Union effectively holds her prisoner in an endless maze of paperwork. I have repeatedly written to Soviet officials requesting her overdue permission to emigrate—all to no avail. But we must continue to press for her right to live in the country of her choice, not only for Ida's sake, but also as a symbol of our serious intentions regarding international human rights.

The Soviet Union must comprehend that the free nations of the world will not permit flagrant violations of the Helsinki accords to go unnoticed or unchecked. I believe it it our duty as citizens of a nation dedicated to freedom that we all struggle with Ida for her release.●

● Mr. GREEN. Mr. Speaker, this is a day of international solidarity with Ida Nudel, who is known as the Guardian Angel of Soviet Jewish activists, and is one of my "adopted" Soviet Prisoners of Conscience. Last March, 74 of my colleagues and I sent a letter to the Soviet Ambassador expressing our hope that, once released from Siberia, where she was exiled on the charge of "malicious hooliganism," Ms. Nudel would be allowed to emigrate to Israel. Ida Nudel was released in late March, but, almost 5 months later, her hope of going to Israel remains unfulfilled.

I just received a letter from Elena Fridman, Ms. Nudel's sister in Israel, who writes:

> Ida's release from Siberian exile and her return to her Moscow apartment on March 26 sparked hope and anticipation in my heart. I thought it might be the first step toward our long-awaited reunion in Israel. Instead, it turned out to be the beginning of a new round of the Soviet authorities' campaign to further embitter her life.

The newest form of harassment has been the denial of a "propiska," or residency permit. Ms. Nudel applied for a reinstatment of her permanent resident status in Moscow, but was turned down. She then applied for such status in Riga, but was again rejected. Without such a residency permit, Ms. Nudel can neither set up a permanent residence, nor can she apply for an exit visa.

At this time, we know nothing of Ms. Nudel's whereabouts. No doubt she struggles daily with the possibility of arrest on yet another trumped up charge. She is forced to flee from unjust bureaucratic forces which, though they prevent her from establishing a home, refuse her simple request to leave.

Ms. Nudel's courage throughout her ordeal has been inspiring, yet her plight remains unresolved. Most shocking is the realization that Ida Nudel is only one of many political and religious activists suffering routine harassment in the Soviet Union. We in Congress must continue to pressure Soviet authorities to end this senseless persecution.●

● Mr. JAMES K. COYNE. Mr. Speaker, for a decade Ida Nudel's resilience and conviction as a human rights activist in the Soviet Union has been an inspiration. In her efforts to emigrate to Israel and to guarantee Jewish rights in the Soviet Union, she has demonstrated the force of her indomitable spirit.

The Soviet Government is clearly resolved to test that spirit without mercy. Since Ida applied for a visa to emigrate to Israel with her sister in 1971, she has been harassed, interrogated, tortured and imprisoned by Soviet officials. Finally, in 1978, in a desperate effort to publicize her plight, Ida placed a banner outside her apartment window which stated, "KGB, Give Me A Visa To Israel." This display led to her conviction on charges of "malicious hooliganism", for which she served 4 years in internal exile.

Her term of 4 years ended last month, but the intense pressure placed on her by the Government did not. She was again denied permission to join her sister in Israel and was refused a permit to live in Moscow. In desperation, Ida ventured to the Latvian capital of Riga, where she assumed temporary residence. Just this week, however, she was also denied a permit to live in Riga.

Ida Nudel must now continue her struggle to emigrate even while she wanders in search of shelter. We call on the Soviet Government to release her to be reunited with her sister in Israel now.

The indomitable spirit of Ida Nudel will not be crushed—nor will our opposition to her appalling treatment.

● Mr. LENT. Mr. Speaker, it is an honor to join in this special order on behalf of Ida Nudel. I congratulate the gentlewoman from Connecticut for making possible this united congressional effort to end the harsh persecution Ida Nudel has been enduring.

Mr. Speaker, Ida Nudel is truly a remarkable, heroic, and courageous woman. Since adopting her as my Fourth Congressional District's Prisoner of Conscience more than 3 years ago, I have been tremendously impressed by her unbreakable spirit, her indomitable determination and her compassion for others. In her more than 10-year struggle with the cruel and heartless Soviet authorities, she has never faltered in her unceasing efforts to win her heart's desire—permission to leave the Soviet Union and join her family in Israel.

Four years ago her struggle for freedom so angered the Soviet officialdom that Ida Nudel was sentenced to 4 years in exile in the bleak wastelands of Siberia. The Soviets charged her with "hooliganism." Her "crime" actually was to display a banner reading "KGB Give Me My Visa" from the balcony of her apartment in Moscow. Released from exile last March, Ida Nudel returned to Moscow still fighting to win her freedom. Her first act was to go to the Soviet officials to ask for her visa to Israel.

This brought sharp retaliation from the Soviet authorities. They refused her permission to return to her Moscow apartment, and denied her permission to reside anywhere in Moscow. Just this past week, I was informed by Lynn Singer, president of the Union of Councils for Soviet Jews that Ida Nudel has gone to Riga to live, but again was denied a residence permit.

Mr. Speaker, this cruel persecution and harassment of an innocent woman cannot be permitted to continue. We must unite in pressuring the Soviet authorities to give Ida Nudel her visa to emigrate to Israel. In pursuit of that goal, I have already written to Soviet President Brehzenev and Soviet Ambassador Dobrynin demanding that they end this gross inhumanity toward an innocent woman who seeks only to join her family in Israel. The Soviet leaders know well their actions are in direct violation of the human rights provisions of the Helsinki accords, to which President Brezhnev himself agreed with so much ceremony in 1975. What a mockery the Soviets make of their treaty obligations in their treatment of Ida Nudel.

I have also written to our new Secretary of State, the Honorable George P. Shultz, asking him to give his personal attention to special efforts on behalf of Ida Nudel. I can think of no worthier cause, nor one more deserving of the personal involvement of the highest American officials. Certainly, if we cannot trust the Soviet leaders to respect the Helsinki accords, how can we expect them to respect any international obligation to which they might agree?

Even further, Mr. Speaker, I urge every one of my colleagues in the U.S. House of Representatives to become involved in Ida Nudel's case. Add your letters of protest to mine. Write to President Brezhnev and Ambassador Dobrynin demanding that Ida Nudel be given the right she has under the Helsinki accords to immigrate to Israel to join her family. The more Members of Congress who join us in fighting for her freedom, the more likely the Soviet Union will grant Ida Nudel the freedom she has sought for so long.

The time to act is now.●

GENERAL LEAVE

Mrs. HECKLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of my special order today.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

IDA NUDEL—PRISONER OF CONSCIENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Connecticut (Mrs. KENNELLY) is recognized for 60 minutes.

GENERAL LEAVE

Mrs. KENNELLY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subjects of this special order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

Mrs. KENNELLY. Mr. Speaker, I have requested this special order to demonstrate the strong support of Ida Nudel that continues to exist in this body. Her story is one of great personal courage and heroism, and this special order is part of the international day of activity on behalf of Ida Nudel and her 11-year struggle to immigrate to Israel.

I first became familiar with Ida Nudel when I was secretary of state of Connecticut. I was working in my office one afternoon when I was invited to a meeting of Soviet Jewry in the State capitol. I went upstairs that day and saw a movie that had recently been smuggled out of Russia. This movie told the story of a woman who, for many years, from 1971 to 1978, had asked the Russian Government to let her go to Israel. She could not get permission, she could not get an exit visa. But she continued to help those, even if it was not the same goal that she had, to go to Israel, to help those who wanted to emigrate out of Russia. Even those who were in prison, she took food to them, she helped them, and she became known as the guardian angel of refuseniks in Russia.

Then the story got much more serious on June 21, 1978. It was an International Day of Children, and those activists of Jewish faith decided that they would demonstrate a little more fully. They were going to be so brave as to put banners out their window. And Ida put a banner out her window, just saying a few things that were hardly controversial. There were people who pulled the banner down. And then Ida decided that she had a 50-50 chance and that she could say what she wanted to say, and that was "KGB, give me my visa." She put that on her banner, and she lost. Ida was in jail for 120 days before they even brought her to trial. After her trial she was sent to Siberia. She was made to live with 60 convicts, 60 men. She slept with an ax under her mattress. Eventually she got a small hut to live in. There was no light, there was no water. The only thing that kept her sanity was her dog named Pizer, which she has, hopefully, as far as we know, to this day.

Four years took a long time to pass, but she remained strong. Ida is a woman who is an economist. She is known in Russia as an intelligentsia. But she worked as a cleaning woman in Siberia. She had very few friends, but she did not lose her faith.

Then last March we heard that Ida Nudel had been released, that she was allowed to leave Siberia, and she hoped that she could go home. Some of her friends had kept her apartment in Russia. She returned there, but she found out that she could not get a residence and that she was not allowed to live in Moscow, and the apartment was gone. She moved on, and during this time she talked to her sister, Elena Fridman, who was in Israel, and she said, "Don't be too optimistic, I don't think it looks too good."

She went to Riga, and she could not get a residency there either. As has been said on this floor tonight, she came to the point where she was sleeping in the railroad station. I say to you as a woman who has also worn an Ida Nudel bracelet for the last 2 years, and I say to you as someone, when I heard she was let go from Siberia and I was thinking of taking the bracelet off, I thought, "No, this isn't going to be so easy, Ida is not going to be allowed to go to Israel without working harder," and I kept the bracelet on but, hopefully, thought that it would only be for a couple of more months. And yet we see this poor woman, still refused an exit visa so she can go to Israel.

I say to the Russian officials: What can this woman do to you now? She is 51 years old. She has got kidney trouble, she has got heart trouble, she cannot harm you.

So today I join with my colleagues on this floor and I say in honor and respect for Ida Nudel, "You have been strong." But how much longer can we expect her to remain that strong? So I urge anyone who can help to listen, to continue the letters, the telegrams, especially the prayers. But I say if anyone is listening who has any clout in Russia: Let this woman go to Israel.

Mr. FRANK. Mr. Speaker, will the gentlewoman yield?

Mrs. KENNELLY. I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Speaker, today I join my colleagues in this special order to express our support and solidarity with Ida Nudel, and I congratulate the gentlewoman from Connecticut for first initiating a special order on her behalf. Ida Nudel is a brave woman who has endured the unrelenting harassment of the Soviet Government. Ida Nudel is a woman who instills a deep sense of commitment to those involved in the Soviet Jewry movement. As one individual, with no immediate family in the Soviet Union, Ida Nudel has persisted in her efforts to stand up to Soviet authorities in pursuit of one noble goal; the right to emigrate and to be reunited with her sister in Israel.

Ida Nudel has encountered the most harsh brutalities which the Soviets inflict on those individuals who express a desire to pursue their intellectual, religious, and cultural interests. Ida Nudel has endured slanderous articles in the Soviet press, internal exile, and imprisonment with common criminals. Yet Ida Nudel will not yield to the threats and acts of intimidation of the Soviet authorities who steadfastly refuse her application to leave the Soviet Union.

Not only does Ida Nudel's persistence provide us with inspiration—the kind of inspiration which has brought all of us here today united in our determination to free her—but Ida Nudel's compassion and dedication to her fellow refuseniks has been a great source of strength to the other refuseniks in the Soviet Union as well. A woman of Ida Nudel's stature, a woman who has expended so much of her own physical and emotional energy in the pursuit of freedom, will not be forgotten.

After 4 years of internal exile resulting from a trumped up charge of "malicious hooliganism," the Soviet authorities have yet again expressed their determination to hold Ida Nudel as a hostage, a symbol of their inability to respect internationally recognized human rights standards as embodied in the Helsinki Accords. Ida Nudel has now been denied permission to return to her home in Moscow or to take up residence in the city of Riga. The Soviet campaign to break the will of Ida Nudel continues.

Mr. Speaker, today I call on the Soviet authorities to heed public opinion in this country which demands the release of Ida Nudel. Her release will send a signal to the people of the United States that the Soviet Union is truly interested in seeking an improvement in relations between our nations. Further, the time has come for President Reagan to reaffirm the American commitment to securing the right to emigrate for Ida Nudel and the thousands of other Jewish refuseniks who have been refused exit visas by the Soviet Government. Those of us in the Congress who are committed to Soviet Jewry mark this as an important day,

because our commitment to this woman and to Soviet Jewry is unyielding. We will continue to fight for Ida Nudel's right to emigrate so she can live her life in freedom in Israel.

Ms. FERRARO. Mr. Speaker, will the gentlewoman yield?

Mrs. KENNELLY. I yield to the gentlewoman from New York.

Ms. FERRARO. Mr. Speaker, I first of all want to congratulate our colleague, the gentlewoman from Connecticut, for her initiative in taking this special order. I must say that I was very taken by her very eloquent review of the facts concerning Ida Nudel's imprisonment. I had not heard them all, and I thought I had heard just about everything with reference to this poor woman's life. I guess the two of us have a great deal of empathy with Ida Nudel, a woman who is at the point of life where her freedom is taken away, and here we are, standing on the floor of the House of Representatives, with our own freedom and the ability to speak up.

Mr. Speaker, we rejoiced last April when we heard the news that Ida Nudel was free after 4 years of exile and hard labor in Siberia.

That freedom we hailed then has proved to be short lived. Ida Nudel, an economist whose only crime has been her desire to join her sister in Israel, is being forced to wander like a hobo as Soviet city after city has closed its doors to her.

Caught in the clutches of a malicious bureaucracy, whose only aim seems to be to harass her, Ida Nudel has already been refused permission to live in Moscow, her home, in Riga and in several smaller towns near the Latvian capital.

Ida Nudel is a woman without a country in her native land. At the same time, Soviet authorities refuse to grant her permission to emigrate to Israel despite her 11-year quest.

We speak here today in hopes that our voices and our outrage, mingled with that of other Americans of good will, can persuade the Soviets to desist from their senseless policies of harassment and bureaucratic persecution of their own citizens.

The story of Ida Nudel is the story of government gone out of control. It is today, at a commemoration such as this, that we point to the problem and as the Soviet Union: Please take a close look at the plight of this woman and release her.

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Mr. Speaker, again I want to commend our colleague from Connecticut for her outstanding work in this particular matter.

Mrs. KENNELLY. I thank the gentlewoman from New York.

It is time obviously from the remarks, Mr. Speaker, that we have heard on this floor that there is a consensus that Ida Nudel should be allowed to join with her sister in Israel. While this day will pass, this day of saying that we must release and help Ida Nudel to go to Israel, I just want to assure Soviet officials that our commitment in securing Ida's release from the Soviet Union will not diminish. We are going to continue to speak out on the right to be heard until Ida gets to Israel.

● Mr. SCHUMER. Mr. Speaker, today, a feeble, middle-aged woman is wandering homeless in the Soviet Union for the "crime" of requesting her right to emigrate to Israel, as guaranteed under the Helsinki accords. Since her release from Siberian exile in the spring, Ida Nudel has been denied the official permit needed to live in her hometown, Moscow, and in the city of Riga. Under Soviet law, a person cannot stay in a city for more than 48 hours without a residency permit. Thus, the Soviet authorities have placed Ida Nudel in a "bureaucratic maze" designed, in the words of her sister, "to strangle her hope and spirit."

The Soviet authorities have made Ida Nudel a refugee, fleeing the absurd regulations of a totalitarian legal system. Whatever the twisted motives of the officials who have initiated this latest round of the battle to crush Ida Nudel, they have insured the continuation of international protest against Soviet violations of basic human rights. The treatment of Ida Nudel reveals the entire range of Soviet tactics employed against Jews who assert their religious and cultural identity. But the mistreatment of Ida Nudel also reveals the undefeatable spirit of Soviet Jewry, which will continue to struggle for the rights outlined in the Helsinki accords no matter what cruel methods are employed against them.

Somewhere within the Soviet bureaucracy, an individual issued the orders which have made Ida Nudel a refugee. Further along the chain of command, many have knowingly lied about this episode. But we do not know the individuals involved in this specific incident, so we are forced to place the blame on the entire Soviet regime, and our relations with the Soviet Union must be conducted with their guilt in mind. If the Soviets truly desire better relations with the United States and other countries around the world, they must cease the persecution of Ida Nudel.●

● Mr. LEHMAN. Mr. Speaker, the name of Ida Nudel is a watchword for courage, fortitude, and faith. Known as the Guardian Angel of the Prisoners of Conscience, Ida Nudel has risked her own life to help others refused the freedom which is now eluding her to emigrate from the Soviet Union to Israel.

Her selfless devotion to the task of providing hope and comfort to fellow refuseniks was repaid by the Soviet authorities in the form of 4 long years of suffering in Siberian exile.

Now that her years in internal exile have ended, she is now denied a permit to return to her home in Moscow, and has even been forced to sleep in a train station. Not even exile is enough punishment to satisfy her Soviet tormentors. While she suffers this ordeal, we must attempt to live up to the standards she has demonstrated, and do what we can for Ida Nudel.

For 11 years, Ida Nudel has wanted to join her family in Israel. Surely, now is the time to finally grant her that liberty and allow her to be reunited with her husband and sister in Israel. I ask you to join me in calling upon the Soviets to give her that long-awaited visa to freedom.●

● Mr. SHANNON. Mr. Speaker, this past January I visited the Soviet Union. I met with many refuseniks and was appalled by the constant fears with which they live: Relentless harassment, the ever-present threat of arrest, and the continuing attempts to deny their human dignity. They suffer immense hardships and perpetual repression, their crime being their quest for religious freedom and the right to emigrate.

The Soviet Union has guaranteed these and other fundamental rights by signing both the United Nations Declaration of Human Rights and the Helsinki accords. Yet, the Soviet Union has clearly failed to abide by their oath to uphold these principles.

In particular I would like to call attention to the plight of a remarkable woman, Ida Nudel. This brave woman has been referred to as a "superhuman angel" by former fellow prisoners of the Siberian exile camps. She has tirelessly striven to help others around her, whether it be by obtaining and providing blankets and medicine to the needy, or by bouying the hopes of the spiritually exhausted.

Ever since she first applied for emigration in 1971, she has been arrested and rearrested. She has been starved, beaten and treated for alcoholism when she suffered from a heart condition. After spending 4 years in internal exile in Siberia she was released in March and is once again trying to obtain an emigration visa to join her only close relative, a sister who lives in Israel.

We must support the cause of Ida Nudel and the thousands and thousands like her who seek only to lead lives of simple dignity. We must urge the Soviet Union to reevaluate its policies and allow Ida Nudel the freedom of living without harassment or abuse.●

● Mr. DOWNEY. Mr. Speaker, on this International Day of Solidarity in sup-

port of Soviet "Prisoner of Conscience" Ida Nudel, I would like to lend my voice to those of my colleagues participating in this special order on her behalf.

The plight of Ida Nudel is, no doubt, familiar to my colleagues. Through the efforts of concerned individuals and groups, Ida Nudel's struggle has become familiar to many. Letters have been sent to Soviet officials, speeches delivered, and resolutions passed on behalf of Ida Nudel and many other Soviet "Prisoners of Conscience" seeking the right to emigrate to Israel. This great effort, then was certainly to be congratulated when the news reached us in March of Ida Nudel's release from Siberian exile and her return to Moscow.

The joy, however, was shortlived. Despite application to the Moscow City Council to renew her residency permit, Ida Nudel's application was denied. Her next attempt to overcome this bureaucratic harassment was application for residency in the Riga area, where Ms. Nudel has friends. This also was denied. What for many Soviets is a simple procedure has become for Ida Nudel a continuation of her sentence by Soviet authorities. Arrest is likely if she remains in Riga. Ida Nudel's flight appears to have no end.

Our efforts have accomplished a great deal, as Ida Nudel's release points out. But we must not stop short of our goal of freedom for this brave woman. Soviet officials must know that we are aware of the difference between appeasement and justice. Ida Nudel's struggle continues as long as she is denied the right to emigrate to Israel and is at the mercy of Soviet officials. We must send the Soviets the message that we remain vigilant in our concern for Ida Nudel. I ask my colleagues to join me in reaffirming our commitment to total freedom for Ida Nudel; a freedom defined as nothing short of her right to emigrate to Israel.●

● Mr. PEYSER. Mr. Speaker, for over 11 years Ida Nudel has been one of the leaders in the Soviet Jewry movement in the Soviet Union. Ida, affectionately known as the "Guardian Angel" for her activities on behalf of Soviet Jewish Prisoners of Conscience, was charged and convicted in June 1978 of "malicious hooliganism" and sentenced to 4 years of internal exile.

Experiencing antisemitism in her job as an economist and in her life, Ms. Nudel applied to Soviet officials for permission to emigrate to Israel. Since 1971 her repeated requests for this visa have been denied. Disturbed by her persistent efforts to obtain this visa and to keep up to the morale of those forced in labor camps, the KGB constantly subjected Ida Nudel to harassment and intimidation. Gradually, this persecution took its toll and on June 1, 1978, she found that she was under house arrest. In protest, Ida hung a banner outside her Moscow flat that read, "KGB, give me my visa." The next day she was charged with "malicious hooliganism" and within 3 weeks she was convicted.

By banishing Ida Nudel to the dreadful quarters she occupied in Siberia, Soviet authorities assumed they were silencing this voice of justice. They were mistaken. From her forsaken village of exile, Ida wrote:

> I am fortunate that I myself add not only one page to the history of Jewish resistance in Russia. I am fortunate that my efforts permitted thousands of Jews to leave this barbarous country. I am fortunate that during all these years I was helping prisoners of Zion, those who were chosen to cut the way to Israel by the price of their own freedom. But if our suffering will not force every one of you to rush to help us, then it is in vain.

Today, Ida Nudel needs our help. Even though she has been released from internal exile in March, she is still trying to emigrate to Israel to live with her sister, Elena Fridman, her only close relative. I recently received a letter from Elena in which she stated that:

> Ida's release from Siberian exile and her return to her Moscow apartment sparked hope and anticipation in my heart * * * instead, it turned out to be the beginning of a new round of the Soviet authorities' campaign to further embitter her life.

Ida Nudel has been denied residency permits to live in Moscow and Riga and is now without a home.

We, as Members of Congress, must continue to actively fight for her freedom to emigrate and to practice her religion. The Soviet Union's oppressive tactics should never be tolerated by free-thinking people around the world. I therefore commend my colleagues for joining together in this special order.●

● Mr. COELHO. Mr. Speaker, it is always a privilege to honor individuals who have made outstanding contributions to their specific fields. Today it is my great pleasure to honor a man who has accomplished a great deal in many fields. Dean S. Lesher is a man of energy, expertise, and life-long commitment. I rise before you today to honor Mr. Lesher for his contributions to the fields of education, law, business, health care, and communication, but especially for his outstanding service to the community of Merced, Calif.

Dean Lesher received a J.D. from Harvard Law School in 1926 and went to Kansas City, Mo., where he practiced 14 years as a trial, insurance, and corporate lawyer. While representing various newspaper interests, Mr. Lesher became interested in the industry and was lured into purchasing a daily newspaper in Nebraska. The field of communication apparently agreed with Mr. Lesher, for he went on to purchase a daily paper in California and eventually acquired five more daily newspapers, one multiweekly, 11 weeklies, and also AM and FM radio stations in Idaho. Today I rise in commendation of Dean Lesher, in anticipation of a July 30 honorary dinner in Merced where Mr. Lesher will be recognized for 42 years of continuous publication of the daily Merced Sun-Star, and for the contributions his newspaper and his community involvement have made to Merced.

Besides keeping the people of Merced informed, Mr. Lesher's contributions have come in the form of unequivocal public service. He serves on the board of directors of Suburban Newspapers of America, the Concord Century Club, the Better Business Bureau, and other worthwhile groups. Among the many honors and awards which Mr. Lesher has received are 1979 Business Person of the Year, California Press Association Publisher of the Year in 1977, and Mountain Diablo Boy Scout Council 1981 Distinguished Citizen of the Year.

In addition to his ongoing dedication to publishing quality newspapers, as is evidenced by his numerous awards including one for the Best Daily Newspaper in California in 1980, Mr. Lesher has shown a life-long commitment to education. He has served an 8-year term as trustee of the California State University and Colleges System, and on the Board of Governors of California Community Colleges. Mr. Lesher has also used his talents and resources in service to the health care field, as he has been a steady annual contributor to area hospitals and is currently serving on the John Muir Hospital Foundation Board of Directors.

Dean S. Lesher personifies competence, selflessness, and dedication. He is a symbol of the commitment of those people all across our Nation who give of themselves and continue to give, in generous devotion to the spirit of public service. I commend Dean for his contributions and accomplishments, and wish him well as he embarks on another year of service to the community of Merced and the people of our country.●

● Mrs. SCHROEDER. Mr. Speaker, today I join my colleagues to demonstrate my support for Ida Nudel's struggle to leave the Soviet Union and emigrate to Israel.

Ida Nudel is an extraordinary person. Sentenced to 4 years of internal exile because of a banner she hung from her apartment window which read, "KGB, Give Me a Visa to Israel," Ida Nudel was placed in a prison punishment cell where the Soviets attempted to strip her of her dignity. Remarkably, she has risen above this inhumanity to shine as a brilliant ray of hope, stirring the emotions in all of us who cherish liberty and freedom.

Ida Nudel remains a proud human being and a proud Jew. She must be allowed to emigrate and live with her family in Israel.

I urge the Soviet Union to grant this true champion of liberty an exit visa. She has completed a 4-year exile term in a Siberian wasteland for "malicious hooliganism." Ida Nudel has suffered enough. Our support for her must remain as unwavering as her quest for freedom. I want an exit visa for Ida Nudel now.●

● Mr. WIRTH. Mr. Speaker, I rise today to join with my colleagues in the House and concerned citizens around the world to urge Soviet authorities to free Ida Nudel, a woman of great courage and principle, from her 11-year struggle to realize her dream of emigrating to Israel.

Although Ida Nudel has returned from her 4-year exile in Siberia, the Soviet Union continues to harass and intimidate her in hopes that she will surrender her tireless campaign for the rights of Soviet Jews. They have denied her legal residence in Moscow and Riga, and she remains homeless, but still committed to securing a visa to join her family in Israel.

For 11 years, Ida Nudel has not only spoken out for her own rights and freedoms, but has fought on behalf of others who share her plight. Through her caring and compassion for her fellow Prisoners of Conscience, she has gained the honorable title of "Guardian Angel," and serves as an inspiration to others who fight for the freedom to practice their religion without persecution.

On this day, we must not only commemorate Ida Nudel's selfless battle on behalf of the Prisoners of Conscience, but continue to call attention to her ordeal and demand that she be freed and allowed to join her sister in Israel. Ida Nudel has become a symbol for us—a symbol of the human rights that we cherish and uphold and that the Soviet Union has so brutally violated.●

● Mr. BONKER. Mr. Speaker, I am happy to join my distinguished colleagues, Representatives FRANK, KENNELLY, COYNE, FERRARO, HECKLER, and GREEN as we participate in this day of international solidarity with Ida Nudel.

This is not the first time we are speaking for Ida Nudel. When she was sent to internal exile in Siberia many of our distinguished colleagues sent letters of protest on her behalf. When she was released from Siberia, again letters were sent to the Soviet authorities asking that she be allowed to immigrate to Israel. Her continuous brave struggle to exercise her basic right to emigrate is an inspiration to the thousands of Soviet refuseniks who have been consistently thwarted in their efforts to join family and friends outside the Soviet Union. Because of her activities on behalf of the exiled and imprisoned within the U.S.S.R. Ida Nudel is a symbol of hope for those who are silenced and those who are persecuted.

I would once again urge the Soviet authorities to honor their international treaty obligations—specifically the Universal Declaration on Human Rights and the Helsinki Final Act—and allow Ida Nudel to immigrate to Israel to join her family.●

● Mr. MINISH. Mr. Speaker, I regret that this special order is necessary today. However, I am honored to join my other colleagues on this day of international solidarity dedicated to Ida Nudel.

As many of us are already aware, Ida Nudel is a Soviet citizen who has been waging an 11-year struggle to emigrate to Israel. She has already survived the harshness of internal exile in Siberia and she was released from that exile last March. With that ordeal over, the world thought that perhaps now she might be able to move to her beloved Israel. Unfortunately, Ida Nudel's dream to live a peaceful life has not been fulfilled and she is now experiencing new problems.

Ms. Nudel was recently denied her "propiska," a residency permit to live in Moscow and has since also been refused residency in Riga. Based upon the most recent information I have received, Ida Nudel's future residency is indeed unclear.

It is my fervent belief that the unjust treatment of Ida Nudel should cease and she should be allowed to emigrate to Israel. Her emigration to Israel seems particularly appropriate if cities in the Soviet Union are denying her a resident visa.

Mr. Speaker, Ida Nudel's story is one of courage and conviction and I hope that the world continues to keep her story alive until her dream to emigrate to Israel is realized.●

● Mr. FASCELL. Mr. Speaker, known as the "Angel of Mercy" for her ministrations to Soviet Jewish political prisoners, Ida Nudel has been trying to emigrate to Israel since May 1971. Ida's employment as an accountant in the Moscow Institute of Hydrology—she was dismissed in January 1972—gave her no cause to think she would be refused emigration permission. Shortly after losing her job, however, Ida was informed by the Soviets that her exit visa was denied because of access to "secrets"—still a favorite Soviet pretext for emigration refusals, as seen on July 9, 1982, in the cases of hunger strikers, Yuri Balovlenkov and Sergei Petrov.

Faced with obstinate and arbitrary refusals by the Soviets of her emigration applications, Ida became involved in charity work which earned her the title, "Angel of Mercy." Defeating the cruel and arbitrary world of Soviet labor camps, Ida Nudel visited and wrote letters to Jewish Prisoners of Conscience; she sent them parcels of food, medicine, and books; and she acted as their advocate with camp and Moscow officials. Ida also informed the West about Soviet prison camp abuses and the plight of various political prisoners. Recent Soviet efforts to isolate—even from relatives—particularly active Prisoners of Conscience, such as Anatoly Marchenko or Mykola Matusevich, reveal how the Soviet system is stung by Western awareness of Soviet prison camp brutalities.

After 7 years of waiting for an exit visa, in June 1978, Ida Nudel decided to publicly protest her arbitrary treatment: She hung a sign from her balcony calling on the Soviet authorities to let her go to her family in Israel. In reprisal, on June 21, 1978, a Soviet court sentenced Ida Nudel to 4 years of Siberian exile for "malicious hooliganism." But even that 4-year term of isolation, hardship, and illness imposed by the Soviet regime was not enough reprisal against Ida for her persistent defense of her own rights and those of others: recently, Ida Nudel was told she has 48 hours to leave Moscow where she is denied official permission to live. Nevertheless, Ida Nudel persists in trying to emigrate and to help others.

In closing my tribute to this brave and kind woman, I would like to quote from one of Ida Nudel's letters from exile. Typically, she focuses not on her own plight, but examines the hope represented for all Soviet citizens by the emergence and continuation of the Jewish emigration movement:

> Through our suffering we have been able to push the gates of the U.S.S.R. just slightly ajar. Through the tiny opening we have made in the Iron Curtain, Jews manage to get out of the U.S.S.R. This in fact is our one solace through our ordeal. But the opening is small and vulnerable, and we implore all of you in the free world to keep a close watch on the opening and not to allow the gates to be slammed shut again.●

● Mr. DWYER. Mr. Speaker, I take part in this dialog today with feelings of mixed emotion. In March of this year, this body had a World Protest Day on behalf of Ida Nudel, which I was pleased to join. At that time Ms. Nudel was very close to completing a 4-year sentence of internal exile in Siberia. It was the hope of many of us that once this ordeal was over for her, the Soviet authorities would finally grant her a visa to emigrate to Israel to join her husband and sister. Unfortunately, this has not been the case.

There is a great sense of frustration and anger over what is now happening to Ida Nudel. True, she has ended her internal exile—at least her official internal exile. She is now being tested with an even more difficult cross. She is unable to obtain a residency permit since her release from Siberia. She had returned to Moscow and sought residency but it was denied. She next

traveled to Riga and applied there. This, too, has been denied her.

If the Soviet Union seeks to break her spirit by this latest form of harassment, I am sure they will fail. However, we must continue to call attention to her plight and use every available means to persuade the Soviet Union to cease its persecution against this woman. We must meet her resolve. We can do no less.●

● Mr. BARNES. Mr. Speaker, 4 months ago, we heard that the famed Soviet refusenik, Ida Nudel, had been released from imprisonment in Siberia and flown to Moscow. At the time, some of us hoped that, at long last, the Soviet Government would allow her to leave the U.S.S.R. We hoped that her freedom was imminent. We expected, at the very least, that she would be permitted to live in her own home in Moscow.

But the Soviet Government has not even allowed her that much—it continues and intensifies its deliberate pattern of arbitrary harassment. When she was refused permission to live in Moscow, Ida went to Riga, but was refused a residency permit there also; although she owns her own home in Moscow, Ida was forced to sleep on a train station bench.

With no place to go, Ida now exists, in her own homeland, a person without a country. For over a decade she has asked simply to be able to join her sister in Israel. By repeatedly denying her legitimate request, the Soviet Government has outraged the free world. After all these years, after serving her Siberian prison term, after being harassed and ostracized, Ida still endures and will not give up the fight. And, in fact, the Soviet Government has succeeded, not in breaking her down, but in making her the courageous "Guardian Angel" she is. We feel for her and the many, many refuseniks we do not know. And we are here again to say that this situation is intolerable.

Ida Nudel has paid her dues, and much, much more. The Soviet authorities, for all their empty justifications, cannot hide behind anything—what they are doing to Ida Nudel is wrong. We have said so before and will say so again and again and again. No matter how powerful the U.S.S.R. would hope to become, it will always be weak for the quiet dissension of its people. It will always be covering up the cries of those who long for freedom, and wrongfully punishing those who will not be silent. And these refuseniks, who have long endured the shameful treatment of their Government, will ultimately be vindicated.

Ida, we are with you all the way. You have continued the fight. We will too.●

● Mr. FORD of Michigan. Mr. Speaker, I wish to join with my colleagues in requesting that the Soviet authorities allow Ida Nudel to obtain an exit visa so she may leave the Soviet Union and be reunited with her only living relative, her sister Elena, who lives in Holon, Israel. Ida Nudel, our Guardian Angel, has been in the minds and prayers of so many of us during her past 4 years of unjust exile in Siberia.

Ida is a strong-willed woman of great devotion, courage, and conscience. In 1970, she applied for an exit visa to Israel. The Soviets refused to permit her emigration, even though she fulfilled all the requirements for an exit visa. They absurdly claimed she could not leave the country because she knew "government secrets." Ida had to wait 7 years before she could reapply. In 1977, she reapplied. The Soviets, again, refused her an exit visa, neglecting the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Final Act of the Conference on Security and Cooperation in Europe at Helsinki, and the Constitution of the Union of Soviet Socialist Republics. At this point, Ida Nudel was sentenced to 4 years of exile in Siberia, without even being allowed representation or witnesses at her trial. Furthermore, her crime was hanging out her window a simple banner which read, "KGB, give me my visa to Israel."

Mr. Speaker, Ida Nudel's basic human rights need to be respected. Although Ida Nudel has finally been released from exile, we must continue our efforts to assist her and her sister in their struggle to be reunited. I appeal to the conscience and humanity of Soviet Premier Brezhnev, to allow Ida Nudel to emigrate to Israel as quickly as arrangements can be completed.●

● Mr. ROSENTHAL. Mr. Speaker, I join my colleagues on this day of international solidarity with Ida Nudel to express my outrage over the Soviet Union's continual harrassment visited upon her and all other Prisoners of Conscience in the U.S.S.R.

This courageous woman has struggled for over 11 years to gain the freedom to emigrate to Israel. Four of those years were spent in forced internal exile under the harshest of conditions. When she was finally released in March of this year, Ida Nudel had hoped to return to her native Moscow. Her residence permit request was denied. Instead she moved on to Riga and once again went through the process of requesting residency status. She has now been told by the Riga authorities that she cannot settle there either. In fact, her applications to several smaller towns in the Riga area were all refused.

Ida Nudel has been forced to flee from Moscow. Now she must also flee Riga or be subject to arrest. How many more places will she travel to, only to be turned away again and again? If the Soviet authorities will not permit her to settle anywhere within the Soviet Union, and they refuse to allow her to leave, what alternatives are left for this woman? She has been harrassed, abused, slandered, sexually assaulted, broken spiritually, mentally, and physically. How much more must she be forced to accept for the simple desire to join her family in Israel?

What is usually a routine request for residency in other cases has turned into a Kafkaesque nightmare for Ida Nudel. If it is the intention of the Soviet Government to wear down those of us who have supported Ida Nudel's hopes, it cannot work, for we will not lose hope, we will not forget her struggle, and we will continue to fight for her rights until they are granted.●

● Mr. GARCIA. Mr. Speaker, the Natinal Conference on Soviet Jewry has coordinated today as being the international day of activity for Ida Nudel. I find that today is an important day to demonstrate our Nation's concern for an individual who has shown unyielding strength through unnecessary harassments, imprisonment and punishment by the Soviet Government.

It is particularly distressing to hear that even after her completion of her 4-year term in a Siberian wasteland, she continues to be harassed. In addition to this mistreatment, she has been refused permission to reside with her friends in Moscow, Riga, and in surrounding cities. She has been frequently forced to remain homeless, and in times, she has had to spend nights in train stations and in deserted areas.

To further worsen the situation, Ida Nudel is presently suffering from ulcers, kidney, and heart trouble, and has been denied access to the Tomsk University Hospital for extensive diagnosis and treatment.

Perhaps the most disgraceful part of the Soviet's treatment of Ida Nudel is that they do not seem to care or even slightly comply to the hundreds of letters from people and governments around the world. I find it distressing and sickening that the Soviet Government continues to punish a woman whose one goal is to reach her sister in Israel.

Although Ida Nudel's strength seems immeasurable, her strength can not last forever. The Soviet Government's attitude must change or else this disgrace will only lead to a worsening of Soviet's relations with other country's around the world.

Ida Nudel we will never forget you.●

● Mr. BIAGGI. Mr. Speaker, I rise to join my colleagues in once again calling on the Soviet Union to allow former Soviet Jewish Prisoner of Conscience Ida Nudel to emigrate to Israel. In addition, I wish to strongly protest the way Ida Nudel has been relentlessly harassed by Soviet authori-

ties since her release from 4 years of internal exile in March 1982.

Over 10 years ago Ida Nudel applied to emigrate from the Soviet Union to Israel with her sister, whose exit visa was approved. Ida was not so fortunate; her request was denied on the grounds that since she was an economist, she knew too many "state secrets."

A woman of very strong convictions, Ida Nudel would not allow her spirit to be dulled by Soviet injustice. After being denied her exit visa, Ida Nudel began the series of "crimes" that led to her Siberian exile. She began caring for those other terribly unfortunate Soviet Jews who had requested to emigrate only to be denied and later imprisoned for simply being true to their Jewish faith.

For 7 years Ida Nudel cared for her fellow Soviet Jews, and she became known as the Angel of the Prisoners of Conscience. Finally, after being constantly harassed for her work and her deep commitment to the right to basic human rights, she hung a banner outside her apartment window that read "KGB give me my visa."

She was arrested and after a token trial, she was sentenced to 4 years in internal exile for "malicious hooliganism." She was released in March of this year, but Soviet justice has not fully been served.

Instead, the Soviet Government has refused granting her to permit that is required for any Soviet citizen to establish a residence. As a result, Ida Nudel has been forced to wander from one Soviet town to the next, only to be denied a residency permit wherever she goes.

Although not surprising, the Soviet treatment of Ida Nudel is intolerable.

Earlier this year, I joined a number of my colleagues in cosponsoring a resolution that calls on the Soviet Union to approve Ida Nudel's emigration visa and allow her to go to Israel, where her sister and only close relative resides. In addition, this resolution (H. Con. Res. 330) informs the Soviet Government that their relations with the United States will depend in part on their human rights record.

Finally, it must be emphasized that Ida Nudel's experience is becoming far too commonplace in the Soviet Union. I am deeply saddened to report that the latest figures released by the Greater New York Conference on Soviet Jewry show that only 182 Soviet Jews were granted exit visas during the month of June, compared to the nearly 500,000 Jews who have applied for emigration.

To show what a dramatic decline in Soviet Jewish emigration these numbers represent, we must only compare 1982 figures with 1979. For the first 6 months of 1979, 24,794 exit visas were approved; for the first 6 months of 1982, only 1,537 exit visas were approved.

To make matters worse, this decline in emigration has also been coupled with a tremendous increase in Soviet anti-Semitism, directed especially at Soviet Jewish activists.

Mr. Speaker, the plight of Ida Nudel has been a tragic one. Yet she is not defeated. She continues to remain strong in spirit, and her life continues to inspire other Soviet Jews who are facing similar harsh treatment. Her life should also inspire us to do everything at our disposal to insure basic freedoms for Soviet Jews and oppressed people everywhere.●

● Mr. WAXMAN. Mr. Speaker, I rise today to voice my concern for a remarkable woman and dear personal friend, Ida Nudel. While it has been over 11 years since Ida Nudel made her first request for an exit visa to leave the Soviet Union, now is a particularly important time for all freedom loving people to express their solidarity with her brave and courageous efforts to advance the cause of human liberty. Following her release from a 4-year harsh and bitter exile in a remote area of Siberia, Nudel sought, in March, to return to her native Moscow. In June, she was denied this permission and was forced to leave. Settling in Riga, she once again sought a permit for permanent residence. Recently, though, this request was also turned down. The 52-year-old activist, homeless and harassed, must know that the international community will not tolerate this terrible violation of her human rights.

Ida Nudel was refused permission to leave for Israel on the grounds that she possessed "state secrets." As happens with exit visa applicants, Ida Nudel lost her job as an economist almost immediately. She was then labeled as "an enemy of the Soviet State," a malicious hooligan and a common criminal—all for merely expressing her desire to leave for Israel. Constant harassment, KGB interrogations and harsh attacks in the newspapers did not discourage Ida Nudel in her efforts to help her fellow Jews obtain emigration rights. Providing material and constant support for those seeking to emigrate, Nudel became known as the "Guardian Angel" of the movement. She lent support to Jews in labor camps by sending them reading material, pictures, food, and clothing—for 7 years she pleaded with the Soviet Union to allow her and others to leave.

Ida Nudel married in January 1975. In April of that year, her husband and sister received permission to leave for Israel; Ida Nudel did not. Despite continued harassment and interrogation by Soviet officials, Nudel continued her emotional pleas to the authorities. She never allowed concern about her own plight to inhibit her dangerous activities on behalf of other refusniks.

Finally, on June 1, 1978, in utter desperation, she placed a banner outside her apartment window stating: "KGB, Give Me a Visa to Israel." For the Soviet authorities, this small act of defiance was too much. She was arrested that same day and charged with "malicious hooliganisn." What is seen in America as an everyday example of free speech, is considered a state crime in the Soviet Union. After a trial in which she was allowed no representation, nor any witnesses to testify on her behalf, she began her sentence of 4 years of internal exile.

Ida Nudel's stay in prison was one filled with constant terror and hardship—traumas that have adversely affected her health, but not her spirit. Living in the most primitive barracks, in fear of the male prisoners at night and isolated from people in the nearby village during the day, Nudel somehow remained optimistic that one day she would be allowed to leave. Her problems, however, did not end when she was released from the camp. Soviet authorities have continued testing her resolve by denying her the right to live in the two cities which she has requested, Moscow and Riga.

Those who tortured and continue to harass Ida Nudel and other refuseniks are the same people who signed the Helsinki accords on August 1, 1975. In signing this document, the Soviet Union, pledged to abide by the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights. Nonetheless, the case of Ida Nudel and countless others demonstrate the glaring Soviet disregard for the basic principles of human decency to which they agreed in Helsinki.

The world must not forget Ida Nudel and the movement to which she has dedicated her life. Recent developments in the Soviet Union have confirmed our worst fears—in June 1982, only 182 Jews were allowed to leave. This is the lowest monthly figure since the movement began in the late 1960's and represents a 96-percent drop from the June 1979 numbers.

I know I speak for most Ameicans when I urge the Soviet Union to allow Ida Nudel to emigrate to Israel, to give her back her basic human rights. She is a dynamic, caring woman—our "Guardian Angel"—a spirit whose dedication to justice should serve as a reminder to all of the freedom that many are still denied.

I am very pleased to join my colleagues today in an effort to demonstrate our solidarity with those in the Soviet Union who yearn for even a sliver of the human liberties that we in the United States already enjoy.●

● Mr. RICHMOND. Mr. Speaker, Ida Nudel, the Guardian Angel of the re-

fuseniks in the Soviet Union, is continuing her 11-year struggle to leave the Soviet Union and emigrate to Israel.

On this special day of "International Solidarity with Ida Nudel," I join with my colleagues in bringing this tragic situation of the Soviet Union's continuing harassment of Ida Nudel and other religious activists to the attention of all people.

Once again, it is evident that Ida Nudel's tireless struggle to emigrate is being hindered and that the Soviet Government is trying to strangle her hope and spirit by placing yet another obstacle in her way. Now that she has returned to Moscow from Siberian exile, Ida Nudel finds that she is forced into the bureaucratic maze of the Soviet Union—they have denied her residency permit in Moscow and the neighboring town of Riga. She literally has no place to live in the Soviet Union.

The Soviet Union is clearly disavowing its signing of the Helsinki Final Act, in which it agreed to uphold certain fundamental human rights, among them, the rights to join family members living abroad and to emigrate to a historic homeland. Ida Nudel seeks to join her sister, her only close relative, in Israel.

We need not ask how the Soviet leaders can sign a solemn agreement and not live up to it. We have an obligation to expose their cynical actions to the judgment of world opinion.

Why is the Soviet Government so afraid that it cannot permit this brave woman to leave and join her family and, instead, they continue to hold her hostage in the Soviet Union.

Ida Nudel thinks of the suffering of her fellow prisoners and does whatever she can to help them, no matter what her own problems are with the authorities. She is an outgoing and courageous woman who, despite a heart condition, never ceases in her battle with authorities to emigrate to Israel. Ida Nudel is a woman worthy of our assistance and admiration.

Along with my colleagues, I call upon the Soviet authorities to let Ida Nudel leave the Soviet Union.●

● Mr. HUGHES. Mr. Speaker, Ida Nudel has served as a symbol of the plight of Soviet Jews who would free themselves from the tyranny of the Soviet State. This brave woman has worked vigorously for her own liberty and selflessly to support others who yearn to escape the miserable plight of Soviet Jews. For the past 11 years, Ida Nudel has been deprived of the right to emigrate and, since 1978, has experienced the treatment which the Soviet Government reserves for those who express an independent will. That year, she dared to hang a banner demanding a visa to Israel. For this courageous act, she was sentenced to 4 years of internal exile, a life of isolation and brutality difficult for citizens of the free world to fully comprehend.

Ida Nudel has served her sentence, but she is by no means free. Instead, she has been denied a permanent home, denied a visa, and suffers from continued harassment. Those of us who have followed her case and called for her freedom in the past must now redouble our efforts to gain the freedom of this noble woman.

Unfortunately, Ida Nudel is but one of many thousands of Soviet Jews who have been denied the right to emigrate. In blatant violation of the 1975 Helsinki accords, the Soviet Government prohibits its citizens from expressing their cultural and religious beliefs and refuses them the right to emigrate. In June, a mere 182 Jews were allowed to emigrate to Israel. The rest remained trapped in a barren prison of atheistic Soviet society.

Thus, we, as the leaders of a free nation dedicated to international human rights, must speak out—loudly, clearly, and continually—until the Ida Nudels are given their freedom and Soviet Jews are treated with the dignity which is their God-given right.●

● Mr. ADDABBO. Mr. Speaker, this day of international solidarity with Ida Nudel marks Mrs. Nudel's 11-year struggle to leave the Soviet Union and emigrate to Israel. Sadly, that struggle is far from over.

Mrs. Nudel is only one of thousands of brave political and religious activists who suffer in the Soviet Union because of their strong wills and own personal beliefs. As Mrs. Nudel is in the process of applying for yet another emigration visa to join her sister in Israel, it is imperative that we in the Congress let the Soviet Government know that the denial of such visas and the unjust treatment of these Soviet citizens is unacceptable to the people of the United States.

Unless conditions improve for these Soviet dissidents the further unjust actions of the Soviet Union will have a severe impact on future relations between our two nations.

Decency mandates that Soviet Jews be given the chance to leave Russia and its religious deprivations for the freedom of Israel. We in this country must never relax our demands that the doors be opened for all who seek to immigrate to Israel.●

● Mr. RANGEL. Mr. Speaker, I rise in support of the struggle of Ida Nudel to emigrate from the Soviet Union.

Ida Nudel's case is a prime example of Soviet religious persecution. There is no justifiable reason why the Soviet Union should not grant Ida Nudel permission to emigrate to Israel to be with her sister, who is her only living relative.

The Soviets have made life miserable for Ms. Nudel by denying her a residency permit for the cities of Moscow and Riga. As Soviet citizens are not permitted to remain in major cities for more than 48 hours unless they obtain permission, the Government's refusal to grant such pleas, essentially relegates Ms. Nudel to internal exile. Normally people who wish to stay for longer periods simply register with the authorities. If a citizen wants to live permanently in a city, he or she then applies for a residency permit. But for Ida Nudel, this routine procedure has become a nightmare.

I fully support this brave woman's effort to emigrate in order to be free and follow her religious beliefs.

I urge the Soviet authorities to demonstrate compassion and a willingness to comply with the Helsinki accords which they are signatories to and free Ida Nudel immediately.●

● Mr. BINGHAM. Mr. Speaker, I am pleased to join in today's special order for Ida Nudel. It is important that we remind the Soviet authorities, again and again, that the U.S. Congress will not forget this great woman and that we will not relax our efforts until she is free to leave for Israel.

I find it difficult to understand why the Soviet Union continues in its determination to deny Ida Nudel her right to live in Israel. Is she so important? Is the presence of Ida Nudel in the Soviet Union worth jeopardizing relations between our two countries? Why does the Soviet Government continue its persecution of this woman?

I do not know the answer to these questions. For some reason the Soviet Government has decided to make an example of Ida Nudel. Her continuing persecution must be designed to intimidate the Soviet Jewish emigration movement. Of course, the persecution of Ida Nudel is not having that effect. Ida Nudel continues to be an inspiration for all those people who are struggling for their right to live in Israel. Today, as she is denied residency permits in one city after another, as she grows weaker and more frail, Ida Nudel remains what she always was: the guardian angel of the refusenik movement.

Tragically, Ida's torture seems unending. The latest news from the Soviet Union is that Ida has been denied a residency permit for Riga. This follows denial of a permit for Moscow.

This illegal harassment of Ida Nudel is, of course, designed to break her spirit, if not her body. But Ida is not broken. She is determined to continue her struggle until she wins her right to join her sister in Israel. As Members of the U.S. Congress we join this heroic woman in her struggle. Ida Nudel must be permitted to leave the Soviet Union. Until she is in Tel Aviv we must continue to raise our cries of protest. This illegal persecution must end.

I enclose a short article by Elena Fridman, Ida's sister, which describes this woman of valor, Ida Nudel.

ELENA FRIDMAN: IDA'S SISTER

Ida and I were born in Crimea, Russia. We were the only childen in our family and we were two years apart in age. Our home was not religious, but generally Jewish. Only grandfather was orthodox. Since we lived together with him, and were especially attached to him, we were very influenced by his way of life and it was from him that we absorbed our first Jewish feelings.

When the war against the Germans burst upon us, father was drafted into the army. He was sent to the front, never to return. His death was a terrible blow to us, unbearable to endure. After some time, we took leave of our beloved grandpa and moved to Moscow.

We attended a non-Jewish school in Moscow but suffered no discrimination. After completing high school, we entered the university, Ida in 1949, myself in 1951. Shortly after I started attending the university, mother became very ill and it was clear that one of us had to stay with her. We decided that I should tend mother and that Ida should continue her studies. This was during the period of the anti-Semitic Doctors' Plot accusations, and for the first time in her life Ida was conscious of hostility against her by her fellow students because she was Jewish.

When she completed her studies, she specifically asked to do her three-year compulsory service (required of everyone who attains higher education) in a remote area. She felt that she wanted to contribute as much as possible to the state. This was typical of her character. She was sent to a desolate village in the Ural Mountains near Siberia where she worked under difficult conditions as an economist.

When she returned to Moscow in 1957, she found work in her field, while continuing to study economics and construction engineering in the evenings. Her life was filled with music, theater, poetry, sports and hiking. I always remember Ida with a knapsack on her back.

News of the Six Day War in 1967 had an enormous effect on all of us. It stirred Jewish national feelings in the entire Jewish community. Ida began looking for reading material on Jewish history and on Israel, though this was difficult to find.

In 1970 we heard about the attempted hijack of the plane in Leningrad. We had no information save what we heard and saw on Soviet radio and televison, as we still had no connections with any emigration activists. We began seeking other sources of information and suddenly we learned that some people had received permission to leave the Soviet Union. This represented a revolution for us as we were not emotionally prepared for this. Ida was the first member of the family to start discussing this development, insisting that we must all leave for Israel. She soon made contact with emigration activists and intensified her search for material about Israel, reading everything available. She sensed that she had discovered something that all of us had been lacking—Jewish content in our lives. She contacted a group whose members were studying Hebrew underground, and soon joined them in study. In our apartment, on every wall, on the doors, in the kitchen, she pasted stickers with Hebrew words inscribed on them and whenever she passed them, she studied them. She also urged us to start learning Hebrew at once.

Ida lived close to us, an once when she was with us, our son Ya'akov came in from the street with swollen eyes, blurting out, "I don't want to be a Jew."

"Who told you that you were Jewish?

"The children in the street told me. I asked them, 'How do you know that I'm Jewish.' They said, 'By your eyes.' "

Then Ida said, "That's the end. We have nothing to wait for."

We started looking for ways to leave. My husband Aryeh had a large family in Israel and they sent us the required invitation to come. Ida and I never thought of being separated. In all our applications we wrote that we were together. Actually, we were concerned about Aryeh's right to leave, but we had no worry about Ida since she had been working at production planning and was not involved in secret work.

We submitted applications at the beginning of 1971. Following this, Ida was informed that she would have to appear before a special meeting at her place of work. At the factory where she worked, a large sign was posted indicating that a general meeting was being held "concernig Ida Nudel's application to leave for Israel." It was like a lynching. A large group of people attended, including members of the administrative staff. All sat tensely and quietly, allowing Ida to speak first. She spoke pleasantly, with much emotion and power of persuasion. She pointed out, among other things, that every Jew, no matter what language he speaks, always looks to the East. She added, "I have no complaint against Russia nor the authorities. I was born and educated here. Nevertheless, there is one place where I must be: the State of Israel, the homeland for Jews throughout the world. I am drawn there as by a magnet. I feel that I belong to that piece of land in the East, to the people living there. I don't know what contribution I can still make there, but my place is undoubtedly there."

The reactions to Ida's speech were favorable and most of the listeners were sympathetic. They tried to dissuade her. "Why wreck your life? You have a good position here, a place to live as we all have." But she was not deterred. "I need something entirely different. My place is there together with my Jewish brothers." After the meeting Ida returned home proud of what she had done. She told us, "In the silence prevailing following my talk, I heard someone whisper, 'Excellent, how she spoke!' That gave me courage to stand."

The next day at work, people passed by her and clasped her hand, not only Jews but gentiles as well. That gave her the feeling that she was right, adding strength to her stance. Following the meeting, she was, of course, discharged from her post, the fate suffered by all Jews requesting exit permits. She was unemployed for an entire year. Her application for an exit permit was rejected one month after we had received our permits. Why was she refused? Someone had arbitrarily decided against her and that was it. That occured in April 1972. We were at a loss. How should we react? I couldn't reconcile myself to leaving without her. How could I leave without Ida? We were always together. We held a family conference and she said to us, "You have to leave. You, Elena, have to think of your child, your husband, and yourself. You will all leave together and meanwhile I shall remain here. There must have been some error in my case. Who needs me here?" On Ida's insistence, we made preparations to leave for Israel.

I wept terribly at the airport. I was already bereft of feeling, I could only cry. Ida said, "Why are you weeping? It is I who should be crying." She tried to console me.

Ida remained behind and quite naturally attempted to seek out people in her position. She attended many courses and meetings where she and friends read numerous letters arriving from Israel. In that manner she became acquainted with many families of prisoners of conscience and their problems. She suddenly realized that there were people whose situations were worse than her own. Many were in prison only because of what they did for the Jewish people and they had no one to help them other than their families. When their families left for Israel, they remained alone. From early childhood Ida was accustomed to helping people in trouble and now she saw an opportunity to assist fellow Jews who had helped others and were suffering for it. Ida was among the first, if not the very first, to establish a movement for freeing the prisoners, and to rouse Jews to fight for this cause.

She began to write and encourage. Her first task was to determine the locations of the prisoners and inmates in mental institutions. She contacted prisoners and their families. She had a special gift for gathering information on matters in which she was interested. She received much encouragement from the families. They came to visit her and consult with her, and because she always thought of and helped others, never asking anything for herself, she was highly regarded by all. She wrote thousands of letters of encouragement, never complaining about her own difficulties nor asking for thanks. Ida understood the nature of the people she was writing to, sensed their moods and their personal interests, and found ways of getting information about their physical condition.

It was not only the prisoners whom she helped. She assisted every Jew who expressed his desire to leave for Israel, never judging whether he was a good person or not. She also undertook to explain to people who were reluctant to leave why it was incumbent upon them to emigrate to Israel. People came to seek her advice on how to stand up at meetings and face the government and people. They requested her to visit their families and talk to them about why they ought to leave. She always obliged willingly.

She always said to the men: You must be proud in making your decision to leave. When you see a K.G.B. agent, walk straight, don't cross the street to avoid him. When you go to apply for a visa, look them straight in the eye, don't lower your head, for you have done nothing wrong. You have decided Israel is the place for you. Be proud of this. She was no longer concerned with developments in Russia. Spiritually and emotionally she already felt herself in Israel.

In 1973, during the course of a six-hour interrogation session by the K.G.B., her interrogator said to her, "You may be Esther to the Jews, but that won't help you get out." That was just the beginning.●

● Mr. FAUNTROY. Mr. Speaker, I am pleased once again to join my colleagues in expressing concern over the welfare and liberty of Ida Nudel, a courageous political and religious activist suffering in the Soviet Union.

It has been my privilege to be involved during the last 4 years in Ms. Nudel's 11-year freedom struggle. Most recently, I received a letter from Ms. Nudel's sister, Ms. Elena Fridman, which details the continued oppression of Ms. Nudel in the Soviet Union.

At this point, I would like to submit for the RECORD this letter from Ms. Elena Fridman.

I congratulate my colleagues for the continued vigilence which we have shown with respect to Ms. Nudel's struggle for human rights. We must continue to demonstrate our concern to Soviet authorities on this matter, and I plan to do so.

HOLON, ISRAEL, *June 27, 1982.*

Hon. WALTER E. FAUNTROY,

Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN FAUNTROY: I am deeply moved and encouraged by your continuing concern and activity on behalf of my sister, Ida Nudel, as most recently expressed in your letter to Ambassador Anatoly Dobrynin dated February 26 co-signed by you and 73 of your colleagues in the U.S. House of Representatives. I also appreciate your comments regarding Ida, as recorded in the Congressional Record of March 2, 1982. If you receive any response from Ambassador Dobrynin you can well appreciate how anxious I will be to have you share it with me.

Ida's release from Siberian exile and her return to her Moscow apartment on March 26 sparked hope and anticipation in my heart. I thought it might be the first step toward our long-awaited reunion in Israel. Instead, it turned out to be the beginning of a new round of the Soviet authorities' campaign to further embitter her life.

This time they have evidently decided to throw her into a bureaucratic maze which seems to provide no way out and is obviously designed to strangle her hope and spirit.

Immediately after having received her I.D. card from the police in Moscow, Ida went to the Ovir office to again apply for an exit visa to Israel. There she was told that such appplication could only be received from persons who are resident in the district. Since no address was written into her new I.D. card, she would have to apply for a residence permit. Ida's subsequent application for the reinstatement of her permanent residence status in Moscow has now been turned down. She does not know where she will live if she is indeed forced out of her apartment in Moscow.

Of equal concern is the fact that Ida has expressed her need to enter a hospital for long overdue treatment of her heart condition. This is also impossible because hospital facilities in Moscow are unavailable to nonresidents. During conversations in Moscow, Ida has indicated that what kept her going during her difficult exile were the thousands of letters she received from well-wishers around the world. I believe that continuing the flow of letters now is the most important thing we can do. The only address I can give you is that of her Moscow apartment. I do not know whether letters will actually reach her there, but I believe we must try for as long as this is her only address:

U.S.S.R, Moscow, Yunikh Lenintzev St. No. 79, CPRP. 6, Apt. 28, Nudel Ida.

(Personal Delivery-Acknowledgment of Receipt Requested)

Obviously, I would also be very grateful if you would continue to place pressure on the Soviet authorities so that they might finally relent in this senseless campaign and allow Ida to go.

Sincerely yours,

ELENA FRIDMAN.●

● Mr. FORD of Tennessee. Mr. Speaker, I would like to take this opportunity to express my continued concern and support for Ida Nudel who is trying to obtain a visa to emigrate from the Soviet Union to Israel.

Ida Nudel's case has attained symbolic significance—symbolic of all persons in the Soviet Union who are attempting to exercise their right to emigrate.

For 11 years, Ida Nudel has been struggling to leave the Soviet Union. She wishes only to go to Israel to join her sister, her only close relative. She applied for a visa in 1971 and was denied permission. She has been repeatedly harassed and placed under surveillance by the Soviet authorities. Her only "crime" was that she worked until 1978 aiding Soviet Jewish Prisoners of Conscience by providing them with messages, parcels, and a feeling that someone cared.

In 1978, Ida Nudel was arrested and sentenced to internal exile in Siberia for hanging a sign from her balcony which said, "KGB, give me my visa." She was released from exile in March of this year, and is currently in the process of applying for an emigration visa once again. She has even been denied the right to live in the apartment she formerly occupied in Moscow, and as a result, spends many nights wandering the streets with no place to go.

I would like to urge my colleagues to join with me in support of this brave woman's efforts. The Soviet Union has ratified the Final Act of the Conference on Security and Cooperation in Europe, which commits nations to respect individual rights and freedom, and specifically, the right to emigrate to the country of one's choice to rejoin relatives. In spite of this commitment, though, Ida Nudel is still involved in a heated struggle, the outcome of which is suspensefully uncertain.

Let us join together on this day, International Day of Activity for Ida Nudel, to remind Soviet authorities, and Ida Nudel herself, that the world has not forgotten Ida Nudel and her battle for freedom.●

● Mr. BRODHEAD. Mr. Speaker, I am pleased to join with my colleagues today in support of Ida Nudel, who for 11 years has sought to emigrate from the Soviet Union and live in Israel.

She has suffered greatly for her desire to live in freedom, in the country of her choice.

Ida Nudel is one of dozens of Soviet Jews who have faced harassment, prosecution and harsh prison sentences because of her unfaltering desire to emigrate from the Soviet Union. She first applied for exit permission in May 1971 and was repeatedly refused. At that time, she began her efforts to care for and support Jewish prisoners who had been jailed for their beliefs. Her kindness and tireless work earned her the title of "Guardian Angel" of the Prisoners of Conscience. It also brought her to the attention of the Soviet secret police, the KGB.

After 7 fruitless years of hard work and continued harassment, she finally hung a banner from her apartment balcony that read: "KGB, Give Me My Visa"—a desperate attempt to bring public attention to her plight. Shortly thereafter, she was arrested on charges of malicious hooliganism, tried and sentenced to 4 years of internal exile in Siberia. She spent those years confined to a small village, forced to live under conditions of extreme loneliness and hardship.

Her exile ended on March 25 of this year. Since that time, the harassment has continued. She was recently denied a permit to live in Moscow, and she is now reportedly homeless. She continues to seek exit permission to live in Israel.

Ida Nudel has paid dearly for her desire to live a life of freedom and dignity in Israel. I strongly and earnestly urge the leaders of the Soviet Union to permit this remarkable woman to emigrate at the soonest possible date.●

● Mr. AUCOIN. Mr. Speaker, I rise today to address a problem that has gradually worsened in recent months. The problem of Soviet emigration and, particularly, the problem of Ida Nudel, a Soviet Jew living in limbo while she is refused an exit visa.

According to the Council for Soviet Jews, Mr. Speaker, only 182 Jews were permitted to leave the U.S.S.R. in June. This is the lowest monthly figure since the early 1970's; a 96-percent drop from June 1979 figures.

So it seems particularly appropriate that this month we should recognize this International Solidarity Day with Ida Nudel, a brave woman who has been trying to leave the Soviet Union for the last 11 years.

As soon as Ida Nudel applied for her first exit visa, she lost her job. She has been subjected to Government harassment, social ostracism, KGB arrest, and finally, imprisonment in Siberia under the harshest conditions.

In spite of the threats to her mental and physical well-being, Ida Nudel continues her quest. A quest that the Soviet Union should not be reluctant to fulfill since they, too, are signatories of the Helsinki accords of 1975.

Ida Nudel's plight today is not a happy one. Her sister and husband were allowed to emigrate to Israel in 1975. She has been denied work and a place to live. She is 52 years old, home-

less, and under constant surveillance by the Soviet Government.

Let us, then, observe this International Solidarity Day with this brave woman. She is more than just one person. She represents thousands like her who ask nothing more than to join their families in other countries. They do not seek to cause trouble for Soviet authorities, they do not seek to change the Soviet way of life. They ask simply to leave.

● Mr. SOLARZ. Mr. Speaker, I would like to take this opportunity to join my colleagues in once again speaking on behalf of Ida Nudel.

It has now been 11 years since Ida Nudel began her ordeal to gain an emigration visa to join her sister in Israel. In that time she has been subjected to various forms of harassment and persecution in order to fulfill her desire to return to her "homeland." Although her only crime has been this longing, Ida has been forced to spend the last 4 years of her life in exile in a remote and isolated village in Siberia.

In March of this year Ida completed her 4-year exile term, yet she is still being held a prisoner by the Soviet Government. Upon her release, she returned to her home in Moscow, but was denied residency status there. Ida has attempted to gain residency in other surrounding cities, but with no avail. This heroic woman has been reduced, at times, to spend nights in train stations and in deserted areas, while she continues her struggle to obtain a visa to Israel.

It is disgraceful to see such a respected and loved woman harassed in her struggle to obtain the most basic of human rights—the right to religious freedom and the right to emigrate to Israel. Ida has become the Guardian Angel of the Soviet Jewish Prisoners of Conscience, taking on the plight of other Soviet Jews regardless of the danger to herself. She stands as a symbol to all those who have been persecuted and harassed in their attempts to emigrate from the Soviet Union.

I urge my colleagues to join with me on this International Day of Activity for Ida Nudel, to demand that the Soviets stop harassing Ida Nudel and allow her to join her sister in Israel. It is inhumane to deny any person the basic rights that Ida is trying to obtain. We all must continue to fight with this heroic woman, so that one day her dream can be achieved.●

● Mr. WEISS. Mr. Speaker, I first want to commend the gentlewoman from Connecticut (Mrs. KENNELLY) and the National Conference on Soviet Jewry for arranging this special Day of International Solidarity. The committment of the National Conference on Soviet Jewry to aiding Soviet Jews is highly regarded in Congress and across the Nation.

More than 2.5 million Jews remain in the Soviet Union, where often their rights are withheld, their jobs are taken away, and the freedom to study the Hebrew language and practice their religion is officially denied them.

The plight of Ida Nudel, Guardian Angel of the Soviet Prisoners of Conscience, concerns all Americans and everyone around the globe who cares about human rights. The harsh treatment that she has endured reminds all of us that the Soviet Union continues to deny basic rights to Soviet Jews. So long as these and other injustices exist, it is difficult for the world to believe that any real human rights exist in the Soviet Union.

Ida Nudel, the only Jewish woman being held prisoner of conscience in the Soviet Union, first attempted to emigrate in 1971. After her request was denied she began her heroic efforts to support Soviet Jews who had been jailed for their beliefs. For the next 7 years, she was harassed, interrogated, and falsely branded a criminal by Soviet officials. Finally, she was arrested for "malicious hooliganism" for hanging a banner outside her Moscow home that read "KGB Give Me My Visa." She was sentenced to 4 years of internal exile in Sibera in 1978. The only female among 60 criminals, Ida slept with an ax under her bed to protect herself. One year later, as a result of numerous appeals on her behalf, she was moved to a one-room hut.

This year Ida Nudel completed her sentence, never having committed any real crime, and still she continues to be punished. She has been denied a "propiska," or residency permit, in Riga where her close friends live, as well as in many small surrounding towns. Since Soviet citizens are not allowed to remain in most major cities for more than 48 hours without permission from the proper authorities, and in each place she has traveled to she has been denied residency, Ida has been forced to sleep on a bench in a train station at least once before continuing her journey. It seems this courageous woman, who has spent most of her life helping and defending the rights of others, has been placed in an almost perpetual exile.

On this International Day of Activity for Ida Nudel, we must let our voices be heard in strong support of human rights everywhere, and specifically for Jews in the Soviet Union. The courage and spirit of Ida Nudel are an inspiration to all, reminding us that we must not rest in our protests. We must show the Soviet Union that we will continue to speak out as long as Ida Nudel and others like her are being denied their basic human rights.●

● Mr. KILDEE. Mr. Speaker, I feel compelled to add my voice today to those who have indicated their concern for a remarkable woman, Ida Nudel. Quite frankly, the actions of the Soviet Government amount to no less than persecution. She was sentenced to 4 years of internal exile in Siberia for the crime of "malicious hooliganism." For those in our country who may not know what such a crime is or how important our freedom of speech is in our own country, her crime was to display a banner outside her window expressing exasperation over the fact that she had not been permitted to emigrate to Israel. Having served 4 harrowing years in Siberia, Ida Nudel sought permission to reside in her native Moscow after being released. She was denied a residence permit. She then sought to establish residence in Riga. Again, she was denied a residence permit. The harassment of Ida Nudel continues unabated.

Ida Nudel has been a woman of conscience and compassion. Many of those who finally received permission to emigrate told of her valiant efforts to support them through their tribulations. Despite the danger of official retaliation, she provided food, clothing, and reading material for Jews who had been sent to labor camps. Now that Ida needs help, we have an obligation to appeal to the conscience of our own Nation and to try to move the conscience of the Soviet authorities.

Ida Nudel has been denied basic human rights. She was first denied the right of emigration. Soviet authorities have violated the Helsinki agreements providing for the reunification of families. She was also denied the freedom of speech and unjustly sentenced after being denied the right to a fair trial. Finally, she is presently being denied the freedom of residing where she chooses. I ask the Soviet authorities why this vicious harassment of a single woman is necessary and request them to permit her to emigrate to Israel.●

REGULATORY REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. LEVITAS) is recognized for 60 minutes.

GENERAL LEAVE

Mr. LEVITAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of this special order.

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

There was no objection.

Mr. LEVITAS. Mr. Speaker, I take this special order at this time to begin a discussion of the subject of regulatory reform and the entire issue of what has happened to the initiative in this House that was so boldly undertaken many months, indeed years ago, to get the bureaucracy of the Federal

Government under control and to make it more responsible to the desires and wishes of the American people.

The reason I take this special order and begin this discussion is that, for reasons which are unexplained to me, and I think unexplainable, the initiatives that have been launched in this direction have ground to a silent and mysterious halt someplace in the Halls of this House.

What is regulatory reform all about, Mr. Speaker?

It is a method, a means, by which the American people seek to regain control over their own Government.

The fact of the matter is that more decisions are made, more rules and regulations are issued, by unelected officials affecting the lives and the livelihood of all Americans than there are as a result of laws passed by the Congress of the United States.

During the average session of a Congress, somewhere in the neighborhood of 500 laws are passed. During that same period of time, almost 20,000 rules and regulations can be passed.

The ratio of those rules and regulations having the force and effect of law on nonelected officials as compared to those made by those elected by the people of the United States is something to contemplate.

Much of the cynicism that the American people feel about their Government is a result of the unaccountability of a bureaucracy that is remote, insensitive, arbitrary, and sometimes, yes, Mr. Speaker, oppressive.

It was out of this concern that Members of Congress, both in the House and the other body, rose up and said that we are going to change this.

In a bipartisan way, members of my party, Democrats, took the initiative in this effort originally to bring the bureaucracy under control through a streamlining and accountability, even through the use of the legislative veto, which lets Members of the Congress elected by, accountable to the people, have the final say so by reviewing and where necessary rejecting and vetoing regulations issued by unelected bureaucrats.

In 1975, Mr. Speaker, when that issue of legislative veto first came to the floor of this House for a vote, up or down on all agencies that should be covered by it, 265 Members of this House voted in favor if it.

Since that time, for reasons again unexplained and unexplainable, there has never been an effort made to get that legislation back to this floor for action even though over a majority of the Members of this House of both parties have cosponsored legislation to that effect.

We have amended pieces of legislation on an item-by-item basis to place this mechanism in effect to get control over these unaccountable bureaucrats, and it has had an improving impact on our Government.

Recently we added this type of control over the Federal Trade Commission, different programs in the Environmental Protection Agency and the Department of Agriculture, but the need to make the entire bureaucracy accountable to the American people still remains.

In years gone past, while the House of Representatives has moved forward, the other body has been reluctant. The other body has been the one that has failed to pass this legislation. But, Mr. Speaker, this year, this year, the other body by a unanimous vote adopted legislation providing for regulatory reform, including a legislative veto.

What has happened in this House, Mr. Speaker?

What has happened I think is a shame because it reflects upon the Members and the leadership of this House.

What has happened is that, although regulatory reform legislation was reported out of the Judiciary Committee on February 25 of this year, that legislation—a major bipartisan effort to return control of the bureaucracy to the American people—has not yet been able to be voted on by the Members of this House.

The legislative veto legislation, H.R. 1776, which has over 250 cosponsors, well over a majority of the Members of this House, of both parties, has yet to be considered in committee or brought to the floor of this House.

I think it is regrettable, Mr. Speaker, that for reasons that cannot be explained, there are those in power in this House who have been unwilling to let the voice of the American people be heard, who have been unwilling and refuse to understand the force behind more than a majority of the Members of this House, seeking to have this opportunity to make the bureaucracy accountable, and the cynicism of the American people persists about who runs their Government—is it the elected officials or the unelected bureaucrats? Then that cynicism is understandable and will grow until the Members of this House are given the opportunity to do their will and to express the desires of the American people.

□ 1950

I think you are going to see more and more. Mr. Speaker, fingers pointed at the leadership of this House asking the question: Why is it that legislation which would require accountability on the part of unelected bureauracts is being locked in a closet, pigeonholed, and not even given the opportunity for consideration?

I suggest, Mr. Speaker, that there are Members of this House who in November when the people get an opportunity to go to the polls and express their concerns about the future of this Nation are going to hold the leadership of this House and Members of this body accountable for once again frustrating the opportunity and the will and the desire of the American people to be heard on this matter.

What can be so wrong with a piece of legislation that passed the other body by a unanimous vote, by people of both conservative and liberal persuasion, by the most conservative Senators and by the most liberal Senators?

Indeed, Mr. Speaker, the Senators from your own State, the Commonwealth of Massachusetts, supported this legislation as it came through the other body.

What can be wrong with legislation like that, that it is not even possible to let the Members of this body, speaking on behalf of the American people, have that chance to bring accountability?

I do not know what you hear, Mr. Speaker, when you go to your district, but one of the things that I hear is that the American people are fed up with a bureacracy that will not listen, with people who control their lives and livelihood, whose names they do not know and if they did, could not hold them accountable. That is not a phenomenon of this administration. or the last administration or the administration before that. That is a fact of life about the Government we have.

The American people under our system of government are entitled to look to their elected officials and not be put upon solely by the unelected officials.

Yes, there are many, indeed most, of the people in the civil service of this country are dedicated and reasonable and committed individuals, many of whom serve at a sacrifice for the American people and consider themselves public servants; but there are others, Mr. Speaker, who because of this unaccountability have delegated to themselves decisionmaking powers, an imposition on the American people that is unwarranted.

As I said, Mr. Speaker, this is not a liberal or a conservative issue. Some people have suggested that it is an approach that would favor business as opposed to consumers or environmental groups or public interest groups. Nothing could be further from the truth. It is a two-edged sword. The voice of the people can be heard through their elected officials when they cannot even get in the front door of many agencies of Government.

There are many regulations which have been issued by this administration undoing the gains and accomplishments in the field of consumer protection or environmental protection, but environmentalists and con-

sumer advocates would have had the opportunity to deal with through regulatory reform and legislative veto, just as in other instances the excesses of zealots who have gone too far could have been curbed and restrained and made accountable to the American people where those who did not suffer the inconvenience of running for public office have taken it to themselves to pass rules and regulations affecting every aspect of the life of the American public.

So therefore, Mr. Speaker, I appeal to you, I urge you, bring this legislation to the floor of this House. It would take no more than a word from you for this legislation to come forth and let the Members of this House work their will upon it on behalf of the American people.

Failing to do that, Mr. Speaker, I fear that many Members of this House in the elections that are coming up later this year are going to have to answer to the fact why it was that that which was wanted and desired by the American people, control over their own Government, accountability of the Federal bureaucracy, was not even given the fair opportunity to be voted on, even through a majority of the Members of this House have sponsored legislation to do that. That is no way to run a democratic institution, and if people have to pay a price for that failure of democracy, then it is an appropriate price to be paid.

The American people want their Government to be accountable to them. It is, indeed, a government of the people and by the people and in that way it can be a government for the people.

Therefore, Mr. Speaker, I urge you, do that which the Members of your House, the Members who elected you Speaker of their House, have asked for. Let the regulatory reform legislation and the legislative veto have the opportunity to come to the floor of this House so that the Members can join with their counterparts in the other body, pass this legislation and help restore true democratic principles to our Government.

ASSURING DIVERSITY OF INFORMATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. CORCORAN) is recognized for 10 minutes.

● Mr. CORCORAN. Mr. Speaker, we are in the "information age." New technologies are greatly facilitating the sharing of information that can be used in a variety of ways. Developments in this area are and will be of great benefit to our citizens.

As Congress has considered telecommunications legislation over recent years, a consensus view has been that we must insure that information will be transmitted over regulated facilities without discrimination among the providers of the information. I have supported the inclusion of protections in this regard; in 1980, I supported an amendment in the Interstate and Foreign Commerce Committee to strengthen prohibitions on the offering of information over regulated facilities by the owner of those facilities, and I support the "Diversity of Information" section of H.R. 5158 that is being considered by the Energy and Commerce Committee.

For electronic publishers, the telephone network is the only system generally available to provide information services. As the chairman of the Telecommunications Committee of the American Newspaper Publishers Association testified in March, "in the absence of appropriate legislation, the telephone network would remain a classic 'bottleneck facility' " because of the high degree to which competition is absent. Where there are no electronic alternatives to information publishers, as is the case almost entirely in local telephone service and is largely the situation today in long-distance service, there is a great and dangerous potential that telephone companies will discriminate in making transmission facilities and services available if those companies are permitted to offer information products and services. Until there are effective competing conduits available to electronic publishers, telephone companies should not control the content of information transmitted over their own lines.

Legislation I am introducing today responds to this legitimate concern. While it comprises language developed by the House Subcommittee on Telecommunications, Consumer Protection and Finance as contained in section 263 of H.R. 5158, with the exception of the requirement that facilities be made available "element by element," my bill expands the protections to include all exchange and interexchange common carrier services and facilities. As is the case with the offering of "enhanced services" over regulated facilities, it is nearly impossible to guard against anticompetitive activities when a telephone company offers information services over facilities it owns and which are not subject to competition. Thus, the bill requires that no costs of providing information publishing services, except traditional directory information, may be recovered through charges for regulated service, that regulated facilities must be provided without discrimination, that regulated services and facilities of all exchange and interexchange carriers must be made available to any person upon reasonable request and that "no interexchange common carrier nor exchange common carrier may provide any information publishing service through any transmission facility which such carrier uses to provide common carrier service." Its short title is the "Assurance of Diversity of Electronic Information Sources Act."

Having believed that these protections are essential, it is important that they be promptly approved, especially in light of the proposed modified consent decree involving A.T. & T. My legislation provides a means of doing so. Though I am a member of the Energy and Commerce Committee, I do not serve on the Telecommunications Subcommittee, and the subcommittee's review of this measure may improve upon it; for example, its protections may be too strong. Yet, more comprehensive safeguards than those in H.R. 5158 are needed, and I hope that legislation assuring diversity of electronic information sources is enacted this year.●

ALARM RISES OVER DECAY IN U.S. PUBLIC WORKS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. HOWARD) is recognized for 5 minutes.

● Mr. HOWARD. Mr. Speaker, the New York Times of Sunday last, July 18, 1982, has a fascinating first-page article headed "Alarm Rises Over Decay in U.S. Public Works."

This article is just one in a series of long overdue comments by responsible journalists, commentators, economic planners, engineers, Federal, State, and local officials—literally a parade from all sections of the country and from all walks of our national life who are deeply concerned with the future of that structure which is the backbone of our Nation's operation—our infrastructure. Our need to revitalize and rebuild our major public facilities from water systems through and including highways, bridges, and rails has never been more apparent than it is today.

The Committee on Public Works and Transportation has for a number of years pointed this out and has led the way by authorizing legislation to take care of our obsolete and decaying bridges, crumbling highways, leaking water and sewer systems among other public facilities.

The Economic Development Administration, a creation of the Committee on Public Works and Transportation and this Congress, pointed out the shortage of capacity of many facilities throughout the country back some 4 years ago in 1978. The record is clear. The need to proceed is apparent. This article in the New York Times and others, which I am sure will follow, highlight the problem very succinctly. I commend it to my colleagues.

The article follows:

[From the New York Times, July 18, 1982]

ALARM RISES OVER DECAY IN U.S. PUBLIC WORKS

(By John Herbers)

In Pittsburgh, the United States Steel Corporation contends that it is paying at least $1 million a year to detour its trucks 26 miles around a major bridge that the state closed two years ago for lack of repair.

In Alburquerque, motorists are up in arms because sewer lines are crumbling under the streets, many of which have become impassable as the city struggles to make piece-by-piece replacements.

In Houston, the magazine Texas Monthly asserted that it had counted 1.5 million potholes in a city that is a center of great wealth.

In New York, broken water mains, subway failures and the deterioration of other facilities above ground and below have become so common that the seemingly mundane subject of "the infrastructure" has become a prominent issue for both the city and state governments.

News of a neglected and decaying infrastructure—public facilities such as water systems, sewers, streets, highways, bridges and rails, which undergird life and commerce in every community—has taken on a new prominence on the national scene at a time when the country is suffering from a recession, high unemployment, decline of much of its basic industry and the reduction of public services by governments at all levels.

The situation is similar to that of a family whose income has been cut, that is behind on the mortgage payments and unable to buy shoes for the children, and then learns that tree roots have plugged the drainage pipes, the furnace must be replaced and termites have weakened the foundation of the house.

In the urban policy report the Administration made public last week, President Reagan said he wanted to do something about the infrastructure problem but had not decided what.

Meanwhile, a bipartisan coalition is growing in Congress to force action by the national Government, partly on the ground that Mr. Reagan's goal of revitalizing American industry cannot be reached until something is done about inadequate public facilities. Many Democrats say that repairing public works would provide jobs for many of the unemployed.

One difficulty is that public works projects have been so fragmented between the various levels of governments that no one knows the extent of the decay, or how much money would be needed for repairs and new construction necessary to support the economy and quality of life at reasonable levels.

Only in the past year or so has the concern of policy makers about the neglect of basic public works grown urgent. Studies by George E. Peterson of the Urban Institute and by Pat Choate and Susan Walter of the Council of State Planning Agencies documented the inadequacy of public facilities, not only in older, fiscally troubled cities such as New York and Boston but in suburban and rural communities in every region of the nation.

Their findings have been confirmed and expanded by a number of Government agencies and by Congressional investigations. These are some of the more serious deficiencies cited:

Obsolete and decaying bridges. The Transportation Department recently classified 45 percent of the nation's 557,516 highway bridges as "deficient or obsolete." Replacement or repair could cost $47.6 billion, the department said.

Crumbling highways. The 42,000-mile interstate system, begun in the 1950's and not yet completed, is deteriorating at a rate that would require reconstruction of 2,000 miles a year, in addition to a backlog of 8,000 miles in need of rebuilding that accumulated because of cuts in financing in recent years. The condition has contributed to costly traffic jams on the expressways of most major urban areas.

Deteriorated rail facilities. The condition of roadbeds and rolling stock of Conrail and other rail systems is so poor that some officials say there are no reliable estimates available on the cost of replacement and repair. But frequent derailments and delays in shipments attest to the need, according to a range of officals.

Leaking water and sewer mains. The Urban Institute, in a survey of 28 cities, found that 10 of them, Cleveland, St. Louis, Pittsburgh, Tulsa, Philadelphia, Hartford, Kansas City, Mo., Cincinatti, Buffalo and Baltimore, were losing 10 percent or more of their treated water because of deteriorated pipes. And the survey did not include New York and Boston, with two of the leading all-time water-leaking systems. Probably a larger problem, from the standpoint of waste, is leaky sewers, in which ground water flows into the pipes, adds to the volume of sewage and greatly increases the cost of treatment.

Shortage of capacity of many facilities. A survey conducted by the Economic Development Administration in 1978 showed that half of the nation's communities had wastewater treatment systems operating at full capacity, meaning they could not support new economic or population growth without costly new construction.

The estimates of need tend to become astronomical. Nationally the figures run into the trillions. Last fall, the New York State Legislature estimated that $8 billion to $10 billion a year would be needed in New York State for repairs, replacement and construction of the infrastructure, which would double current expenditures.

A more precise expression of need was published by the Joint Economic Committee of Congress, which said that New York City alone over the next few years would have to service, repair or replace 1,000 bridges, two aqueducts, one large water tunnel, several reservoirs, 6,200 miles of streets, 6,000 miles of sewers, 6,000 miles of water lines, 6,700 subway cars, 4,500 buses, 25,000 acres of parks, 17 hospitals, 19 city university campuses, 950 schools, 200 libraries and several hundred fire houses and police stations.

The causes of neglect and decay are more easily documented than the extent of need. Mr. Choate, an economist and a former Federal official who is now the senior analyst for a giant corporation, said in a paper prepared for the House Wednesday Group, made up of moderate Republican representatives, that investments in capital projects had declined sharply.

"The nation's public capital investments fell from $33.7 billion in 1965 to less than $24 billion in 1980, a 30 percent decline," he wrote. "Public works investments dropped from $174 per person in 1965 to less than $110 per person in 1980, a 36 percent decline, and shrank from 3.6 percent of the gross national product in 1965 to less than 1.7 per cent in 1980, a 54 percent decline."

In the 1960's and 70's, public works projects frequently were delayed so that the Government could finance such endeavors as the Vietnam War, social programs, education and space exploration. Nevertheless, the Federal Government assumed a much larger share of public works costs, which previously had been borne by state and local governments. In 1957, the Federal Government paid 10 percent of the costs. By 1980 its share had risen to 40 percent.

RESPONSIBILITY FRAGMENTED

The responsibility for maintaining public facilities, Mr. Choate pointed out, was fragmented between 100 Federal agencies, 50 state governments, 3,042 counties, 35,000 general-purpose governments, 15,000 school districts, 26,000 special districts, 2,000 areawide units of government, 200 interstate compacts and nine multistate regional development organizations.

But the Federal Government, the dominant player, never achieved any rational method for allocating the funds. Mr. Choate said Federal laws favored new construction over repairing of existing facilities.

Public works money, which often has been handed out for purposes of politics rather than need, became increasingly subject to waste and fraud, according to Mr. Choate and others. In 1980 alone, 219 state and local public officials were convicted of criminal abuse of public funds, a figure three times greater than the 1970 level.

At the same time environmental requirements enacted in the 1970's increased the need for higher expenditures for public works.

Many authorities say they believe, however, that the greatest cause for inadequacy of public facilities lies in the spread of the population and industry out of the central city to suburbs and remote communities around the nation.

Retired people moved in large groups into new communities, many in rural recreational areas; factories settled along the freeways and new urban development sprang up near them; state governments spread their colleges over once remote areas; people migrated from the old industrial cities to the South and West, where urban and rural sprawl was greatest; after the 1980 census the Federal Government designated 36 former small towns as metropolitan areas. All this new development required enormous amounts of capital investment for streets, curbs, water and sewer facilities, airports and other facilities.

DEMAND IN CITIES REMAINED

But the growth did not lessen the demand in the thinned-out central cities. The infrastructures in old cities, which suffered heavy population losses, serve many vacant lots, half-empty buildings and closed factories and warehouses. But the facilities must usually be maintained as though they were being used at capacity.

At a recent conference on land use sponsored by the Engineering Foundation in Rindge, N.H., Philip Finkelstein of the Center for Local Tax Research in New York pointed out that when the city government suggested that it could no longer afford to maintain basic facilities in the South Bronx, where many buildings had been abandoned, there was a storm of protest and the suggestion was dropped.

"I don't think there is any way to do that with any degree of acceptability," he said, in reference to a suggestion that there be a contraction of public facilities in the cities.

Americans in 1982 are separated as never before by great stretches of pavement, communication and electric lines and water and

sewer pipes. Many authorities are questioning whether the nation can any longer afford to maintain what it already has built and continue to provide for new communities.

LAND USE AT THE HEART

Harry E. Pollard, president of the Henry George School of Social Science of Los Angeles, said the way it is now, "A bus driver in order to collect one acre of people has to drive five acres to find them. And he has to drive past five miles of sewer pipe instead of one. It is a land-use problem. If you have to finance five miles for every one you will forever be in financial trouble."

According to a number of authorities, no national administration has succeeded in bringing order to the chaos of public works spending. The Carter Administration, they said, was beginning to coordinate Federal spending so that priorities could be established.

The Reagan Administration, according to those officials, abandoned the coordination but to some extent has stopped the use of Federal funds for capital projects in new areas. For example, it refused to finance water treatment plants in new communities around Orlando, Fla. The rationale was that if people there wanted new communities they could finance them themselves.

FUTURE OF FEDERAL ROLE

Yet even high White House officials acknowledged that the Reagan Administration had no comprehensive policy on public works, except that it intends to drastically reduce the Federal role. Richard S. Williamson, assistant to the President for intergovernmental relations, said Mr. Reagan wanted to help the cities with their infrastructure problems, and he ordered that this concern be put in the Administration's urban policy report that went to Congress.

The report, however, sought to show that the picture was not so bleak as had been depicted. It pointed out that demand had lessened for schools and new highways and said many cities were moving on their own to step up capital projects. And it pointed to local innovations. New York, for example, had switched emphasis from new buildings to repairing streets, bridges, mass transit, water and sewage systems. Other cities, such as Boston, were putting the authority for public works in the hands of independent commissions for greater efficiency, while others, such as Cleveland, were enlisting private interests for help.

The Federal Government's role, the report said, was to gather information about more cost-effective methods of financing public works while "other aspects of Federal aid remain to be determined."

Meanwhile, members of Congress have stepped into the void. Some have been spurred by such reports as bridges being closed for long periods in Kansas City, Mo., while motorists drive blocks out of their way and school children in Altoona, Pa., having to leave their bus, walk across a bridge and wait for the empty bus to follow because the bridge can no longer support the weight of both children and bus.

PROPOSAL BY HOUSE MEMBERS

Two Pennsylvania Representatives, William F. Clinger Jr., a Republican, and Robert W. Edgar, a Democrat, have been pushing legislation for a capital budget that would require the Administration to take an inventory of capital needs and assign priorities for spending on public works, as a first step toward long-term recovery.

They were joined in their effort by such diverse leaders as Speaker Thomas P. O'Neill Jr. and Representative Jack Kemp, the conservative Republican from Buffalo, who were among a number of Congressmen signing a letter to Mr. Reagan asking him to consider the idea. A similar bill has been introduced in the Senate by Christopher J. Dodd, Democrat of Connecticut.

Meanwhile, a number of Democrats around the country have taken up the issue on ground that rebuilding the nation's capital plant would fight unemployment.

In New York, Assembly Speaker Stanley Fink has made repairing of the infrastructure one of his major concerns and Governor Carey, in the recent legislative session, proposed increases in taxes and fees to help pay the costs. The tax legislation, however, was defeated, in part because it was an election year. Officials on the national and state levels predict the issue will become more heated in the years ahead.

In response to questions about how the nation could let basic facilities decay to the extent that many authorities say they have, Maury Seldin, president of the Homer Hoyt Institute, a nonprofit foundation in land economics, and a professor at American University, said, "We as a nation are accustomed to living on uppers and downers."

He said that in recent years the nation had become accustomed to "taking a fix" for whatever bothers it without much thought to the long-range consequences, especially in response to various special interests that can command support for narrow goals, and policy is fragmented.

He called for a maturing of the political processes so that various interests could reach compromises for the overall good and "be willing to settle for a fair shake." ●

VOTE FOR LOWER INTEREST RATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island, (Mr. ST GERMAIN) is recongized for 5 minutes.

Mr. ST GERMAIN. Mr. Speaker, today, the Consumer Affairs Subcommittee of the Banking, Finance and Urban Affairs Committee reported out H.R. 6124—the Credit Control Act—on a 6 to 3 vote.

The vote is a reaffirmation of the deep concern over high interest rates and the misdirection of so much of the Nation's available credit.

This legislation, which I introduced on April 20, 1982, will give the President standby authority to control credit and interest rates in any or all areas of the economy. It gives him standby power to take steps to stop credit from flowing into nonproductive areas such as the fueling of unnecessary and unwanted corporate mergers and acquisitions. This would be standby power triggered by the President and administered by the Federal Reserve.

At a time when thousands of small businessmen are going bankrupt and more than 10 million Americans are standing in unemployment lines, it is important that Congress take the steps necessary to assure that the President has all the tools available to control and moderate the catastrophic effects of high interest rates.

As the New York Times editorialized Saturday, it would be "foolhardy to deny the Government standby powers for emergencies. . . ."

Mr. Speaker, I am hopeful that we can move the legislation through the full committee in the near future. It is an opportunity to record this Congress' demand for lower interest rates and a more rational use of credit during a period of economic crisis.

Mr. Speaker, I want to commend the chairman of Consumer Affairs Subcommittee, FRANK ANNUNZIO, and the members of the subcommittee who have moved swiftly and decisively on an economic issue that is of paramount importance to every worker, businessman, farmer, and consumer across this Nation.

Mr. Speaker, I want to place in the RECORD at this point an editorial from the July 17 edition of the New York Times urging support for the Credit Control Act.

KEEP CREDIT CONTROLS ON THE SHELF

The President's standby power to ration credit has expired without fanfare—and few regrets on his team of free-marketeers. They believe that steady monetary growth will assure that competitive interest rates decide who most needs a loan. Yet there is some reason to keep the President's power alive.

When the Credit Control Act of 1969 was invoked in March 1980, inflation had vaulted to an 18 percent annual rate and no other remedy seemed at hand. In desperation, President Carter directed the Federal Reserve to limit credit-card extensions and other unsecured consumer loans.

The controls had a powerful psychological effect. They restrained borrowing, drove down interest rates and slowed down economic activity. Only afterwards did economic observers decide that the controls worked too well. The recession apparently had already begun and this new restraint merely made it worse. An angry Congress voted to take the credit power from the President and the Federal Reserve Board, effective this month.

But a weapon misused is not necessarily a bad weapon. Credit controls proved of some value during World War II and the Korean War by holding down the demand for loans in the nonessential sectors and also freeing resources for investment in defense.

A prudent set of standby control powers would permit some regulation of down payments and the terms of installment loans and curbs on lending for corporate acquisitions and financial speculation. They could be a useful supplement to monetary policy when the economy becomes overheated. The controls, which could not be safely requested in the middle of a crisis, would assure the flow of funds to productive sectors of the economy and thus help to restrain interest rates.

While this is now the view of a minority of economists, it deserves to be taken seriously. It seems foolhardy to deny the Government standby powers for emergencies on the ground that they once were wrongly applied.●

ADMINISTRATION'S ACTIONS HARMFUL TO U.S. INTERESTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. BEDELL) is recognized for 5 minutes.

● Mr. BEDELL. Mr. Speaker, the United States is making a grave mistake in setting itself apart from the international community. We have just seen the United States decide to stand alone among the 160 members of the United Nations by refusing to negotiate further on a Law of the Sea Treaty. That decision plays against our long-term economic interests and the benefits that could accrue in fisheries management, environmental protection and scientific research.

Our domestic seabed mining industry has the best technology and resources in the world and any sea law treaty has to take that into consideration. By going it alone, we will force other nations to develop their own technology and resources and we will risk losing our advantage to them.

The United States is presently turning its back on another opportunity to help a domestic industry move strongly into world markets. We are resisting a concerted United Nations' effort to promote the development of new and renewable sources of energy around the world. Why we are trying to do this, I do not know.

We are the world's leader in renewable technology, especially photovoltaics, an industry which has incredible potential in the next decade. Any effort to increase the sales of renewable energy technologies around the world has got to help our own industry.

The United Nations has held two conferences on new and renewable sources of energy. The objective was for the member nations to come up with a plan of action to link developing nations that want to buy renewable energy products with developed nations that want to sell them.

The problems are enormous. Developing countries have to learn about the different kinds of technologies, to decide what mix is best for them. They need financing assistance to undertake the huge up front costs associated with such an effort. The goal of the United Nations effort in this area is to facilitate this transition by helping purchasers and sellers get together.

This is necessary because much of our renewable energy industry is made up of smaller, mostly high technology companies. Our small companies need help in establishing a presence in developing countries, yet our Government is steadfastly refusing to supply it.

On the other hand, the Europeans and Japanese give their domestic industries almost unlimited support in marketing their products abroad. As a result, we are in danger of losing our technological and marketing edge to others.

Instead of trying to work with other countries to strike deals in negotiations that will assist our domestic business in world trade, this administration insists on using international forums to preach the "free market" dogma. It has become commonplace that whenever the United Nations meets, a certain amount of unconstructive politics transpires, but I am personally embarassed to inform my colleagues of the extremes of our U.S. conduct. Instead of working constructively in our Nation's best interests, our foreign policy decisions seem to be based on simplistic ideological fervor. Others view us as being plainly arrogant.

The upshot of this behavior is that the rest of the world acts in its own self interest while we seem to act against ours. We will lose some of the technological advantages that we cultivated so carefully in years past. Our Nation will lose new industry, jobs and tax revenue; our balance of trade will continue to suffer while the rest of the world benefits from our technological advances. All this is the guise of "free market politics."

I have seen U.S. foreign policy in action through my attendance at several Law of the Sea Treaty negotiations and the first United Nations Conference on New and Renewable Sources of Energy in Nairobi, Kenya. Last month, a follow-up to the Nairobi conference was held in Rome, Italy. Mark Levine, a member of the staff of the Small Business Subcommittee on Energy, which I chair, attended that conference as an observer.

Our colleague RICHARD OTTINGER and I attended the Nairobi conference as observers for the Congress in the U.S. delegation. Mr. OTTINGER will be placing the staff report on the Rome conference in the RECORD.●

● Mr. OTTINGER. Mr. Speaker, I would like to associate myself with remarks made by my colleague BERKLEY BEDELL. He has made some very important points in his statement. At this point I would like to enter into the RECORD for the benefit of our colleagues the staff report that Mr. BEDELL and I received on the United Nations Conference on New and Renewable Sources of Energy, held in Rome last month.

The report follows:

COMMITTEE ON SMALL BUSINESS,
SUBCOMMITTEE ON ENERGY, ENVIRONMENT, AND SAFETY ISSUES AFFECTING SMALL BUSINESS,

Washington, D.C., July 12, 1982.

To Hon. Berkley Bedell, Chairman, Small Business Subcommittee on Energy; Hon. Richard Ottinger, Chairman, Energy and Commerce Subcommittee on Energy Conservation.

From Mark J. Levine.

Re: U.N. Conference on New and Renewable Sources of Energy.

BACKGROUND

In August 1981, the United Nations sponsored a conference on new and renewable sources of energy in Nairobi, Kenya. You attended that conference as observers for the Congress in the U.S. delegation. The delegates to the Nairobi Conference, representing a majority of the 154 member nations in the General Assembly of the United Nations, adopted a plan of action to expand worldwide programs to encourage the development of new and renewable sources of energy, especially in Third World countries.

Last month a follow-up to the Nairobi Conference was held in Rome, Italy. Delegates representing a majority of the member nations of the United Nations General Assembly met to work out methods for implementing the Nairobi Plan of Action within the United Nations' system as well as through other multilateral and bilateral channels. This conference, as was the one in Nairobi, was presided over by the United Nations' Secretariat.

The legislative schedule precluded Members of Congress from attending the conference in Rome in June. Consequently, I accompanied the U.S. delegation as an observer in your absence.

PARTICIPANTS AT THE CONFERENCE

Although the objective of the Rome Conference was to work out a way to implement the Nairobi Plan of Action, the key players used the conference as a forum for political posturing in anticipation of the upcoming global negotiations, scheduled to occur later this year.

The political nature of the conference was apparent in the makeup of the delegations from the key participating nations. For example, the United States' official delegation consisted of three State Department representatives, one representative from the Agency for International Development (AID) and one representative from the US mission at the United Nations. Although the representative from AID was familiar with AID's energy programs, his participation was of a political rather than technical nature. The Department of Energy and the Department of Commerce declined the opportunity to be represented in the US delegation.

The composition of the delegations from the other key nation-participants at the conference reflected a similar lack of emphasis on energy expertise. By contrast, several of the smaller, less influential nations included upper-level energy officials in their delegations. Unfortunately, it appeared that the concerns of these nations, which represented vast potential markets for new and renewable energy technologies, received only secondary consideration at the conference.

The key participants at the Rome Conference were essentially the same nations and blocs that were most active at the Nairobi Conference. They were the United States, the "EC-10" (members of the European Economic Community), the "G-77" (Group of 77, a collection of developing Third World nations), the Soviet Union (and the

allied Eastern European countries), China and Japan.

ISSUES AT THE CONFERENCE

The Nairobi Plan of Action recognized the important role new and renewable sources of energy will play in the world economy and called on all nations to work to develop new and renewable energy technologies through many levels of international cooperation. The potential nation-consumers of new and renewable sources of energy, represented by the G-77, wanted to implement the Nairobi Plan of Action through the active involvement of the United Nations' resources.

As their primary objective, the G-77 wanted the Rome Conference to affirm support for: 1) a separate, authorative body within the UN Secretariat to coordinate multilateral and bilateral activities in new and renewable energy technologies; and 2) a UN role in providing pre-investment capital to finance new and renewable sources of energy investment in developing countries.

Developing nations also wanted the conference to reach agreement on the establishment of intermediate sources of financing for new and renewable sources of energy, most notably a World Bank energy affiliate, which was discussed in hearings you conducted last fall.

As their main objective, the United States and several other industrialized nations, including the Soviet Union and some members of the EC-10, sought to maintain the status quo and defuse the efforts of the G-77 to use the conference to obtain strong support for an expanded role for the United Nations in new and renewable sources of energy development. To this extent, the developed nations were successful.

The United States and the Soviet Union are adamantly opposed to any new United Nations committees, bodies or offices. Since these two countries provide the bulk of the UN's operating budget, they can effectively veto the creation of new UN functions. They feel that any new office for new and renewable energy resource development must be funded and staffed from within the UN's existing resources.

Japan and the United States feel very strongly that their bilateral energy activities are more significant than any multilateral energy program the United Nations can administer. They don't mind sharing information about their bilateral energy programs, especially as this already is public knowledge. But they do object to the UN having a voice over the scope or direction of that aid.

It seemed to me that the issue of financial aid for the development of new and renewable sources of energy was not adequately addressed at the conference. A joint presentation by the UN Development Program and the World Bank Energy Sector failed to convince most conference participants that a clear and directed financial program for energy development activities in developing countries would be forthcoming in the near future. Several conference participants questioned the World Bank's commitment to such an endeavor.

The United States, as well as being opposed to an expanded United Nations role in the development of new and renewable energy sources, was strongly opposed to the establishment of any private sector financial mechanisms to provide capital for this purpose. This position of the United States, along with our refusal to participate in such financing programs, made the question of the World Bank energy affiliate academic.

While harboring a general distrust of a United Nations role in the financing of new and renewable energy development, most conference participants strongly supported the creation of a World Bank energy affiliate. They felt that, with proper support from the international community, an energy window at the World Bank would greatly enhance the development of new, small scale energy projects in developing countries. As we did at the Nairobi Conference, the United States stood virtually alone in its opposition to the proposed World Bank energy affiliate.

As a result of the differences of opinion between many of the developed countries and the G-77, the conference arrived at a stalemate on many of the major points that were discussed. The delegates were finally able to reach agreement on a resolution reaffirming the Nairobi Plan of Action and suggesting that the U.N. General Assembly consider the various, albeit diluted, methods of implementing an international system for new and renewable energy resource development.

OBSERVATIONS OF OTHER DELEGATIONS ABOUT THE U.S. POSITION

Many of the participants at the Rome Conference had harsh judgments about the U.S. position on the issues discussed during the conference. These critics felt that the U.S. wrapped itself in the cloak of its free market philosophy without giving proper regard to the true forces that exist in today's markets for new and renewable energy technologies. Many participants claimed to be "free marketers" as well, but noted that they, along with the rest of the world, realized that the market for new and renewable sources of energy has been influenced by subsidies offered by other governments who support their domestic renewable industries.

Because of the vast technical expertise that the United States has in the renewable energy area, especially in solar photovoltaics, these participants feel that the lack of support the U.S. gives to its domestic renewable energy industry, particularly smaller companies, was a major reason these new energy technologies are not more widespread in developing countries. In other words, they want the U.S. government to stimulate exports and joint ventures in appropriate technologies.

It is the strong feeling of almost all of the conference participants that a substantial market for new and renewable sources of energy exists in developing countries. This was confirmed in several private conversations with energy officials from developing countries attending the conference who said their countries were actively seeking outside investment in renewable energy technologies. Many of the other developed countries openly state that they view the Third World markets as a route to help develop their domestic renewable industries gain valuable technical and commercial experience.

Many developing nations questioned the United States' dogmatic reliance on the private sector for the development of renewable energy technologies. They felt that the only private sector enterprises with the resources to market these technologies to the Third World were the major oil companies. Yet most of the developing country representatives that I talked to feel that the oil companies are not aggressive marketers of renewable energy technologies.

Many developing country representatives said that their national markets are too small to interest the oil companies that do market renewable energy technologies. They also note that many developing countries have laws requiring majority control of local companies to reside with national interests. This discourages oil companies from setting up subsidiaries in such countries. The representatives from developing countries felt that smaller companies that are looking to make inroads with their technologies would not be constrained by these factors.

There was also criticism of some of the United States' bilateral energy programs in the renewables area. In general, many representatives of countries who have received US energy aid told me privately that they believe this aid is given out based on political considerations and not necessarily on need. These officials also complain privately that the US aid is too project-orientated, with insufficient emphasis placed on the transfer of technology for new and renewable sources of energy.

My observations of US actions at the United Nations Conference on New and Renewable Sources of Energy in Rome support the contention of many that the United States is in danger of losing its world preeminence in renewable energy technologies. These views come chiefly from private industry, and various comments are recorded in congressional hearings and General Accounting Office reports (most notably report ID-81-63, "Industry Views on the Ability of the U.S. Photovoltaics Industry to Compete in Foreign Markets"). They feel that US budget cutbacks in renewable energy technology research and development, especially in photovoltaics, coupled with the reluctance of the US government to provide export and marketing assistance to companies involved in this field, will result in the loss of valuable world market share in renewable energy sales to developing countries. It is also likely to lead to an erosion of our technological lead, as other nations obtain greater production levels.

Attached is an excerpt from the General Accounting Office's report on the effects of the recent severe budget cutbacks in photovoltaic research and development activities supported by the US government. (Report #EMD-82-60)

EXCERPT FROM PROBABLE IMPACTS OF BUDGET REDUCTIONS ON THE DEVELOPMENT AND USE OF PHOTOVOLTAIC ENERGY SYSTEMS (GAO REPORT EMD-82-60)

OTHER IMPACTS OF PHOTOVOLTAIC BUDGET REDUCTIONS

The budget reductions for the Federal photovoltaic energy program are expected to have adverse impacts on U.S. leadership in the development and use of photovoltaic energy systems and on small businesses' involvement in photovoltaics. As viewed by officials in the Federal photovoltaic energy program and representatives of the photovoltaic industry, the budget reductions threaten U.S. leadership in photovoltaic energy, and may force small businesses out of the industry.

U.S. LEADERSHIP IN PHOTOVOLTAICS MAY BE THREATENED

The United States has been the world leader in photovoltaics since the inception of this technology. The first practical photovoltaic cells were produced by the Bell Laboratories in the 1950s, and photovoltaic systems have been used extensively in the U.S. space program. Due in part to this early development and expertise in photo-

voltaic systems, the United States has maintained a leadership position in the terrestrial use of photovoltaic systems. U.S. photovoltaic manufacturers controlled about 85 percent of the worldwide photovoltaic market in 1979 and 1980.

However, many Government and industry officials believe that this position is threatened by the reductions in the Federal program. Companies in France, Germany, and Japan currently produce photovoltaic energy systems, and these companies receive support from their respective governments. While, for the most part, the funding of photovoltaics by other countries is not as large as U.S. funding, their support for photovoltaics is increasing as U.S. support is being reduced. Industry representatives pointed in particular to the willingness of foreign governments to get involved in market development activities, particularly demonstration projects, which they feel greatly enhance the visibility and marketability of photovoltaic energy systems.

A particular concern to many industry representatives and Government officials is Japan's aggressive photovoltaic efforts. According to officials at JPL who have been monitoring Japan's efforts, Japanese funding for photovoltaics has now equaled or surpassed U.S. funding and the Japanese photovoltaic industry may soon pose a serious threat to U.S. leadership. JPL and SERI officials noted, for example, that Japan is concentrating heavily on amorphous silicon technology, and that Japanese funding for this technology has increased to $5.7 million, while Federal funding is reduced to $2.8 million. The SERI official in charge of the Federal amorphous silicon efforts stated that Japanese companies are developing substantial experience and knowledge on producing amorphous silicon solar cells by using this photovoltaic technology in consumer products. Consequently, because of their extensive R&D and the worldwide market channels which they have already established for electronic components, industry representatives and Government officials believe there is a greater likelihood that the Japanese may be first to develop photovoltaic energy systems with prices competitive with conventionally generated electricity, and be in a dominant position in regard to the worldwide photovoltaic energy market.

Industry representatives and Government officials are hopeful that the United States will maintain its leadership in photovoltaics, but they believe it will be increasingly difficult. As stated by one program official at JPL, the United States is playing by one set of rules, in which the Government does not interfere with the marketplace, while foreign countries have different rules, which allow their governments to aid the production and marketing of photovoltaic energy systems. He added that this places the U.S. photovoltaic industry at a disadvantage which may be difficult to overcome.●

AARP SUPPORTS HOUSE CONCURRENT RESOLUTION 278

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

● Mr. PANETTA. Mr. Speaker, I would like to share with my colleagues a letter I received today from the American Association of Retired Persons (AARP). The AARP represents millions of senior citizens nationwide and is a highly articulate spokesman for America's elderly community. This letter expresses strong support for House Concurrent Resolution 278, which expresses the sense of the House that the senior community service employment program, title V of the Older Americans Act should be kept at the same level of participants—or more in fiscal 1983 as in fiscal 1982.

I know that my colleagues, who voted overwhelmingly today to support this resolution, will be interested in this message from AARP:

AMERICAN ASSOCIATION
OF RETIRED PERSONS,
July 20, 1982.

Hon. LEON PANETTA,
House Cannon Office Building,
Washington, D.C.

DEAR CONGRESSMAN PANETTA: We strongly support the Panetta-Conte resolution to express Congressional support for maintaining the Title V Senior Community Service Employment Program (SCSEP) at 54,200 positions.

AARP considers the SCSEP to be the most effective employment program ever developed for older Americans.

Title V has been extraordinarily successful by any standard of measurement. Administrative costs have been kept at rock bottom levels. The program has operated free of fraud and abuse. It has delivered vitally needed services while providing an opportunity for low-income persons 55 or older to help themselves while helping others in their communities at the same time.

Title V has also provided a passport for disadvantaged older persons to locate employment in the private sector. The Association's SCSEP, I am pleased to say, has had the highest transition rate of any Title V project. Our projects in 33 states and Puerto Rico have typically placed anywhere from one-third to nearly one-half of all enrollees in unsubsidized jobs. This not only provides new opportunities for more older Americans to participate in the program but also can assist them in locating fulfilling and gainful employment in the private sector.

Title V is needed now more than ever because rapidly rising unemployment is pushing more older persons into poverty.

Unemployment for persons 55 or older reached an all time record high in June. Nearly 824,000 older persons were unemployed in June. The level of joblessness for older Americans has jumped by nearly 300,000 in less than a year, from 534,000 in July 1981 to 824,000 in June 1982. This represents a 54.3 percent increase in the unemployment level for persons 55 or older.

For these reasons, we reaffirm our support for H. Con. Res. 278.

Sincerely,

PETER W. HUGHES,
Legislative Counsel.●

ISRAEL'S COMMITMENT TO A LASTING PEACE IN MIDDLE EAST

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ADDABBO) is recognized for 15 minutes.

● Mr. ADDABBO. Mr. Speaker, in these times of turmoil and bloodshed in the Middle East, it is always helpful to read a clear and concise analysis of events and the history leading up to them. I would like to share with my colleagues such an article, written by Ivan Novick, the national president of the Zionist Organization of America. It is important in that it reaffirms Israel's historical importance and her commitment to a true and lasting peace in the Middle East. The article follows:

Israel's advance into Lebanon has struck a mighty blow against the international plague of terrorism that has held the west hostage for nearly two decades. For years western democracies have been coerced into silence, or appeasement, thereby permitting the PLO to continue demonstrating its contempt for human life by threats and by acts of international violence. The barbarous attempt to assassinate Shlomo Argov, Israel's Ambassador to Great Britain, and the inhumane shelling of Israel's northern population centers, were only the latest acts in a unending spiral of PLO instigated murder and violence aimed at destroying the Jewish state.

Thus we are gratified that President Reagan has called for the end of the "scourge of terrorism" plaguing the Middle East, thereby indicating his understanding of Israel's legitimate right to protect its populace and to live in tranquility. We further commend the United States government's veto of the Security Council's Resolution to condemn the action which was taken by Israel for the specific purpose of eliminating PLO terrorist bases so they would no longer threaten Israel's civilian population in the Galilee.

Spokesmen for the United States have correctly assessed Israel's grievances towards the PLO as legitimate. They have indicated that the Administration has an enlightened understanding of the reasons which prompted Israel to confront PLO aims and to take action in the face of the deteriorating situation in Lebanon which could no longer be ignored.

Events may have created a new set of facts on the ground, a new reality which could very well redirect the entire political direction of the Middle East, and hopefully, that of the United States. Unlike other Administrations which did not fully understand the fact that Israel must act in its own defense for the security of its land and people, this Administration has maintained, and trust will continue to maintain this correct and constructive position. Hopefully other western democracies will follow America's example.

In the face of recent developments in Lebanon and in view of the historical record, we urge our government to act on the knowledge that Israel's action against international terrorists is in the long range interest of the United States and the free world. It should, therefore, reject those who would undermine this new opportunity to achieve stability in the Middle East.

As you are aware, American policy in the Middle East correctly includes Israel as a very important friend and ally. At the same time, the Administration's attempts to befriend and create relationships with various Arab states. We understand the need for the United States to build foundations of friendship throughout the world. Any concerned American hopes that such a policy would prove to be successful. But policy

cannot be based on what has proven to be false optimism, especially when all efforts to accommodate the Arab states in the Middle East have been shown to be ineffective, and in fact, counterproductive to American interests. Even if such efforts must continue, they should not be made to the disadvantage of those nations which have already passed the test of friendship.

To weaken Israel, or to place her in danger, in the vain hope that new Arab alliances will prove more substantial, more dependable and more lasting, is a direction which I believe has placed the United States in a vulnerable position.

However, the United States now has an unexpected opportunity to re-establish sanity in the Middle East. Because Israel dared to act, and because it was prepared to sacrifice the lives of its beloved citizens, the Middle East stands on the brink of opportunity that is unprecedented. But without American decisiveness and stoutheartedness, this opportunity will fall through the cracks of good intentions, the path to further agony kept open and the chance to attain peaceful solutions thrust farther away.

Let the United States grasp the moment! Let us insist that the sovereignty of Lebanon as a free and democratic nation be reestablished. This requires the necessary safeguards to prevent the reappearance of the PLO and to insure the withdrawal of the Soviet-dominated Syrian forces which bear the responsibility for destabilizing the area and so much bloodshed and strife. This forthright position by the United States will serve to once again make possible a free Lebanon, help protect the Jewish state from organized acts of terror, and thwart as well the influence of the Soviet Union at a time when the Kremlin is making dangerous inroads elsewhere in the world.

Several months ago, in a personal letter to President Reagan, I expressed my dismay at what appeared to be the world community's acceptance of the PLO as the only spokesman for the Palestinian Arab people. I urged the President to issue a call that would encourage moderate Palestinian Arabs to reject the leadership of the terrorist PLO. Today Israel's action against the PLO in Lebanon provides the opportunity for responsible world leaders, led by President Reagan, to voice a powerful plea to the Palestinian Arabs to act courageously in their own self-interest. No longer should the Palestinian Arab people feel intimidated by the terrorist PLO. With the encouragement and leadership of the United States, let moderate Arabs come forward to negotiate with Israel to secure a safe and creative future for all the peoples in the area.

The civilized world has witnessed how a responsible Jewish State, in spite of severe circumstances, risked the lives of its citizen-soldiers to take unprecedented steps to shelter and protect Arab Moslems and Christian civilian populations, notwithstanding the dangers that the soldiers themselves faced. Now is the time for the Christian world to understand the far-reaching significance of Israel's action, an understanding that should arouse an outpouring of public support for what the liberation of Lebanon can mean for the people of Lebanon.

We commend the brave acts of the Israel Defense Forces and the leaders of Israel. Their actions will be recorded in the annals of history as a noble defense of the rights of democratic nations to remain free and safe, a courageous act to reduce future threats of war and avoid further confrontations. However, there cannot be a cease-fire against the terrorism of the PLO.

Recent events make it clear that the arms race in the Middle East serves neither the cause of peace nor America's interests. The policy that calls for Israel to receive additional military consideration each time the Arabs obtain new weaponry, must be seen as short-sighted and ill-advised. The fact is that even if Israel continues to maintain a qualitative and quantitative military superiority over specific Arab nations, at a given point the Arabs will have enough armaments collectively to launch a devastating attack. While Israel may still be able to retaliate and inflict heavy losses on the Arabs, the Arabs will be able to employ newly obtained arsenals that can confront Israel with greater strength than ever before. These arms sales represent a clear and serious threat to Israel's security.

The overall policy of the United States should now be reappraised. After the last few days there should not be any question in the Pentagon about whether or not the United States needs the strength and skill of Israel's defense forces in the Middle East. There should not be any question in the State Department as to which nation in the Middle East is willing to act in defense of democracy's right to prevail.

I suggest that our policy makers return to the drawing board, remember the lessons of the past and redesign a Middle East policy that will safeguard our allies, and in so doing, protect America's own vital interests. I suggest that those who make this reappraisal consider the following:

1. The United States has insisted that the Saudis are moderate and sells them our sophisticated AWACS, disregarding the fact that Saudi Arabia finances the PLO and rejects the Camp David peace accords.

This AWAC sale must now be rejected.

2. The United States is prepared to sell Jordan Stinger Missiles and F5G planes that are a direct threat to Israel. This sale is being considered even though King Hussein warns the Palestinian Arabs that they will be tried for treason if they cooperate with Israel for peace.

This proposed sale must be defeated.

3. The United States believes the Iraq should receive American equipment which can be converted for military use against Israel. This is true in spite in Iraq's long history of international terrorism and its disdain for the United States.

This plan must not materialize.

4. Recent investigations have determined that hundreds of American corporate heads participated in one of the most successful manipulations of American policy by a foreign power. Close to three hundred billion dollars in surplus oil profits have been invested in the United States. Twenty-one of America's largest banks hold over nineteen billion dollars of OPEC money. The PLO has secretly invested one hundred million dollars in U.S. Corporations. The Saudis own over forty billion dollars in U.S. Treasury Notes, and have made substantial loans to such corporations as ITT, U.S. Steel and IBM. The time has come for Congress to take urgent steps to make certain that all government agencies directly involved closely review what is happening to America.

The battle to keep America free is as serious as the battle to keep Israel safe!

I believe it would serve us well if we listen to the warnings of America's Ambassador to the United Nations, Jeane Kirkpatrick. She recently declared that it was time to take seriously the political process aimed at villifying Israel because the great nation of the United States is itself undermined when its best and only reliable friend, Israel, is the object of an international campaign to harm it.

Perhaps there can be no better example of the process Mrs. Kirkpatrick refers to then the scandalous immorality of world leaders who sit side by side with representatives of the PLO, notwithstanding this terrorist organization's main purpose for existence: the destruction of a sovereign nation and its people. Over 100 nations recognize the PLO, including those so-called Arab states, Jordan and Saudi Arabia, upon whom some in the Administration believe rests the future of America's interests in the Middle East. I suggest that these American policy makers are not realistic if they believe the American people can be convinced that these authoritarian Arab states are more reliable than the democracy of Israel.

We contunue to hear the voices of hate from that infamous glass house on the East River in New York, voices which continue to denigrate the Jewish State, besmirch the Jewish people and ridicule our own great nation. Speaker after speaker threaten the validity and legitimacy of the State of Israel. Zionism itself is the target and the Jewish people the intended victims.

It is not ironic that Zionism, the movement for peace is maligned. That Zionism, the movement that produced a tangible humanistic program in Israel, developed roads and settlements, made forests grow, reclaimed arid lands and provided the opportunity and hope for the Jewish people in the land of their forefathers, is the target of scorn and hatred. This is the reality of the tortured world in which we live.

It is this cynical world that we find "humanists" and "universalists" who set aside morality and urge Israel to deal with the international territorist Arafat today, because tomorrow he may be replaced by others more hostile and violent.

There is no difference between "moderate" terrorists and "radical" killers. Indeed, what is this nonsense about so-called Arab moderation?

For the sake of peace, Israel has returned the Sinai to Egypt. What have "moderate" Arab states like Saudi Arabia, Jordan, and Iraq sacrificed for the sake of peace?

Did any "moderate" Arab friend of the United States condemn the assassination attempt against the Israeli Ambassador in England?

Did any "moderate" Arab friend of the United States express disgust at the way the body of the Israeli airman was dragged by an automobile through the streets of Lebanon?

Did the "moderate" West Bank mayors recently welcomed by the Administration in Washington voice their renunciation of terrorism? Did they promise the Administration that they would work to convince the Palestinian Arabs to accept the State of Israel and join with the Jewish people in a quest for peace?

Was it an act of moderation when Saudi Arabia did everything possible to deny bases to the United States, refused joint control over the AWACS, and pressured Oman to withdraw its cooperation in recent U.S. exercises in the Persian Gulf?

Was it moderation when Saudi Arabia immediately broke diplomatic relations with Zaire because it decided to reestablish diplomatic relations with Israel—and with Costa Rica because it acknowledged the right of

all nations to choose their own capitals and specifically Israel's right to Jerusalem?

Is it moderation when Saudi Arabian leaders continually call for the inclusion of the Soviet Union in Middle East peace negotiations?

I cannot understand the criteria this Administration uses to determine the difference between moderates and radicals when the record is clear that Saudi Arabia, Jordan, Iraq and others neither wish for peace in the Middle East, the acceptance of Israel or a friendship upon which the United States can rely.

If members of government, as well as the media, are unable to distinguish between moderation and terrorists, the PLO Covenant should be required reading for every foreign service officer, as well as every editor and columnist.

This PLO Covenant is not merely a scrap of paper!

This PLO Covenant is a blueprint for Israel's liquidation!

This PLO Covenant is the basis for every action taken against the Jewish State by the Arabs. It is the best evidence of what the PLO stands for. The document is easy to read; its provisions are not difficult to understand; its objectives are clearly defined. When it says—"the Zionist presence must be eliminated from the whole of Palestine," it means exactly what it says—it means that the Jewish State is not to exist in any part of our historic homeland, that a PLO state on the West Bank is only the first step toward the liquidation of the Jewish State.

The Zionist Organization of America feels an urgent responsibility to expose the PLO by putting its Covenant into the hands of all who are responsible for the formulation of Middle East policy and all those who would urge Israel to believe that Yassir Arafat is only one step away from becoming a card carrying Zionist.

There are those among us who envisioned a Jewish State as flawless, and in theory of course, this would be ideal. But the Middle East is not a very safe place and the world is not an assembly of purists and moralists. It is often cruel, a jungle, as we are reminded continuously by the worlds of hate directed at the Jewish State and the Jewish people from the podium of the United Nations. In view of this reality, should we expect a beleaguered State of Israel to unilaterally beat its swords into plowshares?

We stand witness to the concentration camps, and ultimately, to the extermination of six million of our numbers in them. We recall that Israel has been compelled to defend itself against numerous military efforts to destroy it during the past 34 years, and still faces attack by terrorists sworn to its destruction and by neighboring countries who insist upon maintaining a state of military, economic and political warfare.

I salute the leaders of Israel for their commitment to the peace process. I honor the people of Israel for their courage in placing at risk their lives and the lives of their children in the search for peace. I call on the government of the United States, as a full partner in the peace process, to make certain that Israel's sacrifices for peace will not be in vain, and strongly urge that they adopt a realistic Middle East policy that rewards those who are willing to live in peace in the Middle East.

Eighty-five years ago the ZOA was already at work to make Herzel's dream a reality. Today the ZOA in this community, as well as throughout the United States, fights vigorously against those who would destroy this dream. As Americans, we will carry out our responsibilities to the United States, our nation which we love; as Jews, we will continue to hold high the banner of Zionism. We are determined to defend both Washington and Jerusalem, the capitals of freedom, from the onslaughts by the enemies of democracy.●

H.R. 5158

(Mr. WIRTH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WIRTH. Mr. Speaker, although it was clear that H.R. 5158, the Telecommunications Act of 1982, had the necessary support to win approval from the full Energy and Commerce Committee, the delay tactics promoted by A.T. & T., it became apparent, would have prevented the passage of this important legislation in this session of the Congress. I therefore withdrew it from consideration by the committee today.

I wish to assure my colleagues however, that our subcommittee remains committed to fulfilling our important task of exercising oversight over telecommunications policy in the remaining time of this Congress. We will continue our efforts to make sure that ratepayers are protected from undue increases in local rates, and that negative effects on consumers of the A.T. & T.—Justice Department proposed settlement are ameliorated. I wish to thank my colleagues on the committee, and particularly those on the Subcommittee on Telecommunications, Consumer Protection and Finance, for their diligent and courageous work on this legislation, and urge the attention of my other colleagues to the crucial public policy issues embodied in this legislation.

Following is the statement I made today before the Energy and Commerce Committee:

STATEMENT OF TIMOTHY E. WIRTH

Mr. Chairman, since I first took my seat on this Committee in 1975, I have been involved in no less than four efforts by Congress to establish comprehensive telecommunications policy. From the beginning, I have felt strongly—as I do today—that it is the responsibility of Congress, not the FCC or the courts, to establish comprehensive telecommunications policy.

Before and after I introduced H.R. 5158 last December, our Subcommittee held dozens of hearings, and heard hundreds of witnesses, give thousands of pages of testimony. We have traveled across the country seeking advice and counsel from state officials involved in telecommunications policy, from experts who have studied our present policy exhaustively, from interested organizations companies involved in the telecommunications field, and most importantly from individual ratepayers on whose shoulders the results of our present telecommunications policy ultimately rests.

From these meetings, one message was consistent and clear: we need a new telecommunications policy—and we need it now. H.R. 5158, as unanimously reported from the Telecommunications Subcommittee, answers that need.

The urgent need for our efforts increased in January, when the Justice Department and AT&T proposed a consent decree. Their consent decree, although a positive first step, is by itself woefully inadequate as the measure of telecommunications policy in this country. H.R. 5158 supplies the pieces missing from the decree. It gives each local company an independent voice in the breakup of AT&T, assures that local rates remain reasonable, and provides the ground rules for a fully competitive telecommunications environment—which is the best ratepayer protection of all.

From the day the settlement was announced, everyone knew it was a great deal for AT&T, and that it would increase local rates. In it, Bell abandoned its high-cost local operations for the glamour of silicon chips and mainframe computers. The divested local companies were left with about two-thirds of AT&T's assets, but only a little more than one-third of its revenues—and the ability to provide nothing more than a dial tone. AT&T even took the highly profitable Yellow Pages to New Jersey.

Until the settlement, AT&T was the leader in advocating that Congress—not the FCC, and not the courts—should set telecommunications policy. What has followed the settlement is an unprecedented attempt by AT&T to block Congress from setting that policy. After all, Bell got a very good deal from the Justice Department.

In my eight years in this body, I have seen nothing like the campaign of fear and distortion that AT&T has waged to fight this bill. Are workers fearful for their jobs in an uncertain economy? Then assert that the bill will cost them those jobs. Are shareholders fearful that divestiture will jeopardize their investment? Then assert that the bill will render their stock worthless.

Are scientists fearful that divestiture will endanger Bell Labs? Then assert that the bill destroys the sources of funding for this national treasure. Is Congress fearful that imports are hurting our basic domestic industries? Then assert that the bill invites a takeover of telecommunications by Japan, Inc. With these charges and others, Bell has used its awesome power and unlimited financial resources to wage an unprecedented campaign to defeat this bill.

It has beocme clear from the roll calls, however, that the pressure tactics have failed. Confronted by the world's largest company, this Committee has stood firm for ratepayers and for competition—a course of action that is in the best interest of the country. It is clear where the votes are.

Unable to win substantively, AT&T has mounted an effort to disrupt this markup. We have sat through a reading of the bill. Dilatory amendments have been offered again and again. At the rate we are going, this Committee will be marking up H.R. 5158 well into August, leaving no time for the careful consideration this measure deserves from the full House. In addition, AT&T has attempted to have this bill referred to House committees from Agriculture to Armed Services to Ways and Means. We can anticipate the same tactics on the floor and in conference.

Having failed to convince Members on the merits, AT&T is engaging in this strategy of delay. In the 97th Congress, we are left with only 27 legislative days to complete work on the most significant telecommunications bill since the 1930's. The only way to pass legis-

lation now would be to accept an agreement dictated by AT&T.

Mr. Chairman, nobody wants telecommunications legislation more than I do. I am not unmindful that any legislation is the result of compromises over policy, and in this spirit, we have been talking with Bell since early spring, when several of my colleagues and I met with AT&T's board of directors in New York. We have spent countless hours with their representatives in Washington. Right up until last night, we were meeting with AT&T to try to find a consensus.

But the only terms that AT&T will accept to resolve the impasse are completely inadequate, selfserving, and not in the best interests of the ratepayers of this country. Bell has made it very clear, for instance, that it will not tolerate an independent voice for its local companies during divestiture. It will not tolerate effective safeguards to protect ratepayers against its own monopoly. It insists upon taking ownership of installed telephones away from the local companies.

Mr. Chairman, I have been willing to compromise language; I have been willing to compromise substance. I cannot in good conscience, however, compromise fundamental principles. The issues are too clear, the need for a new policy too overwhelming, and the interests of the public too apparent.

Let nobody be misled. The kind of bill which AT&T would find acceptable is a bill which only serves their interests and no others. Even a so-called "short" bill would leave the ratepayers and the local companies that service them without real protection.

In the short run AT&T has won a tactical victory by stopping this bill this year. But AT&T's victory is a major setback for the American people and for a telecommunications industry that is one of the fastest growing and most productive segments of our economy. AT&T is preventing Congress from making the decisions that are ours to make.

Let me make it very clear that our commitment to these issues remains as strong as ever, and that we recognize our responsibility to make telecommunications policy. Should AT&T discover the public interest and support a compromise resolution of these issues, we stand ready to move legislation expeditiously. But absent this change in position Congress cannot pass legislation in what remains of this year, therefore; we will use our influence to ensure, to the best of our ability, that decisions in other forums are in the best interests of ratepayers and competition.

The effort to derail this bill will not stop the process from going forward. In the end, Congress must and will set telecommunications policy. The fact remains that no matter how strong AT&T is, no matter how many million they spend, the issues are clear and the needs are there.

I want to thank the Chairman of this Committee for his leadership. I also want to thank the many organizations and interested parties who have supported our efforts. You all should know the fight will go on.

Finally, and most important, I want to praise the thoughtfulness and courage of my colleagues on this Committee, and particularly those on the Subcommittee. We have raised the issues, we have identified the needs, and we have brought our case to the public.

Mr. Chairman, I now move that the Committee adjourn.

THE MX MISSILE

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. BINGHAM. Mr. Speaker, as we begin consideration of the $180 billion DOD authorization bill, I think it appropriate to focus on one of the most controversial and expensive weapons systems provided for in this bill, the MX missile. Before committing up to $30 billion on this highly accurate counterforce weapon, it would be wise to question whether its production and deployment would be in the national interest. That the MX is a missile without any foreseeable mission or home is the theme of the following article by Barry Schneider, director of the Institute for International Security Studies. After a thorough examination of this complex issue, Dr. Schneider concludes that the development of the MX is not consistent with any realistic nuclear arms strategy, especially when its deployment could lead to the adoption of a "launch-on-warning" nuclear policy by the Soviet Union. He also draws attention to the fact that of the available permanent MX basing modes, none are without high risk, prohibitive cost or other major drawbacks. I commend Dr. Schneider's article to the attention of my colleagues.

MISSILE EXPERIMENTAL—MISSION UNCERTAIN

(By Barry R. Schneider)

The MX missile program currently proposed by the Reagan Administration will consist of at least 100 missiles, the first to be deployed by 1986, each with 10 independently targetable nuclear warheads. The new "Missile Experimental" will be a "hard target" killer, capable of destroying hardened Soviet missile silos with greater accuracy and destructive capacity than the present Minuteman intercontinental ballistic missiles (ICBMs). The MX is being designed to hit within 300 feet of a target 6,000 miles away from the launchpoint. In contrast, the present Minuteman ICBMs carry three nuclear warheads and can hit within about two lengths of a football field, instead of one length. The estimated probability of kill (Pk) of the MX is close to 98 percent for a double shot against a Soviet missile silo. The double shot Pk for a Minuteman is around 90 percent. The total cost for the MX program could exceed $30 billion.

Ballistic missiles represent the world's most advanced and lethal slingshots. The superpowers house them on launchers inside concrete vertical shelters buried in the ground. A visit to a Minuteman missile site is surprisingly unimpressive. It has the appearance of a gravel parking lot surrounded by a chain link fence. The only clues that this is no parking lot come from the several antennae poking through the gravel and the large concrete slab door in the middle of the lot. Only when the door slides aside do you see the missile deep in its silo, poised for an intercontinental ride across the North Pole. The missile is launched skyward to a high velocity and altitude by a rocket that burns just the first few minutes of the flight to target. Guidance of the weapon toward its destination can only be accomplished during the powered portion of the flight. Once the booster rocket shuts off and separates, the warhead package continues on to its apogee above the earth's atmosphere before the gravitational pull of the earth draws it back into a free-fall path through the earth's atmosphere to the target below. Within 30 minutes, a 6,000 mile ballistic missile attack can be completed—delivering a nuclear punch ranging from 17 to 50,000 Hiroshima explosions in each of its warheads.

The MX, weighing 190,000 pounds, is about 2½ times the size and weight of our present Minuteman missiles. It is about equal in size to the Soviets' SS-19, and is about half the size of their SS-18. The MX's 10 nuclear warheads, all independently targetable, compare with three on the Minuteman, six on the SS-19, and 10 on the SS-18. MX warheads have an estimated 335 kiloton yield each, an explosive punch equivalent to 17 Hiroshimas. With its advanced inertial guidance system, the MX will be the most accurate ballistic missile in the world when deployed, as scheduled, in 1986.

At present, the MX is in the full-scale engineering phase of development. The missile booster, guidance and control systems, postboost MIRV vehicle, and reentry systems are now being developed, tested, and integrated into a missile system. The first flight test is scheduled for January 1983. At least 100 MX ICBMs with 1,000 warheads have been planned for deployment.

The basic military justification for the MX is to eliminate a potential vulnerability in the 1980s—the vulnerability of U.S. land-based intercontinental ballistic missiles to a Soviet surprise attack. Improvements in the Soviets' nuclear warhead numbers and the accuracy of their missiles will make it theoretically possible for them to destroy an increasingly larger percentage of our Minuteman and Titan missiles in their silos.

U.S. proponents of the MX missile see it as a way of similarly threatening the Soviet fixed-silo ICBMs while removing much of the threat to our own ICBMs. Our military planners are reluctant to abandon land-based missiles because they provide a unique combination of accuracy, reliability, assured defense-penetrating capability, as well as secure, instantaneous, and survivable command and control links to national command authorities. Moreover, ICBMs maintain a high alert rate and excellent responsiveness to commands. Their potential destructive power is believed to be a major contribution to the war deterrent posture of the United States in the world.

While some experts believe that the United States need not maintain three different nuclear retaliatory forces—on land, in the sea, and in the air—this is not the view of the leaders of our armed services. They argue that the triad of ICBMs, submarine-based missiles, and strategic bombers complicates the job of any potential attacker and increases the probability of early warning to a significant portion of the U.S. retaliatory force should such an attack occur.

Some strategists are disturbed by the fact that the Soviets have an edge in countersilo destructive capability and want to erase it with deployment of our own silo-killer, the MX. Those in favor of strengthening the ICBM leg of the triad note that we can operate land-based missiles at a fraction of the cost of maintaining fleet ballistic missile submarines or strategic bombers, an important consideration if we are to compete suc-

cessfully with the Soviets over the long haul.

MX proponents argue that the vulnerability of land-based missiles must be eliminated while we are still protected by the retaliatory capability of our bomber and submarine forces. They believe that this repair job needs to take place before new threats to the bomber and submarine forces also emerge and in order to force the Soviets to concentrate on countering three rather than two U.S. strategic elements.

The argument is also made that in actual nuclear war, the MX would inflict greater damage on the Soviets, at each rung on the escalation ladder, than they could inflict on the U.S. Knowing this, it is argued, Moscow would be deterred from initiating a conflict or from escalating one, once the terrible struggle began. The MX would enhance "peace through strength." Deployment of the fearsome weapon would be a visible symbol to the rest of the world of a continued U.S. commitment to remain second to none.

Moreover, the argument runs that MX deployment is a vital element in the U.S. drive to reestablish military superiority over the Soviet Union; it also provides the Soviets with an added incentive to negotiate reductions in nuclear forces through arms control as they see the "correlation of forces" shift against themselves. At a minimum, MX could force the Soviets to spend more heavily on counters to the MX program. Such a diversion of funds could keep them from increasing pressures on us through the buildup of conventional land, sea, and air forces.

Yet despite all these arguments for the MX missile, and for keeping an ICBM element in U.S. strategic retaliatory forces, critics feel that the MX missile is a weapon in search of a legitimate strategy and that it has not yet found a basing mode that makes sense. Behind all this concern about the MX is the fundamental question: How much is enough? How much nuclear weaponry is necessary to carry out the legitimate roles and missions of U.S. forces? Many share the conviction that the United States already has enough overkill capacity and counterforce capacity in its present forces and that it cannot afford and does not need the MX missile system.

Clearly, the United States already has an awesome retaliatory nuclear capability, with over 9,000 strategic nuclear warheads poised to strike from its strategic submarines, land-based ICBM silos, and long-range bombers. Altogether, the United States has about 25,000 nuclear weapons. The Soviet Union has something like 15,000 to 25,000. The combined US-USSR megatonnage exceeds the power of a million Hiroshima explosions. A full-scale nuclear exchange between the two would probably kill over 100 million people in the United States, 100 million in the USSR, and 100 million Europeans, most of this humanity in the first days of combat.

In 30 minutes to an hour, U.S. retaliatory forces could destroy nearly all large Soviet cities, industrial centers, military bases, ports, major rail junctions, and large power stations. Our missile and bomber forces could do this even if struck first in a massive Soviet nuclear attack fired without warning.

The United States has no plans for a nuclear blitzkrieg. Presumably the only time such a thing could even be contemplated would be during an acute crisis, in which U.S. decision-makers thought the Soviets were about to strike first. Some American President might, under stress, order our missiles to fly first in hopes of blunting the Soviet attack. But one reason many people have trouble with the MX missile is that its primary utility is as a first-strike force. The MX would give the American military the countersilo capability it currently lacks that would make possible, in theory at least, a preemptive surprise attack that could destroy or disable all, or nearly all, the 1,400 silo-based missiles in the Soviet Union before they could be fired at us. In military jargon, the MX will give us a first-strike capability against time-urgent hard targets. At present, we have a limited but quite respectable counterforce capability. Our 550 Minuteman III missiles carry three very accurate nuclear warheads each and could probably destroy more than half the Soviet missiles today in the time it takes you to read this article.

But destroying just half would be wildly irrational. A single surviving Soviet SS-18 missile, with its 10 warheads, could destroy 10 major U.S. cities in a counterattack. Knowing this, no U.S. general or President in his right mind would order such a counterforce strike. However, if the 1,650 highly accurate Minuteman III warheads were added to 1,000 superaccurate MX warheads, the United States could, at least theoretically, carry out a 2-on-1 nuclear attack against nearly every Soviet missile silo with a high probability of success.

What the United States would gain by matching the Soviet first-strike capability against ICBMs, is unclear. Surely the Soviets would see the MX as a potential first-strike weapon. It would make no sense to deploy such a potent silo-killer unless there was a contingency one had in mind for its use. Of course, this analysis applies to the Soviet SS-18 and SS-19 missiles as well as the MX. But what is to be gained by the peacetime deployment of a super-counterforce weapon? It would make no sense to be used as a second strike weapon. The United States already has plenty of those in its present nuclear arsenal. And if the MX survived an attack what would it be aimed at? Empty Soviet ICBM silos? The Soviets would have used most of their ICBMs in the first strike. As Rear Admiral Eugene J. Carroll (USN-ret.) has noted, "does the ability to ride out several thousand nuclear explosions in the United States and then retaliate against empty Soviet silos add to national defense? Clearly, it does not."

If the MX is indeed a first-strike force do we need it or want it? To reemphasize, a surprise nuclear attack on the USSR would be as irrational as it would be immoral. No United States attack could disarm the Soviet Union completely. Indeed, several thousand nuclear warheads would survive for retaliation against the North American continent and against our European and Japanese allies. Several hundred million casualties could easily be the result. One has to question the logic of building a first-strike force when its only wartime use would be to commit national suicide.

Some argue that the MX should be deployed in order to give the United States commander the option to engage in relatively small escalatory steps in a real nuclear war. But the United States already has 1,650 highly accurate Minuteman III weapons for such "limited nuclear options." Indeed, it is probably a delusion to think that such limited attacks could be kept limited, that esclation could be contained once nuclear weapons have been introduced into the conflict. Limited nuclear attacks would appear massive to the wounded nation. They would trigger massive responses. One nuclear weapon on New York City would kill more Americans than have died in warfare in the last 200 years. Just seven Minuteman III warheads contain the same explosive power as all the bombs dropped on Germany and Japan by all our allies in World War II.

Those advocating limited nuclear options make the case that the United States should not be put in the box of either having to push all the buttons or of surrendering if war began. But a look at the Soviets' military strategy as spelled out in their military writings, speeches, and what we glean from intelligence sources has not shown that they believe in limited nuclear war. They will hit with everything they possess—or so they repeatedly say. Thus, an MX force built to prosecute a limited nuclear war is simply a waste of resources.

Even if a limited countersilo capability were a good idea, the MX force might not be the best way to providing that kind of capability. First, a significant countersilo capability is present in our Minuteman missile force. Second, if we are worried about the Minuteman's survivability in the opening phases of a war, we could rely upon the Trident II (D-5) submarine-based missile, which will be deployed in 1989. The D-5 missile will have an accuracy as good or better than current ICBM accuracy and will be based at sea where it is difficult or impossible to locate by an enemy. Why should the United States build a very costly and possibly vulnerable MX missile force, when it will have a Trident II missile about as capable, and much more survivable?

The Soviet Union would have a number of choices in the face of a growing United States counterforce threat. The combined threat of Minuteman II, MX, and Trident II weapons could cause them to:

Adopt a launch-on-warning or launch-under-attack superalert status for their nuclear forces.

Build up their missile forces further and speed up their work on antisubmarine warfare in order to improve their capability of destroying the threatening U.S. forces.

Move their ICBMs from fixed silos to mobile launchers to make them less vulnerable.

Shift their resources from land-based ICBMs to more survivable submarine forces.

The launch-on-warning or launch-under-attack option would be the cheapest—but the riskiest—that the Soviets could make. Putting their forces on hair-trigger alerts and adopting a policy of firing them at the first signs of an attack invites an accidental nuclear holocaust. Mistaken intelligence could make the Soviets launch a preemptive nuclear attack during an acute crisis. It is instructive to note that there have been 147 false alerts recorded at North American Defense Headquarters in an 18-month period beginning in January 1979. Half a dozen were serious, and took a number of minutes to detect as false alarms. Had we adopted a launch-on-warning policy and had it been a crisis when such attacks were expected, one of those could have triggered World War III. No record exists for Soviet false alarms in the nuclear age, but any such false alarms, combined with a launch-on-warning strategy, would leave U.S. security hanging by a thin thread. (Remember that we have already had one "accidental" world war in this century. World War I was triggered by the assassination of Austria's Archduke Francis Ferdinand by a Serbian nationalist. That act unleashed a train of events that culminated in 40 million deaths even

though none of the great powers wanted, or planned, a war in 1914.)

The second likely response to an MX force might be for the Soviets to accelerate their buildup of atomic weapons. After all, is this not the main reason we are building the MX, to counter the Soviet SS-18 and SS-19? Why should they think any differently when all their ICBMs appear to be in peril? Thus the MX would likely increase the Soviets' inclination to preemptively attack us in a crisis and to match or exceed our nuclear buildup.

The third option—the movement of Soviet ICBMs from their present silos to some future ground mobile force—would have a mixed result for American security. First, it would make it more difficult for the U.S. missile force to target all the Soviet missiles. This might make the peace more stable since the Soviets would have less reason to be nervous and trigger-happy in a crisis. It would also probably mean some decrease in Soviet missile accuracy and firepower for a time, since mobiles are less accurate and transporter-erector-launchers could not easily accommodate missiles the size of the Soviet SS-18. All this is to the good—up to a point. But the problem with land-mobile ICBMs is that they are difficult to count by national technical means of verification (e.g., satellites). Deployment of mobile ICBMs could ring the death knell for strategic arms control.

As for the fourth choice, that would be the happiest (but least likely) solution for the Soviet Union and the United States as well—to put their increasingly vulnerable missile forces at sea aboard strategic submarines. This would start an enormous political fight in both countries if the Soviet Strategic Rocket Forces and the U.S. Air Force used all their considerable bureaucratic clout to preserve their roles, missions, budgets, and prerogatives. For that reason alone, that choice is unlikely to be made in either country. Nevertheless, if both sides began to phase out land-based missiles and transfer to submarines, both would have invulnerable second-strike forces, and neither would see the advantage in striking first. The move to greater reliance on fleet ballistic missile submarines would also better facilitate the verification of nuclear arms control agreements as compared to mobile ICBM's on land.

The MX debate in this country is really two discrete debates. The first, of course, is whether the United States needs such a missile, which can destroy hard targets and can be used in a first strike. The second debate is how to base our ICBMs so that they can substantially survive a first-strike attack and still retaliate with devastation.

In an astonishing turnabout last spring, the Senate Armed Services Committee voted unanimously to put the MX missile on the shelf until the Reagan Administration proposed a better way to base the missiles than their temporary expedient of shoving the MX into old, easily targeted Minuteman silos. The Senators voted to defer to 1984 from 1983 the purchase of the first MX missiles. They also called on the Pentagon to provide them with a permanent MX basing plan by December 1 of this year.

But is there any better MX basing method that solves the triple problems of MX force survivability, cost-effectiveness, and political acceptability? And is there any logical military strategy that a President could employ MX missiles without committing national suicide? The MX problem confounds strategists and politicians alike, and unless acceptable answers are discovered soon, the MX missile program may be cancelled for good.

In other, more prosperous times, the Congress probably would fund the MX program regardless of its feasibility. But in a season when massive Federal deficits are accompanied by ruinous interest rates, high inflation, and record unemployment, even the Pentagon budget is beginning to come under close scrutiny—and the MX program is a highly visible target.

Sen. John Tower, chairman of the Senate Armed Services Committee, has endorsed a $3 billion cut in Reagan's defense package. Former President Ford has increasingly urged sizable cuts in military spending to reduce the deficit. Speaking to a Florida audience in February, Ford said, "I'm a hawk. I'm proud of it, and I don't intend to change. But I think there can be responsible delays in purchases of some big-ticket items in the defense budget." These sentiments were echoed by John Connally, former Secretary of the Treasury and the Navy, who advocates a $10 billion cut in defense spending to bring down inflation and the deficit. Just as surprising is the turnabout of long-term hawk and former leader of the GOP in the House of Representatives, Rep. John Rhodes. He recently called for a 70 percent reduction in MX missile funding and launched a full-scale assault on the military and economic premises of the Reagan defense program. Rhodes' new stance is indicative of the growing bipartisan sentiment in Congress to cut the defense budget and to take some symbolic action that would put Congress on record against the nuclear arms race.

President Reagan's own advisory panel on the MX, chaired by Charles Townes, a physicist at the University of California, concluded that "It finds no practical basing mode for missiles deployed on the land's surface, available at this time, that assures an adequate number of surviving ICBM warheads."

During the 1980 Presidential election campaign, Ronald Reagan ridiculed President Carter's plan to rotate 200 MX missiles among 4,600 reinforced concrete shelters in Nevada and Utah. On October 2, 1981, he killed Carter's "multiple protective shelter" scheme and announced that he planned to put the first MX missiles in Titan silos, to be additionally strengthened against blast effects. This idea has since been modified in favor of putting the first 40 or so MX missiles in Minuteman silos instead of Titan holes.

For the future, President Reagan promised to look at permanent basing possibilities. Alternatives recently under serious consideration include: (1) defending MX missiles in silos with antiballistic missiles (ABMs); (2) putting the MX abroad giant "Big Bird" aircraft on continuous airborne patrol; (3) deep underground basing of MX missiles; and (4) putting MX silos so close together ("Dense Pack") that the first Soviet nuclear explosion on one of them would have the effect of destroying or deflecting later Soviet warheads targeted on other adjacent silos.

Many MX-basing ideas have been studied and then rejected over the years, including basing MX on the seabed, on inland ships, on ocean-going ships, on small diesel-powered submarines, on amphibious seaplanes, on vertical takeoff aircraft, on dirigibles, on railroad cars, on large-road mobile vehicles, in covered trenches, in pools of water or in lakes—or shuttling the MXs between hardened shelters in the valleys of Utah and Nevada. The search goes on with no good solution in sight. As the Congressional Office of Technology Assessment concluded last year: "We see that all available models of basing MX pose serious problems. None of them is without serious risks, high cost, or significant drawbacks."

The Reagan MX-basing alternatives appear to be no exception to this gloomy view. For example, antiballistic missile defenses of silo-based MXs might fail to work; and their deployment would trigger a costly, risky acceleration in the nuclear arms race. Scrapping the ABM Treaty, which comes up for review this fall, might lead to an early Soviet ABM advantage and undermine the effectiveness of our retaliatory forces and that of our allies. Airmobile MXs would be vulnerable to barrage attacks even when airborne, and would lose in accuracy what they gain in survivability over silo-based systems. President Reagan is reported to have definitely rejected this MX-basing option, favored by Secretary of Defense Weinberger. Deep underground MX basing would rely on considerable guesswork about the survivability of underground structures when hit by thermonuclear explosions. At present noboby knows whether the MXs would be forever entombed inside the hill, mesa, or mountain, or whether MX forces could dig their way to the surface for retaliation. "Dense Pack" MX basing, putting silos close together, might protect the remainder when the first silo is attacked, but the debris, heat, radioactivity, and hurricane-force winds created could as easily prevent a successful retaliatory MX launch while simultaneously blunting further Soviet missile attacks. MX missiles unable to respond might as well have been destroyed; the effect is the same. "Dense Pack" has the further disadvantage of being a clear and direct violation of the terms of the SALT II Treaty still being observed informally by both superpowers.

Indeed, it is possible that there are no good solutions to be found for basing MX. As Dr. Seymour Zeitberg, Deputy Under Secretary for Defense Research and Engineering observed last year, "This [MX basing decision] is a question of what is the least rotten apple in a barrel of rotten apples."

The Senate Armed Services Committee action could force the President to choose the permanent MX basing mode before they grant him next year's request of $1.5 billion for MX missile development and $715 million in research funds to restructure Minute-man silos. The Senators reasoned that it would make no sense to expose the new MX to the same risks facing the present Minuteman and Titan missiles, which are fixed targets increasingly easy for the Soviets to destroy with their very accurate SS-18 and SS-19 missile warheads. Instead, Sen. Tower's committee felt the better idea was to hold off producing the missile until Reagan could do what he criticized Jimmy Carter for not doing: come up with a safe, cost-effective, permanent home for the MX.

Perhaps the best solution to the problems the MX was originally designed to correct exists not so much in the realm of military planning as in diplomacy and arms control bargaining with the Soviet Union. President Reagan's new strategic arms reduction proposals would have both superpowers limit themselves to 850 intercontinental ballistic missiles and to 5,000 strategic nuclear warheads, only half of which could be carried

by land-based missiles. The cuts would take place in land-based missiles where the Soviets concentrate three quarters of their firepower as contrasted to 25 percent for the United States. Fleet ballistic missile submarines and bomber forces would not be reduced.

This proposal is clearly loaded in favor of the United States, for Moscow would have to give up about 250 more land-based missiles than the United States, and would have to scrap most of its new SS-18s and SS-19s as well as 3,000 nuclear warheads. The United States, by contrast, could still add another 350 ICBM warheads under President Reagan's plan, while trimming back elsewhere.

As generally expected, the Kremlin rejected this opening position of the United States but, it may be hoped, it will counter with a revised plan of its own. One element of an eventual bargain could be a reduction of Soviet countersilo weapons such as the SS-18 and SS-19 if the United States were to forego the MX missile deployment. Such a tradeoff would save the United States $30 billion or more in MX spending over the next several years. It would reduce the Soviet missile threat to the United States. The Soviets, on the other hand, would be spared the first strike threat implied by the MX force and the enormous costs of moving to mobile ICBMs. Both sides could avoid the risks of either side adopting a launch-on-warning posture.

With its 10 superaccurate warheads, the MX could make the Soviet ICBMs in their silos just as vulnerable as their SS-18s and SS-19s make our present Minuteman forces. But simply copying what the Soviets have done makes no sense in this case. Matching first-strike capabilities will make both sides less secure in a crisis. The aim should be to eliminate such first-strike capabilities from both arsenals—through diplomacy, not military action—by negotiating arms reduction agreements that remove these daggers from the throats of each side and by choosing weapons that are neither vulnerable nor provocative. Better to trade the MX away than to deploy it in a vulnerable manner for a mission that could only lead to national suicide if ordered.●

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CHAPPELL, for today, on account of pressing business in the district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WIRTH, for 10 minutes, today.

(The following Members (at the request of Mr. GREGG) to revise and extend their remarks and include extraneous material:)

Mr. CORCORAN, for 10 minutes, today.

(The following Members (at the request of Mr. FRANK) to revise and extend their remarks and include extraneous material:)

Mr. STARK, for 5 minutes, today.

Mr. HOWARD, for 5 minutes, today.

Mr. ST GERMAIN, for 5 minutes, today.

Mr. GONZALEZ, for 15 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. COELHO, for 5 minutes, today.

Mr. BEDELL, for 5 minutes, today.

Mr. PANETTA, for 5 minutes, today.

Mr. ADDABBO, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BINGHAM, notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $1,309.

Mr. CLAUSEN, on House Concurrent Resolution 278.

Mrs. HECKLER, on House Concurrent Resolution 278, older Americans bill, today.

Mr. VENTO, in support of the Stratton amendment to H.R. 6030 in the Committee of the Whole today.

(The following Members (at the request of Mr. GREGG) and to include extraneous matter:)

Mr. SHUSTER.
Mr. HOLLENBECK.
Mr. LEACH of Iowa.
Mr. BEREUTER.
Mr. CONTE in two instances.
Mr. FINDLEY.
Mr. RUDD in two instances.
Mr. HORTON.
Mr. MILLER of Ohio in three instances.
Mr. ROTH in two instances.
Mr. CHENEY.
Mr. BROOMFIELD.
Mr. HYDE in two instances.
Mr. CONABLE.
Mr. SHUMWAY in two instances.
Mr. MARLENEE.
Mr. DERWINSKI in two instances.
Mr. WHITEHURST.
Mr. PARRIS.
Mr. DANNEMEYER.
Ms. FIEDLER.
Mr. SMITH of Alabama.
Mr. LUNGREN.
Mr. DANIEL B. CRANE.
Mr. LOWERY of California.
Mr. GOODLING.

(The following Members (at the request of Mr. FRANK) and to include extraneous matter:)

Mr. MAZZOLI.
Mr. KOGOVSEK.
Mr. BEDELL.
Mr. WYDEN in two instances.
Mr. FRANK in two instances.
Mr. SANTINI.
Mr. WIRTH.
Mr. MCDONALD in five instances.
Mrs. SCHROEDER.
Mr. LEHMAN.
Mr. COELHO.
Mr. GUARINI.
Mr. MONTGOMERY.
Mr. GRAY.
Mr. UDALL.
Mr. SCHUMER in two instances.
Mr. MINETA.
Mr. FASCELL in two instances.
Mr. HOYER in two instances.
Mr. EDGAR.
Mr. BINGHAM.
Mr. LONG of Louisiana.
Mr. ECKART.
Ms. FERRARO.
Mr. ANTHONY.
Mr. SHANNON.
Mr. PHILLIP BURTON.
Mr. LELAND.
Mr. WAXMAN.
Mr. BIAGGI in three instances.
Mr. STUDDS in two instances.
Mr. LAFALCE in four instances.

BILLS PRESENTED TO THE PRESIDENT

Mr. HAWKINS, from the Committee on House Administration, reported that that committee did on July 19, 1982, present to the President, for his approval, bills of the House of the following titles:

H.R. 4688. An act to amend the Military Personnel and Civilian Employees' Claims Act of 1964 to increase from $15,000 to $25,000 the maximum amount the United States may pay in settlement of a claim under section 3 of that Act; and

H.R. 6590. An act to provide for the operation of the tobacco price support and production adjustment program in such a manner as to result in no net cost to taxpayers, to limit increases in the support price for tobacco, and for other purposes.

ADJOURNMENT

Mr. SEIBERLING. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until Wednesday, July 21, 1982, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4401. A letter from the Director, Office of Legislative Affairs, Department of the Navy, transmitting notice of the Navy's intention to lease, under the authority of chapter 6 of the Arms Export Control Act, as amended, a naval vessel to Pakistan, pursuant to 10 U.S.C. 7307; to the Committee on Armed Services.

4402. A letter from the Assistant Secretary of the Navy for Shipbuilding and Logistics, transmitting notice of the proposed conversion to contractor performance of the custodial service function at the Naval Avionics Center, Indianapolis, Ind., pursuant to section 502(b) of Public Law 96-342; to the Committee on Armed Services.

4403. A letter from the Acting Secretary of State, transmitting a report that a substantial violation of the Mutual Defense Assistance Agreement of July 23, 1952, may have occurred during the series of military operations which began on June 6, 1982, when Israeli forces entered Lebanon, pursuant to section 3(c)(2) of the Arms Export

Control Act; to the Committee on Foreign Affairs.

4404. A letter from the Acting Director, Office of Legislative Affairs, Agency for International Development, transmitting a report accounting amounts obligated and expended in Nicaragua, pursuant to section 724(e) of the International Security and Development Cooperation Act of 1981; to the Committee on Foreign Affairs.

4405. A letter from the Chairman, U.S. Advisory Commission on Public Diplomacy, transmitting the Commission's annual report on the International Communication Agency, pursuant to section 8 of Reorganization Plan No. 2 of 1977; to the Committee on Foreign Affairs.

4406. A letter from the Acting Administrator, Agency for International Development, transmitting the first semiannual report of the Inspector General covering the period from October 1, 1981, through March 31, 1982, pursuant to the Inspector General Act of 1978, as amended; to the Committee on Government Operations.

4407. A letter from the Chairman, Board of Directors, TVA Retirement System, Tennessee Valley Authority, transmitting a report for the plan year ending September 30, 1981 for the TVA Retirement System, pursuant to Public Law 95-595; to the Committee on Government Operations.

4408. A letter from the Acting Secretary of the Interior, transmitting the final study and environmental assessment on the proposed Florida National Trail, recommending that the trail be designated as a National Scenic Trail, pursuant to section 5(c)(19) of Public Law 90-543, as amended (H. Doc. No. 97-213); to the Committee on Interior and Insular Affairs and ordered to be printed.

4409. A letter from the Secretary of Commerce, transmitting the annual report covering the period September 1978 through January 1982 on the implementation and administration of title IV of the Outer Continental Shelf Lands Act Amendments of 1978; to the Committee on Merchant Marine and Fisheries.

4410. A letter from the Director, Federal Emergency Management Agency, transmitting a comprehensive emergency management report, including the Agency's 1981 activities, pursuant to sundry provisions of Public Law; jointly, to the Committees on Armed Services, Banking, Finance and Urban Affairs, Interior and Insular Affairs, Public Works and Transportation, Science and Technology.

4411. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the board's midyear monetary policy report, pursuant to section 2A of the Federal Reserve Act, as amended (92 Stat. 1897); jointly, to the Committees on Banking, Finance, and Urban Affairs and Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MOORHEAD: Committee on the Judiciary. H.R. 5380. A bill to recognize the organization known as American Ex-Prisoners of War; with amendments (Rept. No. 97-643). Referred to the Committee of the Whole House on the State of the Union.

Mr. SAM B. HALL JR.: Committee on the Judiciary. S. 2317. A bill to recognize the organization known as the National Federation of Music Clubs; with amendments (Rept. No. 97-644). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. Budget allocation report of the Committee on Ways and Means pursuant to section 302(b) of the Congressional Budget Act (Rept. No. 97-645). Referred to the Committee of the Whole House on the State of the Union.

Mrs. CHISHOLM: Committee on Rules. House Resolution 527. Resolution providing for the consideration of H.R. 5320, a bill to establish a community public-private training and employment assistance system and to provide employment and training services, and for other purposes. (Rept. No. 97-647). Referred to the House Calendar.

Mr. DERRICK: Committee on Rules. House Resolution 528. Resolution providing for the consideration of H.R. 5203, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act (Rept. No. 97-648). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Resolution 529. Resolution providing for the consideration of H.R. 5427, a bill to authorize support to Radio Broadcasting to Cuba, Incorporated (Rept. No. 97-649). Referred to the House Calendar.

Mr. BONIOR: Committee on Rules. House Resolution 530. Resolution providing for the consideration of H.R. 2329, a bill conferring jurisdiction on certain courts of the United States to hear and render judgment in connection with certain claims of the Cherokee Nation of Oklahoma (Rept. No. 97-650). Referred to the House Calendar.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 6011. A bill to designate certain lands in the Bankhead National Forest, Ala., as a wilderness area and to incorporate such wilderness area into the Sipsey Wilderness; with amendments, referred to the Committee on Agriculture for a period ending not later than July 30, 1982, for consideration of such provisions of the bill and amendments as fall within the jurisdiction of that committee pursuant to clause 1(a), rule X (Rept. No. 97-646, Pt. I). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FOLEY (for himself, Mr. COLEMAN, Mr. HUCKABY, Mr. JONES of Tennessee, Mr. MCCURDY, Mr. SABO, Mr. WYDEN, and Mr. MARLENEE):

H.R. 6793. A bill to improve farm commodity prices for wheat and feed grains; to the Committee on Agriculture.

By Mr. EDGAR (for himself, Mrs. HECKLER, Mr. MONTGOMERY, Mr. HAMMERSCHMIDT, Mr. EDWARDS of California, Mr. WYLIE, Mr. BONER of Tennessee, Mr. JEFFRIES, Mr. DASCHLE, Mr. SMITH of Oregon, Mr. DOWDY, Mr. BRINKLEY, Mr. MOTTL, Mr. MICA, Mr. MURPHY, Mr. WON PAT, Mr. NELLIGAN, Mr. SILJANDER, and Mr. SMITH of Alabama):

H.R. 6794. A bill to amend title 38, United States Code, to improve job training and job placement programs and educational assistance programs for veterans; to the Committee on Veterans' Affairs.

By Mr. BAILEY of Pennsylvania:

H.R. 6795. A bill to amend the Social Security Act with respect to the collection of administrative costs under the child support program for non-AFDC support enforcement, and to make technical amendments in provisions of law relating to that program and the social services and foster care programs; to the Committee on Ways and Means.

By Mr. CHENEY:

H.R. 6796. A bill to authorize the Secretary of the Interior to construct, operate, and maintain modifications of the existing Buffalo Bill Dam and Reservoir; to the Committee on Interior and Insular Affairs.

By Mr. CORCORAN:

H.R. 6797. A bill to amend title II of the Communications Act of 1934 to assure diversity of sources of electronic information; to the Committee on Energy and Commerce.

By Mr. FUQUA (for himself, Mr. JONES of North Carolina, Mr. SCHEUER, Mr. D'AMOURS, Mr. BLANCHARD, Mr. BROWN of California, Mr. PRITCHARD, Mr. FORSYTHE, Mrs. SCHNEIDER, Mr. WHITE, and Mr. WALGREN):

H.R. 6798. A bill to authorize appropriations for atmospheric, climatic, and ocean pollution activities of the National Oceanic and Atmospheric Administration for the fiscal years 1983 and 1984, and for other purposes; jointly, to the Committees on Merchant Marine and Fisheries and Science and Technology.

By Mr. LUNDINE (for himself and Mr. BLANCHARD):

H.R. 6799. A bill to amend the Export-Import Bank Act Amendments of 1978 to improve the ability of the United States to help insure an open and fair international finance system for U.S. industries; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PARRIS:

H.R. 6800. A bill to amend title 5, United States Code, to allow certain employees of the National Transportation Safety Board to receive civil service retirement credit for their service under the Federal railroad retirement program; to the Committee on Post Office and Civil Service.

By Mr. RANGEL:

H.R. 6801. A bill to amend the Internal Revenue Code of 1954 with respect to the targeted jobs credit; to the Committee on Ways and Means.

By Mr. SEIBERLING:

H.R. 6802. A bill to incorporate the Army and Navy Union of the United States of America; to the Committee on the Judiciary.

By Mr. STARK:

H.R. 6803. A bill to define the circumstances under which construction workers may deduct travel and transportation expenses in computing their taxable incomes for purposes of the Federal income tax; to the Committee on Ways and Means.

By Mr. STUDDS (for himself, Mr. JONES of North Carolina, and Mr. YOUNG of Alaska):

H.R. 6804. A bill to provide subsistence allowances for members of the Coast Guard officer candidate program, and for other

purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. WEAVER:

H.R. 6805. A bill to amend the Pacific Northwest Electric Power Planning and Conservation Act to require voter approval of the financing of Washington Nuclear Projects No. 1, No. 2, and No. 3; jointly, to the Committees on Interior and Insular Affairs and Energy and Commerce.

By Mr. WHITEHURST:

H.R. 6806. A bill to establish an appropriate school and dormitory for congressional pages, and for other purposes; to the Committee on House Administration.

By Mr. YATRON (for himself and Mr. BROOMFIELD):

H.R. 6807. A bill to prohibit the use on Cyprus of military equipment provided to Turkey by the United States; to the Committee on Foreign Affairs.

By Mr. BAFALIS:

H.R. 6808. A bill to designate the Federal Building in Fort Myers, Fla., as the "George W. Whitehurst Federal Court Building"; to the Committee on Public Works and Transportation.

By Mr. HAWKINS (for himself, Mr. ANDERSON, Mr. BADHAM, Mr. BEILENSON, Mr. BROWN of California, Mr. BURGENER, Mr. JOHN L. BURTON, Mr. CHAPPIE, Mr. CLAUSEN, Mr. COELHO, Mr. DIXON, Mr. DORNAN of California, Mr. DREIER, Mr. DYMALLY, Mr. EDWARDS of California, Mr. FAZIO, Ms. FIEDLER, Mr. GRISHAM, Mr. LAGOMARSINO, Mr. LANTOS, Mr. LEWIS, Mr. LOWERY of California, Mr. LUNGREN, Mr. MCCLOSKEY, Mr. MARTINEZ, Mr. MATSUI, Mr. MILLER of California, Mr. MINETA, Mr. MOORHEAD, Mr. PANETTA, Mr. PASHAYAN, Mr. PATTERSON, Mr. ROUSSELOT, Mr. SHUMWAY, Mr. THOMAS, and Mr. WAXMAN):

H.J. Res. 541. Joint resolution concerning the successful completion of the test flight phase of the Space Shuttle program; to the Committee on Science and Technology.

By Mr. BENEDICT:

H. Con. Res. 376. Concurrent resolution recognizing the outstanding service and patriotism exhibited by the volunteers of the American National Red Cross during times of war and expressing the gratitude of the Congress for the service of such volunteers; to the Committee on Foreign Affairs.

By Mr. LEACH of Iowa (for himself, Mr. DERWINSKI, Mr. PORTER, and Mr. STARK):

H. Con. Res. 377. Concurrent resolution condemning the persecution of the Baha'is by the Government of Iran and calling upon the President to take steps to bring an end to their persecution; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BINGHAM:

H.R. 6809. A bill for the relief of O. Edmund Clubb; to the Committee on the Judiciary.

By Mr. PHILLIP BURTON:

H.R. 6810. A bill for the relief of Emily Gayanes Gaufo, Joselyn G. Gaufo, and Favio G. Gaufo, Jr.; to the Committee on the Judiciary.

By Mr. FRANK:

H.R. 6811. A bill for the relief of Alejo White and Sonia White; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 39: Mr. GILMAN.

H.R. 200: Mr. GILMAN.

H.R. 1353: Mr. WYDEN.

H.R. 2007: Mr. FOLEY and Mrs. HECKLER.

H.R. 2034: Mr. DANIEL B. CRANE, Mr. ERTEL, and Mr. MCCOLLUM.

H.R. 2204: Mrs. ROUKEMA.

H.R. 2222: Mr. BIAGGI, Mr. MITCHELL of Maryland, Mr. SUNIA, Mr. SMITH of New Jersey, Mrs. BOGGS, Mr. YATRON, Mr. FISH, Mr. PHILIP M. CRANE, Mr. SHAW, Mr. HUGHES, Mr. HIGHTOWER, Mr. EDGAR, and Mr. FAZIO.

H.R. 2500: Mr. MITCHELL of Maryland, Mr. DASCHLE, Mr. JEFFORDS, Mr. EDGAR, and Mr. PATTERSON.

H.R. 3117: Mr. WORTLEY.

H.R. 3252: Mr. LEHMAN.

H.R. 4230: Mr. FINDLEY, Mr. PRITCHARD, Mr. HUBBARD, and Mr. MYERS.

H.R. 4657: Mr. ADDABBO and Mr. ROSENTHAL.

H.R. 5180: Mr. HARTNETT, Mr. ANDREWS, Mr. DREIER, Mr. KRAMER, Mrs. MARTIN of Illinois, Mr. MCCLORY, and Mr. RITTER.

H.R. 5214: Mr. BOWEN and Mr. FRENZEL.

H.R. 5234: Mr. BLANCHARD.

H.R. 5448: Mr. EVANS of Georgia.

H.R. 5471: Mr. DANIEL B. CRANE.

H.R. 5738: Mr. RANGEL, Mr. MILLER of California, Mr. HUGHES, Mr. FAZIO, Mr. EDGAR, Mr. GEPHARDT, Mr. PETRI, Mr. DE LUGO, Mr. VENTO, Mr. SHAMANSKY, and Mr. BEDELL.

H.R. 5833: Mr. CONTE.

H.R. 5918: Mr. BROWN of Ohio, Mr. HYDE, Mr. LENT, Mr. LUJAN, Mr. MOLINARI, Mr. SKEEN, and Mr. WON PAT.

H.R. 5995: Mr. EVANS of Delaware, Mr. DAVIS, Mr. FISH, and Mr. WIRTH.

H.R. 6003: Mr. ZABLOCKI.

H.R. 6062: Mr. MARLENEE.

H.R. 6070: Mrs. SCHROEDER.

H.R. 6124: Mr. DICKS, Mr. WEAVER, and Mr. DWYER.

H.R. 6131: Mr. RATCHFORD.

H.R. 6165: Mr. PEPPER, Mr. EDGAR, Mr. MOFFETT, Mr. RATCHFORD, and Mr. OTTINGER.

H.R. 6188: Mr. CLAUSEN.

H.R. 6190: Mr. STOKES, Mr. DENARDIS, Mr. GINGRICH, Mr. RODINO, Mr. ECKART, Mr. VENTO, Mr. YATES, Mr. DWYER, Mr. FAZIO, Mr. STUDDS, Mr. SUNIA, and Mr. WEISS.

H.R. 6283: Mr. SOLOMON.

H.R. 6315: Mr. RAHALL.

H.R. 6467: Mr. ANNUNZIO, Mr. ALBOSTA, Mr. FORSYTHE, Mr. WILLIAMS of Ohio, Mr. BLANCHARD, Mr. HIGHTOWER, Mr. STOKES, Mr. BROOMFIELD, Mr. COLLINS of Texas, Mr. MURTHA, Mr. EVANS of Georgia, Mr. RHODES, Mr. BRODHEAD, Mr. NAPIER, Mr. FOLEY, Mr. HERTEL, Mr. RINALDO, Mr. ROTH, Mr. DE LUGO, Mr. BONIOR of Michigan, Mr. VENTO, Mr. FUQUA, Mr. KASTENMEIER, Mr. DICKS, Mr. HORTON, Mr. DERRICK, Mr. PARRIS, Mr. WHITLEY, and Mr. FORD of Michigan.

H.R. 6492: Mr. BAILEY of Pennsylvania, Mr. CHAPPELL, Mr. COATS, Mrs. COLLINS of Illinois, Mr. CONTE, Mr. CORCORAN, Mr. JAMES K. COYNE, Mr. CRAIG, Mr. DAVIS, Mr. DENARDIS, Mr. DWYER, Mr. HERTEL, Mr. KEMP, Mr. MCDADE, Mr. MADIGAN, Mr. PETRI, and Mr. TRIBLE.

H.R. 6526: Mr. SOLARZ, Mr. MINISH, Mr. BAILEY of Pennsylvania, Mr. GLICKMAN, Mr. MCEWEN, and Mr. BINGHAM.

H.R. 6527: Mr. MINISH, Mr. DE LUGO, Mr. ZEFERETTI, Mr. SOLARZ, Mr. BAILEY of Pennsylvania, Mr. GLICKMAN, Mr. BINGHAM, Mr. MCEWEN, Mr. HOLLENBECK, and Mr. WHITLEY.

H.R. 6538: Mr. YOUNG of Florida, Mr. SOLOMON, Mr. STRATTON, and Mr. BROOMFIELD.

H.R. 6573: Mrs. BOUQUARD, Mr. FIELDS, Mr. HILER, Mr. SPENCE, and Mr. YOUNG of Florida.

H.R. 6591: Mr. ECKART, Mr. LEHMAN, and Mr. PORTER.

H.R. 6613: Mr. HUGHES, Mr. EVANS of Georgia, Mr. HORTON, Mr. ROEMER, Mr. VENTO, Mr. BEDELL, Mr. LIVINGSTON, and Mr. WHITLEY.

H.R. 6693: Mrs. KENNELLY, Mr. FORSYTHE, Mr. MOAKLEY, Mr. EVANS of Georgia, Mrs. HECKLER, Mr. HATCHER, Mr. STUDDS, Mr. BEVILL, Mr. DWYER, Mr. VENTO, Mr. BONKER, Mr. SUNIA, Mr. FARY, Mr. LEWIS, Mr. MOLLOHAN, Mr. BEDELL, Mr. ROSENTHAL, and Mr. MOFFETT.

H.R. 6729: Mr. ADDABBO, Mr. DWYER, Mr. EMERY, Mr. FARY, Mr. FASCELL, Mr. HEFNER, Mr. KOGOVSEK, Mr. MINETA, Mr. NEAL, Mr. RODINO, Mr. ROE, Mr. STOKES, and Mr. WAXMAN.

H.J. Res. 172: Mr. YOUNG of Alaska, Mr. SANTINI, and Mr. GRAMM.

H.J. Res. 323: Mr. PARRIS, Mr. PORTER, and Mr. PICKLE.

H.J. Res. 332: Mr. DICKS, Mr. WOLPE, Mr. JACOBS, Mr. SOLARZ, Mr. CROCKETT, Mr. MCCLORY, Mr. DREIER, Mr. EDGAR, Mrs. HECKLER, Mr. BOLLING, Mr. SMITH of Pennsylvania, Mr. BROYHILL, Mr. ALBOSTA, Mr. ERTEL, Mr. FINDLEY, Mr. NATCHER, Mr. LAGOMARSINO, Mr. MCDADE, Mr. MATSUI, Mr. MOLINARI, Mr. ERDAHL, Mr. MILLER of California, Mr. EVANS of Georgia, and Mr. BETHUNE.

H.J. Res. 456: Mr. DOUGHERTY, Mr. LEHMAN, Mr. PORTER, Mr. GINGRICH, Mr. PRICE, Ms. OAKAR, Mr. ANNUNZIO, and Mr. NOWAK.

H.J. Res. 489: Mr. LOWRY of Washington.

H.J. Res. 493: Mr. MARTIN of New York, Mr. HAMMERSCHMIDT, Mr. HARTNETT, Mr. DANNEMEYER, Mr. SILJANDER, Mr. SMITH of Alabama, Mr. NELLIGAN, and Mr. RUDD.

H.J. Res. 503: Mr. EDWARDS of California and Mr. SHELBY.

H.J. Res. 533: Mr. MITCHELL of New York and Mr. HOPKINS.

H. Con. Res. 324: Mr. DERWINSKI, Mr. BEARD, Mr. FLORIO, and Mr. WEAVER.

H. Con. Res. 355: Mr. CORRADA, Mr. COURTER, Mr. VENTO, Mrs. ROUKEMA, Mr. RINALDO, Mr. FORD of Michigan, Mr. LUNDINE, and Mr. BINGHAM.

H. Con. Res. 364: Mr. APPLEGATE, Mr. DANIEL B. CRANE, Mrs. KENNELLY, Mr. FARY, Mr. WOLF, Mr. HAGEDORN, Mr. EVANS of Georgia, Mr. MINISH, Mr. CLINGER, Mr. ADDABBO, Mr. GINGRICH, and Mr. KILDEE.

H. Con. Res. 366: Mr. LEWIS, Mr. CHAPPELL, Mr. LEBOUTILLIER, and Mr. WHITTAKER.

H. Res. 367: Mr. JENKINS.

H. Res. 486: Mr. DWYER, Mrs. COLLINS of Illinois, and Mr. BEDELL.

H. Res. 505: Mr. MINETA, Mr. FISH, Mr. SYNAR, Mr. COELHO, Ms. MIKULSKI, Mr. WAXMAN, Mr. RICHMOND, Mr. MITCHELL of Maryland, Mr. ZEFERETTI, Mr. DOWNEY, Mr. GARCIA, Mr. WALGREN, Mr. ROYBAL, Mr. VENTO, Mr. GEJDENSON, Mr. DWYER, and Ms. OAKAR.

PETITIONS, ETC.

Under clause 1 of rule XXII,

523. The SPEAKER presented a petition of the Ambassador of the Turkish Republic, Washington, D.C., relative to international terrorism; which was referred to the Committee on Foreign Affairs.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 5203

By Mr. LEVITAS:

—Page 63, strike out line 21 and all that follows through line 10 on page 69.

H.R. 6030

By Mrs. COLLINS of Illinois:

—At the end of the bill add the following new section:

LIMITATION OF PROCUREMENT OF RATIONS PACKAGED OUTSIDE THE UNITED STATES

SEC. 902. None of the funds appropriated pursuant to authorizations of appropriations in this Act may be used for the procurement of combat rations for the Armed Forces unless such rations were packaged inside the United States.

By Mr. HOLLENBECK:

—Page 26, after line 22, add the following new section:

TREATY ON CHEMICAL WEAPONS

SEC. 902. It is the sense of the Congress that the President should—

(1) actively promote negotiations among the member nations of the ad hoc working group on chemical weapons of the Committee on Disarmament established by the United Nations General Assembly and meeting in Geneva, Switzerland, for the purpose of the member nations agreeing to a treaty for the complete and verifiable prohibition of the development, production, and stockpiling of all chemical weapons and for the destruction of all chemical weapons; and

(2) communicate to the Government of the Soviet Union the willingness of the Government of the United States to proceed as soon as possible to conclude a treaty for the complete and verifiable prohibition of the development, production, and stockpiling of all chemical weapons and for the destruction of all chemical weapons.

By Mrs. SCHNEIDER:

(Amendment offered by Mrs. SCHNEIDER to H.R. 6030.)

—Page 26, after line 22, insert:

RESTRICTION ON CONSTRUCTION OF NAVAL VESSELS IN FOREIGN SHIPYARDS

SEC. 902. (a) Chapter 633 of title 10, United States Code, is amended by adding at the end thereof the following new section:

"§ 7309. Restriction on construction of naval vessels in foreign shipyards

"(a) Except as provided in subsection (b), no naval vessel, and no major component of the hull or superstructure of a naval vessel, may be constructed in a foreign shipyard.

"(b) The President may authorize exceptions to the prohibition in subsection (a) when he determines that it is in the national security interest of the United States to do so. The President shall transmit notice to Congress of any such determination, and no contract may be made pursuant to the exception authorized until the end of the 30-day period beginning on the date the notice of such determination is received by Congress.".

(b) The table of sections at the beginning of such chapter is amended by adding at the end thereof the following new item:

"7309. Restriction on contruction of naval vessels in foreign shipyards.".

By Mr. SIMON:

—At the end of the bill, add the following new section:

STUDY ON FOREIGN LANGUAGE REQUIREMENTS

SEC. 902. (a)(1) The Secretary of Defense shall conduct a study on the feasibility of requiring each cadet and midshipman at the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy and each member of the Senior Reserve Officers' Training Corps program to study at least one foreign language for not less than two years and to increase existing requirements for foreign language study at such academies and in such program.

(2) The Secretary shall include in such study consideration of the desirability and feasibility of paying a bonus to each member of the Armed Forces stationed in a foreign country who is proficient in the native language (other than English) of such country.

(b) A report on the study conducted pursuant to subsection (a) shall be submitted by the Secretary of Defense to the Congress not later than the date occurring 12 months after the date of the enactment of this section.

EXTENSIONS OF REMARKS

PUBLIC SECTOR UNIONS THREATEN OUR CITIZENRY'S GENERAL WELFARE

HON. ELDON RUDD

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. RUDD. Mr. Speaker, one of the reasons for the high caliber of law enforcement in this Nation has been the quality of our public servants themselves. Policemen, firefighters, emergency crews, and other public safety officials have a difficult, and often unrecognized, duty in protecting our society.

For their public service, I take my hat off and congratulate these honorable men and women who risk their lives for the sake of their fellow citizens.

But, as public servants these employees also have a special duty and responsibility to their employers—the public and the elected and appointed officials who represent the public.

For it is the public, the taxpaying citizens of our country, who pay the bills and receive the services of our public workers. Public employees are hired by the citizens of the Republic. The job is unique, it is a trust. The safety of our citizens is in the hands of the public employees, and, thus, it is critical to prevent breakdowns among our critical public work force which can jeopardize the well-being of a community.

It has been my experience that public sector unions do not work for the benefit of citizens, but rather their goals are bent toward the good of narrow, selfish interests; namely, their own.

During the air traffic controllers strike, we heard time and time again how the Government mistreated this selective group of Government employees. In fact, these controllers, while skilled in a high-stress profession, were among the highest paid Government employees with literally thousands of applicants waiting in line to join them in the towers.

Their union—PATCO—used every form of blackmail in the book, broke a Federal law by striking, and held the airline industry and millions of travelers hostage while seeking more benefits for themselves.

There can be no question of the need to continue our ban on public strikes. This, I emphasized in the form of an amendment to the Civil Service Act in 1978.

But public sector unions persist in their unconscionable tactics in cities all over the country. At the local level, they seek to not only engage in collective bargaining, but to set their own code of conduct and intrude upon the authority of elected and appointed officials.

The city of Phoenix, Ariz., Police Department, like any law enforcement agency, depends upon tight discipline and unwavering unity in enforcing the law. It is not a military operation, but rules need to be rigid and conduct exemplary—just as consistent as the officers must be applying decisions in their everyday work on the streets.

Of critical importance is having one person in charge of the department—the police chief—in a position of leadership that can do without second guessing, internal squabbling, and particularly interference from an employees' union.

Recently, on the Phoenix police force, a group of officers were dismissed for misconduct during a drinking party. Shortly thereafter, another male officer was demoted for sexual harassment of a female police officer.

In each of these cases, the gentleman appointed to the job of police chief, Ruben Ortega, acted decisively, firmly, and in a manner befitting his sensitive role as the city's top law enforcement officer.

However, because of his actions, Chief Ortega has been under fire from the Phoenix Law Enforcement Association, a union representing about 80 percent of the local police force. Two patrolmen—and union members—sharply criticized their chief publicly in the police union newsletter for his disciplinary action against the officers. The articles attacked and questioned Chief Ortega's fairness and accused him of causing a low morale problem in the department.

The police union's leadership organized a protest march of 300 police officers, initiated a petition drive in protest of the chief's policies, and many have called for his ouster.

But the key issue here was not the disciplinary policies of the Phoenix Police Department, but who is in charge of running it. The union leadership not only wants to second-guess the man in charge, but they want to help write the department's policies and participate in disciplinary procedures.

As a former law enforcement agent for 20 years with the FBI, and an outside observer in a purely local matter, I applaud the fortitude of Chief Ortega in preserving the integrity and high honor of the police force.

If the police chief were to beckon to the parochial interests of the union, it would be tantamount to inviting a breakdown not just within a fine police force, but within the entire citizenry. His prime task is to uphold the law, not to cater to the interests of a select few.

It is refreshing to note that the major Phoenix newspapers and other media, the mayor and city council members have strongly endorsed the principled actions of Chief Ortega.

Rather than trying to impede upon the rightful authority of public officials, the public sector unions should examine their own record of credibility.

In the Phoenix employee's association alone, top union officials are being investigated for alleged crimes on and off duty. These alleged crimes include falsification of police reports and shoplifting while on duty.

Similar improprieties involving police officers—who are hired to enforce the law, not break it—have occurred around the Nation in Los Angeles, Chicago, and in a number of other cities.

In the District of Columbia this year, there have been reports of one of the local police unions making serious accusations against their superiors—the mayor and the police chief—to the effect the these top officials had mishandled an investigation of some officers downgrading police reports. The two competing unions for the District of Columbia Police Department have freely traded charges of racism over the past few years and have made public statements to the press that amount to nothing less than outright demands.

The larger issue at hand here is not any specific example of wrongful action on either side—labor or management. It is: Who is in charge of a police agency? Who is responsible for making policy in a department and how much influence can be exerted by special interests which cater to a select few and which are not ultimately responsible for running an effective, well-disciplined, trusted, and productive department.

When the authority and delegated responsibilities of an official are questioned and aggressively challenged to the point where the operations of a department are severely disrupted, then we know such interference is not in the best interests of the public.

When he was Governor of Massachusetts, former President Calvin Coolidge left no doubt how he felt during the Boston police strike of 1919:

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

There is no right to strike against the public safety by anybody, anywhere, anytime.

Since those bold words, American courts have quoted it time after time in handing down labor decisions.

The blossoming of public sector unions have almost taken place overnight since President John Kennedy signed an Executive order in 1962 giving Federal workers the right to join unions. Last year, there were an estimated 6.5 million full-time Federal, State, and local government workers represented by unions or employee associations—an estimated 42 percent of the Government work force. At the local level, 3.7 million Government workers dominate most vital public service occupations—the police, the firefighters, the sanitation workers, the highway crews, and so forth.

Because of their powerful bargaining stance—by shear numbers alone—some unions seem to believe they are in a position to maneuver major policymaking to their own liking, or to make ultimatums suited to their own interests.

Regardless of how public sector unions displace the public's interests with their own, a few basic facts remain. Public employment is a public trust. These workers serve at the will of the people, the taxpayers who support them, not for a private employer trying to make a profit. Further, Government workers are not, or should not be allowed to utilize public sector unions to take advantage of those for whom they are hired to serve.

And, lest all public sector workers and their unions forget, they are also at the disposal of the public which employs them. That is the democratic process all elected officials must respect; that is the policy for all public servants. If public employees cannot understand this they should look for employment in the private sector.●

LARRY LAY BRINGS JOY AND FULFILLMENT TO HANDICAPPED

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. BROOMFIELD. Mr. Speaker, this country has many reasons to be proud of its veterans, who have served our Nation faithfully when the need has arisen. One man from Oakland County, Mich., who is a veteran has continued to honor our people and our country since returning to civilian life, but in a different and special way. Mr. Larry Lay has chosen to devote himself and his resources to brightening the lives of our Nation's handicapped.

Ten years ago Larry's daughter, Stacey, was born with a birth defect, spina bifida. This prompted Larry to quit his job as a steel hauler and start his own company specializing in products for handicapped persons.

The first product Larry designed and constructed was a body brace for his daugher. Mr. Lay's firm, Greater Life Enterprises Inc., has also created an electric car to give handicapped persons greater freedom of movement, a gravity-free therapy device for arm and leg exercises, and two versions of a device to allow persons with a handicap to enjoy the game of bowling. Stacey Lay can bowl a respectable 125 average. Another of Mr. Lay's happy customers is Dave Repshinska, paralyzed from the shoulders down, but who is bowling an impressive 158 average, thanks to Larry's device.

The efforts of Mr. Lay bring honor to our country and to the people of Michigan. His work to bring more joy and fulfillment into the lives of handicapped Americans is a distinguished and noble endeavor. He deserves our recognition, commendation, and praise.●

TRIBUTE TO WALTER B. BREMOND, JR.

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. DYMALLY. Mr. Speaker, it is with deepest sorrow that I bring to the attention of my colleagues the recent death of Mr. Walter Bremond, founder and president of the National Black United Fund.

Only 48 years of age at his passing, Mr. Bremond lived those years to the fullest, leaving to his community a record of service and commitment that few can match.

In 1962, Mr. Bremond organized the Los Angeles Black Congress as a means of unifying and establishing communication among our people for political and economic empowerment. In 1968, he organized the Los Angeles Brotherhood Crusade as a vehicle for community fund development and self determination. He then proceeded, in 1974, to establish the National Black United Fund to further the growth and development of the black community nationwide.

Mr. Bremond was a leader in challenging the disproportionate allocations of the United Way to minority communities, and was instrumental in making it possible for employees in Government and private industry to contribute directly, through payroll deductions, to projects serving black constituents.

His untimely death of a heart attack is a loss of great magnitude to black Americans and to all who embrace the ideals of justice and equity. The organizations he founded remain as testimonials to his vision, and to his remarkable ability to make of dreams a reality.

We are each challenged to work with equal fervor and dedication toward the objectives that propelled his life, and enriched the lives of so many others.●

ONE PAGE'S POSITIVE EXPERIENCE IN WASHINGTON

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. LEHMAN. Mr. Speaker, the following letter, which was printed in the Miami Herald on July 16, 1982, has value far beyond its defense of the page system on Capitol Hill.

Dana Fleisher's letter is a reaffirmation of faith in our American traditions. The values and ideas of this talented young lady are representative of many of today's young people.

Our office's experiences with several dozen interns and pages have been most rewarding. These young people make a real contribution to our American political system and I am convinced that they will continue to do so in the future.

The letter follows:

A CONGRESSIONAL PAGE TELLS OF HER EXPERIENCES

To the EDITOR:

Just two and a half months ago, I returned from Washington, D.C., after completing a nine-week appointment as a congressional page. The recent revelations certainly do not reflect the activities of the majority of pages.

The two months I spent in Washington were unforgettable and priceless. Rep. William Lehman of North Dade/South Broward was my sponsor. I will be grateful to him forever.

I attended school in the attic of the Library of Congress each weekday. The first bell rang at 6:10 a.m., and school was usually dismissed at 9:45 a.m.

On the Democratic side of the House floor, I signed in each morning and received my duties. They usually were to deliver letters, documents, and packages from office to office. I worked until 6 p.m., often as late as 7 p.m.

As a House page, I worked all day, five days a week. Senate pages often worked on Saturday mornings. On the weekends, though, I found the city of Washington to be the most exciting and most culturally oriented city in the United States.

In just two months, I visited every museum at least once, went to the Kennedy Center to see the Joffrey Ballet and again to see Katherine Hepburn in a drama, and saw the city's universities. I was also fortunate enough to be there when Queen Beatrix of the Netherlands came to address a joint session of Congress.

There was no conflict with supervision while I was a page. I resided in an all-girls dorm where a special floor was designated for pages. We had two proctors—one at each end of the hallway—and a strict nightly curfew.

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All of us signed in after work each evening and on the weekends as well.

The majority of other pages lived in a similar fashion. I realized for the first time in my life that it was up to me to do my laundry and get to the places I needed to go. I made friendships that I will always cherish with kids from all over the nation. In many aspects, I was on my own—but I was never lonely, never totally unsupervised.

In Washington, I met with prudent, sedulous congressmen and congresswomen. Most were concerned for their country's economy and prosperity. I hope that the unfortunate behavior of a few does not jeopardize the efforts of the conscientious majority.

It particularly irks me to see the congressional-page system maligned. I wish all teenagers could have the experience I did. I hope the misconduct of several pages will not damage the reputation of the others.

Being a page was a special, unique, and rewarding experience. I would do it again in a minute.

DANA FLEISHER,
Plantation.●

KEEP SENIOR EMPLOYMENT PROGRAMS ALIVE

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. ROTH. Mr. Speaker, it is imperative that the House pass House Concurrent Resolution 278 today and declare Congress unwavering intent to fully fund Older Americans Act title V senior employment programs.

More than 54,000 low-income older Americans depend on senior employment programs for supplemental income and an opportunity to be of service to their communities. Thus, title V programs are not just an important source of income to senior citizens; these programs express the Nation's commitment to full participation by older persons in the national life at its best.

Indeed, senior employment programs provide tax revenues making title V not only laudable from a social point of view, but cost effective as well. What other justification is needed to insure a long life to title V?

The intent of Congress in keeping senior employment programs vital must be fulfilled. I am pleased to note the widespread support for title V in Congress, over half of the Members cosponsoring this resolution to keep the programs strong. I urge my colleagues to bring the same commitment to efforts to insure that senior employment programs are fully funded not just in the coming fiscal year, but in years hereafter.●

A FEDERAL CHARTER FOR THE ARMY AND NAVY UNION

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. SEIBERLING. Mr. Speaker, I am pleased to reintroduce legislation to provide a Federal charter to the Army and Navy Union of the United States of America.

The Army and Navy Union was organized in 1886. It is the oldest veterans' organization of its type in America, and is the only veterans' organization in which membership is not limited to any specific form, date, branch, place, or nature of the military service rendered.

Incorporated in 1888, the Army and Navy Union is dedicated to the preservation of a free and independent United States, and to providing assistance to veterans and their dependents. Since its earliest days the union has worked for the enactment of equitable laws to provide pensions, medical care, and other benefits for veterans.

The Army and Navy Union is headed by a national commander and staff, State departments, county councils, and the local groups or posts, which are known as garrisons. The National Corps is administered by officers elected at the annual convention. Any member in good standing is eligible to hold any office in the Army and Navy Union.

The Army and Navy Union has a long and illustrious record of service to veterans. Forty-one Congressional Medal of Honor recipients have held membership in the union, including Eddie Rickenbacker and Douglas MacArthur. Other members have included President William McKinley, Supreme Court Justice Harold Burton, and U.S. Senator Charles Dick of Ohio.

I am pleased to be the sponsor of this legislation, and I hope that the Congress will act to grant a Federal charter to this worthy organization.●

FOREIGN AID DOING US IN

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. McDONALD. Mr. Speaker, the cost of our foreign aid program since World War II, has been enormous. The results have been insignificant. The program has aroused jealousy, has not made any lasting friendships for the United States, and in many cases has given rise to graft and corruption in the countries we have attempted to aid. A good summation of foreign aid, written by Jack F. McManus, appeared in the Birch Log of July 22, 1982, a weekly newspaper column syndicated by the John Birch Society.

The column follows:

FOREIGN AID DOING US IN

(By John F. McManus)

BELMONT, MASS.—A few months ago, a friend of Senator Jesse Helms of North Carolina asked this simple question: How much, including interest on the money borrowed by the U.S. Government to finance it, has our foreign aid program cost the taxpayers? The answers he came up with are truly mind-boggling.

Between 1946 and 1981, the number of U.S. tax dollars sent to the far corners of the earth—and everywhere in between—comes to $286,467,000,000. That figure exceeds the total annual budget of the U.S. Government in 1974!

But an honest cost assessment of foreign aid has to include interest on the money borrowed to pay for it. So Senator Helms asked for help from the Library of Congress which has computed that the cost of all this foreign aid (interest included) is a staggering $2,304,257,900,000. This $2.3 trillion is more than twice the admitted national debt of $1.06 trillion and is almost equal to our entire nation's annual gross national product which is estimated to be $2.99 trillion. When the Senator received these figures, he sent them back for double-checking. Unfortunately, they were correct.

WHERE DOES IT GO?

Senator Helms' discussion of this massive giveaway and a listing of its recipients appear in the Congressional Record for May 18, 1982 (pages S5402-5406). That list notes $23 billion for Vietnam, and over $2 billion each for Laos and Cambodia. Obviously, more than money is needed to keep nations from falling to Communism. The Helms tabulation also includes $2.8 billion for Communist Yugoslavia and lesser millions for Communist Poland, Hungary, Czechoslovakia, East Germany and even the U.S.S.R. itself.

Foreign aid has been given to oil-rich OPEC nations and to an assortment of primitive satrapies whose chief delight seems to be hurling insults at the United States. It has often been given to both sides in the endless parade of wars (India and Pakistan, Ethiopia and Somalia, Israel and Egypt, Algeria and Morocco, etc.). Aid is supplied to governments whose policies accelerate poverty, such as when they nationalize agriculture, expel productive minority groups, and destroy free enterprise. It never reaches poor people except through rulers whose first and foremost goal is to serve their own interests. If the amount of foreign aid is based on a nation's poverty level, you can be sure that many petty tyrants will work to deepen their people's poverty. This incredible largesse has also financed foreign industry (in Japan, Taiwan, South Korea and Hong Kong) which is now underselling our own.

WHAT DOES IT DO TO US?

As vast as these figures are, they do not include additional foreign aid in the form of maintaining and equipping a huge military force in Europe and the Far East. Nor do they include the billions we have poured into the grasp of the America-hating United Nations. Right now, the American taxpayers have to pay $115 billion annually in interest on previous debt. These outrageous expenditures have brought on greater defi-

cits, higher interest rates, increased inflation, unemployment and a general slowdown. If the money spigot is not shut off soon, America will be finished.

Senator Helms concedes that there were a few years when we doled out foreign aid and still had a surplus. And he notes that a small portion of the total has been paid back. He even says: "I am willing to halve the total figure" to satisfy anyone who complains. His point, of course, is that half of a $2.3 trillion giveaway is still ridiculous. And our point is that there never has been anything in the U.S. Constitution which empowers our government to tax the people in order to give funds to foreign governments. When foreign aid began, opponents predicted the mess we are in. The only sane course is to stop it completely before we commit suicide.●

THE LOUISVILLE ORCHESTRA

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. MAZZOLI. Mr. Speaker, as the Louisville Orchestra "tunes up" for the beginning of the 1982-83 season, I would like to take this opportunity to call to the attention of my colleagues in the House some of the special accomplishments of the Louisville Orchestra over the years.

Louisville is a community rich in cultural activities, and the Louisville Orchestra has been its leading musical resource since 1937. The orchestra has earned worldwide recognition for stimulating and encouraging contemporary musical composers.

In its four recording sessions each year, the orchestra makes full-length records featuring music by world class contemporary composers. New works are commissioned by the orchestra's own recording company—First Edition Records. The Louisville Orchestra is one of the few orchestras in the world to own and operate its own recording company.

In addition to its promotion of contemporary music, the Louisville Orchestra does much to encourage the arts in local young people by sponsoring music education programs. The orchestra is also involved in a number of young artist competitions.

The orchestra brings an extraordinary breadth, talent, and expression to the performances of the Louisville Ballet and Kentucky Opera Association. It recently completed a highly successful tour of Mexico.

Under the leadership of Robert Whitney for 29 years, Jorge Mester for 12 years, and then Adira Endo, who recently left the podium, the orchestra has met the challenge of ever-diversified musical programs.

An impressive array of the world's greatest popular and classical artists will be featured during the 1982-83 season, among them, virtuoso pianists André Watts and Ralph Voapek, violinist Elmar Olveira and vocalist Dionne Warwick.

Along with the opening of a new season, the Louisville Orchestra is anticipating in the fall of 1983 the opening of the new Kentucky Center for the Arts which will be sited near the renovated Louisville Riverfront. In its new home, the Louisville Orchestra is sure to enrich the social and cultural climate, not only of the Louisville metropolitan area, but of the entire Commonwealth of Kentucky.

I applaud the efforts and talent of the Louisville Orchestra and wish it much success this season and in all its seasons ahead.●

THE 97TH CONGRESS NEEDS TO TACKLE THE PROBLEM OF ARTHRITIS

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. WYDEN. Mr. Speaker, today is a happy day for senior citizens and other Americans. The crippling disease of arthritis is finally being taken seriously.

Last month in the House Energy and Commerce Committee, my colleagues voted for an amendment I offered which would create a separate National Institute of Arthritis. Credit for this legislation rightfully belongs with my distinguished colleague who chairs the Committtee on Aging, CLAUDE PEPPER, who has done so much for the elderly and other vulnerable Americans.

Today the Senate Labor and Human Resources Committee is taking another step forward by holding hearings on creation of this separate Institute of Arthritis.

The reasons for creating the Institute are quite simple.

Thirty-seven million Americans suffer from over 100 types of arthritis, yet only 17 percent of all research dollars in NIH are spent on arthritis research. This for a disease that costs society $30 billion annually.

The facts are staggering:

Twenty percent of medicare hospital costs are attributable to arthritis.

Social security disability, unemployment, and lost tax revenues shoulder a major part of the fiscal burden.

Arthritis is only second to circulatory diseases in economic costs to society.

Not to establish the proposed Institute would be pennywise and pound foolish.

Arthritis costs society billions and yet scientific research has been put on the back burner at NIH while quack cures proliferate.

In establishing this Institute, existing management and facilities can be consolidated, so that taxpayers will pay a small price compared to arthritis' annual cost to society.

Federally funded research must focus on arthritis, and the best way to do that is create a National Institute of Arthritis in the National Institute of Health.●

AMERICA SHOULD REACTIVATE ITS OIL PRODUCTION

HON. ELDON RUDD

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. RUDD. Mr. Speaker, in early 1980, our Nation's active oil rig count stood at about 2,500. At the start of 1981, the number of rigs rose to over 3,300. In January of this year, it was up to record levels—almost 4,600 active oil rigs in the United States at a time when oil prices were peaking domestically.

An alarming and almost unnoticed trend has since followed. After the first 6 months of 1982, the number of active rigs is down to a mid-1980 mark of 2,800.

What do these figures tell us?

First, that the dropoff of world prices has left OPEC in a confused state.

Second, that this instability, together with the volatile situation in the Mideast could quickly end, again leaving the United States in a vulnerable position because of our dependency on supplies.

Rather than be caught by surprise, we should be encouraging domestic production and building up our strategic supplies. We should look more toward the synfuels industry. We should be locating, drilling, and procuring our own sources for the day that OPEC decides to once again skyrocket oil prices on the backs of the American consumers.●

TRIBUTE TO MORRIS LEIBMAN

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. HYDE. Mr. Speaker, Morris Leibman is a very special person to a lot of people in America, and not too long ago a testimonial was held in his honor in Washington. The story of Mr. Leibman and his testimonial was the subject of a recent article by a very special columnist, Georgie Anne Geyer, that appeared in the June 24 Chicago Sun-Times.

I would like to share this article with my colleagues:

[From Chicago Sun-Times, June 24, 1982]

MORRIE LEIBMAN: A VERY SPECIAL GUY

(By Georgie Anne Geyer)

WASHINGTON.—The elegant testimonial dinner at the Chevy Chase Country Club could have been any recent posh Washington party. But this one was special because so many of the high-level movers and shakers present were moving and shaking from the far right to the liberal left.

The man who had brought them together was in everybody's book a very special guy. His name is Morris Leibman. He is a great deal more than just a top-level partner in the prestigious Chicago law firm of Sidley & Austin.

As one of the speakers that night said, as "Morrie" sat there with his usual blend of pixieish charm and humility, Leibman helped us all "to avoid a hardening of categories." Important words for today.

Or, as Richard Friedman, a lawyer who worked with him, put it afterward, "Today . . . we fall into the trap of pigeonholing everything. If you're a Democrat, you do this; if you're a Republican, you do that. These designations are not very helpful. Then you get to a guy like Morrie Leibman, who's a Democrat and a humanist, and he's all over the place. Some issues require a very hawkish stance, some a dovish stance."

Morrie Leibman is a short man with a roguish smile and seemingly infinite energy. He has served five presidents as a behind-the-scenes adviser, and last October Leibman, a Democrat, received the Presidential Medal of Freedom from a Republican president. He is a kind of Bernard Baruch for our times, one of those men who play in immeasurable role in forming, advising and moderating the decisions of the top men of power from a rational, lay position outside.

But most important, as everyone stressed at the testimonial for him, he was one of those men who built bridges between ideological extremes, a man who understood and acted upon the "sense of process" that alone makes democracy workable, a man who never dealt in theoretical extremes.

How did he do this? In his many years of public service, perhaps his most recognized role is chairman of the American Bar Associations's Standing Committee on Law and National Security. But he has also served as civilian aide-at-large to the Army secretary and in innumerable important advisory roles.

It was Leibman who used his vast web of connections and his easy charm to bring Henry Kissinger to Chicago on three occasions to meet off-the-record with top businessmen. It was Leibman who suggested to Alexander Haig the name of Leon Jaworski for Watergate prosecutor. In short, Leibman has been a kind of wise civilian conscience for a lot of people who could be lost in heady waters.

His national security committee is almost single-handedly responsible for creating the new body of law on intelligence. An example: the new laws that forbid a person or publication to reveal an intelligence agent's identity. These laws could have gone to the foolish left or the cruel right, but because of Leibman's agility they came out in the reasonable middle.●

THE COLLEGE AND UNIVERSITY ENERGY MANAGEMENT AND FINANCING PROGRAM

HON. BARBER B. CONABLE, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. CONABLE. Mr. Speaker, as a member of the President's Task Force on Private Sector Initiatives, I would like to bring to public attention an innovative program aimed at slashing energy consumption and costs in higher education. The comprehensive college and university energy management and financing is being put into effect at 12 demonstration campuses. During the 30-month program, models and publications will be developed so other colleges can adopt the system, which should save as much as 25 percent in energy costs.

I find this private sector program commendable for several reasons. First, it will aid colleges at a time of financial difficulties for them. It will also reduce one of our greatest problems—scarcity of energy resources.

Government alone cannot solve all our ills; we need the expertise and vast resources of the private sector. The John A. Hartford Foundation of New York City is to be commended for supporting this and other such creative projects and we look forward to broad emulation of this practice by many other private groups.

The following article from the May 19 issue of the Chronicle of Higher Education gives a brief description of the program and lists the participating campuses:

12 COLLEGES NAMED FOR PROJECT TO CUT ENERGY COSTS

WASHINGTON.—The selection of 12 colleges and universities to demonstrate a cost-cutting energy-management system was announced last week.

The demonstration project is designed to cut energy costs by as much as 25 per cent.

Christoper E. Crittenden, director of the Higher Education Energy Task Force here, said the system, if put into effect on all campuses, could cut as much as $775-million a year from energy costs. He said those costs would exceed $3-billion or $363 per student this year.

The program is a joint project of the task force and the Educational Facilities Laboratories, whose headquarters are in New York. The project's first year will be supported by a $300,000 grant from the John A. Hartford Foundation, a private institution.

CENTRALIZING DECISIONS

The task force was formed in 1975 by the American Council on Education, the Association of Physical Plant Administrators of Universities and Colleges, and the National Association of College and University Business Officers. Educational Facilities Laboratories is a division of the Academy for Educational Development.

The energy-management system, according to officials of the sponsoring organizations, will centralize campus decisions affecting energy use, provide computerized information on energy consumption and the costs of possible conservation measures, and develop less expensive ways of financing energy programs.

Energy-management systems are to be developed during the first year and evaluated during the second year, after which the results of the program, including training materials and computer programs, will be published.

The 12 institutions selected as demonstration sites for the system are:

Arizona—Pima Community College.

California—Humboldt State University and Pomona College.

Connecticut—Fairfield University.

Illinois—Lincoln Land Community College.

Maryland—Johns Hopkins University.

New Hampshire—Franklin Pierce College.

New York—State University of New York at Stony Brook.

North Dakota—University of North Dakota.

Pennsylvania—Chatham College.

Utah—Westminster College.

Virginia—Virginia Polytechnic Institute and State University.●

CONTRACTING OUT

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. HORTON. Mr. Speaker, in the near furture, the House will consider in two separate pieces of legislation the question of whether the Government should continue to contract for the provision of commercial and industrial goods and services.

In H.R. 6030, the Defense Authorization Act for 1983, the Armed Services Committee will be asking us to approve a 1-year moratorium on the Defense Department's conduct of cost studies analyzing the efficiencies which might result from contracting out for some of these item. In H.R. 6317, that same committee will be asking that the kinds of functions which DOD may have performed by contract be severely limited.

As an advocate of a Government-wide procurement policy, I am perplexed at seeing these proposals surface at a time when the Office of Management and Budget is considering a general revision of the document which sets rules for contracting out by all agencies, OMB circular No. A-76. As a proponent of efficiency and economy in government, I am disturbed by the prospect of having a major agency precluded from securing goods and services in the least costly manner.

Amid the vocal and frequently bitter debate about the merits of contracting out, I am pleased to see that an even-handed analysis of the subject appeared in the July 6, 1982, edition of the Washington Post. I submit the article to be reprinted immediately after this statement for the benefit of Mem-

bers who may not have seen it when it was first published.

The article follows:

[From the Washington Post, July 6, 1982]

PUTTING THE GOVERNMENT OUT OF A BUSINESS

(By Douglas B. Feaver)

At Fort Leonard Wood, Mo., lovingly remembered as the armpit of the world by countless thousands of Army trainees, government employes once ran the laundry at a three-year cost to taxpayers of $4.5 million.

When the job was handed to a private contractor in response to Office of Management and Budget directives, 95 federal jobs went to the big personnel roster in the sky and a three-year saving of almost $600,000 was realized.

The change, called contracting-cost, was not without pain, however. That pain is at the center of a burgeoning battle between those who believe the government should not be doing work the private sector clearly can do and those who are either trying to save government jobs or who believe the private sector does not respond well to government, particularly military, needs.

The General Accounting Office recently studied the Fort Leonard Wood laundry and 17 other examples where the private sector assumed jobs once performed by government. At Fort Leonard Wood, "the contractor's performance was deficient in several areas during the first six months" but became satisfactory, GAO said.

In five other contracts, "unsatisfactory contractor performance was experienced" and new contractors were hired or problems were still being worked out at the conclusion of the GAO study. These kinds of difficulties are giving ammunition to those who question the contracting-out emphasis of the Reagan administration.

Officials at OMB argue that the difficulties experienced so far are mangement problems, reflecting inexperience or unwillingness on the part of government supervisors to define carefully the job they want done and then to make sure nongovernmental contractors do it. When management gets serious, they say, contractors do well, money is saved and all benefit.

The existing contracting-out directive (predecessors go back to 1955) was written in 1979, in the Carter administration, and contains this very Reagan-like sentence: ". . . It has been and continues to be the general policy of government to rely on competitive private enterprise to supply the products and services it needs."

That is not a popular stance with groups such as the American Federation of Government Employes (AFGE). Spokesman Gary Dinunno said contracting-out "abuses are so flagrant in some areas it's just obscene. We've had stories of illegal aliens being involved in security on military bases."

AFGE's lobbying efforts were instrumental in a one-year moratorium imposed by Congress on some contracting-out efforts by the Veterans Administration, but the big target for both AFGE and OMB is the Defense Department.

DOD purchases millions of dollars' worth of commercial services that are nongovernmental in nature, so many DOD operations are prime candidates for conservation to private enterprise. That means many government employes could find themselves off the federal payroll, although any contractor assuming a job once done by government employes is obliged to offer them a job first, though not necessarily with the same wages and benefits.

Thus, we find the House Armed Services Committee "concerned," as it said in the report on the Pentagon's fiscal 1983 authorization bill, "that the Executive Branch has lost sight of priorities in its headlong rush to contract out large numbers of federal jobs."

The report ordered a one-year moratorium on studies comparing the costs of public or private operation. Those studies are usually required as a prelude to conversion; as a general rule, if a private contractor can do it for 10 percent less, then the government is supposed to get out of the business.

There has also been some action in the Senate to limit contracting out, but the issue is far from resolved. AFGE's Dinunno said, "I think we have some support" for limiting the practice.

AFGE does not know, he said, how many government jobs have been lost through contracting-out, but the Pentagon says that contracting-out so far has resulted in big benefits.

Lawrence J. Korb, assistant secretary of defense for manpower, reserve affairs and logistics, testified on Capitol Hill recently that, "We have conducted about 400 bidding competitions [between government operations and private-sector contractors] in the past three years. About 60 percent were won by private firms saving about $70 million a year. The other 40 percent of the competitions were won by in-house activities which, spurred by competition, became more efficient and cost-effective.

"As a result, we are saving an additional $14 million annually. So whether a contractor or the in-house activity wins the competition, the real winner is the taxpayer."

OMB is working on a new circular on how to go about contracting-out. The central emphasis is to reduce the paperwork required before competitive bidding can be held between the existing government office and would-be contractors, according to OMB officials. A draft will be published for comment soon.

An early draft, which OMB officials said was never official, proposed that functions employing fewer than 25 people could simply be turned over to the private sector without cost comparisons. That set the unions on edge and was part of the impetus behind the moratorium movement.

"The great assumption" of those favoring keeping jobs in-house, said Donald E. Sowle, OMB's administrator for federal procurement policy, "is that government does things perfectly, which is obviously not true."

CONTRACTING OUT: YES OR NO?

A number of specific charges have been leveled against contracting-out, and the Office of Management and Budget has mounted a counteroffensive. Some charges and defenses:

Contractors are not as responsive to military needs as government employes and have the right to strike. The government, OMB says, can terminate a contract at any time and can require that a contractor develop a strike contingency plan.

OMB's cost-comparison standards tend to favor contractors over government. "This is incorrect," OMB says, and notes that government agencies "have the opportunity to streamline their in-house operation [to make it more competitive with the private sector] before the cost comparison is made."

Government has more flexibility in assigning its own employes than it has with private-sector employes. If government defines what is to do be done carefully, that's not a problem, OMB replies. It has written an 89-page handbook on how to define jobs.

Government incurs substantial costs in supervising contractors. That may be, says OMB, but those costs have to be included when comparisons are made between the cost of government doing the work and the cost of private contractors doing the work.●

INTERIOR SECRETARY WATT RATED FAVORABLY

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. SHUMWAY. Mr. Speaker, I suppose I have received as much mail about the Secretary of the Interior, Mr. James Watt, as about anything else since the Reagan administration came to town. It has often seemed to me that most of what the folks out there have heard has been based on distortions in the press about proposals Mr. Watt has made regarding mineral access, wilderness protection, and so on. I have spent a good deal of time talking with Mr. Watt, and with other officials of the Department of the Interior, and I have often had a hard time recognizing in the news accounts the programs that have been proposed.

That being the case, I was a bit surprised by a recent Gallup Poll which showed that 61 percent of the American people rated Secretary Watt favorably. Since almost nothing has ever been said about him in a positive vein in the major media, I would have thought that that number would be much lower.

I believe, however, that the number does demonstrate the familiarity the American people have with Interior matters. They recognize that these are not simple questions, and that while environmental protection and preservation are necessary, the last administration carried these things to excess. They recognize, I think, that a better balance has to be struck.

And I doubt, as George Gallup suggested in his commentary on this poll, that this number simply reflects a view of the Secretary "as a person." Most Americans know very little about any Cabinet official "as a person." They know what they have been told about his job performance by the news media, and that is all. If James Watt gets a 61 percent favorable rating, I think it is pretty safe to assume that 61 percent of the American people think he is going about his job in about the right way. So do I.●

NUCLEAR FREEZE MOVEMENT

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. FRANK. Mr. Speaker, the grassroots nuclear freeze movement is one of the most encouraging political developments I have seen in some time. I believe it is encouraging both because I agree wholeheartedly with the policy objective it seeks, and because it is a superb example of the role that informed and concerned citizens ought to play in our democratic system. The leaders of the nuclear freeze movement have shown that it is possible for private citizens to mobilize support in a way that can have a very favorable impact on an area of public policy which many would reserve to the "experts." There is no issue about which the people of this country have a greater right to be heard than that of preventing nuclear war. For it is their survival which is at stake if we are unable to reverse this all out arms race.

In the State of Massachusetts, one of the most active nuclear freeze committees has been that in the town of Natick. An example of the kind of creative activities which the Natick Nuclear Freeze Committee has engaged in is included in a recent article in the Natick Bulletin & Sun by Olin W. Hayes who chairs that committee.

Mr. Hayes' article is a well-reasoned, forceful statement of the case for the mutual nuclear freeze and I believe my colleagues and others will profit from reading it.

The article follows:

THE NUCLEAR FREEZE—CALL NUCLEAR WAR WHAT IT REALLY IS

Many encouraging signs on the Nuclear Weapons Freeze front. Hundreds from this area will join with hundreds of thousands in New York Saturday for the biggest peace demonstration ever held in this country. The rally and march have two purposes: to freeze and reverse the nuclear arms race, and redirect resources from the military to meet human needs.

This coincides with the United Nations special session on disarmament.

There is activity in Natick as well: The ecumenical Community Peace Celebration on Natick Common last week helped honor the country's veterans by joining in prayers for peace; the film "The Last Epidemic" was shown at Fisk Memorial Methodist Church recently; St. Paul's Episcopal Church has moved to endorse an international nuclear freeze; Dr. Alfred Frechette, Massachusetts Commissioner of Public Health, has launched the first state public health drive in the nation to ban nuclear weapons; the next meeting of the Natick Nuclear Weapons Freeze Committee will be held June 22 at 7:30 p.m. in St. Patrick's clubhouse.

While all this activity is most encouraging, the peace movement needs a lot more vocal and written support. Many people don't want to do much about it. Oh, they'll sign a petition, but they won't take time to write their congressperson, and some express the thought that maybe we're "getting soft on communism" or perhaps "not supporting the president." And I know what they mean, because until about three months ago I felt that way too.

As an old Eighth Air Force bomber pilot in World War II, and a guy who still gets a thrill as Vin Saunders crashes his cymbals to lead the Waltham Legion band into "The Stars and Stripes Forever" as they swing down Main Street in the Fourth of July parade, I'll take a back seat to no one in the perpetuation of patriotic fervor.

But I have come to realize, after just a little investigation which I should have done sooner, that we aren't talking about patriotism, defending our country, or making the world safe for democracy. Let's face the truth, folks, this is a whole new ball game.

Don't dignify it by calling it Nuclear War. Let's call it what it really is—Civilian Slaughter. The basic idea of war in the past was to defeat the enemy's military forces and capture his territory. A nuclear exchange, however, means killing just as many people as possible, destroying the enemy's cities and making his country uninhabitable.

Not too pleasant a subject? I know I would rather talk about the Celts, the Sox or Salazar than civilian slaughter. I'd rather see Larry O'Regan's grandson playing in the Natick Farm League against my grandson, than think about the bomb in the Soviet Union that is aimed at Boston.

After announcing a month ago a presidential policy of a "full-court press against the Soviet Union," and declaring that the "United States must have the ability to survive a prolonged exchange of strategic missiles," President Reagan has recently been proposing arms reductions in Europe. This is fine, but we all know that past peace talks and negotiations have taken from two to eight years to organize. Frankly, we don't have that much time!

Instead of the two superpowers shaking their fists at each other and building ever more destructive weapons, they should take one step backward, snuff out the fuse which is buring shorter toward nuclear holocaust, and declare an immediate mutual freeze on the testing, production and deployment of nuclear weapons. Then let the talks begin in earnest.

Why freeze right now? One frightening fact: A recent computer misinterpretation on the radar screen of a flight of geese over Vermont might well have initiated a rapid countdown procedure leading to the "launch upon warning" of U.S. missiles toward Russia. The Soviet Union, recognizing the incoming U.S. missiles, would have launched their own missile force toward us, also by computer.

The MX missile, which is almost ready to go into production, can wipe out enemy missile silos in a matter of minutes, and is an offensive weapon which virtually assures the Soviet Union that we intend to strike first.

We don't need this thing! Our defensive capabilities are now so great that even in the unlikely event that every one of our land-based missiles was wiped out in an initial Soviet attack, just one of our Trident submarines, operating virtually undetected in the North Sea, could destroy the 240 largest population centers in the Soviet Union.

The United States has about 9,200 strategic nuclear warheads and bombs compared to about 7,000 for the Soviet Union. The explosive force for both the U.S. and the U.S.S.R. balances out at approximately 10,000 megatons each, which is the equivalent explosive force of 10 billion tons of TNT, or 2.5 tons of TNT per person in the world.

If these figures are almost incomprehensible, let's consider what it might look like around here if an all-out nuclear war (pardon me, civilian slaughter) took place. If you have seen one dead body lying in the street, just think what several million of them would look like. Only you wouldn't really see them because if you were within 20 miles of the blast you would probably be blind and deaf. Most hospitals and doctors would be gone; there would be no blood supplies, no communication, no transportation, contaminated food and water, if any. Let's talk a little about that at the Saturday night cookout.

There is material available from doctors, former government officials, and from military personnel which presents these problems far better than I. Natick citizens like William "Doc" Miller, Marilyn Madzar, Joe Gillis, Bill O'Brien and others, who saw the importance of the freeze movement many months ago, can be contacted.

The important thing is to take action, read about it, talk about it, write or call your congressperson about it. Press for an immediate Nuclear Weapons Freeze as the first step toward emerging from this nightmare. Tell them to Freeze before they Talk.

And don't make a hero out of any person who even threatens to push the button for civilian slaughter (nuclear war). If this was being logged into a police record somewhere, it would go down as a case of murder and suicide, then the book would be closed. Only this time there will be no one around to close the book.●

SMALL BUSINESS PROGRAMS SLASHED IN TIME OF NEED

HON. BERKLEY BEDELL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. BEDELL. Mr. Speaker, as record high unemployment and staggering interest rates besiege our economy, we should be looking toward the small business community to help our Nation get its economic house in order. Small firms have an ability that is unique in our economy to provide new jobs and innovations that lead to new industrial development. Unfortunately, small firms are going bankrupt at a rate that is without precedent since the Great Depression.

One can certainly question our Government's commitment to revive our economy if we examine this administration's cutbacks in small business programs at the various Federal agencies. In fiscal year 1983 alone, programs that aid entrepreneurs engage in activities that create jobs and generate revenues will be cut by $1.59 billion, according to the August 1982 issue of Venture magazine. Small business programs are being cut at a number of Federal agencies including

the Small Business Administration, Department of Energy, Farmers Home Administration, and Economic Development Administration. The following chart is taken from the magazine article and breaks down these proposed cuts:

[In millions of dollars]

	1981	1982	1983[1]
Farmers Home Administration: Business and industry loan guarantees	652	300	0
Department of Energy: Set-aside contracts	469	466	0
Department of the Interior: Grants to small business	26	20	0
Economic Development Administration:			
Direct loans	17	30	0
Loan guarantees	45	50	0
Small Business Administration:			
Direct loans	308	225	0
Loan guarantees	3,300	2,900	2,400

[1] 1983 funding levels are based on the administration's proposed spending levels for all Federal agencies and are subject to change pending final congressional action on the fiscal 1983 budget.

I believe the guiding philosophy behind these proposed cuts is wrong. Moreover, these cuts appear to be indiscriminate. Many Government aid programs serving the large business sector of our economy continue to exist. It seems to me that if we are really serious about creating jobs and nurturing new industry, we should not be cutting back on Government programs that will help small businesses and entrepreneurs in these difficult times.

I refer my colleagues to the article that appeared in the August issue of Venture magazine. The text follows:

UNCLE SAM TURNS A DEAF EAR

(By Jim Ostroff)

Burdened with bloated budget deficits, the federal government is drastically curtailing its commitment to small business. Direct and guaranteed loan programs, a cornerstone of government efforts to spur new business, have already been slashed and many are to be eliminated this year.

The cutbacks are not limited to Small Business Administration programs. Six of the agencies most active in helping entrepreneurs other than the SBA saw their combined budgets cut from $9.53 billion last year to $8.03 billion in 1982, and expect to see further reductions to $5.05 billion in fiscal 1983.

Still, it may be in the SBA's losses that entrepreneurs will feel the most pain since that agency has been most closely aligned with small business owners. For example, the SBA's direct loan program, which amounted to $308 million in fiscal 1981, was cut by 27% to $225 million this year, and, based on the Administration's proposed budget, it is slated for elimination on Oct. 1.

More ominous yet is the proposed reduction in SBA's guaranteed loan program which has traditionally provided credit to small firms that could not get credit elsewhere. Funded at the $3.3 billion-level in fiscal 1981, it was cut to $2.9 billion this year and will be reduced to $2.4 billion in fiscal 1983.

Even these numbers may be illusory since federal agencies have been hard pressed by the Administration to economize. The SBA was guaranteeing loans at about one-third its usual rate, granting only $802.3 million in loan guarantees during the first half of the fiscal year. And it had spent just 23% of its allotted direct loan budget by mid-year. But at the SBA, spokesman Robert Deitsch denies the agency is taking a "go-slow" attitude. "Our loan application rate is running about a third of what it was last year," he says. "But this is probably due to the economy rather than any decision here."

The cutbacks in the SBA's loan programs will hurt some small business sectors and entrepreneurs more than others. For example, loan authority for Small Business Investment Companies (SBICs) and Minority Enterprise Small Business Investment Companies (MESBICs), which stood at more than $200 million in each of the last two years, is slated to be cut 17.4% to $166 million in 1983.

One SBA program which appears healthier than most is the Section 503 program. Formed in 1981 to create jobs and foster community growth, 503 delivers its funds to "local development companies," which contract with small businesses. This program is budgeted for $150 million this year and next, after receiving only $35 million in fiscal 1981. The Equal Opportunity Loan program, which is aimed at helping minority firms, is expected to receive a funding increase. Budgeted at $69.4 million in fiscal 1981, this program's loan authority more than doubled to $139 million this year, and is proposed to increase to $167 million in fiscal 1983.

Other federal agencies which have long provided loans and grants to small businesses are also expecting major cutbacks. Some of the more popular programs, such as direct loans and guarantees from the Economic Development Administration and the Farmer's Home Administration, are being eliminated. And meanwhile, like the SBA, many agencies seem not to be using the funds already allocated. The Administration's budget calls for the following cuts:

ECONOMIC DEVELOPMENT ADMINISTRATION

Loan programs administered by the Commerce Dept.'s EDA, which have been a boon for small firms that need to borrow more than the $500,000 maximum permitted by the SBA, are being scuttled. On paper at least, this year's budget of $30 million appeared better than 1981 when the agency made loans totaling $17.3 million. However, according to George Muller with EDA's office of business loans, the agency did not grant even one loan during the first half.

EDA's guaranteed loan program shrank from $200 million in fiscal 1980 to $45 million last year, when it made 39 loans. Once again, though, its $50 million loan program for 1982 appears illusory since no loans have been made and none is likely. And both the direct and guaranteed loan programs are slated for extinction—along with the entire agency—at the end of fiscal 1983.

FARMERS HOME ADMINISTRATION

The Agriculture Dept. administers several programs to aid small firms. In all cases, they will be cut drastically or eliminated. The agency's business and industry loan program, which guarantees loans up to $50 million, had a $652 million lending budget in 1981. This year its budget was pared to $300 million, and the program is slated to be terminated at the end of this fiscal year.

FmHA's alcohol fuel program was among the most conspicious victims of President Reagan's push to get the government out of the energy business. Where $1 billion had been allocated to guarantee up to 90% of the loans for this work in fiscal 1980, the program was cut to $700 million for loan guarantees the next year, and eliminated this year.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

After making 390 Urban Development Action Grants in fiscal 1981 to municipalities (which in turn contract local improvement jobs primarily to small businesses). HUD cut the UDAG budget almost 35%, from $675 million in 1981 to $440 million this year. Tentatively, this program is slated to receive the same funding in fiscal 1983. However, as of May, HUD had awarded only $146.5 million in these grants to 129 cities.

HUD's Community Development Block Grant programs, which are often passed along to small businesses in the form of contracts, made $3.7 billion in grants to 2,545 cities in 1981 and was budgeted for $3.5 billion this year and next. The agency had appropriated only 10% of its budget by mid-year.

DEPARTMENT OF THE INTERIOR

The agency's National Park Service in 1981 made $26 million in historic preservation grants to the states, which used the funds to repair historic sites, primarily contracting with small businesses. The program was reduced to $20 million this year and is slated for elimination in fiscal 1983.

DEPARTMENT OF ENERGY

DOE remains a large "question mark" for entrepreneurs seeking loans, grants, and contracts. After five months of wrangling between the Administration and Congress, Reagan announced in May that he proposes to shift most of DOE's responsibilities to the Commerce Department.

Much of the agency's financial clout has already been stripped. Where DOE set aside $468.5 million in contracts for small business last year, a spokesman said the 1982 set-aside was only $446 million.

Despite these budget cutbacks at DOE, the agency still operates three programs that remain, at least for the moment, a source of funding. In all cases, though, these programs are operating on funds appropriated in earlier years and will end when the money has been allocated.

The agency's division of coal utilization and resource development has $63 million to guarantee loans to operators of small, underground coal mines producing low-sulfur coal. DOE's office of alcohol fuels has $271 million from which, through leverage, it can guarantee $800 million in loans for development of factories to produce alcohol fuels.

In addition, DOE has $364 million in funds for loan guarantees to firms engaged in the developing of geothermal energy sources. However, the geothermal loan program official says that the agency is no longer accepting applications.

NATIONAL SCIENCE FOUNDATION

An exception among the federal agencies. The NSF's budget for small business innovation research continues to rise, albeit modestly. From the $4.5 million in grants it awarded during fiscal 1981 to small businesses doing research in 24 areas (ranging from food processing to dredging), the agency's budget for this program was increased to $5 million this year. It is slated to rise to $5.5 million in 1983.●

ROCCO MONTESANO HONORED FOR SERVICE

HON. HAROLD C. HOLLENBECK

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. HOLLENBECK. Mr. Speaker, Mr. Rocco Montesano, an educator recognized for his dedication to the interests of students, parents and taxpayers, is retiring as superintendent of schools in Bergenfield, N.J., on September 1.

Throughout a 35-year career in the Bergenfield school system as a classroom teacher, assistant principal, principal, assistant superintendent, and, since 1974, superintendent of schools, Mr. Montesano has displayed a willingness to tackle the most difficult problems for public education—and find workable solutions to them. Mr. Montesano has brought the schools into the mainstream of community life with his own involvement in civic endeavors and with innovative programs enhancing communication among students, educators, and other citizens.

While Mr. Montesano continued to support advancement enrichment programs in science and the humanities and responded to the special needs of handicapped students, he brought "back to the basics" education to Bergenfield long before it became the trend in school districts across the Nation. Recently, he introduced a unique course preparing young people for such future challenges of daily life as balancing checkbooks, using credit cards, and completing income tax forms.

Senior citizens who, in some communities, find themselves in opposition to school costs, are invited to volunteer and become well acquainted with the education system in Bergenfield. And, recognizing that school facilities belong to the community, Mr. Montesano has invited community groups to develop with his staff a schedule for sharing their use.

Vandalism in public schools remains a serious problem. However, Mr. Montesano found a way to greatly reduce it. He introduced the Adelphi plan in 1973, and he was recently commended for his efforts when reporting on this unique project to a congressional committee. The Adelphi plan involves school personnel and local police working with students who have a potential of becoming vandals and other young people with sound records of good scholarship and citizenship. At the same time, the primary prevention program was initiated to help students in the first, second, and third grades who experience problems in adjustment to school and could have major social and academic problems before they reach high school. Each child in this program is assigned a child-aide, who is trained by the school psychologist, to meet outside of the classroom twice a week.

Mr. Speaker, the accomplishments I have shared with my colleagues are but highlights of a distinguished career of three and a half decades of responsible response to civic need. Bergenfield is indeed appreciative of the work of Superintendent of Schools Rocco Montesano. I join with his colleagues, his community, and his many thousands of present and former students in extending my sincere commendation for a job well done and my best wishes for happiness and good health in retirement.●

SOME ELEMENTS OF THE PEACE MOVEMENTS MAY CARRY UNSAVORY BAGGAGE

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. HYDE. Mr. Speaker, I commend to my colleagues a July 8 editorial by M. Stanton Evans which appeared in the Washington Times. I believe the article illustrates quite well that many concerned and well-meaning people involved in nuclear peace movements may be unwittingly influenced, and misled, by individuals whose dedication to protecting America is less than total. Most people who hear such charges merely laugh them off as an example of extreme conservational paranoia. Therefore, they never investigate the charges or they minimize the connections. Such cursory dismissal of conscious efforts to undermine our deterrent capabilities, and to understate the Soviet nuclear buildup, is a serious error.

Time and again, we have heard firsthand testimony from Soviet bloc defectors that one of the Soviet Union's basic goals is to undermine support for U.S. defense policies by utilizing public disinformation tactics. They constantly utilize naive, and left leaning, academicians, ultraliberal clergy, social activists, and even politicians to indirectly spread their propaganda. The Soviets play on a popular theme, such as arms control, which in the ideal, most people will support. Then, by exaggerating the U.S. defensive position, making false claims which are readily picked up by the media, and organizing events around the issue, the Soviets not only get the media coverage they want, but attract additional supporters who are unaware of the real facts and unaware of the true motivations on the part of the organizers.

As M. Stanton Evans says in his article:

The American people have a right to know the degree to which the Communists are trying to manipulate opinion and events in the United States. Our fearless journalists, for some peculiar reason, refuse to tell them.

The article follows:

ON LINKING THE "PEACE" MOVEMENT TO UNSAVORY ELEMENTS

(By M. Stanton Evans [1])

Some readers have protested a recent column of mine suggesting that the "peace" movement in the United States is heavily influenced by the Communists.

The thrust of these complaints is that I have smeared a worthy cause by linking it to the Bolsheviks. The age-old tactic, says one critic, of discrediting your opponents by calling names. The McCarthyite gambit, says another of tarring everyone on the liberal side of things with the brush of communism.

In one respect, these folks are right: Being linked to Communists is discrediting, in the eyes of the American public, because communism is discreditable. Communism is synonymous with murder, slave camps, wars of aggression, terrorism, plans for global conquest, systematic falsehood, espionage and other unsavory things. Not something with which most people would like to be connected.

The linkage of the "peace" brigades to the Communists, however, is not my doing. They did it to themselves. The hand of the Soviets and their U.S. minions in the current "peace" commotion is heavy and overt. Non-Communist peaceniks are knowingly cooperating with the Communists and their front groups on a systematic basis. This fact is readily documented, although the major media ignore it.

In my last dispatch about this subject I noted the role of the World Peace Council, Moscow's leading front group, and its American affiliate, the U.S. Peace Council (the executive director of which is a functionary of the Communist Party USA). The WPC is agitating the "peace" and antinuclear issues on a global basis, while the U.S. Peace Council is deeply involved in helping orchestrate the "peace" uproar in this country.

This time out let's take a closer look at a group called Mobilization For Survival. MFS is a coalition founded five years ago for the purpose of promoting four goals: "Zero Nuclear Weapons, Stop Nuclear Power, Reverse the Arms Race, Meet Human Needs." It is a conglomerate of dozens of liberal-left, radical, peace, church and other groups—including Communists—involved in planning the recent "peace" march in New York.

I have in my hand, as the saying goes, a copy of the MFS official roster. In addition to such non-Communist groups as the American Friends Service Committee, the Catholic Peace Fellowship and the Fellowship of Reconciliation, it includes the Communist Party USA—listed right below the printed masthead. It also includes the U.S. Peace Council, and two other groups identified as Communist fronts.

In 1979, according to Rael Jean and Erich Isaac, the MFS brought a World Peace Council delegation to the United States, including the head of the East German Peace Council and a leader of the Dutch Communist Party. The head of the MFS labor task force, the Isaacs note, is Gil Green, a

[1] M. Stanton Evans is director of the National Journalism Center as well as a syndicated columnist.

member of the U.S. Communist Party's central committee. Such are the people with whom the peaceniks are consorting.

In years past, sincere pacifists and others on the non-Communist left were careful to keep their distance from the Communists—both because they wanted to preserve their own integrity and because they didn't want to give the Communists respectability. Now the order of the day appears to be overt collaboration on the "peace" front, though you would never know it from the way the issue is reported.

Such collaboration would be astounding in any event. It is the more so in the light of Soviet atrocities in Afghanistan, the repression of Poland and Communist genocide in Southeast Asia—to pick a few examples. The supposed friends of "peace" are marching on and on with representatives of the most brutal despotism and systematic friends of war in history.

It is a revolting spectacle, compounded by the performance of the media. The American people have a right to know the degree to which the Communists are trying to manipulate opinion and events in the United States. Our fearless journalists, for some peculiar reason, refuse to tell them.●

GRASSROOTS FOR BUDGETARY BALANCE

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. SHUMWAY. Mr. Speaker, at a time when national attention is keenly focused on the possibility of amending the Constitution to demand a balanced Federal budget, I believe it is appropriate to share with my colleagues an article which appeared in the Washington Post only this morning. It concerns Lewis K. Uhler, founder and president of the National Tax Limitation Committee and, with Milton Friedman, coauthor of the balanced budget amendment which is gaining more and more support. As an endorser of the balanced budget amendment, I am pleased to note that the movement toward this goal was kindled in the small town of Loomis, Calif., (Placer County) where Mr. Uhler makes his home. Mr. Uhler clearly understands what President Reagan stated during the rally on the Capitol steps yesterday: The purpose of the balanced budget amendment is to make Government understand that its job is to wipe out deficits—not to let deficits wipe us out.

The text of the article follows:

BUDGET CRITIC PELTS CAPITOL FROM AFAR

(By Jay Mathews)

LOS ANGELES.—Loomis, Calif., seems an unlikely spot to plot a revolution.

Its 1,500 residents enjoy their little town 25 miles from Sacramento and usually engage in activities no more threatening than an occasional bird hunt.

But Loomis is also the home of Lewis K. Uhler, who has lit a prairie fire of U.S. taxpayer fervor for constitutional change, remaining virtually unknown himself.

Uhler, 48, is founder and president of the 600,000-member National Tax-Limitation Committee and coauthor, with Milton Friedman, of the balanced-budget amendment that has won President Reagan's endorsement and seems on its way to a majority in the Senate.

Ron Dunlap, a Republican who led a fight for spending limits in Washington state in 1980, calls Uhler "the real yeoman" of the balanced-budget fight.

A Yale graduate and hardworking attorney with a Republican bent, Uhler had not seemed the crusader type.

But he said that 3½ years working for then California governor Ronald Reagan, directing the state office of economic opportunity and serving in the human relations agency, taught how "exceedingly difficult" bureaucratic inertia and private interest groups made elimination even of "a community action program that was clearly doing badly."

What was needed, he decided, was an amendment at the federal level that would force congressmen to stifle—or at least mitigate—their urge to give in to their most vocal constituents.

He had a reason for locating his national tax-limitation committee's headquarters and himself in Loomis, so far from everything; He intended to build a grassroots movement that would influence the powers in Washington through their constituents. Loomis, Uhler said, "had a symbolic importance, but it's also important because you can think better there."

Uhler said he does not believe his amendment can eliminate deficits, but it is at least an attempt to "change the bias . . . so that government does not grow greater than its ability to pay."●

NEEDS OF THE MILITARY SERVICES

HON. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. MONTGOMERY. Mr. Speaker, yesterday during general debate on H.R. 6030, I made reference to two noteworthy publications which contain informative material concerning personnel problems associated with our All-Volunteer Force. These reports are entitled "Blacks in the Military," a Brookings Institution publication, and "Toward a Consensus on Military Service," published by the Atlantic Council. I commend these articles to my colleagues, as well as the following summary of the Atlantic Council's findings and recommendations concerning the needs of the military services.

EXECUTIVE SUMMARY

The American people need to develop a broader consensus on the strategic position of the West and on the role and needs of the military services in deterring war and protecting vital interests. We believe the findings and recommendations in this Policy Paper, which are highlighted below, can help point the country in that direction.

FINDINGS

Given the existence of nuclear parity between the United States and the Soviet Union, the prompt availability of adequate, mission-ready conventional forces is the one other indispensable requirement for deterring aggression or defending against attack.

Because of the gap between NATO and Warsaw Pact conventional forces in Europe and the present deficiencies in the readiness of US active and reserve units to perform assigned missions, the deterrent credibility of our non-nuclear forces is inadequate. An inadequate conventional deterrent makes resort to nuclear weapons more likely.

American military active duty strength entering the 1980s is at its lowest ebb since 1950. Some increase in force size may become necessary (and some has been programmed) in coming years, and it will have to be obtained from a diminishing manpower pool. Economic recovery and a consequent drop in unemployment could further reduce the numbers of qualified young people who will enlist. There is thus a significant probability that the requirements of peace and security will compel this country to resume the draft, perhaps by the mid-1980s.

In the meantime, as indicated below, there are a number of specific deficiencies in the All-Volunteer Force and a number of measures that should be taken to correct or mitigate them.

Under the "total force" policy that followed the post-Vietnam phasedown in the early 1970s, a major share of the Army's manpower for use in an emergency in Europe was shifted from the active to the reserve forces. The Army's ability to perform its basic mission thus depends heavily on the strength and readiness of the organized units of the Selected Reserve and of the pretrained people in the Individual Ready Reserve (IRR). But in the IRR and both components of the Selected Reserve—the National Guard and the Army Reserve—manning levels have been substantially short of their wartime requirements and equipment and training have been neglected. A significant number of the Working Group members believe that the only adequate remedy would be to increase the authorized strength of the active Army force by some 200,000—and several of them believe that this would require an immediate return to peacetime conscription.

The quality of Army recruits in recent years, as measured by test scores and the possession of high school diplomas, has often fallen below that of the draft years, and even the early years of the volunteer force. The quality was unacceptably low in fiscal years 1977 through 1980. The Army has made a dramatic comeback in the quality of its accessions in 1981 and 1982, but it remains to be seen whether this can be maintained under the conditions (noted above) that may make recruiting more difficult in coming years. Higher quality becomes ever more essential with the growing sophistication of weaponry.

The ground elements of the AVF have not drawn anywhere near proportionally from white middle class America. Particularly is this true in the Army, where minorities make up 41 percent of the enlisted force, including 33 percent black (as compared to a population of about 13 percent black). Perfect representativeness is neither necessary nor possible, but gross unrepresentativeness has both philosophical and practical objections. Under present conditions, blacks would take disproportionately high casualties in the early days of hostilities. This is a matter of legitimate concern.

The career force is the key element around which recruits coalesce into effective military units. Retention of mid-level career commissioned and noncommissioned officers has improved dramatically as a result of recent pay raises, which have made total service compensation competitive with civilian employment.

Peacetime registration for the draft gives the nation, at minimal cost and inconvenince, a considerable time-advantage in the event of a crisis requiring rapid mobilization. More importantly, it conveys a signal to allies and adversaries about the US attitude toward its own and Western security. Compliance with registration requirements, now much improved, has not been consistently satisfactory. Absent evidence to the contrary, it is reasonable to believe that this has more to do with a lack of public information (and until recently the lack of Administration urging) than to defiance of the law.

Proposals for establishing a voluntary national service program, incorporating civilian as well as military service options, appear to offer—among several possible advantages—the merit of addressing a dilemma of millions of Americans coming of age in the 1980s. Such proposals however need a more thorough analysis of aims, costs, benefits, and administrative arrangements than has yet been undertaken.

The current draft law contains a number of anomalies and is ill-suited to future needs.

RECOMMENDATIONS

The Department of Defense should re-examine the Army's immediate and major reliance on its reserve components in a defense emergency to determine whether established mobilization and deployment goals can be met.

To correct deficiencies in the Individual Ready Reserves, the Administration should seek legislation increasing the military service obligation (the total of an individual's active and reserve service) from six to ten years. Through recruiting and retention incentives, and allocation of increased resources to training and equipment, the Army should pursue its efforts to get and keep reserve units at required readiness levels.

To improve quality and add flexibility in both the active and reserve forces, the Army should be authorized to offer new enlistment options along lines spelled out in this Policy Paper. Such options envision essentially short-term enlistments, subsistence rather than full pay while on active duty or at reserve unit drills, and a system of incentives based on liberal educational benefits for tuition, living allowance, and fees. Given the rising costs of higher education, this new "GI Bill" should attract growing numbers of college- or trade school-bound middle class Americans who would find a temporary diversion from the world of school or work tolerable, and perhaps even welcome. The cost would be minimal at most and might even be zero.

Differential pay and bonuses should be used to the full extent necessary to retain the appropriate numbers and quality of commissioned and non-commissioned officers in the career force. The services should also review and improve personnel management policies directly related to retention.

The value of women in many service positions has been increasingly recognized, and their career opportunities have grown accordingly. The question of further increasing the role of women in military service is complex and under study in the Department of Defense. A greater role for women should be a continuing objective and an important part of the national discussion of military "manpower" issues.

The Administration should foster better public understanding of the importance of peacetime registration and take further steps to assess and correct non-compliance. To that end, the President should require that the registrant have and use a Social Security number when registering. Both Social Security and Internal Revenue records should be used to determine compliance. Further, the Congress and the President should enact legislation to reduce the severity of the penalties for non-compliance, in order to make them more commensurate with the gravity of the offense and more enforceable.

If all reasonable programs fail to satisfy minimum standards for either quantity or quality within a reasonable period of time for the Army's active and reserve forces, peacetime conscription should be resumed.

The President should prepare the ground for seeking resumption of a draft to supplement voluntary enlistments. To this end a Presidential Commission, in conjunction with the Selective Service System, should design the criteria that a future draft must meet and, from them, specify the details of such a draft, including policies as to the selection process, conscientious objection, age, sex, order of call, deferrals, exemptions, exclusions, organization, etc. This "model" draft should then be compared to the draft law now on the books, and the Administration should propose to the Congress the necessary changes for enactment before the need arises.

To deal with a situation in which there is a crisis short of the outbreak of general war, the President should be given limited authority now to induct a limited number of men and women into the armed forces should that be needed, in his discretion, at some point in the future. This authority should require declaration of a national emergency, and be limited to some reasonable number (say 100,000) and to a period of six months without explicit Congressional extension. It should also be subject to the other kinds of controls and limitations such as presently affect the President's authority to call up reserves and deploy forces under the War Powers Act.

The President should appoint a commission of qualified citizens to evaluate current proposals for a program of voluntary national service (incorporating civilian as well as military service opportunities) and to develop, if it appears feasible, recommendations for such a program together with an assessment of its prospective costs and benefits, its relationship to federal student aid, the prospective impact on military manpower requirements, and the modalities by which it would be implemented. At the same time, to provide practical data and increase public awareness of the voluntary national service concept, the Administration should promote a range of national service pilot projects.

Public educational and student organizations, youth groups, and history and social science classes should put on their agenda for study and discussion the question of the West's defensive needs, the role and needs of military forces in a democracy, and the rights and duties of citizens in manning those forces.

TAX CUT COULD NOT COME AT A BETTER TIME

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. FINDLEY. Mr. Speaker, much has been said about the ease with which needed tax revenue can be accumulated merely by eliminating the third phase of the tax cut. Previously, there were even efforts to modify or delay the second phase of the cut which recently went into effect.

The editorial from the Springfield State Journal-Register which follows presents a most persuasive argument for keeping both increases in place:

[From the State Journal-Register, July 5, 1982]

TAX CUT COULD NOT COME AT BETTER TIME

Better late than never. The patient taxpayer has finally seen the effect of Step Two of the 25 percent tax cut pushed through Congress last year by President Reagan.

The 5 percent reduction in tax rates that took effect last Oct. 1 has been followed by a 10 percent reduction, and if Mr. Reagan can keep Congress from doing even more harm to his economic program, there will be another 10 percent reduction a year from now.

The current tax cut could not come at a better time, even if the reason was not foreseen by the supply-side economists who argued successfully for the tax-cut program in the first place. Taxpayers will be able to keep $39 billion which otherwise would have been siphoned off to Washington during the coming year.

Coupled with the $11.5 billion in Social Security benefit increases, there is bound to be a favorable effect on the gloomy business statistics of a recession that has been deeper and longer than most economists anticipated when the tight-money policies of the Federal Reserve began dampening economic growth.

A spurt in consumer spending will not in itself turn the economy around, but the tax cut is another major step in bringing the private sector of the economy into better balance with the tax-hungry public sector.

It is disappointing to the Reagan administration, and politically alarming, that Reaganomics at this point is resembling a car with a dead battery. The design did not call for an unemployment rate nudging 10 percent in mid-1982, or interest rates still not low enough to regenerate such hardhit sections of the economy as housing.

But what drained the power out of the battery? The president, we must recall, asked originally for a 10 percent tax cut that would have taken effect on Jan. 1, 1981, with succeeding cuts adding up to a 30 percent reduction. He had to settle for a delayed and watered-down tax cut program, and for less dramatic cuts in federal spending to go with them. It is hard to say where the economy might be today if the original blueprint had been followed.

Only with staunch White House resistance was the latest tax cut not modified or delayed for the sake of giving Congress more leeway in approaching its next budget. As it is, the budget resolution finally adopt-

ed June 23 carries a projected deficit of $104 billion. Congressional leaders say they expect an "uphill battle" on the spending side to keep the deficit within those bounds when the actual budget is adopted in the fall.

Mr. Reagan had to compromise on the size and timing of his tax cut. He has had to compromise on some of his more ambitious hopes for paring back spending programs. When even a $104 billion deficit is said to rest on optimistic economic assumptions, he cannot afford to compromise if appropriation bills reaching his desk threaten the budget ceilings now adopted.

There was mostly rhetoric and round figures in the debate on the budget resolution which occupied Congress until now. Congressional committees writing appropriation bills must now get down to specifics. So must the president, even if it means a season of veto confrontations between the White House and Capitol Hill.●

TRAVEL EXPENSE DEDUCTIONS

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. STARK. Mr. Speaker, today I am introducing legislation to amend the Internal Revenue Code of 1954 to clarify the rules for deducting travel expenses to and from temporary job sites. The purpose of this clarification is to insure that the travel expenses construction workers incur in order to practice their trades may be deducted in the same way that lawyers, accountants, and professionals are allowed to deduct their business travel expenses.

The background is as follows: Section 162 of the Internal Revenue Code authorizes taxpayers to deduct their ordinary and necessary business expenses including travel expenses incurred for business reasons. On the other hand, travel expenses incurred for personal reasons are not deductible. For example, a person with a regular job in a city who chooses for personal reasons to live in a distant suburb cannot deduct the costs of driving to and from the regular job each day.

The courts have attempted to distinguish business from personal travel expenses through the use of the so-called "temporary job" doctrine: If the job is "temporary," then the travel costs are deductible. The Internal Revenue Service, however, has been applying this doctrine without regard to its purpose of distingishing travel undertaken for business purposes from travel undertaken for personal purposes. As a result, thousands of construction workers around the country are being denied the ability to deduct expenses that, by any rational standard, constitute ordinary and necessary business expenses.

Here is a typical example. A construction worker has lived and worked in a particular community for many years. His primary business contacts are in that community. He has a home in that community; his children attend school there; he and his wife vote and pay taxes there. His wife may have a job there. If construction work becomes temporarily unavailable in the home community—and in the current economy this is happening more and more often—the worker has only two choices. He can look for work in more distant areas and work away from home until a job in his community becomes available, or he can remain unemployed. If he takes a distant job, he must either move his home and family to that job or incur substantial additional expense, either by traveling many miles each day or by renting temporary lodging near the job.

For most workers, moving home and family is either impossible or contrary to good business judgment. Housing near the job may be unavailable or prohibitively expensive. More importantly, however, construction work is inherently uncertain; workers are well aware that they are likely to be laid off without warning at any time. Furthermore, the worker in this situation fully intends to take work closer to his traditional work area as soon as a job opens up. The worker therefore has only two choices: remain unemployed or incur travel expenses in order to practice his trade.

The travel expenses are therefore clearly necessary to the worker's trade. Nevertheless, the IRS automatically disallows most such expenses. In fact, the IRS has conducted mass audits at large construction projects for the purpose of disallowing travel expenses. On the other hand, the IRS allows professionals and businessmen to deduct, without question, the expenses they incur when they have to travel to practice their trade.

The IRS uses the so-called 1-year rule as the basis for its arbitrary action. Under this rule, a job that has lasted for more than 1 year is automatically regarded as not temporary, and travel expenses are disallowed. This hindsight test ignores the crucial fact that the worker could have been laid off at any time throughout the year. The 1-year rule has been expressly rejected by the U.S. Court of Appeals for the Eighth Circuit, but the IRS has announced that it will refuse to follow the eighth circuit's holding.

The IRS also uses as a ground for disallowance the fact that the worker's job is "indefinite," but it is the very indefiniteness of the job that makes deductibility appropriate. A worker's decision to avoid travel expenses by moving his family makes economic sense only if he has some assurance the job will last for a substantial period of time; it makes no sense if he is uncertain whether the job will last much longer. And, if it is not reasonable for the worker to move closer to the job, then his travel expenses are the result of business necessity, not personal choice, and they should be deductible.

Mr. Speaker, equity and efficiency require that something be done. The current IRS interpretation unfairly penalizes the working men and women of this country, and has led to expensive and needless litigation. Construction workers deserve to have the special problems of their industry recognized. Their travel expenses to distant job sites are certainly more necessary to their jobs than an executive's three-martini lunch is to his.

My proposed bill institutes an easily administered rule that will eliminate the need for litigation in the vast majority of cases. Construction workers will be recognized as being temporarily away from home for the first 2 years of employment at any job site more than 30 miles from their home. This will eliminate the disputes in the vast majority of cases. In those few cases that are not resolved by the 2-year rule, the deductibility of the travel expenses will be determined case by case. In making this determination, the IRS and the courts will be prohibited from using either the 1-year rule or the "indefinite employment" rationale, but will make their decision according to whether the expenses are incurred because of business necessity rather than personal convenience.

Mr. Speaker, I ask unanimous consent that the bill be printed in the RECORD.

H.R. 6803

To define the circumstances under which construction workers may deduct travel and transportation expenses in computing their taxable incomes for purposes of the Federal income tax

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

SECTION 1. AMENDMENT OF INTERNAL REVENUE CODE OF 1954

(a) TRAVEL AND TRANSPORTATION EXPENSES OF CONSTRUCTION WORKERS.—Section 162 of the Internal Revenue Code of 1954 (relating to deductions for ordinary therein the following new subsection:

"(h) SPECIAL RULE FOR CONSTRUCTION WORKERS.—

"(1) DEFINITION OF TEMPORARY JOB SITE.—For purposes of applying subsections (a)(1) and (a)(2) to travel and transportation expenses incurred by construction workers, a job at a site located more than 30 miles from a contruction worker's principal place of residence—

"(A) shall be deemed to be temporary for the first 2 years that the worker is employed at that job, and

"(B) shall be determined to be temporary or not temporary with respect to periods following the first 2 years of employment based on an examination of all the facts and circumstances, subject to the rules set forth in subparagraphs (2), (3), and (4).

"(2) EFFECT OF FIRST 2 YEARS ON SUBSEQUENT DETERMINATION.—In determining

whether or not a job is temporary under subparagraph (1)(B), the worker's employment at the job during the period specified in subparagraph (1)(A) shall not be taken into account.

"(3) INDEFINITE EMPLOYMENT.—No deduction shall be disallowed, by reason of section 262 or any other provision of law, solely because a construction worker's employment at a job site is of indefinite duration.

"(4) PROHIBITION ON APPLICATION OF 1 YEAR RULE.—In making the determination specified in subparagraph (1)(B), no length of time shall be deemed, either automatically or presumptively, to make the job other than temporary. The '1-year' rule set forth is Revenue Ruling 59-371, or in any similar ruling or regulation, is expressly disapproved as a grounds for disallowing deductions.

"(5) DEFINITION.—For purposes of this subsection, the term 'construction worker' means any individual employed, whether as a skilled, semiskilled, or unskilled laborer, in the building or construction industry, but does not include clerical or management employes.".

(b) TECHNICAL AMENDMENT.—Subsection 162(h) of the Internal Revenue Code of 1954 is amended by striking out "(h)" and inserting therefor "(j)".

SEC. 2. EFFECTIVE DATE

This section shall effective upon enactment.●

WYOMING'S BUFFALO BILL PROJECT

HON. DICK CHENEY

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. CHENEY. Mr. Speaker, I have today introduced legislation, identical to a bill recently passed by the Senate, to authorize certain modifications to the Buffalo Bill Dam and Reservoir in Park County, Wyo.

These modifications—heightening of the dam, enlargement of the reservoir, replacement of an outmoded hydropower plant and addition of a visitors' center—would upgrade and modernize this long-established complex so that it could store more water and better meet the needs of an increasing population.

The Buffalo Bill Dam and Reservoir are part of the Shoshone project, which started out in 1899 as a private venture, initiated by William S. "Buffalo Bill" Cody. In 1903, the State of Wyoming sought Federal help in completing the project, and it was authorized by the Congress in 1904 and completed over a period of years. The project is of vital importance to northwestern Wyoming.

The Bureau of Reclamation has completed a study of the feasibility of enlarging the project, and the legislature of the State of Wyoming, as a demonstration of its strong support for modifying the project, has authorized the appropriation of $47 million in State funds to help pay for the modifications.

On June 22, the Senate passed, without objection, a bill introduced by my Wyoming colleagues (Senators MALCOM WALLOP and ALAN SIMPSON) to authorize enlargement and modernization of the Buffalo Bill Dam and Reservoir.

I hope, Mr. Speaker, that the House will also grant its approval to this very sound piece of legislation, and I will be working in the days ahead to bring that about.●

HOUSING ON THE BRINK

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. WYDEN. Mr. Speaker, the Commerce Department has just released figures showing the number of housing starts dropped again in June to a seasonally adjusted annual rate of 911,000 units.

This figure is 15.3 percent below the previous month and 12.9 percent below the number of starts in June of last year. Last year was the worst year for the housing industry since World War II.

It is evident from these figures that the housing industry is rapidly moving toward a full scale depression.

It is equally clear that there is not enough support in the Congress this year to overcome the administration's opposition to any legislation considered to include a subsidy or "bailout" for housing.

That is why my distinguished colleagues, Mr. GEPHARDT and Mr. CONABLE, joined with me last week to introduce what we call the no-cost, no-subsidy housing bill.

This legislation represents the last best chance for the Congress to enact legislation this year that will provide the staggering housing and real estate industries with a real shot in the arm.

Our bill (H.R. 6781) would remove the artificial barriers that discourage private pension fund investment in mortgage securities and thereby open up a vast new pool of mortgage investment capital to the housing industry and to the millions of Americans who are being denied the American dream of homeownership because of towering mortgage interest rates.

By introducing new capital into the housing market, we lessen competitive pressures and bring stability to mortgage markets. That cannot help but to lower and stabilize interest rates.

Our bill does not require pension funds to invest in housing. It merely removes the unnecessary regulatory underbrush that has made mortgages a second-class investment under the Labor Department's interpretation of the ERISA statute.

Pension plan participants and beneficiaries have no reason to fear this legislation. While we would rescue mortgage investment from the regulatory purgatory it has been assigned, we retain all of the safeguards that mandate prudent, diversified arms-length transactions by pension fund trustees.

We are confident that—with the regulatory shackles removed—mortgages and mortgage backed securities will compete on their own merit for the attention of pension fund managers. Mortgages have traditionally been viewed as attractive, safe, and secure long-term investments. Several prominent studies have recently shown that mortgages out-yield stocks, bonds and government securities.

Most importantly, our bill contains no hidden subsidy. It will not cost taxpayers 1 cent. It merely allows mortgages to compete on an equal footing and on a level playing field with other types of investments.

We think the marketplace can take care of the rest and that a significant new infusion of capital will quickly flow from private pension funds into housing.

The Congress and the administration must take action this year if our Nation's housing industry is to survive. H.R. 6781—which would follow through on a key recommendation of the President's Commission on Housing—is our last best chance to accomplish this goal.

We are encouraged by the bipartisan enthusiasm our bill has already generated and by the fact that the National Association of Homebuilders and the National Association of Realtors are both squarely behind our efforts.

The latest housing start figures reflect an all-too-familiar story—the vast majority of Americans continue to be priced out of the housing market and unemployment in the construction industry is more than twice the overall average. I would like to once again urge my colleagues on both sides of the aisle to support this vital legislation.●

AN OPEN LETTER TO A WASHINGTON BUREAUCRAT

HON. RAY KOGOVSEK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. KOGOVSEK. Mr. Speaker, the following article appeared in the Washington Post on July 13, 1982. Because of the impact the administration's action will have on my district and thousands of residents who receive health care from the Pueblo Neighborhood Health Centers, I would like to submit the artical for publication in the CONGRESSIONAL RECORD.

EDWARD D. MARTIN, M.D.,
Assistant Surgeon General

Dear Mr. Martin: On June 7, 1982, the Pueblo Neighborhood Health Centers (PNHC) in Pueblo, Colorado, received notification from you that they would not be receiving further federal funding.

We find this action both contemptible and unjustifiable. We question not only your motive but also your reasoning.

Given the state of economy across the nation, and in our city in particular, it would appear that the need for continued funding of PNHC is greater than ever before. With the city's largest employer having decreased its work force by over 1500 employees, the closing of many area businesses and widespread salary cuts, Pueblo's economy is in a depressed state with the largest unemployment rate in Colorado. Many families who have previously been able to rely on personal finances and group insurance plans are now forced to seek low cost medical services.

Could it be that you do not see the quality medical services provided by PNHC to those families in need as not only worthwhile but vital to the survival of our people and our community?

Are the 12,000 families presently served by PNHC less deserving of proper medical care than those more affluent families who can afford to seek services from alternate sources?

Why is that larger and more affluent communities, such as Denver, have received continued funding for their health centers?

How can we lend credibility to your claim that Reaganomics is responsible for the lack of funding when you have tried three times during the past three years to cut off funding for PNHC and each time court intervention was necessary to prevent you from doing so? Do you recall, as we do, the allegations of mismanagement that you leveled against the health centers although repeated evaluations lauded there efficiency?

Can you deny that PNHC operates at fifty percent of the national average cost per patient encounter for health services?

Is it not true that allegations of violation of the First Amendment of the Constitution were leveled against you during a past attempt to defund the health centers?

Aren't you glad that your children are not from a low income or minority family living in Pueblo, Colorado, who will no longer be able to receive low cost and quality medical care from PNHC?

Unfortunately, our children are still here and many of them will suffer.

ALBERT L. GURULE,
Chairman, Committee for the Restoration of Representative Government.●

A LOCAL BANKING INITIATIVE

HON. DOUGLAS K. BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. BEREUTER. Mr. Speaker, sacrificing a little for the good of the community is what the volunteer spirit is all about. That spirit came west with the pioneers and has taken root. For the settlers of the prairies, community teamwork meant helping neighbors build a barn or supporting them through hard times. Today, the First National Bank of David City, Nebr., is showing that same spirit. The method may be different, but the goals are the same.

The bank has decided to risk losing some money to help the businesses and residents of the area. The offer: $7,500 loans at 11 percent interest, far below the national going rate. The program is already showing immediate signs of success as dollars of loan money multiply through the area.

While we should all applaud the efforts of this and a few other courageous banks, we must also realize that it is financially impossible for every bank to offer such a program until action is taken to bring down high-interest rates. The case of David City shows what kind of recovery is possible if those rates can be brought under control.

I include excerpts from an article in the July 11 Lincoln, Nebr., Sunday Journal and Star on this program in the RECORD.

INTEREST BREAK BOOSTS DAVID CITY BUSINESSES

(By Jake Thompson)

DAVID CITY.—Need a new car? Farm fertilizer? A new garage? Fix a flood-damaged basement? Some flashy siding for your home?

Well, if you live in the David City area, you could buy these items by borrowing up to $7,500 at 11 percent interest instead of the nationwide rate of 18 percent or 19 percent.

Since July 1, a number of Butler County residents have capitalized on a special Money Multiplier loan program offered by First National Bank of David City.

The 105-year-old bank is only the fourth Nebraska bank to offer a total of $1 million at 11 percent interest. Two banks in Holdrege and one in Ogallala offer similar loans.

"We feel the business economy needs a spurt," explained Jim Howe, president of the David City bank.

Nonetheless, the bank will lose money, reduce its overall income and take some risk in the program.

Why do it?

"We feel in the long run it's more important to have a viable community to us than it is for us to have this income," said Howe. "If we can sustain a business, it'll be worth it."

RIPPLE EFFECTS

In its first eight days, the bank lent $100,000, and ripple effects were being felt by merchants around David City's red-brick square.

"My business is up, new and used, 60 percent over this time last month," said Skip Trowbridge, manager of Trowbridge Motors, a Ford dealership.

"I think the consumer is very interest-rate sensitive. If they borrow the full $7,500, they can save $400 to $500 in interest costs in the first year," Trowbridge said. "So there is an incentive to buy."

Louis Woita, manager of Sack Lumber Co., said he knew of six people who were using the 11 perecent loans to build two garages, improve two bathrooms or add siding on two homes.

"That's quite a bit more than we had before," he said. "It's definitely helping our business."

The home improvement projects mean an additional $10,000 to $12,000 income for Sack Lumber. Woita said, at a time traditionally slow because farmers are busy tending their crops, not building.

"That's a darn good boost, I'll tell you," said Woita.

CONSUMER ACCEPTANCE

Trowbridge speculated that the $1 million will be lent quickly because the interest rate is within consumer comfort zones.

"There's a threshold of pain somewhere," the car dealer said. "As far as interest rates go, it seems to be in the 14 to 15 percent range, and when they envision it's lower they move to take advantage of it.

"The farm economy here is not good, the local business climate is far from being good. I attribute any successes I've had to the promotion of the 11 percent money," he said. . . .

"We felt this might be a way to start and put some money back into the system," the banker said. "And you figure the money will roll three to five times in the community. I think we're looking long-term. One of our slogans is that we're the cornestone of the community, and I guess we feel an obligation to really be so."●

A "GENTLE MAN" GOES HOME TO GOD

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. SHUSTER. Mr. Speaker, I would like to bring to the attention of my colleagues an article that appeared in the Catholic Register, the official publication of the Diocese of Altoona-Johnstown. The article was written by Msg. Philip P. Saylor, in tribute to his father, Philip P. Saylor, Sr., who recently passed away. This is a moving eulogy to a fine man who was an inspiration to his family and a valuable asset to his community.

Mr. Saylor's life is an inspiration to us all, and his dedication to those in his community is an example of what made America great. His dedicated public service, both in his official capacities with the fire department, and in his unofficial capacity as community counselor, endeared him to all who knew him. Mr. Saylor will be profoundly missed.

The article follows:

[From the Catholic Register, July 12, 1982]

A "GENTLE MAN" GOES HOME TO GOD

DEAR READER: It is no doubt unusual to publish a eulogy about one's father. But not being one who hesitates to use an editor's prerogative, I plan to do just that.

My father, Philip P. Saylor, Sr., after whom I am named, died last week after a protracted and painful illness at the grand old age of 80. Although his body finally failed to function, his mind and his spirit did not.

A GENTLE MAN

There was one feature about my father's personality that was immediately evident to everyone who knew him. It was his gentle-

ness, a gentle and never sarcastic sense of humor, a gentle but firm sense of discipline, a gentle and caring demeanor toward my paralyzed sister, a gentle and almost worshipful love for my mother who died six years ago.

My father was a man who loved people. He would not say a bad word about anyone. I can remember countless occasions when the usual gossip would surface in a conversation, and my father would deftly and gently change the subject.

There were a lot of things my father couldn't understand. He couldn't understand racial prejudice, because three black families lived within a block of our home and they were his friends. He couldn't understand religious prejudice, because my mother came from a long line of devoted protestants and he took my mother's mother into our home and always respected her biblical faithfulness.

My father could not understand iconoclasts, those people who would demean the things he held sacred; Church, country, family. My father never missed Mass. he always took part in the public functions of the community. And in all these activities, the whole family was always a participant.

In the earlier days, my father loved to attend the high school football games and the Penn State sports extravaganzas. Being a volunteer firemen he always got in free by riding in the ambulance, that was his, not too secret joke. He loved the games, because they brought back memories of his youth, but the people loved him in return. He was known everywhere.

In his latter days, when he could no longer attend public functions, he would be picked up by the workers at the senior citizens center and join them in their daily meals and their games. He loved them, and they loved him. And the volunteer firemen would pick him up and take him down to the fire house in the evenings where he could reminisce and joke with the young men. He loved them and they loved him.

In his final days, he hung onto life tenaciously. When his heart finally failed, for all intents and purposes, in January, the medical professionals gave him less than a month to live. He lived six months instead, in great physical distress, but in spiritual peace and unfailing good humor. He never grumbled. He never badgered the nurses. He loved them and they loved him. When he finally died, the nurses cried. They and my sister wrapped his body, but very gently. You see, he was a very gentle man.

A PUBLIC SERVANT

As soon as he graduated from high school, Dad became a volunteer fireman. That move set a direction for his life that never veered off course. For thirty years, he was the Bellefonte fire marshal or fire chief. He was the superintendent of the borough water department, and, for a time, he was the borough manager, the borough treasurer, the treasurer of the Firemen's Relief Association and President of the Central District Firemen's Association.

Every night before going to bed, Dad would check the pumping stations which fed the eleven and a half million gallons a day of pure spring water into the homes of the community. It was a family ritual. We kids would go with him almost always. It was a job he did not have to do. Instead it was a service he felt obligated to perform for the safety of the town. Few people knew what he did for them, but that didn't matter to him.

Sometimes, when I become overwhelmed by the multitude of phone calls to the rectory, I recall life at home. The phone was always ringing. Some of the calls were monumental problems, others were inquiries about a water tap or a dead fish in the park stream, calls that could just as easily have been made in the daytime to the borough office. Still others were from the perennial malcontents or the slightly demented or the just plain lonely people.

Dad was the community counselor. They could call him day or night, knowing that he would lend an ear and be gentle with them. There were no modern conveniences like the answering service or associate pastors who could cover for him.

My father's concept of public service was just that, "service." He was not a politician, never sought public office or public acclaim. When he retired after 30 years, they gave him a gold watch and a retirement of $52 a month. He worked part-time for a few more years as a fire and police dispatcher, and when the state found out about that they demanded that he repay his retirement income. The borough fathers mercifully repaid it for him.

But Dad was the only one who really knew how everything worked, and why and where. When lightning knocked out the main pumping station, when Dad was 75 years old, all the king's horses and all the king's men could not get it started again. After hours of expert frustration they came and picked up my father and took him to the scene of the unsolvable disaster. "Push that button," said Dad. "We did," they said. "But you must wait twenty minutes and let it prime itself," he said. They did, and it did. The old man who never went to college, but who graduated from the school of hard knocks, solved one more problem, gently.

FAMILY AND CHURCH

It is, of course, his role of father that I remember best. All those memories are fond ones. Even the times he paddled me. I always knew I had it coming, and I knew it hurt him as much as it hurt me. Kids aren't dumb. They need fair discipline, and they want it. Even when Dad paddled me, it was always fair and always gentle. It was my pride that hurt, and I knew it was my pride that needed the discipline.

My Dad was the leader of the family, the provider. My mother was the conscience of the family, the nurturer. We always did everything together. Mom hated baseball games, but the whole family, including Mom, went to the minor league doubleheaders in Williamsport. That turned me off on baseball forever, but it bound us together as a family.

Dad hated antique sales, and handicraft displays at county fairs, but the whole family, including Dad, went to the Grange Fair every year, and Mom always won prizes for her handicraft. Those works of peasant artistry are invaluable heirlooms today, irreplaceable and priceless, materially and sentimentally. But they were a part of the family enterprise.

At the dinner table we ate together, not in shifts and spurts like so many families today. Dad led us in the prayer. He led us to Mass. He taught us a moral standard that is indelibly engraved. Mass and prayer was a part of every vacation which the whole family always took together. When we were traveling, the first priority on Saturday night was to locate the Catholic Church for Mass on Sunday morning. To Mom and Dad, "epikeia" was an unknown concept. There was no "excusing circumstance."

Because Dad was so gentle and so low-key, he never quite understood me. He couldn't understand why I always had to be out front; president of the senior class and editor of the paper in high school. Later on, he couldn't understand why I had to be a leader of the civil rights movement in the late fifties, or the anti-Vietnam war movement in the sixties, or the anti-crime and drug movement in the seventies, or the anti-abortion political movement in the eighties.

I know Dad is in heaven now with Mom. My "hope" (and I'm talking about the theological hope not wishful thinking) is that now Dad does understand. He did understand the pastoral role of the priest, but I'm not sure whether he understood the prophetic role. The two roles are difficult to balance. Now with God at his side, maybe, he can help me balance the two, more gently.●

THE RISING TIDE LIFTS ALL YACHTS

HON. GILLIS W. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. LONG of Louisiana. Mr. Speaker, last week the Senate Finance Committee proposed an increase in the Federal excise tax on cigarettes as part of its plan to raise $21 billion in revenues. Speaking as one who neither smokes nor represents a district in which tobacco constitutes a major crop, I feel that I could not be accused of a personal stake in this issue. I do, however, feel most strongly that this proposal would work a serious hardship on those Americans least able to pay.

It seems to me, Mr. Speaker, that if a person wants to settle back after a hard day at work and forget the problems of the day by having a beer and a cigarette, do we really have to remind him of this country's economic problems when he thinks about how much that pack of cigarettes has just cost him? There are few enough refuges for the ordinary American to make this small refuge so costly.

What we have in this proposal is simply another blue-collar tax. It will not force a person to give up the practice of smoking; I doubt that we could ever raise taxes enough to do that. All we would succeed in doing would be to place another burden on those least able to pay.

What this Chamber needs to do, Mr. Speaker, is to substitute a mink collar tax for this blue collar tax. Those real luxury items which the Senate Finance Committee left out of their proposal—things like furs, and jewelry, and yachts—would yield as much in excise taxes over a 3-year period than the doubling of the levy on cigarettes. And let me say, Mr. Speaker, that raising the excise tax on furs will no more stop anyone from buying a mink coat than this proposed doubling of the

Federal cigarette tax will deter people from smoking. People who purchase yachts will buy them even with higher Federal taxes, and people who buy cigarettes will continue to buy them as well. The difference, Mr. Speaker, is that the extra cost of a pack of cigarettes takes a bigger chunk out of a worker's budget than luxury tax would take away from someone in the market for a yacht.

We are all concerned, Mr. Speaker, with reducing the budget deficit and restoring prosperity to this economy. The Democrats believe that those who are best able to shoulder the economic burden should do so and the budget should not be balanced on the backs of those with limited incomes. I would remind the House that our great Democratic President John F. Kennedy once said, "The rising tide lifts all boats." The present administration seems to believe that, "The rising tide lifts all yachts."●

ROGER O'GARA, RETIRED SPORTS EDITOR OF THE PITTSFIELD, MASS., BERKSHIRE EAGLE

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. CONTE. Mr. Speaker, there are many of us who consider the words "baseball" and "American" to be synonymous, but last month our ranks dwindled significantly with the death of Roger O'Gara, retired sports editor of the Berkshire Eagle in Pittsfield, Mass.

During his 39-year tenure at the Eagle whether he was covering city hall, high school sports, or the political beat, Roger set a standard in colorful, accurate, and speedy writing that few in journalism ever attain. Despite his ubiquitous talents, Roger's life's love was sports. A fixture on the sidelines of any sporting event in Berkshire County, Roger not only covered the action with skill and aplomb, but also did his best to promote and sustain sports of all kind and level in Pittsfield.

Although he possessed the dose of cynicism necessary to be a good newsman, when it came to friends, Roger had a heart of gold. I can remember many times in my earlier elections, Roger was always there when you needed him. He was always quick to volunteer his time and energies not only in the political sphere, but in securing opportunities for young people to participate in all kinds of sports, and providing sholarships to encourage them to excel in their chosen fields.

Roger himself was no stranger to the field or the links; his enthusiasm, however, far outweighed his talent, and he was the first to admit it. The joy of the game more than kept his interest alive, and sparked his encouragement of others to partake in the thrills and lessons to be learned from athletic competition.

Berkshire County has lost one of its biggest and long-time boosters; I have lost a true and trusted friend. I have included a biographical sketch of Roger O'Gara that appeared in his paper, the Berkshire Eagle.

ROGER E. O'GARA IS DEAD AT 68; WAS RETIRED EAGLE SPORTS EDITOR

Roger E. O'Gara, retired sports editor of The Eagle, died Saturday at Berkshire Medical Center. He was 68 and had been ill since he suffered a stroke on Dec. 10, 1978.

Mr. O'Gara was a prolific and fast writer and at one time in his 39-year career with this newspaper covered Pittsfield City Hall and the School Department, while also covering schoolboy sports. But sports, especially baseball, were his main interest, not only in writing but in talking.

For many years he wrote a daily sports column, "Fair or Foul," and it was his custom on his trip from his desk to the copy desk to stop and read a portion of it to Ted Giddings, then the city editor. As long as he wasn't interfering with his own deadline or coverage of a game, Roger would talk about sports with anyone, anywhere, anytime.

Born in Pittsfield Sept. 17, 1913, he was the son of Michael E. and Lettie V. Krommes O'Gara.

As a youngster, he was playing manager of an amateur baseball team recruited in his Morningside section of the city. He went on to play the infield for Pittsfield High School, the Pittsfield American Legion and later, Buckwell Universtiy. He returned to Pittsfield when the Depression cut short his college education.

He then became adminsitrator for the National Youth Administration program in Pittsfield but continued in sports as organizer and president of the Shire City League. Two years later he became secretary of the City Baseball League and remained in that post for the five years the league was in existence.

JOINED EAGLE IN 1939

O'Gara joined The Eagle in 1939. For five years prior to that he had been a news correspondent and sports columnist for the Springfield Republican. It was during that period that he also worked on publicity for Owen Johnson of Stockbridge, a novelist popular in those days who made an unsuccessful attempt to unseat the incumbent Republican congressman, Allen T. Treadway.

In 1947 when The Eagle established radio station WBEC, O'Gara branched into radio and had a six-days-a-week sports show until he succeeded John M. Flynn as Eagle sports editor in 1952. It was then that he started his daily "Fair or Foul" column.

His columns won several awards for excellence. Four of them were reprinted in E. P. Dutton's annual "Best Sports Stories."

With the return of professional baseball to Pittsfield in the mid-1960s, O'Gara became the official scorer for the Pittsfield Red Sox and later the Pittsfield Senators and Rangers. He bemoaned dwindling attendance at the local professional baseball games, and in his columns seemed to say that such non-attendance was an un-American act.

O'Gara was recognized by his peers as an excellent sports writer. He served as both vice president and president of the National Association of Professional Baseball Writers.

OFF-THE-FIELD PROJECTS

He was active as organizer and worker in several off-the-field projects. He held several offices in the Pittsfield Monday Morning Quarterbacks' Club. He was the originator of the club-sponsored Pittsfield Football Hall of Fame, which annually raises money for scholarships for deserving high school players. He served on the selection committee for the Lambert Cup, which is emblematic of the Eastern small college football championship.

O'Gara was a fierce competitor in any sport in which he participated. In his younger years he organized an Eagle volleyball team and brought in at least one tall non-Eagle ringer to bolster his squad. He liked to win.

In the middle years he took up the game of golf. He accepted with reasonable good grace the fact that he was no Bobby Jones, but still the urge to win was sometimes more than he could stand. On the occasions that he participated in Western Massachusetts sportswriters' golf outings his day was made if he scored better than Ed Toole of Old Richmond Road, a Springfield Union reporter who is now retired.

Roger was always the fastest putter in the field. He explained to a friend one day that his putting was so miserable he wanted to get it over with as quickly as possible. When opponents would concede him short "gimme" putts, he would accept with alacrity and not count them in this score. It was his way of making the odds a bit better.

For several years O'Gara ran an annual fun tournament for enthusiastic, but not necessarily great, golfers and beer drinkers. A feature of the tournament, in addition to the beer, was the hop, skip and jump allowed to advance the ball after the drive.

For many years O'Gara chose not to drive a car. He went to and from out-of-town ball games with his many friends, who offered transportation as a means of seeing the game. On his way home from those games, O'Gara would unlimber his portable typewriter, prop it up on his knees and knock out his story. He later purchased a car and resumed driving. Riding in a car driven by O'Gara was a sport that many people didn't enjoy.

Among the things he didn't like were dogs and thunderstorms. Some of his fellow workers were known to go out of their way to ring his phone during a storm, and to bring large dogs to his desk. Another thing he didn't like was heights. The third floor in a hotel was about as high as he liked to get, and airplanes were something to be avoided, unless that was the only way to get to a big ball game.

O'Gara was a constant critic of lengthy after-dinner speeches and long-winded orators at testimonial affairs, yet sometimes forgot his own admonitions in his exuberance for the subject. He loved to talk almost as much as he loved to write, thus it was difficult for him to accept the loss of speech that came with his first stroke.

His wife, the former Lucille F. Webber, died in 1976. He was a member of the South Congregational Church.

He leaves a daughter, Mrs. Thomas Galvagni of 16 Hampshire St., with whom he made his home; two sons, John D. O'Gara of Ashland, Ky., and Paul W. O'Gara of

Montague Center and Boston; a sister, Miss Mary J. O'Gara of Pittsfield; a brother, Harry B. O'Gara of Pittsfield, and three grandchildren.

Calling hours at the Wellington Funeral Home are today from 2 to 4 and 7 to 9 p.m. The funeral will be tomorrow at 2 p.m. at the South Congregational Church. Burial will be in Pittsfield Cemetery.

In lieu of flowers, the family has suggested contributions to the Roger O'Gara scholarship fund, in care of the funeral home.

He attended the South Congregational Church.●

SOUTHERN ARIZONA WATER RIGHTS SETTLEMENT ACT

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. UDALL. Mr. Speaker, on June 2, 1982, the President vetoed the Southern Arizona Water Rights Settlement Act, a bill to legislatively resolve the water rights claims of the Papago Indian Tribe to water from basins underlying Tucson, Ariz., and parts of Pima County.

This legislation was the product of a consensus among the major water users in the Tucson area to provide a fair and reasonable settlement of the water rights claims of the Papago Tribe, which claims are the basis of a pending lawsuit naming some 1,700 defendants in southern Arizona.

The failure to enact settlement legislation keeps this contentious issue in Federal court, and delays a final resolution for several years. All parties to the settlement agree that litigation is expensive, and that the health and future of the Tucson community is seriously clouded by the pending legal action.

The President's veto message directed the Secretary of the Interior to initiate negotiations with the Papago Tribe and the non-Indian water users in order to reach an agreement acceptable to all parties and to the Federal Government.

The attached memorials from the mayor and council of the city of Tucson, the Pima County Board of Supervisors and the Arizona Association of Counties indicate that these entities are ready and willing to make a good-faith effort to work with the United States to negotiate the settlement of these sensitive water claims.

I commend the entire Tucson community for the time and effort that has been dedicated to this legislation and I applaud the continuing statesmanship of the city, the county, and the Arizona Association of Counties.

The memorials follow:

CITY OF TUCSON
Tucson, Ariz., June 17, 1982.

Hon. MORRIS K. UDALL,
U.S. Representative, Washington, D.C.

DEAR MR. UDALL:

Memorial of the Mayor and Council relating to a Legislative Settlement of the Water Rights Claims of the Papago Indian Tribe, State of Arizona

The above captioned Memorial was adopted by the Mayor and Council of the City of Tucson, Arizona, on June 14, 1982 and is respectfully submitted for your consideration.

The original Memorial has been forwarded to Secretary of the Interior, James G. Watt. A copy of this Memorial has also been forwarded to the balance of the delegation.

Sincerely,

L. C. MURPHY,
Mayor.

Enclosure. Memorial

A MEMORIAL RELATING TO A LEGISLATIVE SETTLEMENT OF THE WATER RIGHTS CLAIMS OF THE PAPAGO INDIAN TRIBE, STATE OF ARIZONA

TO THE SECRETARY OF THE INTERIOR, THE HONORABLE JAMES G. WATT

Your Memorialist respectfully represents that:

Whereas, in 1975 the Papago Tribe and the U.S. Government initiated litigation in U.S. Federal District Court of Arizona against your Memorialist and other named parties to determine the ground and surface water rights of all named parties in the upper Santa Cruz River basin; and

Whereas, this litigation is expensive, time consuming and casts serious clouds on the water rights of all parties; and

Whereas, your Memorialist has determined that it is in the best interests of the citizens of the City of Tucson that a legislative solution of the Papago Tribe water rights claims be achieved as expeditiously as possible; and

Whereas, the Congress of the United States passed and adopted House Resolution 5118, The Southern Arizona Water Rights Settlement Act of 1981; and

Whereas, House Resolution 5118 as passed and adopted by the Congress of the United States was vetoed by the President of the United States on June 1, 1982; and

Whereas, your Memorialist continues to believe that an expeditious settlement of the Papago water rights claims is in the best interests of not only the citizens of Tucson; all other water users in the upper Santa Cruz River Basin; the Papago Tribe and the United States Government.

Now, therefore, your memoralist, the mayor and council of the city of Tucson prays:

Section 1. That an individual of the U.S. Government be appointed to specifically assist in negotiating a new legislative settlement of the Papago Indian Tribe Water Rights Claims which addresses those concerns expressed in the Presidential Veto Message of June 1, 1982.

Section 2. That said negotiator be appointed at your earliest convenience and that negotiations with and between all interested parties be initiated at the earliest possible date.

Section 3. That those negotiations necessary to effect an acceptable legislative settlement be accomplished in such time as to provide for passage and adoption by the Congress of the United States during the current legislative session of the Congress.

ARIZONA ASSOCIATION OF COUNTIES,
Phoenix, Ariz., June 15, 1982.

Hon. MORRIS UDALL,
U.S. Representative,
Washington, D.C.

DEAR CONGRESSMAN UDALL: Enclosed is a resolution adopted June 4, 1982 by the Executive Board of the Arizona Association of Counties.

It is extremely important that continued water delivery be assured to all citizens of the State of Arizona and we endorse efforts by the Congress to reconstruct the Southern Arizona Water Rights Settlement Act.

Your consideration of this resolution as an expression of Arizona's fourteen counties is requested.

Sincerely,

RICHARD W. CASEY,
Executive Director.

Enclosure.

* * * Whereas for the best interests of the Papago Indians of Pima County and that the said proposed settlement go forward, and

Whereas the Papago Indians as well as the other inhabitants of Pima County and the State of Arizona will suffer greatly in many respects if the act is not reconstructed, and

Whereas if the proposed settlement does not go through and is not carried to completion, extensive litigation will forthwith commence to the detriment of the Papago Indians of Pima County and to Pima County and the State of Arizona generally, and

Whereas if the settlement with the Papago Indians as proposed does not proceed to culmination forthwith, home building and other construction will be seriously affected, zoning will be upset, damaged and uncertain for years to come, and the pumping of water will stop, to the damage of the Papago Indians, the City of Tucson, Pima County, and the State of Arizona, and

Whereas if the Southern Arizona Water Rights Settlement Act is not reconstructed it will seriously affect the Central Arizona Water Project, to the detriment of the Papago Indians and other inhabitants of Pima County and the State of Arizona, and

Whereas it is for the best interest of all concerned that the reconstuction of the Southern Arizona Water Rights Settlement Act be implemented, and

Whereas it is for the betterment of the Papago Indians and the other inhabitants of the State of Arizona that the proposed settlement proceed forthwith to conclusion,

Now, therefore, the Arizona Association of Counties seriously petitions the Congress of the United States to reconstruct the Southern Arizona Water Rights Settlement Act for the betterment of all of the State of Arizona and the Papago Indians.

PIMA COUNTY BOARD OF SUPERVISORS,
Tucson. Ariz., June 21, 1982.

Hon. MORRIS K. UDALL,
House of Representatives,
Washington, D.C.

CONGRESSMAN UDALL: The Pima County Board of Supervisors at its regular meeting held on Monday, June 7, 1982, passed RESOLUTION NO. 1982-89 relating to memorialization and petition to the Congress of the United States to reconstruct the Southern Arizona Water Rights Settlement Act and request the support of each congressional member.

A copy of the resolution is enclosed. Thank you for your consideration in this matter.

Very truly yours,

(MRS.) EUGENIA W. WELLS,
Clerk, Board of Supervisors.

Enclosure.

RESOLUTION No. 1982-39

MEMORIALIZATION AND PETITION TO THE CONGRESS OF THE UNITED STATES TO RECONSTRUCT THE SOUTHERN ARIZONA WATER RIGHTS SETTLEMENT ACT

Whereas the Southern Arizona Water Rights Settlement Act is beneficial and fair to the Papago Indians and to the other inhabitants of Pima County and to the Papago Indians living in portions of Maricopa County, and

Whereas the Arizona Senators and Representatives of Congress sincerely are of the opinion that said settlement is for the best interests of the Papago Indians of Pima County and that the said proposed settlement go forward, and

Whereas the Papago Indians as well as the other inhabitants of Pima County and the State of Arizona will suffer greatly in many respects if the act is not reconstructed, and

Whereas if the proposed settlement does not go through and is not carried to completion, extensive litigation will forthwith commence to the detriment of the Papago Indians of Pima County and to Pima County and the State of Arizona generally, and

Whereas if the settlement with the Papago Indians as proposed does not proceed to culmination forthwith, home building and other construction will be seriously affected, zoning will be upset, damaged and uncertain for years to come, and the pumping of water will stop, to the damage of the Papago Indians, the City of Tucson, Pima County, and the State of Arizona, and

Whereas if the Southern Arizona Water Rights Settlement Act is not reconstructed it will seriously affect the Central Arizona Water Project, to the detriment of the Papago Indians and other inhabitants of Pima County and the State of Arizona, and

Whereas it is for the best interest of all concerned that the reconstruction of the Southern Arizona Water Rights Settlement Act be implemented, and

Whereas it is for the betterment of the Papago Indians and the other inhabitants of the State of Arizona that the proposed settlement proceed forthwith to conclusion,

Now, therefore, the Board of Supervisors of Pima County, Arizona, seriously petitions the Congress of the United States to reconstruct the Southern Arizona Water Rights Settlement Act for the betterment of all of the State of Arizona and the Papago Indians.●

SCHOOL AND DORMITORY FOR CONGRESSIONAL PAGES

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. WHITEHURST. Mr. Speaker, today I am introducing a bill to establish an appropriate school and dormitory for congressional pages. I have been concerned for some time, not only about the lack of supervised housing for these young people who are entrusted to us, but about the quality of education we are providing for them.

For 18 years before coming to the Congress, I was in the field of education, first as a member of the history department at Old Dominion University, and subsequently as dean of students at that school. During much of that same time, my wife was also a teacher, working with young people not only at the college level but also in elementary and secondary schools. She and I have had an opportunity to talk with a number of the congressional pages, particularly in the last 2 or 3 years, and it has become clear to us that the quality of education they have been receiving here is uneven, at best.

On the basis of this, I believe that an independent school should be established for our pages, accredited directly through the National Association of Colleges and Secondary Schools or a similar organization. I think that, in addition to a permanent, full-time principal and a nucleus of teachers, we could attract teachers from secondary schools across the country to come for a year on a teaching fellowship. This would give us a constant infusion of fresh educational ideas and offer a real challenge to the bright young people who come to serve as pages.

I believe that Members should be directly involved as members of the board which would oversee the school and dormitory, and feel they could be usefully joined by the two Chaplains. Certainly a full, bipartisan approach is essential. In addition, the school/dormitory staff should include at least one professional guidance counselor.

Finally, Mr. Speaker, to keep the size of the school on a realistic level, I believe that the minimum age for any page should be 16. Anyone younger is usually too young to cope with the strenuous schedule these pages are called upon to face. If we limit the age in this way, then only junior- and senior-level courses would need to be provided, and we could further enhance the quality of the instruction and the breadth of courses that might be offered.

While the recent publicity has been cause for serious concern, I think that in the long run it will prove to have been a blessing, if it forces us to reassess the whole question of housing and educating our pages. I am delighted that so many of my colleagues are pursuing legislation, and that a commission has been appointed to look into the matter. The young people who come to serve as pages are, on the whole, outstanding, and they deserve no less than an excellent education from us.

Thank you, Mr. Speaker.●

REMEMBERING SCHARANSKY

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. BINGHAM. Mr. Speaker, July 14 marked the fourth anniversary of the sentencing of Anatoly Scharansky to 13 years in labor camps and prison by a Soviet court. We must not ignore this date. The continued imprisonment of Scharansky is a tragedy and a constant indictment of the Soviet system.

Mr. Speaker, I enclose an article on Sharansky by Irene Manekofsky, former president of the Union of Councils for Soviet Jews. For those few members who may not know her I want to say that Irene Manekofsky is herself one of the great figures of the Soviet Jewry movement. For years she has given of her time and energy for Soviet Jews. She has worked effectively and tirelessly in their behalf and her remarkable contribution should not go unmentioned.

REMEMBERING TOLYA

(By Irene Manekofsky, former president, UCSJ)

Three men came running to meet us as we left the gargantuan Rossya Hotel that cold November evening in 1974. We recognized them as three of the young, intense men we had met at the synagogue a day or two earlier. "We have located Lev Genden," they exclaimed excitedly. "He is in prison in Kharkov. Now you can send your cable to the States." One of the three, a short, balding undistinguished looking man in his twenties immediately was recognizable as the leader of the group. They were very pleased that Lev Gendin's whereabouts were no longer unknown after the daring trip the group had made into the provinces of the USSR. They had gone to check the condition of the Jewish communities outside of the main centers of Leningrad and Moscow. One of my missions upon leaving the United States was to let the activists there know (by code, of course) if and when Gendin was located. He later managed to escape from prison and remained in hiding for a long period of time, reappearing from time to time among the refuseniks in Moscow.

"Tell us more about your trip," I said to them. The spokesman and leader, Anatoly Scharansky, a relative newcomer to Moscow activist circles, invited my husband and me to an apartment so they could relate the entire story. We sat late into the night and into the early hours of the morning, sitting around the table with the ever-present cups of Russian tea, tape recording the events of the trip.

Did it take us an hour, or perhaps an hour and a half? How long, we now try to recall, did it take us to become smitten with the charm, intelligence, wit, earnestness and leadership qualities of Anatoly Scharansky? After listening to Tolya, as he was called by all who knew him, for hour after hour, watching his intense Jewish consciousness, his courage, his devil-may-care attitude about his own safety, he was no longer a small, undistinguished little man. To us,

Tolya was nine feet tall, a giant of strength and determination, a man who knew what had to be done and did it.

The trip to the provinces was an astonishing act of definance. They dodged the KGB, one of them boarding a train with a beard, shaving it off on the train and getting off the train clean shaven. Five or six of them fanned out to cities such as Kiev, Kharkov, Odessa and Tashkent. All were harassed, searched, papers taken away, interrogated.

Tolya enjoyed baiting the KGB. When he was picked up and questioned on the trip, he noticed that the KGB interrogator kept running back and forth to the telephone. "Do you have to rely on instructions from Moscow as to what you will do with me," he chided. He told us how once the KGB had told him that he had been arrested twice and the third time he would go to prison. "This is already the third time," he quipped. Another time he related to us how he looked out of the window in his apartment and saw his KGB "tail" sitting in the car, drunk. He reported this to the KGB headquarters! This is unheard of behavior in the Soviet Union. But Tolya had a twinkle in his eye and a sense of humor to match. In the end, however, the KGB got their revenge. But even though they arrested and imprisoned him, Tolya will always be a free man with a free, unbending spirit.

His favorite subject, once we exhausted all of the details not only of the trip, but of the emigration movement in general, was his wife, Avital. How he loved her! He constantly talked about going to Israel to be reunited with her. He was proud of her: "I spoke to my Avital on the phone from Israel yesterday. Do you know, she now speaks Hebrew better than I do?" He told us about his marriage—how he was released from prison one day, married the next, took Avital to the airport on the third day, and has been waiting to join her in Israel ever since. He commented on her beauty and how lucky he was that such a short man as he could marry such a tall, beautiful woman like Avital.

We spent many other times in Moscow in the company of Tolya that November. Each time we met with him we sensed the strength of his commitment, not only to his Jewishness but to the Jewish emigration movement in the Soviet Union and to Israel. He had a mission to help as many Jews as possible to emigrate. He was part of a closely knit circle of refuseniks, Volodya Slepak, Alexander Lerner, Alexander Luntz, Dina Beilina, Ida Nudel, Alex Goldfarb, and others. This group was engaged in getting the word out to the world about what was going on inside the emigration movement. Alex Goldfarb knew his way around the foreign press circles. His English was remarkably good and he managed to make friends with Western foreign correspondents.

When Goldfarb received his emigration visa a few months after we left Moscow, we learned that Tolya was to take his place. From that time on, Tolya, with his excellent command of the English language, became the prime contact to the outside world. His hundreds of phone conversations to Michael Sherbourne in London were the main channels of communication for the movement in the West, sending word to the world that there was an arrest, a demonstration, a hunger strike, an appeal signed by hundreds, even a permission to emigrate. Tolya also became good friends with many correspondents and eventually took part in a surreptiously made movie produced for television by a London film company. The few times I could get through to him on the phone, the information poured out in exquisite detail, always with the same urgency and determination to get the job done and done well.

But always there was the sense of humor. How we laughed as he told us of the time an American youth group called him to the phone in the Main Post Office in the middle of the night. It was not uncommon in the early days of the movement for groups to place messenger calls through to refuseniks and occasionally they would make contact. The leader of the group asked him to join them in singing Hatikvah, the Israeli national anthem. He did his duty and stood there in the early hours of the morning in the Post Office in the center of Moscow singing Hatikvah on the telephone! What a sight that must have been.

When the entire story of the Jewish emigration movement is told from the perspective of history, I feel certain it will show that the greatest contribution was made by the small band of refuseniks who told the story to the world. By telling their story, we in the West could generate pressure on our governments to act on their behalf. And it was that action and reaction that brought to bear all of the political pressures on the Soviet Union to release hundreds of thousands of Jews in the last ten years. It was on the backs of these handful of heroes that the thousands got their visas. And it was the refuseniks who paid the awful price. Slepak, Nudel and Scharansky are still incarcerated in prison or refused exit.

When Scharansky once was threatened by the KGB with prison, he replied: "You don't frighten me; this whole country is a prison." And there he remains to this day, still in prison, still separated from his beloved wife.

Tolya—would probably laugh if you called him a hero, but he is truly that—a modern, Jewish hero—and there are not many of them around these days. It was my privilege to have known him, to correspond with him, and to do what little I could to help him. I pray that some day I will have the privilege of meeting with him again—in freedom, the only condition in which a free spirit like Tolya's can flourish.●

PARRIS INTRODUCES FEDERAL EMPLOYEE PENSION PROTECTION

HON. STAN PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. PARRIS. Mr. Speaker, 15 years ago, the National Transportation Safety Board began a congressionally mandated effort to hire employees of the Nation's rail, highway, marine, and pipeline industries for its new Bureau of Transportation Safety. Those hired by the NTSB who had been railroad employees soon found that their move had seriously jeopardized their retirement plans.

The full civil service retirement plan and the full railroad retirement plan are two similar federally administered systems. The Board's new rail specialists held substantial vested interests in the railroad retirement system but when they went to work for the NTSB, they could expect minimal or no compensation from the RRS upon their retirement. Retirement credits earned under the RRS are not transferrable to the CSRS. The combined retirement credits earned by the former railroad employee under both systems are invariably and substantially less than the credits earned by a participant who remained under either of the two systems for the same period of time as the former railroad employee.

No provision has been made to allow a transfer of credits or establish a formula under which an equitable transfer could be made. Because of the complexities involved in interfund transfers, the NTSB employees with railroad retirement credit are requesting that their years with the railroad industry be counted as years under the civil service retirement system for the purpose of calculating their retirement income.

Accordingly, today I am introducing legislation to redress the current inequity which these NTSB employees, many of whom are my constituents, are facing. My bill would give former railroad employees now with the NTSB the option of counting their time of employment with the railroad industry as if it had been with the civil service in calculating retirement income.

These employees are all the more valuable to this agency charged with insuring the safety of transportation in America because of their previous experience in the railroad industry. Further, they face other disadvantages because of their prior employment in private industry. They do not have as much reduction-in-force protection as lifelong civil servants because they have not been able to accumulate as much seniority. They are also denied the early retirement provisions of either system. The concerns which the NTSB employees have expressed a desire to see addressed legislatively, however, are only those bearing on their pensions, and it is only this issue which my bill addresses. My bill does not require additional Federal expenditures.

In the interest of equity, I feel the passage of this legislation should reasonably be a high priority this session. I urge my colleagues to support and cosponsor this bill to restore fairness to the retirement systems of these vitally important public servants.●

NEW YORK STATE SENATOR JOSEPH GALIBER ON ENTERPRISE ZONES

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. GARCIA. Mr. Speaker, over the course of the last 2 years, there has been much discussion of the enterprise zone concept, what it means to the inner city community and to State and local government. If numbers are any indication, then the enterprise zones certainly enjoy a wide range of support. Indeed, over 150 enterprise zone bills are awaiting action in over 25 States while another 14 States have already passed the necessary legislation to implement the program at the State level in anticipation of the Federal program.

These State programs cover a wide range of incentives all with the intended purpose of assistant businesses which create jobs in distressed communities. One such effort is led by Senator Joseph Galiber in New York. Recently Senator Galiber testified before the House Banking Committee's Subcommittee on Economic Stabilization. I would like to share the Senator's testimony with my colleagues in an effort to describe what is going on at the State level and how enterprise zones can work with other community development programs as is their purpose.

The testimony follows:

TESTIMONY OF SENATOR JOSEPH L. GALIBER

Good morning. I wish to thank Congressman Garcia and the other members of your distinguished committee for inviting me to testify here today on behalf of New York State's efforts and progress on enterprise zone plans.

Throughout my career as a State legislator, I have always fought for increased economic activity in our deteriorating neighborhoods. As my respected colleague, Bob Garcia, knows, job opportunities and business development are most desperately needed in areas such as the South Bronx. Increased business activity will provide the means for residents to improve their lives and expand their opportunites. Economic development subsequently upgrades the total living environment in areas such as housing, education, transportation and local services.

While we do not view the enterprise zone concept as a panacea for urban ills, we recognize the potential for targeting incentives to the most distressed urban neighborhoods. In New York State we are working hard to put together a comprehensive and effective package of State and local initiatives aimed not only at business but also the zone community at large. We are committed to a total revitalization of our ailing neighborhoods.

For over a year now, I have actively pursued the comments and responses of State and local officials, members of the business community, concerned constituents and community groups for the aspects they feel necessary for a successful enterprize zone plan in New York State. At our public hearings we have received testimony on the most pressing problems faced by small and large businesses today. We have solicited the response of city and State agencies as to what they are doing now and what role they could play in the proposed enterprise zone.

Repeatedly, it was brought to my attention that small business cannot take advantage of the tax incentives included in most enterprise zone proposals. Many small businesses, who are willing to pay exceedingly high interests rates for funds in order to expand or upgrade their facilities, could not obtain the necessary loans from banking institutions. In order that these small businesses, who provide the majority of jobs, be able to participate in zone activity, I have included a mechanism in our legislation for the formation of a venture capital corporation for zone investment. This corporation will be composed of state designees and local business leaders. Additionally, our bill includes a revolving loan fund to be used for business improvements and expansion. These funds will be administered respectively, by the New York State Urban Development Corporation and the job development authority, both who currently have loan administrative ability.

Additionally, our bill allows for extensive technical assistance to be provided to localities desiring to apply for enterprise zone status. Upon designation of Federal status, zone would be eligible for planning, design and technical assistance from the New York State Urban Development Corporation for the implementation of a revitalization plan.

Local initiative is encouraged as localities are given the option of enacting real property tax relief for property rehabilitation and new construction or funding local infrastructure improvement through tax increment financing. Zone will also be authorized to apply to congress for the establishment of a foreign trade zone within an enterprise zone.

Among the tax incentives available to businesses is a $1,000 tax credit for employers for each new position filled by a CETA eligible person or zone resident. Additionally, a 100 percent capital gains deduction is provided investment made in a designated zone.

In order to streamline the business of doing business, we propose a one stop permit and licensing office on the zone to consolidate the confusing array of Federal, State, and local permits necessary to establish and conduct a business. The permit office will be accessible to all groups, not only businesses, wishing to initiate any activity in a zone.

In order to provide employment opportunities, we have authorized the New York State Labor Department to coordinate with existing job training programs and join efforts with the private sector to increase available jobs. Our bill targets job efforts toward the economically disadvantaged and the chronically unemployed to train for meaningful, permanent employment.

The New York State Legislature recently adjourned the 1982 legislative session on July third. Unfortunately, we were unable to obtain the necessary support needed to enable this enterprise zone legislation to be passed and subsequently signed into law, by the Governor. I am actively seeking the support of all members, Democrat, Republican, Senate and Assembly, to pass this important measure. Our State most critically needs to take advantage of pending Federal proposals in the wake of such devastating cuts wrought by Washington and felt throughout our State and communities.

I urge Congress to move quickly in enacting a fair and equitable enterprise zone plan. Your commitment will enable me to convey to my colleagues the pressing for our State to establish enabling legislation and programs so that we may actively compete for one of the proposed Federal sites. All of us must join together in seeking solutions vitally needed by our urban centers to turn back the deterioration rapidly spreading throughout our communities.●

ELEANOR ROOSEVELT HIGH SCHOOL SCORES IN COMPETITION

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. HOYER. Mr. Speaker, I am happy to announce that the Eleanor Roosevelt High School orchestra has received second prize in the prestigious 11th International Youth and Music Festival in Vienna, Austria, earlier this month. The 77-member orchestra, led by music director Dorothy Pickard, is to be commended for their outstanding achievement.

During the week-long event, 53 groups from 15 countries competed in Vienna's sofiensaal. The Roosevelt Orchestra received the only standing ovation at the finalist performance, which took place before all 1,500 students participating in the festival. They also received a standing ovation after a special concert of Leonard Bernstein's "Candide" which was broadcast over Vienna radio stations. They were then called upon to perform an encore, and they played the fourth movement of Dvorak's "New World Symphony."

It was not an easy road to Vienna, however. During the past year, the students, their parents, and friends have participated in car washes, garage sales and Florida grapefruit sales to raise the money for the trip. Students made sandwiches to be sold to firehouses and gas stations. Their dedication to raising the $135,000 was exceeded only by their dedication to their music.

In fact, Maryland Gov. Harry Hughes, Prince Georges County Executive Larry Hogan, the Prince Georges Chamber of Commerce, the Bar Association, and I were pleased to have been able to lend our support and assistance in appealing to the business community to open their pocketbooks to these students in an effort to help them raise the money for the trip.

Eleanor Roosevelt High School is unique in that it attracts the top-placing 2 percent of students countywide in their science and technical programs. Two-thirds of the orchestra is in these programs. In the 5 years since the school opened, the orchestra has

performed three times in international competition, thus prompting the invitation to Vienna.

Mr. Speaker, I am indeed proud of these young people. Their success at Vienna only reflects the kind of accomplishments and inspiration these students bring to all they attempt. In these difficult times it is admirable that such commitment is made by these young people.●

WE NEED A NEW GI BILL

HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. EDGAR. Mr. Speaker, I recently received a letter from a 19-year-old airman stationed in Berlin. Having had the opportunity to experience military life and conditions—and to observe the world situation firsthand, Airman Dean Caponi writes with clear insight of the concerns and interests foremost in the minds of those military personnel who defend our country. In spite of his youth—or perhaps because of his youth—he is able to draw refreshingly incisive conclusions from his experience as to where America is today and where we are going. Airman Caponi, a frontline expert in his own right, states in the letter:

> I favor the increased defense budget as long as the money is managed properly. I feel major defense projects should be geared to meet future needs and not only present needs.

I would agree with that opinion. And also with his eloquently expressed disappointment in the present education program for the All-Volunteer Force. VEAP, the veterans education assistance program which replaced the Vietnam GI bill in 1976, has been a disaster. Nearly 40 percent of those who have contributed to the program have since withdrawn their contributions and dropped out of the education plan. Caponi testifies to the importance of education, not only for military personnel, but for all Americans. Furthermore, his views of the program mirror the testimony we received from other VEAP participants in eight hearings before the House Veterans' Affairs Subcommittee on Education, Training and Employment. The House Veterans' Affairs Committee and the House Armed Services Committee have taken steps to remedy this situation. Both committees have reported H.R. 1400, the Veterans Eductional Assistance Act of 1982, calling for a new replacement GI bill for the All-Volunteer Force.

Presently, the Armed Forces are able to attract sufficient recruits, primarily because of the highest unemployment rate in 40 years. However, our testimony from Pentagon experts clearly stated that an economic recovery, coupled with a declining pool of 18- and 19-year-olds during the next decade, will once again bring about a new manpower crisis. This will be especially true as we begin to make a massive investment in high-technology weapons, expanding our defense capability. As Airman Caponi indicates quite clearly, we need a balance of benefits to attract and retain qualified individuals for military service. He affirms what we heard during our hearings from nearly 100 active duty personnel. Pay and bonuses alone cannot do the job. Education benefits, meaningful education benefits, can be a strong attraction for the potential recruit and a sound investment to help retain qualified individuals. The Armed Forces need a new education program now.

As the House meets in the next weeks to authorize the beginning of the largest peacetime military buildup in U.S. history, we must seek to insure these resources are allocated responsibly. Just as we need a balance between weapons systems, we need a balance between our commitment to hardware and our commitment to personnel. Encouraging and supporting education has always been a key to the success of America. And in the words of young Airman Caponi, "our future depends on it."

Our new GI bill, H.R. 1400, I trust will be before the House soon. I believe this can be a valuable investment in the defense of the United States by meeting the future as well as the present needs so wisely recognized by Airman Caponi. I submit for the RECORD the full text of Airman First Class Caponi's letter.

APO NEW YORK, N.Y.,
June 14, 1982.

DEAR MR. EDGAR: I am a nineteen year old Airman stationed in Berlin, Germany, who would just like to inform you of some of my views. I do not support a military pay raise for FY83. I do support a new G-I Bill. I currently fall under the VEAP program and I am very disappointed with it because of the red tape involved with it. I think education is a major key to a successful America. I think if a young person has the desire and initiative to go to college he or she should be given the opportunity no matter what their economic situation might be. We Americans must find ways to make education inexpensive because our future depends on it. I favor the increased defense budget as long as the money is managed properly. I feel major defense projects should be geared to meet future needs and not only present needs. I do not support any withdraw of any American troops stationed in Europe. If the Allied Forces were to withdraw out of Berlin, the Soviets would take over the city within hours. I have visited East Berlin and have formed an opinion of communism. Communism is the most formidable restriction that can be placed on the ingenuity of a human mind. We Americans must support a free Europe. I favor a strong mass transportation system for America. Berlin has the greatest transportation system I have ever seen. It is clean, safe, and efficient. I think us Americans can learn a lot from such a system and apply it to our own big cities. I am interested in government and I would appreciate if you could send me some sort of information concerning the federal government.

I am a registered Republican, but I would not hesitate to vote for you. I like your past record and you are a man of integrity. Thank you for your time.

DEAN J. CAPONI,
Airman First Class, USAF.●

THE WEB OF ALCOHOLISM

HON. BILL LOWERY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. LOWERY of California. Mr. Speaker, a very dedicated and determined constituent, Dr. Mary Pendery, recently rendered a great service to the field of science and medicine by publishing the results of a reevaluation of "controlled drinking" therapy for chronic alcoholics. She and her associates wrote the article in Science to dispute the contention that in this case diagnosed alcoholics can drink in small amounts and still lead a productive life. Their article, though complex, should be read by anyone concerned that we successfully treat and cure those caught by the terrible web of alcoholism. I commend her article to you and blame any inconsistencies on our somewhat unartful editing.

CONTROLLED DRINKING BY ALCOHOLICS? NEW FINDINGS AND A REEVALUATION OF A MAJOR AFFIRMATIVE STUDY

(By Mary Pendery)

Conventional wisdom in the health professions has long held that person who have become physically dependent on alcohol must be advised to abstain completely. In 1962, Davies sparked debate by reporting that 7 of 93 alcoholic patients were found on long-term followup to be able to drink moderately. Since then, the controversy has been intensified by conclusions of other investigators that some alcoholics can safely resume social, moderate, or controlled drinking as an alternative to abstinence.

In particular, success has been reported by Sobell with a selected group of *gamma* alcoholics who were trained to practice controlled drinking as part of an experimental treatment program conducted at Patton State Hospital, in California, in 1970 and 1971. This group was reported to have functioned significantly better throughout a 2-year follow-up period than a control group that had been treated with the traditional goal of abstinence. An additional third year of follow-up by Caddy confirmed the Sobells' conclusions.

Gamma alcoholism is characterized by physical dependence with withdrawal symptons and loss of control. Of all forms of alcohol problems it produces the greatest damage. A new and effective treatment would accordingly have great medical and social value and might also call into question basic concepts regarding the nature of alcoholism.

The Sobells' findings have been published in a series of articles and books and are widely quoted. The study was welcomed as a

breakthrough, particularly among behavioral and social scientists, and it seemed to offer a major advance over more traditional approaches that emphasized abstinence.

We have completed an independent clinical follow-up of the Sobells' subjects with the cooperation of Patton State Hospital. Our purpose was to evaluate treatment outcomes and to assess short and long-term risks and benefits associated with the experimental controlled drinking treatment. Our findings differ greatly from those of the Sobells and of Caddy.

The Sobells' subjects were 40 male alcoholic inpatients at Patton State Hospital—all characterized as *gamma* alcoholics. They were selected by staff decision, on the basis of history and interview criteria, as appropriate for the controlled drinking goal. The Sobells reported that 20 of these subjects were randomly assigned to an experimental group in which they received behavioral treatment designed to enable them to practice controlled drinking after discharge [controlled drinker-experimental (CD-E) group.] (In this report we refer to these as controlled drinking subjects.) The other 20 were assigned to a control group receiving conventional treatment designed to promote total abstinence after discharge [controlled drinker-control (CD-C)]. (We refer to these as the abstinence subjects.) The Sobells' study compared treatment outcomes of these two groups after discharge.

The success of the controlled drinking treatments were reported as "percentage of days functioning well." The apparent superiority of the controlled drinking subjects was significant during each of the follow-up periods (t-tests: $P < .005$ for year 1 and $P < .001$ for year 2).

The Sobells referred to alcohol-related incarcerations primarily through tables showing the mean percentage of days spent in hospitals or jails for each group. Thus, in contrast with the abstinence subjects, the controlled drinking subjects appeared to be improving markedly over the four follow-up periods.

Caddy conducted an independent third-year follow-up, two objectives of which were "to determine how subjects functioned during their third year of follow-up," and "to generally determine the validity of the 2-yr follow-up results already reported . . ." They also reported that the controlled drinking subjects were significantly superior to the abstinence subjects (t-tests: $P < .03$), with half of the controlled drinking subjects included reported as "functioning well" 100 percent of the days during year 3.

In order to assess the results reported for these two shorter-term follow-up studies and to determine the long-term effects of the treatment, we located and interviewed as many as possible of the original subjects. Our initial contacts with the controlled drinking subjects and their collateral information sources were established in the period 1976 to 1979; we have had intermittent contacts with them since that time. One purpose of these interviews was to locate documentary data (such as records of hospitalizations for alcoholism and arrests for drunk driving) that would confirm or refute the evaluations of the original investigators. These data, supported by affidavits and records of interviews, have led us to conclusions that are very different from the conclusions of the Sobells and of Caddy.

In reporting our findings, we depart in two respects from the practice of the previous investigator. (i) In place of the subjects' initials, we have used coded numbers (CD-E's 1 to 20 and CD-C's 1 to 20) to maintain confidentiality. (ii) Although we studied subjects from both the experimental and control groups, in this report, we focus on the treatment outcomes and long-term experiences of the controlled drinking-experimental group, rather than on comparisons between the groups, for three reasons. First, the Sobells acknowledged the problem of interpretation when control subjects, although directed toward abstinence, were aware that controlled drinking was considered a potentially attainable goal and that they had been selected as appropriate subjects for that goal. Second, the available data suggest that the experimental and control groups may have differed before they were treated. For instance, most of the controlled drinking subjects were admitted to Patton State Hospital earlier than most of the abstinence subjects (Mann-Whitney $U = 82$, $P < .002$). Thus, even were group comparisons appropriate, in our view they could not be made with confidence. Third, we are addressing the question of whether controlled drinking is itself a desirable treatment goal, not the question of whether the patients directed toward that goal fared better or worse than a control group that all agree fared badly.

Eighteen of the 20 subjects in the controlled drinking group were interviewed. One had died and one could not be located, but their treatment outcomes have also been documented.

The records of Patton State Hospital show that of the 20 controlled drinking subjects, the first 16 consecutive admissions were all appropriately designated *gamma* alcoholics of various levels of severity.

Of the first 16, 13 were rehospitalized for alcoholism treatment within approximately 1 year of discharge. Ten were readmitted to the alcoholism program at Patton State Hospital, where they had previously received the experimental controlled drinking treatment, and three were readmitted elsewhere (a Veterans Administration hospital in another state, Camarillo State Hospital, and Naval Hospital, Camp Pendleton). The remaining 3 of the first 16 subjects also had unfavorable outcomes throughout the first 3 years (noted below).

In our view, the references to hospital and jail incarcerations in the Sobells' tables and related discussion do not convey the reality that is evident when the actual incarceration records of each of the controlled drinking subjects are analyzed individually. For example, the Sobells noted that during the first 6 months the controlled drinking subjects were more often incarcerated in hospitals and the abstinence subjects more often in jails, and they said that this difference "might have been the result of voluntary hospitalizations among the experimental subjects, either to curb the start of a binge or to avoid-starting drinking at all."

The rehospitalizations were not isolated setbacks in persons with otherwise benign controlled drinking outcomes. Rather, they indicated the pattern of serious problems that characterized these subjects' continued attempts to practice social drinking.

Of the 20 controlled drinking subjects, the last four admitted to the study differed somewhat from the first 16. They stated to us that, although they had had alcohol-related arrests, they had not had any prior hospitalizations [one of the characteristics specified for all subjects] or other treatment for alcohol problems. They also stated that they had not experienced physical withdrawal symptoms prior to entering Patton.

Our data relating specifically to the controlled drinking subjects' third-year treatment outcomes are very different from those of Caddy. By contrast, we found that four of the six had apparently engaged in excessive drinking that year. Of the two we evaluated as functioning well, one had done so only after three additional hospitalizations for alcoholism and incarcerations in jail and road camp for alcohol-related arrests. He then spent 5 months during his second-year follow-up in Twelve Step House, an Alcoholics Anonymous-oriented alcoholism recovery home, to which he attributed his total abstinence.

Caddy et al. specifically mentioned two other controlled drinking subjects in the text of their report. They excluded the data of CD-E 6 from the statistical analyses because, although "abstinent," he was "incarcerated throughout the third year." They included the data of CD-E 9, who had "developed Parkinson's disease," because he reported having "used no alcohol during the third year follow-up," although "with special effort he could have obtained and consumed alcohol;" they described him as functioning well 100 percent of the time. Our documented findings regarding these two subjects reveal (i) that, during most of that year, the former was neither incarcerated nor abstinent, but free and drinking heavily, and (ii) that the latter neither had Parkinson's disease (although for a while he pretended to have it, in part to obtain Valium and other medications) nor was abstinent, but drank heavily along with taking the pills. The law enforcement records of the former (showing seven alcohol-related arrests followed by release) and the hospital record of the latter (including emergency room visits) for that year verify their self-reports.

The long-term drinking histories of the 20 controlled drinking subjects throughout the more than 10 years until the end of 1981 (the termination of our follow-up) were consistent with the data we obtained for the first 3 years. That is, the subject who had controlled his drinking after discharge was still doing so in 1981. Similarly, the subjects who had been unable to control their drinking after discharge were either still drinking heavily despite repeated damaging consequences, abstaining completely, or dead.

Eight controlled drinking subjects continued to drink excessively—regularly or intermittently—throughout the long-term follow-up. All had one or more of the following verified alcohol-related consequences during the 1979-1981 period; job loss, arrest, marital breakup, and hospitalization for alcoholism and related serious physical illness.

Six controlled drinking subjects were abstaining completely by the end of our follow-up. Four controlled drinking subjects eventually died alcohol-related deaths.

One controlled drinking subject (CD-E 10) was still missing. His early record shows that he was certified about a year after discharge from the research project as gravely disabled from drinking.

We have deliberately restricted this report to issues relating to treatment outcomes rather than methodology in order not to obscure the critical question: Does the factual, objective evidence support the Sobells' statement that "many of the CD-E subjects engaged in limited, nonproblem drinking throughout the follow-up period" and their conclusion that training directed toward controlled drinking is an effective therapy for *gamma* alcoholism?

Reports of the Sobells' study have influenced some clinicians, researchers, teachers, and students to believe that controlled drinking is not only feasible for a significant proportion of *gamma* alcoholics, but also for some may even be more attainable and safer than a goal of abstinence.

The results of our independent followup of the same subjects, based on official records, affidavits, and interviews, stand in marked contrast to the favorable controlled drinking outcomes reported by the Sobells and Caddy. Our followup revealed no evidence that *gamma* alcoholics had acquired the ability to engage in controlled drinking safely after being treated in the experimental program.●

A TRIBUTE TO AL CANGI

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. GUARINI. Mr. Speaker, New Jersey's news world is mourning the death of one of its shining personalities, Al Cangi, the publisher of eight weekly newspapers in the Hudson-Bergen County area, who died last Thursday at the Hackensack Hospital.

Mr. Cangi, who was born Salvatore Giuseppi Cangiano, leaves behind a litany of successes as a newsman, artist, editor, and publisher in a career which spanned more than 50 years. A dedicated, hard-working individual, Al Cangi toiled at his newspapers' office every day until his illness hospitalized him several weeks ago.

Cangi formed his first weekly newspaper, known as the West New Yorker, in 1945. It was followed by the North Bergen Free Press and the Hoboken Pictorial in 1957, then by the Jersey City News and the Greenville News. He expanded his operations to include the Bergen Free Press and the Fort Lee Press weeklies in 1964. He purchased the Bayonne Facts in 1975.

Al Cangi was a humanitarian, a man who had a great love for people and a zest for life. He was indeed a compassionate individual, who answered the calls of many charitable and religious organizations for assistance.

Al Cangi was also a man of vision, who shared the dream I had as a New Jersey senator when I helped write the legislation which began the development of the Meadowlands area. This area's industrial, housing, and commercial expansion has been complemented by the development of its own sports complex. Since 1969 the development of the Meadowlands had the full backing of Al Cangi in his Secaucus Press, which he had founded in 1945 and expanded last year, when the paper was renamed the Meadowlander.

The development of the Hackensack Meadowlands has been called "The Meadowlands—A Modern Miracle." Its 19,730 acres sprawl over 14 municipalities in Hudson and Bergen Counties, most of them in my congressional district. The Meadowlands has set a phenomenal pace for private sector investment of more than $67 million, producing 3,100 new jobs in the area. This growth has been coupled with the $85 million Meadowlands Arena, with its 1,100 jobs and $150 million in development.

This will eventually attract additional private investment to total more than 37,000 new jobs, with an additional $440 million of publicly backed development in the sports complex.

Al Cangi shared the dream of what the Meadowlands could become with me and fellow State legislators in New Jersey. He worked hard to make this dream the reality it is today, for the Meadowlands region is now a national showplace.

Al resided in Ridgefield for 40 years. He is survived by his son, David L. Cangi, who worked very closely with him publishing their eight weekly newspapers, which have a circulation of more than 100,000.

His appreciation for life's esthetic pleasures began at an early age. Although he had to begin work at 14, his interest in art, especially impressionism, moved him to enroll in a 3-year art course at Cooper Union. Upon completion of his courses, he studied for 2 years at the Art Students' League and at the Academy of Fine Arts for a year. One of his instructors, who had been a student of Picasso, took an interest in Al's impressionist drawings and encouraged him to develop his talent for this form.

At 18, Mr. Cangi got a job as office boy with King Features syndicate in New York City and was soon working at the art boards, dubbing in for some of the famous cartoonists of that time. It was then that Salvatore Cangiano became "Al Cangi." "The name was too long," explained cartoonist George McManus of "Bringing Up Father" fame.

From King Features, Mr. Cangi accepted a job in the art department at the Washington Times-Herald, remaining in Washington for 2 years, then returning to New York to work for a short time in the art department of the Daily News, then a fledgling newspaper. In 1924, he went to work for the Newark Ledger, now the Newark Star-Ledger, and eventually became art director of all newspapers, then totaling five, in the Newhouse Chain, which owns the Newark Star-Ledger.

Mr. Cangi's wife, the former Dorothy Sexton, who died in 1976, had been the editor of the newspaper chain from 1945 to 1976.

Ink, paint, and water were the three ingredients which had the most influence on Mr. Cangi's life as one who drew, painted, and sailed. A lifelong member of the North Hudson Yacht Club, which was established in the early 1930's, he served as its commodore from 1967 through 1969. During the war years, Mr. Cangi volunteered his services to patrol the New York Harbor, performing other duties as he was called upon. In later years, many pleasurable moments were noted by his press colleagues, who had sailed with him on outings on his private boat.

Mr. Cangi was an original founder of the North Jersey Press Club, which later expanded to become the New Jersey Press Association. As a life member, he brought to the association many new innovations and ideas. He held a gold life membership card.

It was through Mr. Cangi's efforts that the New Jersey Press Plate was born, the official plate which is now proudly displayed on vehicles driven by the working press all over the State.

It was his painting, however, which gave Mr. Cangi some of his most pleasurable moments, especially in his later years.

His original works grace the rooms of his executive suite at the newspaper office. A booklet containing his most remarkable drawings was put together by him a few years back. The impressionist pictures included were painted from 1926 up to the present. Among the many outstanding portraits are those of Ruth Snyder and Judd Gray, drawn by Mr. Cangi while on assignment by the Star-Ledger to the Sing-Sing death house. Other works in the booklet included a painting of President Herbert Hoover, the original of which hangs in the Hoover Museum in California.

One particularly memorable effort resulted from the inspiration of Evelyn Byrd's attempt to fly to Paris, France, with a three-man crew. Mr. Cangi did such a fine impressionistic drawing of the aviator that Commander Byrd autographed the drawing.

There was also a touch of nostalgia: a line drawing of a cobbler at his bench. It was entitled "A Shoemaker at Work," and portrayed Mr. Cangi's father at his tasks. The father, who had once studied the priesthood in Italy, could find no work when he first came to this country in 1899. He then turned to the cobbler trade for a livelihood.

Mr. Cangi's impressionistic art helped boost the newspapers' circulation as he portrayed actors and actresses in a new style for the theater pages.

In addition, he illustrated books for authors and painted portraits for many individuals who admired his particular style.

Surviving Mr. Cangi, in addition to his son David, are a brother, Anthony Cangiano; three sisters, Mrs. Elizabeth Van Hook, Mrs. Kathleen Morrison,

and Mrs. Helen Carhart; three granddaughters, Debbie Cangi, Dorothy Cangi, and Mrs. Leigh Guenther; one great-granddaughter, Kimberly Guenther; and many nieces and nephews.

Al Cangi, in his lifetime, was an advocate of the first amendment, fighting to protect the right of freedom of expression. He often quoted Aristotle, who said:

> In part, art completes what nature cannot elaborate, and in part it imitates nature.

Eugene G. Farrell, retired editor of the Jersey Journal, who worked with Al for publications in Long Island, Harrisburg, and Newark, as well as the Jersey Journal, said:

> Al Cangi's death ends a friendship that goes back to my earliest newspaper days 50 years ago. He was superlative at his craft. He had an intimate knowledge of newspaper production processes which enabled him to work at exceptional speed. It was a delight for an editor to watch a page of pictures grow under his hand and eye. This speed made him a key member of any news team handling a breaking story. He was a good personal friend.

Former Press Club President Wally Hennig said,

> He was the greatest. I had a lot of respect for his talent and his ability, as well as for the man himself.

Al Cangi loved life, his family, his country. He often quoted Adlai Stevenson:

> So live—decently, fearlessly, joyously—and don't forget that in the long run it is not the years in your life but the life in your years that counts.

Al Cangi believed that:

> Home is the place where character is built, where sacrifices to contribute to the happiness of others are made, and where love has taken up its abode.

Indeed Al Cangi, on many occasions, expressed love of country and the courage, freedom, and faith of so many Americans. He believed that his job as a publisher was to remind every public servant, whether holding a high or low position, that his reputation would be determined by the magnitude of the job he does; not by the demensions of his office, the amount of his budget, or the number of people on his staff.

Al Cangi will be missed by so many, especially his family, who may find solace in knowing that, "To live in the hearts of those you love is not to die."

He has left a legacy we are certain his son Dave and his grandchildren will continue. We take comfort in recognizing that no person who added so much to the material, social, economic, and moral well-being of the area, as Al Cangi did, will be left without proper reward.●

VINCE BORDELON, A KEY OFFICIAL IN THE LOS ANGELES CHAMBER OF COMMERCE, TO RETIRE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. ANDERSON. Mr. Speaker, in any organization people come, and people go. Some are hardly noticed during their transitory stay, some are missed, and some when they depart leave a vacuum which is not easily nor rapidly filled. The latter is the case with the departure from the Los Angeles Area Chamber of Commerce of Vince Bordelon. He has been a key executive for more than 24 years with the Los Angeles Chamber, in recent years as the executive director of Government relations and chief advocate.

Vince is a man who has a keen insight into the workings of the Government, and especially the workings of the Congress. He served here as the chamber's advocate in Washington immediately prior to his return to Los Angeles where he assumed the Government relations management role. This work still brought him back frequently to the Nation's Capital.

I have always enjoyed seeing Vince in my office. And I am sure that my California colleagues, who he has contacted, will agree with me. I say this because he was always knowledgeable of the subject he wished to discuss, he presented the points that he wished to make in a clear and concise manner, he was courteous, his information accurate, and he always left on a cheerful note. I think the most effective representative of an organization coming to Washington is generally one who operates in the manner of Vince. When he left, I always knew what the chamber's position was, but I never felt that I had been pressured unduly to support that position. I simply had the facts of the chamber's views to assist me in making a decision.

I am sorry that Vince will no longer be representing the chamber. Whoever takes his place will have been selected by the chamber officials with great care, and I feel that over the time he too will establish a position such as Vince did for himself. But it will not come overnight. And in the meantime, I shall miss Vince personally, and his advice and counsel professionally. But all good things must come to an end, and thus it is with Vince Bordelon as the chamber's representative. As he enjoys his retirement and devotes much time to hydroponic gardening, my wife Lee joins me in wishing Vince and his wife, Norma, the very best, and much happiness in the years ahead.●

CHRIS SMITH'S EFFORT FOR SOVIET JEWRY

HON. ALBERT LEE SMITH JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. SMITH of Alabama. Mr. Speaker, I rise today once again to bring to your attention and to the attention of Soviet officials the plight of Boris and Irene Ghinis and their daughters. Many of you already know of their situation and have supported my efforts to seek their release from the Soviet Union where they are suffering for their religious faith and for their desire to come to America.

All of my distinguished colleagues will recognize the names of the Ghinis family because I have been speaking out on their behalf since the beginning of my term. I have written to the highest levels of Soviet Government. I have circulated letters for your signature. I have met with Soviet officials. Each time I have been rebuffed. I have not received even one information report on this family. And still the Ghinises are restrained from emigrating to freedom. This is something to remember—and I urge you to remember it—any time that we deal in legislation affecting trade or diplomatic relations with the Soviet Union. You can be sure that I will.●

BAN THE "COP KILLER BULLET"

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. BIAGGI. Mr. Speaker, as startling as it may sound, the bulletproof vests worn by over half of our Nation's 528,000 law enforcement personnel are totally useless against a special type of metal-piercing handgun bullet.

These so-called "cop killer bullets" are currently being sold in local gun shops, just as any other type of ammunition would be. Although not used for legitimate purposes, they have been used by criminals to shoot and kill police officers.

As a former New York City police officer who was wounded 10 times in the line of duty, I was outraged when first alerted to this serious problem in 1979 by the New York City Patrolmen's Benevolent Association. Since that time, I have extensively researched this issue and authored legislation (H.R. 5437) to identify and outlaw armor-piercing handgun bullets.

Specifically, my bill would ban the future manufacture, importation or sale of armor-piercing handgun ammunition. This legislation would also provide stiff, mandatory penalties for any

person using these high-powered bullets in a crime.

Largely as a result of this legislation and the attention it has received, some companies have already stopped making and selling these armor-piercing bullets on a voluntary basis, and five States have outlawed this ammunition, with many more headed in that direction.

Even the U.S. Justice Department has joined the crusade against this special class of ammunition. "We see no legitimate reason for private use or possession of handgun bullets, such as the KTW, that are designed specifically for the purpose of armor penetration," Associate Attorney General Rudolph W. Guiliani said.

Mr. Guiliani has urged Congress to immediately adopt a "minimum, mandatory prison sentence of 5 years" for any person convicted of using armor-piercing handgun ammunition in a Federal crime, and he expressed support for a ban on these bullets once an ongoing Justice Department investiagation into the issue is completed.

The House Subcommittee on Crime has already conducted two hearings on my legislation, and I am encouraged by the genuine concern the distinguished chairman of that subcommittee (Mr. HUGHES) has demonstrated in regard to this serious problem.

At this time, Mr. Speaker, I wish to insert the text of a recent article on this issue written by syndicated columnist James J. Kilpatrick:

[From the Washington Post, July 14, 1982]

ON TARGET: BAN THE KILLER BULLET

(By James J. Kilpatrick)

Rep. Mario Biaggi of New York is on the right track in insisting that there ought to be a law banning "killer bullets," but he is discovering, as is so often the case, that fashioning such a law is easier said than done.

All bullets will kill, but some are more deadly than others. Biaggi's concern goes to a particular kind of armor-piercing bullet that will penetrate the body armor widely used by law enforcement officers—and by some men high in public life.

So-called bulletproof vests came into use during the gangland wars of the Prohibition era, but the garments were so heavy and cumbersome that they failed to gain widespread acceptance. Then came the invention of Kevlar, a lightweight synthetic fabric that stops most bullets at fairly close range. Over the past 10 years, the Kevlar body armor has been credited with saving the lives of 400 police officers.

As Kevlar was being developed, however, an armor-piercing bullet also was being developed. A doctor and two peace officers in Lorain, Ohio, perfected a bronze-alloy bullet, semi-pointed, and they coated it with Teflon. They called it the KTW, putting together the initials of Dr. J. P. Kopsch, Dan Turcus and Don Ward.

Their intentions were good. Turcus once had been involved in a shootout. "The police bullets were just bouncing off the guy's car, while he was shooting back at us." The inventors saw a need for a bullet that would give the police an edge in such situations.

What may not have been adequately perceived was that the KTW also would go through the Kevlar vest. The most popular body armor used by police is fashioned of 18 layers of Kevlar. In ballistics tests, the KTW penetrated 72 layers and, in one test, kept going through three heavy telephone directories as well.

Kopsch and his colleagues began manufacturing their armor-piercing bullets for sale to police officers only, but, in the nature of things, it proved impossible to enforce the limitation. The KTW and other similar bullets now can be purchased from many dealers in guns and ammunition.

Given these facts, it might seem an elementary matter to draft federal legislation that would ban the manufacture, importation and sale of armor-piercing bullets. Biaggi's bill proposes such a ban. But it has run into criticism from the Justice Department. As a matter of law, defining such bullets, in conjunction with the handguns from which they would be fired, is proving a sticky proposition.

Until definitive tests can be completed, the Justice Department recommends a stopgap proposal, a law that would establish a minimum, mandatory prison sentence of five years for the use of armor-piercing handgun ammunition during the course of a federal crime of violence. The sentence would be imposed in addition to other punishment, and would not be subject to probation, suspension or parole.

While this measure would apply only in federal courts, Justice would urge the states to adopt similar laws. "We see no legitimate reason for private use or possession of handgun bullets that are designed specifically for the purpose of armor penetration," Associate Attorney General Rudolph Giuliani said.

It's hard to see how even the gun lobby could disagree with that view.●

CAPTIVE NATIONS WEEK

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. DERWINSKI. Mr. Speaker, in accordance with the 24th observance of Captive Nations Week, Governors and mayors across the country have issued proclamations which underscore our Nation's strong stand for freedom of these and all other countries under Communist domination. I wish to direct the Members' attention to some of the many that I have received as examples of this strong commitment to freedom and self-determination for all captive nations. The proclamations were issued from the following officials:

The Honorable John Y. Brown, Jr., Governor of the Commonwealth of Kentucky; the Honorable Thomas H. Kean, Governor of the State of New Jersey; the Honorable William P. Clements, Jr., Governor of the State of Texas; and the Honorable James W. Rutherford, mayor of Flint, Mich. I wish to include these proclamations following my remarks.

PROCLAMATION BY JOHN Y. BROWN, JR., GOVERNOR OF THE COMMONWEALTH OF KENTUCKY

To All To Whom These Presents Shall Come:

Whereas, we recognize the desire for liberty and independence by the overwhelming majority of peoples in conquered nations; and,

Whereas, the freedom loving people of the captive nations look to the United States as the citadel of human freedom and human rights and to the people of the United States as the leaders in bringing about their freedom and independence; and,

Whereas, the Congress of the United States by unanimous vote passed Public Law 86-90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayer, ceremonies and activities; expressing their sympathy with and support for the just aspirations of the captive nations; Now, therefore,

I, John Y. Brown, Jr., Governor of the Commonwealth of Kentucky, do hereby proclaim the week of July 18-24, 1982 as Captive Nations Week in Kentucky, and call upon our citizens to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

STATE OF NEW JERSEY, PROCLAMATION

Whereas, democratic nations look to the United States as a citadel of human freedom, leadership in the continuing struggle for the liberation of captive nations and the restoration of individual liberties and freedom of religious thought and expression; and

Whereas, the heritage of the United States is, in large part, due to the ability to achieve a national unity from diverse ethnic, religious and racial backgrounds; and

Whereas, this harmonious unification of different backgrounds through the democratic process has given this Nation a unique sympathy and understanding for the aspirations of freedom and independence throughout the world; and

Whereas, mindful of our heritage and principles, the Congress of the United States has designated the third week of July to be annually observed to focus public awareness on those peoples and nations still enslaved by totalitarianism or dictatorship; now, therefore,

I, Thomas H. Kean, Governor of the State of New Jersey, do hereby proclaim July 18-24, 1982 as Captive Nations Week in New Jersey, to reaffirm our dedication to the ideals that unite us and inspire others around the world.

OFFICIAL MEMORANDUM BY WILLIAM P. CLEMENTS, JR., GOVERNOR OF TEXAS

In 1959, the Congress of the United States adopted a resolution establishing the third week in July as Captive Nations Week and requested the President to issue a proclamation designating this week as Captive Nations Week and inviting the people of the United States to observe such week with appropriate ceremonies and activities. The President is further authorized and requested to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world.

The imperialistic politics of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the people of many lands.

The desire for liberty and independence by the overwhelming majority of people in these lands constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war.

The freedom loving people of the captive nations look to the United States as the citadel of human freedom and human rights and to the people of the United States as the leaders in bringing about their freedom and independence.

Therefore, I, as Governor of Texas, do hereby designate the week of July 18-24, 1982, as Captive Nations Week in Texas, and call upon the citizens to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated people all over the world.

PROCLAMATION

Whereas the imperialistic politics of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, Byelorussia, Romania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Servia, Croatia, Slovenia, Tibet, Cossakia, Turkestan, North Vietnam, Cuba, Cambodia, South Vietnam, Laos, Afghanistan, and others; and

Whereas the desire for liberty and independence by the overwhelming majority of peoples in these conquered nations constitutes a powerful deterrent to any ambitions of Communist leaders to initiate a major war; and

Whereas the freedom loving people of the captive nations look to the United States as the citadel of human freedom and human rights and to the people of the United States as the leaders in bringing about their freedom and independence; and

Whereas the Congress of the United States by unanimous vote passed Public Law 86-90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayer, ceremonies and activities; expressing their sympathy with and support for the just aspirations of the captive nations: Now, therefore,

I, James W. Rutherford, Mayor of the City of Flint, Michigan do hereby proclaim the week of July 18-24, 1982 as: "Captive Nations Week" in the City of Flint, Michigan and call upon our citizens to join with others in observing this week by offering prayers and dedicating their efforts for the peaceful liberation of oppressed and subjugated peoples all over the world.

THE ANCHOR TALKS ABOUT THE COAST GUARD

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. STUDDS. Mr. Speaker, the U.S. Coast Guard is rarely uppermost in the minds of most Members of this Congress for the reason that the Service spends most of its time just quietly performing its job. Due to the President's veto of the urgent supplemental appropriations bill (H.R. 5922) which contained $48 million for the Coast Guard and because of the uncertainty that the Service will receive any significant supplemental appropriations at all, the Coast Guard's motto of "Semper Paratus" is becoming increasingly less apt as fiscal year 1982 comes to a close. Members may soon be forced to contend with numerous shore station closures and vessel decommissionings due to the very real risk that the Coast Guard may literally run out of money.

Father John F. Moore of the Roman Catholic Diocese of Fall River, Mass., recently wrote of his concern for the Coast Guard to President Reagan. A reply from the Office of Management and Budget did little to allay the Reverend Father's fears, and he set down his reasons for concern in the diocesan newspaper, the Anchor. I commend this editorial to the attention of my colleagues in the House. I urge them all to consider Father Moore's arguments carefully since it will be this Congress that will, in the months ahead, be asked to make judgments absolutely critical to the future ability of the Coast Guard to be of service to the United States.

[From the Anchor, June 25, 1982]

TEMPORARY RELIEF

As the tall ships sail into the waters of Southeastern Massachusetts and Rhode Island, it should be a comfort to know that the Coast Guard will be on hand in its usual capacity.

Due to efforts from many quarters, including that of this newspaper, some temporary relief from proposed sharp cutbacks in services has been given the Coast Guard in the shape of increased monetary support from the Congress and the Administration.

Evidence of this stopgap measure came to this newspaper by way of response to a letter from this editor to President Reagan.

The reply stated that Secretary of Transportation Drew Lewis had reexamined the proposed curtailment measures and has "determined that alternative savings elsewhere in the Coast Guard are possible. These savings, coupled with enactment of supplemental appropriations for 1982 which the Administration has requested, should avoid any significant changes in the Coast Guard's rescue and law enforcement activities."

From this letter, one might think that all is now well with the Coast Guard's budget and operational capacities. But this is simply not the case.

One is led to suppose that the intervention by Washington has assured the Coast Guard of adequate funding and support of its capabilities. In fact, what has been received is a mere summer stay of execution. The Coast Guard has received only Bandaid treatment. The help that supposedly will keep its services at their customary efficiency level is only temporary, transitory and for the tourist season. Even under the so-called reexamined plans of Drew Lewis, the Coast Guard will find it most difficult to fulfill its motto, "Always Prepared."

From all indications, this area will enjoy a banner summer, even with adverse weather predictions. There will be more small craft plying the Bay waters. Law enforcement agencies also know that drug traffickers have taken to the waterways. Additionally, increasing pressures for this nation to become energy efficient in the face of Middle East uncertainties will send more oil rigs into the waters of Georges Bank. All these factors will make more work for the Coast Guard.

It is estimated that about 50 percent of shore area search and rescue operations will be conducted by Auxiliary members. With all due respect to their dedication, it should be remembered that these people are amateurs and volunteers, not professionals.

Yet even with Auxiliary assistance, the Coast Guard will not be able to meet the challenges of its motto effectively and efficiently. It has fewer vessels to patrol the 200-mile limit. What cutters it has must cover unreasonably large areas, allowing the Atlantic to become a drug smuggler's paradise. The oil industry will be able to cut corners in its deep sea drilling operations with less rigid Coast Guard surveillance to be expected.

The Coast Guard is indispensable, its needs many: more men, more ships and of course more money. Our response to these needs should be proportionate to their urgency.

We continue to encourage area citizens to be aware of the difficulties the Coast Guard faces as it discharges its heavy responsibilities.

Maintenance of Coast Guard capability to save life, to patrol, to police must never become a Bandaid matter.●

TRIBUTE TO LT. MITCHELL MARICICH OF THE LOS ANGELES POLICE DEPARTMENT

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. ANDERSON. Mr. Speaker, I am honored to pay tribute to a man who is retiring after having served his community for three decades. Lt. Mitchell Maricich is leaving the Los Angeles Police Department after giving our community 30 years of dedicated service. After examining his exemplary record, I can only conclude that he is a credit to the city of Los Angeles, to California, and to the United States.

Mitch Maricich, a native Californian, graduated from San Pedro High School in 1948. His leadership abilities were recognized even then, as he was elected student body president his senior year. He then served for a year on active duty with the U.S. Navy, remaining in the Naval Reserve with the rank of petty officer 3d class until honorably discharged in 1952.

Maricich joined the Los Angeles Police Department in 1952 after earning a degree in police science from the Los Angeles Harbor College and graduating from the Los Angeles Police Academy. He served the L.A.P.D. with distinction, earning the respect of both his colleagues and local residents

for his fine work as a detective in the harbor area of Los Angeles.

During his 30 years with the L.A.P.D., 25 of which were spent in the harbor area, Mitch served in a wide range of duties as he worked his way up through the ranks. Field police officer, accident investigator, vice officer, field sergeant, detective, and lieutenant of police to name the most significant ones.

Mitch has shown his devotion to the community both through his police work and through his private life. For a number of years he has served as the treasurer for the Harbor Division Police Youth Foundation, an organization of businessmen and police who raise and distribute funds to needy children.

What many of Lieutenant Maricich's colleagues may not know is that he is an accomplished drummer. I have spent several enjoyable evenings listening to his band "Jadrans" play the traditional Yugoslavian music for which they are known. However, on occasion, they will play a rendition of "Yellow Ribbon" for me.

Mr. Speaker, on behalf of the Los Angeles/San Pedro community, I want to say "thank you" to Lt. Mitchell Maricich for all you have done for us. My wife Lee joins me in wishing Mitch, his wife Dianne, and their children Daniel, John, David, and Dana all the best in the years ahead.●

PERSONAL EXPLANATION

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. SCHUMER. Mr. Speaker, I regret the absence of my presence on the floor of this House earlier today when four bills were considered and voted on under suspension of the rules. Unfortunately, H.R. 5228, physical protection of nuclear material, H.R. 6258, International Travel Act authorization, House Concurrent Resolution 310, sense of Congress on Cypress, and House Concurrent Resolution 278, sense of Congress on Older Americans Act were all voted on while I was sitting on the runway at La Guardia Airport, waiting for air traffic congestion to clear. Had I been present on the floor of the House, however, I would have voted affirmatively on these four pieces of legislation.

As a cosponsor of House Concurrent Resolution 278, I fully support title V of the Older Americans Act and the community service jobs for senior citizens that it provides. Many of my constituents have repeatedly expressed to me their support for this valuable program that enables senior citizens to be active in serving their communities. I am pleased that this resolution was passed by the House and hope that funding for title V will be maintained in fiscal year 1983 and in subsequent years.●

RUBLES ON THE BARRELHEAD

HON. RON MARLENEE

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. MARLENEE. Mr. Speaker, I would like to bring to the attention of my colleagues an excellent editorial that appeared in the Wall Street Journal on July 20, 1982. "Rubles on the Barrelhead" points out that the selling of U.S. grain to the Soviet Union is consistent with the President's stand on the Siberian gas pipeline. Let us not forget, as the article points out, that the Russians pay hard currency for American grain while the Europeans have extended liberal credit terms for the construction of the pipeline.

I have been a strong advocate of grain exports. In my meeting with the President on July 15, 1982, I pointed to the need for a negotiated long-term grain agreement between the United States and the Soviet Union. Such an agreement will drain the U.S.S.R. of its valuable hard currency holdings and at the same time provide income for farmers. American farmers are facing the worst income years since the Great Depression, and a bumper crop of wheat is expected again this year. We need to provide increased income for farmers and ranchers of this Nation, and the exportation of our agricultural products at a price above the cost of production is one of the ways to meet this end.

I have introduced a House resolution along with Congressman ENGLISH of Oklahoma (H.J. Res. 455), calling on the President to negotiate with the Soviet Union a long-term grain agreement. The Senate has already passed a similar resolution which I urge my colleagues to support. I trust that the President will see the need for such an agreement and realize that it is consistent with administration policy in dealing with the Soviets.

The editorial follows:

[From the Wall Street Journal, July 20, 1982]

RUBLES ON THE BARRELHEAD

Our European allies, not to mention critics in the U.S., have been clamorously insisting that there is a huge inconsistency in Reagan administration policy on East-West trade. While we try to torpedo the Siberian gas pipeline deal with Western Europe, the U.S. grain trade continues unabated.

Some wind may go out of that argument in coming days if, as expected, the Reagan administration announces its refusal to negotiate a new long-term agreement with Moscow. Most observers think the administration, balancing election-year realities against European complaints, will opt for a one-year extension of the agreement, which dates from 1975.

But this isn't likely to silence the complaints, since the Soviets would still be free to buy a lot of U.S. grain in the coming year. The real point that the administration should be trying to make to its critics is that the grain trade/pipeline analogy is misplaced. If the Europeans sold pipelines on the same terms that the U.S. sells grain, there would be no problem.

As we have so often said, the big problem with the Siberian pipeline deal is that it will be financed with Western capital at below-market rates. This not only represents a large net transfer of resources to our sworn enemy, it makes the Western financial system vulnerable to future Soviet economic and political demands. When the Europeans made it clear they didn't intend to abide by even the minimal credit restraints of the Versailles communique, Mr. Reagan had no choice but to take direct action against the pipeline. Ex those subsidies, he would see no huge objection to the pipeline deal—though we question whether there would be any deal.

The U.S. grain sales to the Soviets receive no such credit subsidies. In 1972, the Soviets moved suddenly into the grain markets, not only acting on inside information about their own bad harvest, but taking advantage of U.S. taxpayer-funded programs to subsidize grain exports. This became known as the "Great Grain Robbery," and the U.S. quickly took steps to see that it would not happen again. Indeed, this was the origin of the long-term agreement to stabilize the grain trade—on a non-subsidized basis.

Not only that, but the Soviets do not receive the ordinary Commodity Credit Corp. loans for grain exports, or for that matter subsidies for manufactured goods. This is prevented by the lack of Most Favored Nation status, banned by the Jackson-Vanik amendment on Jewish immigration from the U.S.S.R. Given the purpose of the amendment, its effect is a bit fortuitous; too bad MFN status was not also denied Poland, where the CCC got stuck for a bundle. But nonetheless the U.S., unlike its European allies, has not been giving subsidies to the Russians.

What the critics seem to be arguing is that only a grain embargo would make Reagan policy consistent on the pipeline. There may be occasions when a trade embargo is necessary. As a practical matter, however, embargoes seldom seem to work very well; in general, policy seems to work best when it works with the markets, rather than against them.

But this is true of credit subsidies as well. So we see no inconsistency in American policy. We are merely asking the Europeans to impose the same restraints on themselves as the U.S. has for some years. In Soviet trade, the principle should be rubles on the barrelhead. Better yet, hard currency on the barrelhead.●

THE DISABLED SPEAK OUT

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. FRANK. Mr. Speaker, those of us who are supportive of the rights of citizens with disabilities to participate

fully in the affairs of their communities continue to be concerned about the failure of this administration to support these rights.

Recently, the Massachusetts Coalition of Citizens with Disabilities (MCCD) and the Maine Association of Handicapped Persons (MAHP) gathered between them 34,000 signatures from people opposed to the administration's efforts to cut back on the legal rights of handicapped citizens—20,000 from Maine and 14,000 from Massachusetts. I join these people in reaffirming support for strong rules to protect the right of access for people with disabilities.

Indeed, I was chagrined recently to find that a public forum which my office had scheduled was held in a building to which handicapped people could not get access. I had mistakenly assumed that such a building would be accessible and this brought home to me once again the importance of providing physical access to our fellow citizens who are disabled in some way, so that they can exercise their full rights of citizenship.

I would like to share with my colleagues the announcement by MCCD of their progress in getting support for this position, and also share with them a pointed satirical piece which MCCD has prepared illustrating the fears that many handicapped people now have about their future, given administration policy.

The announcement follows:

On July 19, 1982, the Massachusetts Coalition of Citizens with Disabilities (MCCD) held a press conference to publicize the successful card campaign conducted by the Maine Association of Handicapped Persons (MAHP). Since March 17, 1982, the MAHP has collected 20,000 cards, letters, and petitions addressed to President Reagan protesting the rewriting of the section 504 regulations: the civil rights law protecting handicapped persons from discrimination.

For many months the Department of Justice has been rewriting the current regulations behind closed doors. Copies of the drafts were obtained by organizations representing handicapped persons and circulated throughout the country.

After reviewing the Reagan administration's draft proposals, the MAHP began their campaign to save section 504. The first phase of the campaign ended Saturday, July 17, 1982, when 350 people attended a march and rally in support of section 504 in Portland, Maine. Today, representatives from the MAHP are beginning their journey to delivery their message to the Reagan administration. After Boston they will go to: Providence, R.I., New York City, N.Y., Philadelphia, Pa., Baltimore, Md., and finally arrive in Washington, D.C.

The MCCD has completed a card campaign to our Members of Congress, where over 14,000 cards were individually mailed. The MCCD and the MAHP are now asking for a 120-day comment period and 10 regional hearings across the country, after the proposed regulations are published in the Federal Register.

GAME TESTED IN CAPITAL

WASHINGTON, D.C.—A new video game is being test marketed in Washington, D.C. video arcades. Called "Attack the Handicapped," the game features small figures representing persons with disabilities who are trying to advance. A game player shoots holes in the 504 "defense shield," a law protecting the rights of disabled persons, and scores points by injuring the figures. The maximum score possible is 35 million,—the approximate number of American citizens with disabilities.

Games installed in the White House and the Dept. of Justice are proving to be popular. One official called the game "fast-paced and intense. It's exciting to zap the little creatures out of public places, schools, and employment. It's fun to see them scurrying back behind closed doors, into nursing homes, or to institutions."

Anticipating successful test marketing at the federal level, a home video version is being prepared so that the game may be played in local communities—Massachusetts Coalition of Citizens with Disabilities, 18 Williston Road, Brookline, Mass.●

PERSONAL EXPLANATION ON MISSED VOTES

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. BIAGGI. Mr. Speaker, due to an inordinate 5-hour delay on the Eastern shuttle from New York to Washington I missed a series of votes in the session of July 20.

With respect to House Concurrent Resolution 278 relating to the title V program, had I been here I would have voted "yes." I was a cosponsor of the legislation which first established title V of the Older Americans Act and I consider it to be one of our most successful and cost effective Federal programs.

With respect to House Concurrent Resolution 310 urging the President to take certain steps to resolve the Cyprus conflict, again I would have voted "yes." On this, the tragic 8th anniversary of the brazen invasion of Cyprus by Turkey, it is most regrettable that the island remains partially occupied by Turkey. A peaceful resolution which fully recognizes and respects the territorial integrity of Cyprus is critical and the United States should play a lead role.●

DEMOCRATIC WOMEN'S STUDY CLUB OF LONG BEACH, CALIF., CELEBRATES 50TH ANNIVERSARY

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. ANDERSON. Mr. Speaker, this year marks the golden anniversary of the Democratic Women's Study Club of Long Beach, Calif.

Dedicated to the principles of the Democratic Party—through the inspiration of our late great President, Franklin Delano Roosevelt—this organization is rich in heritage. It was in mid-1932 when Mr. Louis J. Theis suggested that local Democratic workers unite into a permanent political body. It was on November 16, 1932, at a luncheon held at the Breakers Hotel to honor Mrs. O. P. Hanna, an active Democrat and a leader in civic and cultural events, that the foundation was built and plans were drawn up by 38 charter members for the Women's Democratic Club of Long Beach. Also, during this luncheon, Mrs. Hanna was elected the first president of the organization. Approximately 2 weeks later, on December 1, the first regularly scheduled meeting was held and the club officially became a "study club"—the first such Democratic women's study club in the United States. Through the able leadership of Mrs. Hanna, the club's constitution and bylaws were also adopted at this first meeting.

The club's first study hour was conducted on January 5, 1933 when Mrs. A. R. Cook spoke on the "Causes of the Depression." In 1952, the club's title was changed to the current Democratic Women's Study Club of Long Beach. Two years later, in 1954, men were granted admission as associate members. Today, full membership is open to any and all Democrats.

As with many successful grassroot organizations, the club has been accepted in or has been involved with the functions of many prominent groups. For example, the membership was accepted in the President's Club in 1933. One year later saw the club's entrance into the National Federation of Women's Club, and in 1936, the California Federation of Women's Democratic Clubs. Also, the club played host in 1937 for the State Convention of Democratic Clubs. In 1952 the club joined the American Association of United Nations. In the following 2 years, it was chartered by the Los Angeles County Central Committee and also became an active member of the California Democratic Council. In 1960, the club joined the Women's National Democratic Club of Washington, D.C.

Mr. Speaker, the Democratic Women's Study Club of Long Beach has been and continues to be an important faction within the local community. Over the past 50 years, literally thousands of area residents have become involved with the club's civic activities. In fact, one of the community's biggest events of the year is the club's annual picnic at Bixby Park. More importantly, however, is the club's commitment to the well-being of

all Americans—particularly those less fortunate than many of us—and to educating themselves on the many complex issues which confront us today. As was printed in the club's silver anniversary membership book in 1957:

We are:

DEMOCRATIC, for we love our neighbors as ourselves, We are concerned with peoples welfare, and

WOMEN'S participation in public affairs

We:

STUDY in order to become more intelligent citizens for our

CLUB which is an organization for political and social purposes.

I am privileged, Mr. Speaker, to have this opportunity in recognizing the Democratic Women's Study Club on this, their 50th anniversary. My wife, Lee, joins in congratulating the club and its membership—past and present—on half a century of dedicated public service to all Americans. We are sure that the next 50 years of service will be as exciting and fulfilling as the last 50 have been.●

REINTRODUCTION OF THE EQUAL RIGHTS AMENDMENT

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. BURTON. Mr. Speaker, the struggle for equality of rights for women under the Constitution begins anew today.

The temporary defeat of the equal rights amendment reflects the ability of a minority, preying on fear and ignorance, to flout the will of the majority.

That women and their supporters must continue, in 1982, to struggle for something so obvious and so basic as equality under the Constitution is a national disgrace.

We in Congress must not rest until the ERA is passed and sent to the States for ratification, and we must work in our own States to make certain that it is ratified.

We are involved here in a great and historic struggle in which those who wish to turn back the clock, to erase the gains of the women's movement, have chosen to attempt to do so by derailing the ERA.

The events of the last 100 years cannot, however, be repealed. For the women's movement, and for the Nation, there can be no turning back.

The women's movement has grown as a result of the campaign to ratify the ERA. It has learned in adversity and in success. The reintroduction of ERA today finds its supporters stronger, better organized, better funded, and more in a position to insure that the will of the majority for equal rights will prevail.

There can be no doubt that the equal rights amendment will someday be a part of the Constitution. Those who believe that they have defeated the ERA will find that they cannot stand in the way of history, and that history is on the side of the ERA.●

RELIGIOUS PERSECUTION OF THE BAHA'IS IN IRAN

HON. JIM LEACH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. LEACH of Iowa. Mr. Speaker, on May 25, 1982, the Subcommittee on Human Rights and International Organizations of the House Foreign Affairs Committee held a hearing on religious persecution of members of the Baha'i faith in Iran. During that hearing, a number of distinguished witnesses testified to the unfolding tragedy which has confronted the Baha'is since the 1979 Islamic revolution.

One witness, Judge James Nelson, chairman of the National Spiritual Assembly of the Baha'is of the United States, told how Baha'is in Iran are being "ruthlessly deprived" of their basic human rights and have "no recourse for redress of grievances." His testimony revealed the nature and scope of the persecution:

They are arbitrarily harassed, arrested, detained, tortured, forced to recant, executed, deprived of citizenship at home and rendered stateless abroad. Their widows and elderly are left homeless and penniless; their leaders are exterminated, often secretly; their homes, crops, jobs, incomes, pensions, property, assets, centers, cemeteries and shrines are confiscated, looted, desecrated and destroyed; their worship is made a criminal act and their literature is suppressed. Their children are deprived of education and kidnapped; their families derogated and destroyed—all constituting the pattern of a systematic, willful and officially sanctioned pogrom.

Mr. Speaker, the Islamic Government of Iran must know that the people of the United States will not stand silently by when such crimes against their fellow human beings occur. It is for this reason, that I am introducing legislation today, incorporating a number of recommendations which emerged from our hearings. For the benefit of my colleagues the text of that resolution follows:

H. CON. RES. 377

Condemning the persecution of the Baha'is by the Government of Iran and calling upon the President to take steps to bring an end to their persecution.

Whereas at least 111 Baha'is and Baha'i religious leaders have been executed by the Government of Iran;

Whereas some Baha'is in Iran have disappeared, other Baha'is have been tortured, persecuted, harassed, and deprived of personal property and employment, and Baha'i holy places in Iran have been desecrated;

Whereas the Constitution of the Islamic Republic of Iran recognizes only the Zoroastrians, Jews, and Christians as minorities that are free to practice their religion, and does not so recognize the Baha'i faith;

Whereas the stated justification for the repression of the Baha'is has been unfounded allegations that the Baha'is have acted as the agents of foreign political interests;

Whereas despite this stated justification, the continued execution and repression of the Baha'is is evidence that the Government of Iran has launched a deliberate effort to destroy the Baha'is as a religious community, an action constituting a crime against humanity for which the international community would hold the Government of Iran responsible;

Whereas the Government of Iran is a signatory to the International Covenant on Civil and Political Rights which in Article 18 states that everyone shall have the right to freedom of religion and in Article 27 states that persons belonging to religious minorities shall not be denied the right, in community with the other members of their group, to profess and practice their own religion;

Whereas the United Nations Human Rights Commission adopted a resolution in March 1982 expressing deep concern over human rights violations in Iran and requesting the United Nations Secretary General to establish direct contacts with the Government of Iran on the human rights situation in Iran and to continue his efforts to ensure that the Baha'is are guaranteed their basic human rights; and

Whereas the United Nations General Assembly, of which Iran is a member, adopted by consensus in November 1981 the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That (a) the Congress condemns the persecution of the Baha'is in Iran by the Iranian Government.

(b) The Congress urges the Government of Iran, as a party to the International Covenant on Civil and Political Rights, to comply with its obligations to respect the human rights of the Baha'is without distinction as to religion.

(c) The Congress calls on the President—

(1) to use every appropriate opportunity in international fora to emphasize the extent to which the people of the United States deplore and condemn the religious persecution of the Baha'is;

(2) to urge foreign governments to make urgent appeals to the Iranian authorities to cease the execution and persecution of the Baha'is and to respect their right, under international law, to religious freedom;

(3) to cooperate with the United Nations Human Rights Commission and the United Nations Secretary General in their efforts on behalf of the Baha'is in Iran, and to support the establishment of a United Nations working group on religious persecution which would deal with the the Baha'is issue; and

(4) to take all necessary steps to assure that appropriate humanitarian assistance is provided to Baha'is fleeing repression in Iran.

SEC. 2. The Congress requests the President to forward copies of this resolution to the United Nations Secretary General, the Chairman of the United Nations Human Rights Commission, the Government of Iran, and appropriate foreign governments which maintain diplomatic relations with that Government.●

CARLOS FUENTES ON U.S.-LATIN RELATIONS

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. STUDDS. Mr. Speaker, there is no more knowledgeable or articulate commentator on the United States and Latin America than Mexican writer Carlos Fuentes. On July 18, he authored a piece which appeared in the Boston Globe on this subject, and which I believe should be of great interest not only to my colleagues in the House, but to officials in the Reagan administration, as well:

[From the Boston Globe, July 18, 1982]

MENDING U.S.-LATIN RELATIONS

(By Carlos Fuentes)

Latin American governments of all stripes—right and left, democracies and dictatorships—have supported the nationalistic claims of the Argentinian junta. In the name of nationalism, everyone has forgotten the criminal nature of the junta in Buenos Aires.

If the issue of nationalism is not clearly addressed, nothing else can be understood about Latin America.

Nationalism can be an anachronism: The fight for the Malvinas can be seen as one more chapter in the protracted war between the English and the Spanish Empires, between Protestants and Catholics, between thrifty, capitalist, colonial administrators and baroque, cruel and spendthrift Hispanic hidalgos.

Also, you can be a nationalist and a conservative in Latin America. Perhaps the United States will finally come to recognize this, since Latin nationalism is often and mistakenly equated with leftist insurgency in this country.

Indeed, the historical origins of Latin American nationalism in the 1820s are part of a conservative doctrine of maintaining colonial privileges in a Latin America isolated from capitalism and the democratic philosophy and, consequently, from the territorial ambitions of the United States.

It was the liberal left that originally supported the democratic and revolutionary influence of the United States, but that was long ago.

This leads me to consider the other side of the coin: That Marxist movements in Latin America are often "Marxist" in name only. They permit us to be conservative, essentially Augustinian, hierarchical and religiously dogmatic nationalists while paying lip-service to the modern Goddess of Progress.

The anti-American element in Latin American nationalism is heightened by the awareness that the brand name "Marxism" frightens the United States to jittery incoherence. If it did not provoke such unholy reactions, believe me, it would soon be dropped in favor of the current spook that most frightens Washington; if need be, we would call ourselves Mahayana Buddhists.

Yet, having said all this, let me remind you that nationalism represents not only a contradiction but a profound value for Latin Americans simply because our nationhood is still in question.

In New York, Paris, or London, no one loses sleep asking themselves whether the nation exists. In Latin America, you can wake up and find that the nation is no longer there, usurped by a military junta, a multinational corporation or an American ambassador surrounded by a bevy of technical advisers.

Nationalism has been a constant channel for popular demands in Latin America. It is intimately associated with the cry for land and freedom and work and with the need to organize viable modern states with efficient public sectors representing what John Kenneth Galbraith calls the "countervailing power" to offset gigantic foreign pressures on minimal economic autonomy.

That the junta in Buenos Aires, acting under the impression that it had been given the green light by the Administration in Washington in exchange for mercenary services in the destabilization of Nicaragua, should have so perverted the sense of nationalism in Latin America is a sorry fact.

But it permits us to ask more seriously than ever during the past 28 years: What is Latin America's way out, and what should be the rational United States response to it?

DEVELOPMENT AND HUMAN RIGHTS

The fact today is that the immense loss of faith between the United States and Latin America will lead us in three possible directions:

First, the more irate will seek closer cooperation with the Soviet Union. This is a blind policy, not only because of the tyrannical nature of the Soviet regime, but because of the internal and external crises the Soviet Union is going through: Discredited in its economic performance, bankrupt in its political appeal, resented by its neighbors and its minorities, it cannot establish far-flung outposts in Argentina or El Salvador. Even in Cuba it wants to reduce its profile and cut its losses.

Second, the more equanimous and pragmatical will make a bid for greater political, economic and technological support from Japan and Western Europe.

This will be a good thing. Because they do not wish to drive our countries into the Soviet embrace by blocking the revolutionary movements in Latin America, leaders in France, Scandinavia and West Germany are in a better position than those in the United States to further policies of economic development with human rights.

This is essential to our national growth because—let me say it with the greatest conviction—we shall never be full-fledged nations unless we have true, useful and permanent economic development with human rights and political freedoms.

The Latin American concept of human rights must indeed be wide and demanding. It means that basic freedoms can no longer be sacrificed to capital accumulation parading as revolutionary socialism. It also means that economic justice cannot be sacrificed any longer to purely formal representations of democracy by the entrenched oligarchy.

Beware, in this context, of a new and, again, ill-advised policy unveiled by the Reagan Administration before the British Parliament: a program for developing democracy in the Third World through open U.S. financing of political parties, labor unions and newspapers.

No greater stumbling block for democracy in Latin America has ever been so unwittingly devised. These organizations shall be immediately tainted and rendered totally ineffective. Democracy cannot be imported into Latin America; we must be ourselves, not a cartoon-replica of you; we must find our own paths toward democracy, and it seems incredible that Washington should come up with this political Frankenstein precisely when the South Atlantic crisis has shown that nationalism, not Marxism, not faith in "the magic of the marketplace," is the driving force in Latin America.

NEW CENTERS OF POWER

And third, the more prophetic souls will find in the present crisis an occasion to further the structuring of a multi-polar world, where several centers of power shall coexist beyond the present two-power domination.

Latin America sees itself as one of these new centers of power, along with China, Japan, India, Islam, Black Africa, Western Europe and, eventually, hopefully, a united Europe, East and West.

The United States has paid the price of its mistaken policies by having to choose publicly between two major alliances, NATO and the Rio Treaty. This is a dramatic and embarrassing thing to happen to a major world power.

Nevertheless, I, for one, applaud the U.S. decision to come down on the side of Britain. This clears the air immensely. It conforms that, as should be, the United States prefers its cultural and political bonds in the Anglo-Saxon community and that, in effect, its most important economic, political and security arrangements lie in the Atlantic Alliance, not in the Gulf of Fonseca or the River Plate.

This actually opens the happy possibility for the United States to assume a more modest presence in the hemisphere, to avoid, as my friend William D. Rogers says, becoming intoxicated with crisis, and to be but one more factor instead of the only factor (although always an extremely important one) in Latin America's relations with the world.

But what I am suggesting is not a policy of benign neglect as a pendulum reaction to busybody adventurism.

No, after the war in the Malvinas, the United States has the extraordinary opportunity for rebuilding relations and demonstrating its good faith towards Latin America in an active way and in two immensely important areas: political negotiations in Central America and global negotiations for North-South economic development.

First, Central America.

The rebellion of the poor and oppressed people of the region against situations dating from the arrival of Columbus in the New World cannot be attributed to Cuba—they would persist even if Cuba sank into the sea—and they cannot be solved by foreign armed intervention.

The time for political instead of military operations is here. The problems of Central America and the Caribbean can be negotiated: nonaggression pacts, border patrols, reduction of armies, strict noninterference and mutual concessions are all possible if willed through effective diplomatic means.

U.S. MUST LEARN TO COEXIST

Again, the United States should not be alone in this process but, rather, become part of a quadrilateral negotiating team that might include citizens from Mexico, Venezuela and France.

A greater equilibrium would then exist, and irrational fears might be allayed. What Helmut Schmidt, Margaret Thatcher or David Rockefeller have said of the Marxist regimes of Black Africa is also true of present or eventual Marxist regimes in Latin America: If you can coexist with them, if you can do good business with them, the face of national interests will finally break through the mask of ideological

dogmas. This is true of Angola; it can be true of El Salvador. If you can coexist with 800 million Chinese, you can surely coexist with 10 million Cubans. Relations with Nicaragua can be as pragmatic as relations with Zimbabwe.

This is a challenge. For once, outwit the Soviets by respecting revolutionary change. You are, after all, the fountainhead of revolution in this Hemisphere.

The second opportunity the United States has to renew hemispheric ties at a new level of seriousness has to do with North-South relations or, as President Francois Mitterand of France appropriately calls it, codevelopment.

It must be clearly understood that the developing nations are not acting as supplicants in this matter. The solution of these problems is vital to both developed and developing countries.

RATIONAL COOPERATION

You are suffering from inflation with unemployment and slow growth, shrinking services, declining standards of living and exacerbations of social tolerance.

We are suffering from extreme dependency on exports, lack of public capital for infrastructure and an incapacity to buy what you produce, therefore impoverishing both ourselves and you.

We believe—as the America of the New Deal knew and proved—that the economic community can reawaken through rational cooperation if social and economic conditions are created for elevating demand in the developing nations.

This is what is needed to guarantee greater use of labor and equipment in the industrialized world, therefore reducing costs and process, and at the same time reducing the terrible gulf between potential and real demand in the Third World.

Instead of supplying arms to torturers, instead of proving machismo by slapping around undernourished 7-year-olds, instead of drawing the line on Soviet expansionism where it does not exist (El Salvador) and where it wishes to withdraw (Cuba) and condoning it where it is all too flagrant (Poland and Afghanistan), instead of making love to good authoritarians who turn out to be the worst enemies of what your country stands for—instead of these failed policies, I propose today the policies of modesty, discretion and coexistence in Latin America, coexistence with autonomous political change and coexistence in economic co-development.

The New World created the Modern World. Let not its destiny be to kill it as well●

COLUMBUS QUINCENTENNIAL U.S.A. ORGANIZATION

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. BIAGGI. Mr. Speaker, it gives me great pleasure to advise my colleagues of the establishment of the Columbus Quincentennial U.S.A. Organization, based in my home city of New York. The organization is being established to begin the preparations for what should be a major period of national celebration in the year 1992. That date marks the 500th anniversary of the founding of America by Christopher Columbus.

I had the honor of recently meeting the executive director of this new organization, Norma Greenwood of the Greenwood Group. Norma—a woman of great enthusiasm and determination—has advised me that the official period of celebration for the quincentennial will begin when a remarkable facsimile of the original ship *Santa Maria* sails into New York City's dynamic new South Street seaport later this summer. From that point the ship will sail to Santona, Spain, the birthplace of Juan de la Cosa, first cartographer of the Americas. Following the construction of the ship and the sailing, work will begin on the other two ships from Columbus' famous voyage—the *Nina* and the *Pinta*.

It is the hope of the Columbus Quincentennial U.S.A. Organization that by 1992 they will have generated worldwide interest and attention in saluting the remarkable feat of Christopher Columbus. Some may find it unusual to make note of something so far ahead of the event but I have found that foresight is the key to success in planning, and on that basis the Columbus celebration should be outstanding.

I commend the Columbus Quincentennial U.S.A. Organization for undertaking this important initiative. Clearly, we as a nation and people should observe with great ceremony the 500th anniversary of our founding. We should also pay tribute to the man of courage and conviction who took the dangerous journey which produced the discovery of America—Christopher Columbus. That same spirit of pioneering adventure was manifested in various segments of our history from the time the first settlers came in on the *Mayflower* to the travels of Lewis and Clark to the trip of our astronauts to the Moon. In 1992 America should take the time to review how far we have come as a nation of people and how we can make the future even better.

I know the work of the Columbus Quincentennial will complement this national effort, and I wish Norma Greenwood and the entire organization well in the months and the years ahead.●

RESULTS OF THE 1982 34TH CONGRESSIONAL DISTRICT QUESTIONNAIRE

HON. DAN LUNGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. LUNGREN. Mr. Speaker, in our representative democracy it is essential to know the views and concerns of those being represented. Earlier this year, the 1982 questionnaire was sent to the residents of the 34th Congressional District requesting their opinions on various issues relating to important legislation being considered by the Congress.

While this is by no means a random scientific survey, I went to considerable effort, with the help of the Congressional Research Service and the House Information Systems to assure that the questions would be accurate reflections of what was on the minds of many of the constituents of the 34th District. The input the survey provided me was useful in letting me know some of my constituents' stands on many sensitive and critical issues. This grassroots information is invaluable to me as a Representative.

To no one's surprise, the overriding concern of residents is the economy. The results of the survey show that of those households responding, there still is strong support for the President's economic program; 71 percent wanted this program implemented to reduce inflation. Of this 71 percent, 60 percent felt that reducing the Federal budget was the best way to fight inflation. In another question, 78 percent believed that Federal spending should be cut by $30 billion. This compares to national polls (the Heritage Foundation, Sindlinger Co., Inc.) which showed that 40 percent of the respondents thought the budget had not been cut enough, while only 19 percent thought that the Federal budget had been cut too much.

In regard to spending for Federal programs, many indicated to me that most levels of spending should either remain the same or be decreased. Of the 78 percent that believed that Federal spending should be cut by $30 billion, an amazing 81 percent wanted to decrease Federal welfare spending (food stamps and AFDC) while 82.9 percent wanted to decrease Federal spending on energy. Nearly 60 percent favored increasing spending for defense. The nationwide poll showed that only 23 percent want to cut defense spending while 53 percent favored cuts in social programs. There also appears to be strong support for maintaining the military buildup plans. Over 51 percent of the public favor current defense spending even if it requires running a budget deficit.

On a separate issue, there was an overwhelming 91-percent response in favor of limiting payments from social security to only the exact amount paid into the system for those aliens who leave the United States after they retire.

Asked to select among several proposals to combat violent crime, almost 40 percent of those responding indicated support for the death penalty for murder, while longer sentences (11 percent), gun control (10 percent), and

increased funding (6.1 percent) were also favored but by smaller margins. Even of the 78 percent that favored cutting the budget by $30 billion, 43 percent favored an increase in law enforcement spending, while 36.5 percent favored leaving that spending the same.

I wish to publicly thank the more than 5,000 residents who took the time to let me know their opinions on these important matters, as well as the many that provided additional comments with their questionnaires. As the results of the 1982 34th Congressional District Questionnaire seem to agree with professional polling results from across the country, I commend them to the attention of my colleagues.

GENERAL ISSUES

Question: Regardless of whether you favor or oppose it, which of the issues listed in Question 1 do you think will have the most impact on people you know?

Ranked:	Percent
1. Reagan economic program	38.5
2. Cut $30 billion more from Federal Government	16.4
3. Federal alcohol tax	10.2
4. Alien social security cut	7.3
Lowering number of refugees	7.3
5. National defense spending	6.9
6. Violent criminals	4.4
7. Full embargo of U.S.S.R	1.0
8. Registration of men	.8

Question: Which of the following proposals do you think is the best way to fight inflation?

1. Put the dollar back on the gold standard;
2. Establish wage and price controls;
3. Reduce government spending;
4. Have the Federal Reserve Board limit the amount of money available.

Ranked:	Percent
1. Reduce Federal spending	53.6
2. Wage and price controls	9.8
3. Gold standard	8.3
4. Federal reserve limits	7.3

Question: Which of the following proposals do you think is the best way to combat violent crime?

1. Impose longer prison sentences;
2. Control the distribution and use of guns;
3. Increase funding for local law enforcement agencies;
4. Allow judges to impose the death penalty for murder.

Ranked:	Percent
1. Death penalty for murder	39.3
2. Longer sentences	11.6
3. Gun controls	10.6
4. Increase funding	6.0

Question: Do you favor or oppose?

A. Levy a higher Federal tax on purchases of alcohol, cigarettes and gasoline: Favor—54.5%, Oppose—32.8%, Not sure—8.5%.

B. Limit the sale of agricultural goods to the Polish Government and the Soviet Union: Favor—69.9%, Oppose—17.9%, Not sure—10.0%.

C. Embargo of all trade to the Soviet Union: Favor—53.8%, Oppose—26.6%, Not sure—16.4%.

D. Reevaluate the design of the proposed Viet Nam Memorial in Washington: Favor—26.6%, Oppose—17.3%, Not sure—49.2%.

E. Implement President Reagan's economic recovery programs to reduce inflation: Favor—70.9%, Oppose—16.2%, Not sure—9.6%.

F. Limit payments from Social Security to aliens who leave the United States after they retire to only the exact amount they paid into the system: Favor—90.9%, Oppose—5.2%, Not sure—2.5%.

G. Increase spending for our national defense: Favor—59.7%, Oppose—27.0%, Not sure—11.9%.

H. Lower the number of refugees accepted by the United States: Favor—81.1%, Oppose—9.4%, Not sure—7.7%.

I. Cut Federal spending by an additional $30 billion: Favor—78.0%, Oppose—9.1%, Not sure—10.6%.

J. Continue to require that 18 year old men register for the draft: Favor—79.7%, Oppose—13.1%, Not sure—6.0%.

K. Treat violent juvenile criminals as if they were adults: Favor—90.2%, Oppose—4.4%, Not sure—4.4%.

BUDGET QUESTIONS

Question: Should Federal spending be increased or decreased?

[In percent]

	Increase	Decrease	Same
Energy	2.5	81.5	12.3
Foreign aid (economic, financial, and military)	30.8	22.7	40.0
Natural resources and the environment	27.2	31.4	34.3
Transportation	29.1	30.3	35.9
Education	26.2	27.7	40.5
Health	57.1	17.9	20.6
National defense	41.8	18.7	30.8
Veterans' benefits	21.8	15.0	57.4
Law enforcement, court and litigation	44.5	12.5	35.5
Agriculture	13.3	43.9	34.7
Welfare (AFDC and food stamps)	4.2	75.5	15.2
Social security	25.2	16.6	54.7
General sciences, space, and technology	36.0	17.9	39.9
Public employment programs	21.4	43.7	30.1
Payments to State and local governments	17.0	41.8	33.9

1982 Questionnaire—Cross References (All Spending Refers to Federal Spending.)

NATIONAL DEFENSE

1. Of those wanting to cut $30 billion from the budget, 40.3% favored increasing spending on national defense, 20% favored a decrease, and 30,9% favored leaving spending the same.

(Of those opposing a cut by $30 billion from the budget, 65.9% favored an increase in defense spending, while 4.5% favored a decrease, and 27.3% favored leaving spending the same.)

2. Of those favoring an increase in national defense spending, 75.1% favored cutting $30 billion from the budget, 14.4% opposed.

(Of those favoring a decrease in national defense spending, 83.3% favored cutting $30 billion from the budget, 2.2% opposed.)

ENERGY

1. Of those wanting to cut $30 billion from the budget, 2.7% favored increasing federal spending on energy, 82.9% favored a decrease, and 11% favored leaving spending the same.

(Of those opposing a cut by $30 billion, 4.5% favored an increase in energy spending, 79.5% favored a decrease, 11.4% favored leaving spending the same.)

2. Of those favoring an increase in federal energy spending, 83.3% favored the $30 billion cut from the budget, 16.6% opposed.

(Of those favoring a decrease in federal energy spending, 79.3% favored the $30 billion cut, while 8.9% opposed. Of those favoring leaving spending on energy the same, 69.5% favored the $30 billion cut, 8.5% opposed.)

FOREIGN AID

1. Of those wanting to cut $30 billion from the budget, 26.1% favored an increase in spending for foreign aid, 25.9% favored a decrease, and 41.6% wanted to leave spending the same.

(Of those opposing a cut by $30 billion, 59.1% wanted to increase spending for foreign aid, 13.6% favored a decrease, and 22.7 favored leaving spending the same.)

2. Of those favoring an increase in federal spending in foreign aid, 66.2% favored the $30 billion cut from the budget, 17.6% opposed.

Of those favoring a decrease in spending in foreign aid, 89.0% favored the $30 billion cut from the budget, 5.5% opposed.

Of those favoring leaving spending in foreign aid the same, 81.3% favored the $30 billion cut from the budget, 5.2% opposed.

NATURAL RESOURCES AND THE ENVIRONMENT

1. Of those wanting to cut $30 billion from the budget, 25.1% favored increasing spending on natural resources, while 33.6% favored a decrease, and 35.7% favored leaving spending the same.

(Of those opposing a cut by $30 billion, 45.5% wanted an increase in spending for natural resources and the environment, 18.2% favored a decrease, and 27.3% favored leaving spending the same.)

2. Of those favoring an increase in spending on natural resources and the environment, 71.7% favored the $30 billion cut, 15.3% opposed.

Of those favoring a decrease in spending on natural resources and the environment, 83.4% favored the $30 billion cut, 5.3% opposed.

Of those favoring leaving spending on natural resources and the environment the same, 81.2% favored the $30 billion cut, while 15.3% opposed.

TRANSPORTATION

1. Of those wanting to cut $30 billion from the budget, 26.1 percent favored an increase in federal transportation spending, 33.7 percent favored a decrease and 36.3 percent favored leaving spending the same.

(Of those opposed to a $30 billion cut, 59.1 percent favored an increase in federal transportation spending, 13.7 percent favored a decrease and 27.7 percent favored leaving spending the same.)

2. Of those favoring an increase in spending on transportation, 70.6 percent favored a $30 billion cut, 18.6 percent opposed.

Of those favoring a decrease in spending on transportation, 84.9 percent favored a $30 billion cut, 4.1 percent opposed.

Of those favoring leaving spending on transportation the same, 78.6 percent favored a $30 billion cut, 7.0 percent opposed.

EDUCATION

1. Of those favoring to cut $30 billion from the budget, 21.6 percent favored an increase in federal spending on education, 32.5 percent favored a decrease, and 40.0 percent favored leaving spending the same.

(Of those opposed to a $30 billion cut, 59.1 percent favored an increase in federal spending on education, 2.3 percent favored a decrease and 38.6 percent favored leaving spending the same.)

2. Of those favoring an increase in spending on education, 64.3 percent favored a $30 billion cut, 20.6 percent opposed.

Of those favoring a decrease in spending on education, 91.7 percent favored a $30 billion cut, .75 percent opposed.

Of those favoring leaving spending on education the same, 77.0 percent favored a $30 billion cut, 8.7 percent opposed.

HEALTH

1. Of those favoring to cut $30 billion from the budget, 57.6 percent favored an increase in federal spending on health, 18.6 percent favored a decrease and 18.9 percent favored leaving spending the same.

(Of those opposed to a $30 billion cut, 47.7 percent favored an increase in federal spending on health, 25.0 percent favored a decrease, and 25.0 percent favored leaving spending the same.)

2. Of those favoring an increase in spending on health, 78.6 percent favored a $30 billion cut, 7.6 percent opposed.

Of those favoring a decrease in spending on health, 81.4 percent favored a $30 billion cut, 12.9 percent opposed.

Of those favoring leaving spending the same on health, 71.7 percent favored a $30 billion cut, 11.1 percent opposed.

LAW ENFORCEMENT

1. Of those wanting to cut $30 billion from the budget, 42.9% favored an increase in federal spending for law enforcement, 12.8% favored a decrease, and 36.5% wanted to leave spending the same.

(Of those opposed to a $30 billion cut, 52.3% favored an increase in federal spending for law enforcement, 13.6% favored a decrease, 31.8% favored leaving spending the same.)

2. Of those favoring an increase in spending on law enforcement, 75.2% favored a $30 billion cut, 10.8% opposed.

Of those favoring a decrease in spending on law enforcement, 80.0% favored a $30 billion cut, 10.0% opposed.

Of those favoring leaving spending the same on law enforcement, 80.1% favored the $30 billion cut, 8.2% opposed.

AGRICULTURE

1. Of those wanting to cut $30 billion from the budget, 9.9% favored an increase in federal spending for Agriculture, 49.2% favored a decrease, and 33.1% favored leaving spending the same.

(Of those opposed to a $30 billion cut, 38.6% favored a increase in federal spending for agriculture, 27.3% favored a decrease, and 30.0% favored leaving spending the same.)

2. Of those favoring an increase in spending on agriculture, 57.8% favor the $30 billion cut, 26.6% oppose.

Of those favoring a decrease in spending on agriculture, 87.2% favor the $30 billion cut, 5.7% oppose.

Of those favoring leaving spending the same on agriculture, 74.3% favor the $30 billion cut, 7.8% oppose.

WELFARE

1. Of those wanting to cut $30 billion from the budget, 2.4% favored an increase in federal spending for welfare, 80.5% favored a decrease, and 12.2% favored leaving spending the same.

(Of those opposed to a $30 billion cut, 22.7% favored an increase in federal spending for welfare, 43.2% favored a decrease, and 30.0% favored leaving spending the same.)

2. Of those favoring an increase in spending on welfare, 45% favor the $30 billion cut, 50% oppose.

Of those favoring a decrease in spending on welfare, 83% favor the $30 billion cut, 5.2% oppose.

Of those favoring leaving spending on welfare the same, 63.0% favor the $30 billion cut, 18.0% oppose.

SOCIAL SECURITY

1. Of those wanting to cut $30 billion from the budget, 19.2% favor an increase in federal spending on Social Security, 19.2% favor a decrease, and 57.3% favor leaving spending the same.

(Of those opposed to a $30 billion cut, 54.4% favored an increase in spending for Social Security, 9.1% favored a decrease, and 36.4% favored leaving spending the same.)

2. Of those favoring an increase in spending on Social Security, 59.5% favor the $30 billion cut, 19.8% oppose.

Of those favoring a decrease, 90% favor the $30 billion cut, 5.0% oppose.

Of those favoring leaving spending on Social Security the same, 81.7% favor the $30 billion cut, 6% oppose.

SCIENCE, SPACE AND TECHNOLOGY

1. Of those wanting to cut $30 billion from the budget, 33.8% favor an increase in federal spending on science, 18.6% favor a decrease, and 41.6% favor leaving spending the same.

(Of those opposed to a $30 billion cut, 63.6% favored an increase in spending for science, 6.8% favored a decrease, and 25% favored leaving spending the same.)

2. Of those favoring an increase in spending for science, 73.4% favor the $30 billion cut, 16.2% oppose.

Of those favoring a decrease in spending for science, 81.4% favor the $30 billion cut, 3.5% oppose.

Of those favoring leaving spending for science the same, 81.3% favor the $30 billion cut, 5.7% oppose.

PUBLIC EMPLOYEE PROGRAMS

1. Of those wanting to cut $30 billion from the budget, 17.3% favor an increase in federal spending on public employee programs, 48.8% favor a decrease, and 29.9% favor leaving spending the same.

(Of those opposed to a $30 billion cut, 45.5% favored an increase in public employee program spending, 13.6% oppose, and 36.4% favor leaving spending the same.

2. Of those favoring an increase in spending for public employee programs, 63.1% favor the $30 billion cut, 19.4% oppose.

Of those favoring a decrease in spending for public employee programs, 87.1% favor the $30 billion cut, 2.8% oppose.

Of those favoring leaving spending for public employee programs the same, 17.2% favor the $30 billion cut, 11.0% oppose.

PAY TO STATE AND LOCAL GOVERNMENTS

1. Of those wanting to cut $30 billion from the budget, 14.9% favor an increase in spending to state and local governments, 45.0% favor a decrease, and 33.8% favor leaving spending the same.

(Of those opposed to a $30 billion cut, 36.4% favor an increase in spending to state and local governments, 18.2% favor a decrease, and 36.4% favor leaving spending the same.)

2. Of those favoring increasing spending to state and local governments, 68.3% favor a $30 billion cut, 19.5% oppose.

Of those favoring a decrease in spending to state and local governments, 84.1% favor a $30 billion cut, 4.0% oppose.

Of those favoring leaving spending to state and local governments the same, 78% favor a $30 billion cut, 10.0% oppose.

REAGAN'S ECONOMIC PLAN AND CHOOSING THE BEST WAY TO FIGHT INFLATION

Of those favoring the Reagan Economic Plan, 60% chose reducing federal spending as the best way to fight inflation. 9.1% chose the gold standard, 6.2% chose wage and price controls, and 5.3% chose having the Federal Reserve Board limit the amount of money available.

Of those favoring the choice reduce federal spending to fight inflation, 78.7% favored the Reagan Economic Plan, 11.2% opposed.

Of those favoring the choice of the gold standard to fight inflation, 77.5% favored the Reagan Economic Plan, 7.5% opposed.

Of those favoring the choice of wage and price controls to fight inflation, 44.7% favored the Reagan Economic Plan, 43.0% opposed.

Of those favoring the choice of having the Federal Reserve Board limit the amount of money available to fight inflation, 51.4% favored the Reagan Economic Plan, 31.4% opposed.●

SEELY JOHNSTON—THE SPIRIT OF AMERICA LIVES

HON. DANIEL B. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. DANIEL B. CRANE. Mr. Speaker, the spirit of volunteerism is sweeping our land. From one end of the country to the other, people are getting involved in community projects as never before. One of the most inspiring examples of this new American spirit comes in the person of Seely Johnston of Champaign, Ill. In fact, space does not adequately permit me to list the numerous causes he has so dedicatedly served over the years.

The spirit of volunteerism may be something new to many Americans, but not to Seely, for he has selflessly served his fellow citizens since 1924. Among his many accomplishments is the introduction of children's athletic programs to Champaign, which in turn led to the formation of the Champaign Recreation Department, of which he was the key element.

One can say without exaggeration that Seely Johnston exemplifies the spirit that built America.

It is fitting that the Illinois General Assembly has publicly recognized Seely Johnston's dedication to his fellow citizens by passing House Resolution 651, which I hereby offer for the attention of my colleagues and the American people.

STATE OF ILLINOIS, EIGHTY-SECOND GENERAL ASSEMBLY, HOUSE OF REPRESENTATIVES

HOUSE RESOLUTION NO. 651

(Offered by Representatives Ryan, Johnson and Wilcoff)

Whereas, one dedicated volunteer can attract others to help with a worthwhile cause; and

Whereas, the mark of an outstanding neighbor is his conscientious participation in varied organizations and projects for community betterment; and

Whereas, society highly regards such selfless individuals who give more of themselves than their communities expect; and

Whereas, Seely Johnston has been involved in church and fraternal activities in Champaign since 1924; and

Whereas, he introduced local children's athletic programs the same year and led in the formation of the Champaign City Recreation Department a dozen years later; and

Whereas, his work with charitable organizations has continued over three decades; and

Whereas, his dedication to city government and to the University of Illinois, from which he graduated in 1924, is evidenced by his works also; and

Whereas, he still runs Johnston Sport Shop, the business he started in 1926; and

Whereas, he has more than proved his love for his community and at age 78 is more active than some men half his age; therefore, be it

Resolved, by the House of Representatives of the Eighty-Second General Assembly of the State of Illinois. That we do hereby commend and honor Seely Johnston for a lifetime of participation in worthwhile activities; and, be it further

Resolved, that we publicly recognize his continuing contributions to his community; and be it further

Resolved, that a suitable copy of this preamble and resolution be presented to Seely Johnston

GEORGE H. RYAN,
Speaker of the House.
ANTHONY J. LEONE, JR.
Clerk of the House.●

U.S. SUPREME COURT UPHOLDS NEW YORK LAW BARRING CHILD PORNOGRAPHY

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. LAFALCE. Mr. Speaker, I would like to take this opportunity to commend the recent unanimous ruling by the U.S. Supreme Court upholding the constitutionality of a New York State law which bars the use of children in sexually explicit photographs, movies, or performances. This most pernicious practice, which all too frequently pervades our communities and exploits our youngsters, has been dealt a decisive blow by the well-reasoned ruling of our Nation's highest court.

The Court, which was faced with challenges to the New York law on the grounds that it denies first amendment protections, rejected that contention by plainly—and correctly in my view—holding that "States are entitled to greater leeway in the regulation of pornographic depiction of children." The Court clearly determined that child pornography is not included in that category of "speech" which deserves first amendment protection.

The 1977 New York State law upheld by the Court is a response by legislators to the pleas of citizens to rid our communities of the exploitative practice of using children in the production of pornographic materials. Other States have also passed measures barring this affront to decency.

We can all be encouraged that our Supreme Court has faced its important and often difficult legal task by properly permitting the protection of our Nation's youth without sacrificing valuable constitutional protections.

I would like to insert for the RECORD a column from the New York Times reporting the Supreme Court's ruling.

JUSTICES UPHOLD BAR TO CHILDREN IN PORNOGRAPHY

(By Linda Greenhouse)

WASHINGTON, July 2.—The Supreme Court today upheld the constitutionality of a New York law that bars the use of children in sexually explicit films, photographs or performances.

"The prevention of sexual exploitation and abuse of children constitutes a government objective of surpassing importance," the court concluded.

The law, which also prohibits the sale as well as production of such films and photographs, applies whether or not the material itself meets the legal test of obscenity.

The law was declared unconstitutional last year by the New York Court of Appeals, the state's highest court, on the ground that the state could not "prohibit the promotion of materials which are traditionally entitled to constitutional protection from government interference" under the First Amendment's guarantee of free speech.

In reversing that ruling today, the Supreme Court, in an opinion by Associate Justice Byron R. White, said that "child pornography" was a "category of material outside the protection of the First Amendment" and could be regulated regardless of whether it was obscene.

SEPARATE OPINIONS

All nine Justices joined the Court's judgment. Only four, however, signed Justice White's opinion, with the other four concurring separately.

Justice White said the New York court was "not unreasonable" in assuming that child pornography should be judged according to ordinary standards of obscenity and could not be suppressed unless it was actually obscene. "However," he said, "we are persuaded that the states are entitled to greater leeway in the regulation of pornographic depictions of children."

In a 1973 decision, Miller v. California, the Supreme Court defined as obscene those works "which, taken as a whole, appeal to the prurient interest in sex, which portray sexual conduct in a patently offensive way, and which, taken as a whole, do not have serious literary, artistic, political or scientific value."

EARLIER DEFINITION

In his opinion today, Justice White suggested that the Miller definition, based as it is on adult sensibilities and community standards, was irrelevant in the context of child pornography.

He said: "The question under the Miller test of whether a work, taken as a whole, appeals to the prurient interest of the average person bears no connection to the issue of whether a child has been physically or psychologically harmed in the production of the work. Similarly, a sexually explicit depiction need not be 'patently offensive' in order to have required the sexual exploitation of a child for its production."

The constitutional result of today's ruling is to place child pornography in that category of "speech" not deserving of First Amendment protection, along with libel and language that incites to violence.

The practical result is to uphold the constitutionality of laws in 19 other states, including New Jersey, that prohibit child pornography regardless of whether the material is obscene.

The Federal Government and 17 states, including Connecticut, limit the prohibition to material that is obscene.

The New York law was enacted in 1977. It made "promoting a sexual performance by a child" a felony punishable by up to seven years in prison and a $10,000 fine. "Sexual performance" was defined in the law to mean actual or simulated intercourse, masturbation, bestiality, "sado-masochistic abuse" or "lewd exhibition of the genitals."

Under New York law, a child is a person under the age of 16.

The constitutionality of the law was challenged by Paul Ferber, a Manhattan bookstore owner who was convicted of selling two films to an undercover police officer. The films depicted young boys masturbating.

After the Court of Appeals declared the law unconstitutional, the Manhattan District Attorney, Robert M. Morgenthau, appealed to the Supreme Court. He argued that "the production of such materials is exploitative and damaging to the children involved, even if the product happens not to be obscene in the legal sense."

REMOVING ECONOMIC MOTIVE

Justice White agreed. He said that New York had demonstrated that "the distribution network for child pornography must be closed" in order to remove the "economic motive" for the maintenance of a "low-profile, clandestine industry."

He said that, while the law could conceivably suppress material that was worthy of constitutional protection, the New York court was wrong to strike the law down on that basis. "We consider this the paradigmatic case of a state statute whose legitimate reach dwarfs its arguably impermissible applications," he said.

The opinion implied that someone prosecuted for an arguably protected depiction of a child—Justice White mentioned "medical textbooks" and "pictorials in National Geographic"—could challenge the constitutionality of the law as applied to them.

Justice White's opinion was joined in full by Chief Justice Warren E. Burger and Associate Justices Lewis F. Powell, William H. Rehnquist, and Sandra Day O'Connor, who also contributed a separate opinion. Associate Justice Harry A. Blackmun filed a one-sentence statement "concurring in the result."

Associate Justices John Paul Stevens and William J. Brennan Jr., who was joined by Associate Justice Thurgood Marshall, also filed brief opinions concurring in the result.●

SISTERS OF NOTRE DAME NATIONAL CONGRESS WEEK

HON. DENNIS E. ECKART

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. ECKART. Mr. Speaker, I would like to bring the House's attention to an event which has national as well as

international significance for the areas of education, health care, and social services. The Notre Dame Sisters in the United States are now meeting in South Euclid, Ohio for a congress on their apostolic ministry. One thousand Notre Dame Sisters, who have dedicated their lives to teaching and ministering to the needy, will be coming from all over the country to this national congress.

This meeting will be an opportunity for the sisters to discuss issues of great concern to them dealing with youth, the handicapped, the ill and aged, families and minorities. The sisters will also focus on the very real problems of poverty, peace and nuclear armaments, use of natural resources, prejudice and racism.

I commend the sisters of Notre Dame for putting their creative human resources to work to provide for basic human needs. Perhaps the 97th Congress, now in the process of deliberating on a $183 billion arms authorization measure, should take note of the congress currently in progress in South Euclid, Ohio. We may be able to learn a valuable lesson on how best to use our own resources.●

CITY OF CYPRESS, CALIF., COMMUNITY COUNTRY FESTIVAL

HON. JERRY M. PATTERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. PATTERSON. Mr. Speaker, it is indeed an honor for me to invite my colleagues in the House to join with me in celebrating the 26th anniversary of the city of Cypress, Calif. On July 24, 1982, the citizens and friends of Cypress will be gathering to commemorate this occasion by holding the Cypress Community Country Festival. It promises to be an exciting day.

The city of Cypress, its park and recreation commission, and the Cypress Chamber of Commerce are sponsoring the day's activities. I would like to take this opportunity to applaud the efforts of the committee chairs in making the celebration a success that we all anticipate: Steering committee chair, Milton Yates; entertainment committee chair, Bob Berninzoni; publicity committee chair, Francis Boykin; and chili cookoff chair, Russ Stauge. Let me also recognize all the dedicated volunteers without whom the festival would never take place.

Mr. Speaker, on the 26th anniversary of the city of Cypress, the contribution of Cypress must also be noted: past mayors: Jacob Van Dyke, Thomas Baroldy, Frank Noe, Robert Harvey, Richard Bowen, Delnoe Kanode, John Kanel, Otto LaCayo, Henry Roberts, Jr., Alice MacLain, Donald Hudson, Howard Rowan, Vickie Evans, and our present mayor, Gerald Mullen. Also deserving of recognition are the hardworking and dedicated city staff, headed by city manager Darrel Essex.

The cosponsorship of this event by the chamber is indeed an example of this important organization's commitment to the Cypress community. Indeed the leadership and hard work of recent chamber presidents, including Jim O'Hara, Carl Kulyk, Art Noda, and the current president, Milton Yates, clearly reflect this commitment. No organization can properly function without a committed staff, the chamber is no exception. Let me recognize the chamber's executive director, Doris Peterson and the chamber's volunteer secretary, Vivian Mason. This year's board of directors include: Ken Babb, George Boscon, Neil Christensen, Walt Donovan, Earl French, Gary Fybel, Bob Head, Richard Meyer, Al Mibeck, H. Miki, Ed Spurgeon, Burke Vest, Hal Walton, Larry Wuebker, and Milton Yates. Their contribution to the Cypress community cannot be overstated.

Cypress today is a growing and vibrant community of over 40,000 residents. Its business and professional community has grown significantly in recent years and the entire citizenry are pleased with, and proud of, the progress achieved in the city's balanced development.

As Cypress enters its second quarter of a century, I know my colleagues in the House join with me in sending our best wishes to the citizens of this fine community.●

A STAR-FILLED GAME

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. GOODLING. Mr. Speaker, last night, over 29,000 baseball fans congregated at R. F. K. Stadium to witness one of the most star-filled games ever played. It was a great feeling to see the stadium, after a 10-year vacation, once again house the performance of what has been rightfully labeled, "the Great American Pastime," baseball. The excitement of watching Hank Aaron execute an unbelievable shoestring catch in centerfield, and of Luke Appling, a 75-year-old gentleman, send the ball into the leftfield bleachers, escapes expression; it was something that had to be experienced, firsthand.

So, even though it rained, and even though it thundered threateningly, R. F. K. Stadium sounded loudly as baseball-hungry Washingtonians swarmed from the woodwork to see their favorite game; the game they have missed for over a decade.

With such a craving for the sport existing here in Washington, it is a shame that R. F. K., a federally subsidized stadium, stands idle, practically lifeless, during the summer months. It is indeed sad to note that the Nation's Capital does not play that game which is the Nation's pastime.

I must say that the stadium never looked better, being graced by so many heroes and idols of the past. The sounds of the game, "Willie, Mickey, and the Duke," were music to every fan's ears. The game was definitely a huge success, and we can all hope that baseball, in some form, stays part of Washington's legacy.●

NEW YORK STATE AND INNOVATION

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. LaFALCE. Mr. Speaker, few issues are as important to New Yorkers—and New York businessmen—as the issue of jobs. With our national economy in recession, the emphasis on adaptation, innovation, and change has increased and the demand for high technology industry has multiplied.

What may surprise many New Yorkers—and many of my colleagues in the U.S. House of Representatives—is the fact that more than half of New York State's 1.5 million manufacturing workers are in jobs directly involving high-technology goods and services. Quietly, New York State is becoming a national center for high-technology industry.

I share a major, personal interest in this development. Only a short time ago, on June 23, the U.S. House of Representatives passed the Small Business Innovation and Research Act. As author and sponsor of that bill, I had the honor of managing its passage during extensive debate covering 3 days on the floor of the House. And, in months of preparatory work, I had the good fortune of learning just how important the American small business community is to the development of high-technology industries—and new jobs—in the United States.

Three days preceding passage of this critical small business and innovation legislation, an outstanding article was printed in the New York Times where the subject of New York State's growth leadership in the high-technology field was explored.

I wish to submit a weekly column I wrote on the passage of the Small Business Innovation and Research Act and the newspaper article on New York State for my colleague's consideration:

THE SMALL BUSINESS INNOVATION BILL

On Wednesday, June 23, the U.S. House of Representatives passed, by a 353 to 57 margin, the Small Business Innovation and Research Act. As the author of the bill and its manager once it reached the Floor of the House for debate, I thought I would use this week's essay to discuss the events culminating in this legislative victory.

Well over a year ago, I became fascinated with the idea of using a small portion of the federal government's $43 billion annual research and development budget to spur innovation by channeling a portion of that money to small businesses. As a result of my role as Chairman of the House Small Business Oversight Subcommittee, I have read many studies and reports which indicate that the small business sector of the economy is highly innovative and a major job producer. In fact, such studies indicate that small businesses produced about 24 times as many innovations per R&D dollar as large firms; they further indicate that small firms account for over half of the net new jobs in the economy. I also knew that the federal government was doing very little to foster this productivity, because it in large part ignored the potential of small business and channeled virtually all of its R&D money to large corporations and universities.

I, of course, wasn't the only one who had these thoughts. The White House Conference on Small Business, the Domestic Policy Review on Industrial Innovation, and a host of other blue ribbon panels, commissions and gatherings had come to similar conclusions. As a result, I introduced a bill to require that most federal agencies with R&D budgets exceeding $100 million annually earmark specific percentages of their budgets to fund Small Business Innovation Research programs for which small businesses would be eligible.

Once the bill was introduced it was referred not only to the Small Business Committee, but to six other committees which wanted to review its provisions. My Subcommittee and the full Small Business Committee passed the bill unanimously in October, 1981. Then the fun began.

As the months wore on, two things became certain. First, the bill had strong, bipartisan support; we quickly had over 100 co-sponsors, ranging from the far right to the far left. Second, the six other committees were hoping to delay, dismantle and defeat the bill. Committee after committee suggested significant changes in the bill, usually exempting their own, pet programs from the small business percentage earmarking provisions. Some, especially the huge corporations and universities, opposed the entire bill and wanted nothing substantive to pass in the House. But the real threat came from the sniping that the bill was receiving as each successive committee took out its pound of flesh.

Often when this merry-go-round of successive reviews begins, it never stops; the bill gets passed around until time has run out and Congress adjourns. Fortunately, I had obtained a promise that although seven committees in total would review the bill, all had to have their work done by early summer. That promise meant more and more as time wore on and the carving continued.

As the time neared for action by the full House, those who opposed the bill in its entirety began a shrill negative campaign. Armed with frightening stories about how enactment of this legislation might end research vital to improving the health of the average American or weaken our national defenses, they tried to paint the bill as a boondoggle. What misplaced effort: As I noted previously, the annual federal R&D budget is about $43 billion. The bill that the House passed would—at its maximum after a four-year phase-in period—set aside 1.25% of that for competitive awards to high-technology, research-oriented small business projects. Opponents made it sound as though we were going to stop work on the cure for heart disease and give the money to lathe shops and laundries.

Of course, what really worried the big corporate and large university opponents was not that this bill would waste government money. What they feared was not that this program might fail; what they feared was that it might work—and spectacularly! For, if small businesses perform as studies indicate they already do—more efficiently and more innovatively—it might jeopardize the gravy train that these large corporations and universities have tied up exclusively for themselves.

As the debate progressed, several of the most critical amendments seeking to weaken the bill were defeated handily. But debate and amendments wore on and on. A bill that usually could be voted on after one day's debate ended up taking parts of three days, stretching over a weekend. And, in the lull between debates, the lobbying for and against the bill intensified.

Finally, on the afternoon of June 23, the House hammered out H.R. 4326.

After months of intense negotiating, debating, and arm-twisting, we had scored what I believe is a major victory for America's interest in improved productivity and increased innovation, and for small business.

I believe the Senate, which passed a similar version last year, will agree to our House bill quickly. I'd like to make it to the Rose Garden for a bill signing ceremony soon!

[From the New York Times, June 20, 1982]

TECHNOLOGY ADDS JOBS IN STATE

(By Richard D. Lyons)

ROCHESTER.—New York State's economy is going through a profound transition away from the brawn of steel mills, locomotive works and shipyards into the brainy world of biomedical engineering, data processing and microelectronics.

The shift from traditional manufacturing is accelerating. Officials say this spring marks the first time that more than half the state's 1.5 million manufacturing workers—51.8 percent—are in jobs directly involving high-technology goods and services.

"High technology is begetting new companies in New York almost daily," said George G. Dempster, Commissioner of the State Commerce Department, which is seeking to capitalize on the shift to more sophisticated products through its "Made in New York" advertising campaign.

Mr. Dempster said the state, after a sharp drop in jobs in the early 1970's, had gained 451,000 jobs since 1975. Of new jobs, he said, 47,000 were manufacturing jobs in such fields as the production of electrical equipment and instruments. And 415,000 new jobs were in service industries and the fields of finance and insurance, he said, with a substantial but unknown percentage of these in such fields as data processing and computer operation.

The march toward high technology has been helped by a steady stream of ideas from the science and engineering departments of the State's colleges and research laboratories, as well as aid from Governor Carey and the State Legislature in upgrading state engineering schools and technical centers.

The state is speckled with projects associated with advanced technology. This year alone, a variety of projects have been started, including these:

In Troy, a state-sponsored Center for Industrial Innovation, using $65 million from state and corporate sources.

In Ithaca, a $40 million Biotechnology Institute at Cornell University that would do profit-making contract work for industry.

In Rochester, High Technology of Rochester Inc., a new 138-acre research park being started along the Genesee River by the Rochester Institute of Technology and the University of Rochester.

In Greenbush, the Rensselaer Technology Center, a research park on 1,200 acres along the Hudson being started by Rensselaer Polytechnic Institute.

On Long Island, the transfer of Central Islip State Hospital to the Town of Islip, which will allow the New York Institute of Technology to develop some of the 800 acres into a research park and perhaps a campus.

An alphabet soup of newly minted companies is emerging from this technological transition; it runs from Algorex Data Corporation, Astrocom Electronics Inc., and Astronics, for example, through Hilltronics Corporation, Magnatag Products Inc., Microphase Corporation, Macrodyne Industries, Starlight Components Inc., Vernitron Corporation, Zebrac Equipment Inc., and Zorgraphos Designs Inc.

Of the 13 metropolitan areas that the Census Bureau has defined in the state, the four with the lowest unemployment rate are those most closely linked with high-technology goods and services: Nassau and Suffolk Counties. Poughkeepsie, Albany-Schenectady-Troy and Rochester.

ROCHESTER'S JOBLESS RATE DROPS

While unemployment rates nationally have been inching upward past 9 percent, those of the Rochester area have been falling to about 6 percent, partly because of the successes of its bellwether employer, Eastman Kodak. New York State's jobless rate last month was 8.2 percent, according to the Federal Bureau of Labor Statistics.

"If it weren't for Eastman Kodak and the other high-tech companies here, Rochester would be another Buffalo," said one official of the State Department of Labor.

Buffalo is the prime example of a declining industrial area, with the closing of many of its steel mills. Elsewhere in the state, shipyards have closed in Brooklyn, and the production of heavy locomotives has fallen off in Oneonta and Schenectady.

KODAK'S WORK FORCE RISING

Last year employment at Eastman Kodak's facilities in the Rochester area rose by 6,200, to almost 60,000, the largest yearly increase in the company's 101-year history. Buoyed by the success of its new disk camera plus new lines of films and analytic equipment, the corporation is continuing to hire professional engineers and such skilled workers as tool and die makers.

Yet corporate Rochester also features such household names as the American Optical Corporation, Bausch & Lomb, the Harris Corporation, the Singer Company, Stromberg-Carlson and Xerox.

"High-tech jobs provide the bread and butter of this city, and as proof of Rochester's appeal, the companies here had 120,000 job applicants last year," said John D. Hos-

tutler, president of the local Industrial Management Council.

Mr. Hostutler enumerated a dozen corporate success stories in the Monroe County area, including that of Sykes Datatronics Inc., which started about 15 years ago in the production of peripheral equipment for the storage of information, such as floppy discs and cassettes.

A CHANGE BRINGS MORE SALES

In the 1970's the company moved aggressively into the field of "intelligent" data terminals, which play a central role in microprocessor systems for information interpretation and data communications. Yearly sales have spurted from $3 million in 1976 to $50 million, and jobs from 100 to 700.

When the General Dynamics Corporation moved to the West Coast a decade ago, Edward D. McDonald declined a transfer. Instead, he founded Edmac Associates. Today the company, a maker of antisubmarine-warfare and navigation equipment, is a booming defense contractor, selling $5 million worth of products to the armed forces last year.

Sideband Technology makes small communications systems, Tropel makes optical systems and lasers, Detection Systems make burglar alarms and Computer Consoles makes hardware for the electronics industry. All are relatively new companies here.

"Rochester has 51 small high-tech firms, and we're trying to help spawn more of them," said Dr. Richard Rose, president of the Rochester Institute of Technology.

Dr. Rose pointed out that in addition to graduating scientists and engineers, institutions such as his university's School for Applied Industrial Studies, the Rochester Machining Institute and the Vocational and Technical High School here were graduating young people in skilled trades such as tool and die making.

"What New York needs is less a pool of labor than a pool of talented people," Dr. Rose said, adding that the State Legislature "is just beginning to realize that nowhere is it ordained that the state must always be prosperous, and is doing something about it."

To aid the trend toward high technology, the State University system is expanding the engineering curriculums into four-year programs at its Binghamton campus and the Agriculture and Technical College at Farmingdale, L.I. Full four-year engineering courses are also to be offered by the New York Institute of Technology, a private school in Old Westbury, L.I. The aim is to meet a worsening shortage of engineers, which is expected to be 20,000 on Long Island alone by 1990.

Other legislation will create so-called centers of technology excellence at selected universities, using state funds to endow chairs and fellowships and thus to improve the faculty, from which many new ideas come.

Syracuse University, as an example, developed a new "smart sensor" to enable industrial robots to see what they are doing. This technology is being exploited by a division of General Electric and a new company, Deft Laboratories, both in Syracuse.

The breadth and depth of technological developments around the state recently has led to the publication of a magazine titled Technology NY, which is seeking to track the innovations. Robert W. Vogel, a technical writer and former newspaperman, and Lynn M. Holley, director of public affairs at Rensselaer, are publishing the premier issue this month.

"We took a long look at what was going on around the state and found that few people had awoken to the massive technological turnaround, " Miss Holley said. "We intend to try."

Miss Holley and others have noted that technological development in New York has been hampered for years by infighting among the geographical, political, corporate and academic centers of power.

"Long Island was fighting New York City, upstate was fighting downstate, there was no attempt until recently to bring even a limited amount of direction to the high-technology advances around the state," she said.

The Center for Industrial Innovation in Troy, as an example, was nearly wrecked by political squabbles between the Governor and the leaders of the Senate and the Assembly.

High state corporate and income taxes have been widely charged with dampening industrial expansion, and one study conducted two years ago by Alexander Grant & Company ranked New York 46th in overall business climate and last in growth of financial, in insurance and real-estate jobs.

There have been some reverses. George Low, former head of the Apollo program and now president of Rensselaer, has been one of those extolling high technology as the state's future and spurring the development of embryo companies.

Raster Graphics, one such company started on the Rensselaer campus by graduate students with his guidance, recently moved to a Boston suburb over Mr. Low's strenuous objection.

Despite such setbacks, most state and academic officials view high technology as the beacon of future development of New York's industry.

"High technology is a very big part of the future here, if not the dominant force in the state," said Lillian Roberts, who, as Industrial Commissioner, heads the State Department of Labor.

Yet Mrs. Roberts warned that the state was facing a critical shortage of skilled workers while needing fewer unskilled ones.

"A high-technology economy demands more highly skilled people and at the same time eliminates unskilled workers through automation," she said. "One major choice facing the state is either investing in retraining or facing a higher welfare burden from the unemployed."

"We should start by upgrading community colleges, as an example," she added, "but we should start now if the boom in high technology is going to continue."●

RURAL AND SMALL HOSPITALS LEGISLATION

HON. BERYL ANTHONY, JR.

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. ANTHONY. Mr. Speaker, I have introduced legislation with Representative WES WATKINS of Oklahoma, chairman of the Congressional Rural Caucus, to exempt small and rural hospitals from a burdensome and inequitable medicare limits provision.

Our bill defines the affected hospitals as those with 100 or fewer beds located outside a standard metropolitan statistical area. The bill would exempt these small, rural hospitals from the medicare section 223 limits.

This action on our part stems from a legitimate concern. Although small and rural hospitals constitute a critical segment of the Nation's health care delivery system, and even though such institutions are disproportionately vulnerable to changes such as those being considered in medicare section 223, scant attention is being directed to their needs. Small and rural hospitals provide essential health services which might otherwise be unavailable to many rural residents, a high percentage of whom are persons 65 and older. In short, we are speaking of an element of our health care system that we cannot afford to shortchange.

Yet inequitable medicare reimbursement policies, burdensome regulation of the hospital industry, general economic instability, and escalating inflation have amplified the already serious financial problems of these rural health care institutions. Medicare section 223 limits fail to take into account the unique characteristics of this group of hospitals. The regulations fail to recognize that a large number of these institutions could be damaged financially, limiting their ability to render care. Approximately one-third of the hospitals in this country are small and rural. However, they generate only 8 percent of total hospital costs. If we take this opportunity to protect a large number of institutions from the impact of these costly regulations, we can do so without having a costly effect on the medicare program.

The harmful consequences of the proposed limits are numerous. We must recognize that the administrative costs of complying with the section 223 limits are more burdensome on small institutions that typically have very small administrative staffs. Additional paperwork requirements will only drive up the costs at those hospitals, directly contravening the intent of the regulations.

Another fact we must recognize is that nonlabor items such as equipment and supplies often cost far more in rural areas than in urban areas. Extra costs must be incurred to transport basic medical supplies and materials to rural areas. Small rural institutions are not able to take advantage of economies of scale in purchasing supplies.

Section 223 also fails to take into consideration the fact that small and rural hospitals are subject to more extreme fluctuations in occupancy than are large institutions. Admission of even a few additional patients can affect occupancy percentages, thus skewing fixed overhead costs per patient day.

Reasonable consideration of the special plight of these rural and small

health care facilities demands special treatment in the form of an exemption from the medicare changes that we are considering.●

A STATEMENT FROM THE AMERICAN LEBANESE LEAGUE

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. LaFALCE. Mr. Speaker, the Subcommittee on Europe and the Middle East of the House Committee on Foreign Affairs, recently held a hearing on the general situation in Lebanon. One of those testifying was Robert Basil, the chairman of the Policy Committee of the American Lebanese League. The league is a nationwide nonprofit organization founded by American citizens to promote United States-Labanon relationships and to foster the sovereignty, security, democracy, and independence of Lebanon. Mr. Basil states that it has a "broad national membership base representing the philosophy and ideals of the great majority of the nearly 2 million Americans of Lebanese descent."

The American Lebanese League adopted a resolution during its convention in Washington, D.C., June 10-13, asking the United States to "use all legitimate means to assist in the creation of a strong central authority and army in Lebanon that assure a free, independent, pluralistic, sovereign state with territorial integrity." Mr. Basil's testimony discusses the major issues involved in the current crisis in Lebanon that form the basis for the league's resolution. I encourage my colleagues to read this important testimony.

The testimony follows:

STATEMENT BY ROBERT A. BASIL, CHAIRMAN OF THE AMERICAN LEBANESE LEAGUE

My name is Robert Basil, chairman of the Policy Committee of the American Lebanese League a nationwide nonprofit organization founded by American citizens in 1976 to promote United States-Lebanon relationships and to foster the sovereignty, security, democracy, and independence of Lebanon within the bounds of the U.S. national interest.

We are not a lobbying organization, but an educational, humanitarian, and social organization with a broad national membership base representing the philosophy and ideals of the great majority of the nearly two million Americans of Lebanese descent.

Today I would like to discuss briefly the crisis in Lebanon, the major issues involved, and the major U.S. policy actions that should be considered to achieve U.S. strategic and regional objectives, and to save a friend.

Lebanon is a modern tragedy. This pro-Western democracy, a center of culture and commerce, a model of graceful accommodation among Moslems, Christians, Druze, Jews, and those of other persuasions, is in danger of being destroyed. This year, 1982, may determine Lebanon's future.

ISSUE NO. 1—FREEDOM AND SOVEREIGNTY

The tragedy of Lebanon is of the past 7 years, not of the past 4 weeks. Since 1975, Syria and PLO armed forces have subjected Lebanon to one of the most brutal occupations of modern history: 100,000 killed, 250,000 wounded, 350,000 displaced, 35,000 orphans. In a country of 2.4 million, one of every four Lebanese men, women, and children have been killed, wounded, displaced or orphaned.

For those who have shown such compassion against recent killing, where is compassion against bondage?

The dark Syrian/PLO occupation degraded not only the occupied, but also the occupier. Assassinations, beatings, atrocities, rapes, imprisonment without due process, over 100 villages partially destroyed, cities like Beirut and Zahle shelled for months, population in terror. The 7 years of daily brutalization almost disintegrated the soul of the Lebanese people, their dignity, their self-respect, their hope of ever once again being free. As Ralph Waldo Emerson observed: "For what avail . . . land or life, if freedom fail."

ISSUE NO. 2—WITHDRAWAL OF FORCES

A tragic error would be made if Israeli forces were to withdraw leaving Syrian and PLO forces in place. This would address the 4-week problem, not the 7-year problem. What a cruel event for the suffering Lebanese, being returned to the darkness of occupation with the light of freedom so close.

From a political view, the United States would be fair and balanced in insisting that all foreign armed forces leave, especially since the Lebanese Government and the Lebanese people have stated unequivocally that they want them all out.

Syria is in Lebanon because it wants Lebanon, the PLO is in Lebanon to establish their interim state in Lebanon, and Israel has stated it is in Lebanon to get the other two parties out. None of these parties has any right to remain.

ISSUE NO. 3—WHERE WILL THE PLO GO?

The Lebanese should not have the responsibility for this answer. The regional powers should accept responsibility. The PLO has become an armed guerrilla terrorist organization that has destroyed the authority of the Lebanese Government and held the Lebanese people hostage to its objectives. Without judging its political objectives, we can say that the PLO has no right to destroy Lebanese sovereignty, to ravage the population and countryside for years, to use innocent Lebanese civilians as shields, to say they will now make Beirut a Stalingrad. Yesterday, in a mockery of sovereignty they even shelled the Presidential Palace of President Sarkis, putting over seventy rockets in the Palace, as he was forced into his underground shelter.

ISSUE NO. 4—WHERE WILL THE PALESTINIAN PEOPLE GO?

Again, the Lebanese should not have the responsibility for the answer. It is reasonable to think that one can inject 600,000 unhappy, radicalized people into a body politic of 2.4 million and not expect the result to be other than grotesque. It is not fair to either the Lebanese or the Palestinians.

The Palestinian people have the right to life, liberty, and the pursuit of happiness, like all people under God. Little Lebanon cannot carry the burden of the solution, but can only provide decent, humane treatment until the regional nations develop a sense of responsibility as to their destination.

ISSUE NO. 5—INTERNATIONAL CENSURE FOR USE OF LETHAL WEAPONS AGAINST CIVILIANS

If it is appropriate to censure Israel and cut off U.S. funds for Israeli use of U.S. weapons, it is equally appropriate to censure Syria and the PLO for using lethal weapons against Lebanese civilians, and to censure the Arab states for funding the weapons used. While we American-Lebanese were touched by the compassion of Arab representatives beseeching President Reagan to stop Israeli shelling of Lebanese civilian areas, we wonder if these same diplomats beseeched President Assad of Syria, or Mr. Arafat, to stop the shelling of Lebanese civilians during the past seven years; or if they beseeched the leaders of the Arab states to cut off the funds purchasing each rocket or artillery round pulverizing Beirut, Zahle, or countless other villages.

ISSUE NO. 6—CAN A STRONG LEBANON BE RECONSTITUTED?

A strong Lebanon would be resurrected swiftly upon removal of foreign forces.

The Lebanese themselves are, in reality, stronger and more united than they have ever been in their history.

The Lebanese Moslem and Christian communities have long since quietly achieved accord to rebuild their country and recapture their glorious and successful past, but the Moslem community has been unable to state so publicly until recently. Occupation has resulted in the elimination of Lebanese Moslem leadership that truly reflects the people. As in the Eastern European model, representative leadership had been replaced, under brutal and degrading occupation, by fake leadership which represents alternatively Syria, PLO, Libya, Iraq, Iran, and others, none of whom view Lebanon as does the Lebanese Moslem community.

The Christians have become the focus of resistance to the pro-Soviet pressures of Syria and PLO. Indeed, they have been fighting for seven years to retain their pro-West values and way of life. Both Christians and Moslems are united in their desire to remove all foreign elements from their country. The Lebanese Army has actually out-performed the Syrian units in their clashes last year, with Christians and Moslems fighting side by side.

Lebanon is inherently stronger than any other country in the Arab World. If any country in the region had been subjected to violence, pressure, and foreign intervention experienced by Lebanon, it would have shattered irreversibly. Syria, for example, killed over 20,000 countrymen to stabilize their internal situation, even though there is no foreign presence. The magnitude of foreign presence in Lebanon can best be understood by comparison to the U.S.:

600,000 Palestinians, of which 50,000 are armed, is the equivalent of 60 million Palestinians of which 5 million are armed, controlling vast areas from New England to Texas.

40,000 Syrian troops and 800 tanks are the equivalent of 4 million Syrian troops and 80,000 tanks all over the U.S. countryside.

One can only speculate what would happen to the United States under these conditions. Certainly other regional nations would have disintegrated. Lebanon has remained.

ISSUE NO. 7—IMPACT ON U.S. STRATEGIC AND REGIONAL INTERESTS

Some analysts state that removal of the PLO, Syria, and Israel from Lebanon as a result of the Israeli military operation would undermine the forces of moderation in the Arab World, encourage radicalism, and jeopardize long-term U.S. interests in the region. We feel the reverse is true.

Nations in the Arab World emerging as the strongest after tripartite withdrawal would be Egypt and Saudi Arabia. Previously, strong radical states (Syria, PLO, Libya) would be dealt a devastating blow, along with the Soviet Union. Moderate states would drive the diplomatic process.

A reconstituted, strong, stable, Lebanon would be of strategic value to the United States for four reasons:

a. It would blunt Soviet penetration into the region. Presently, the three major extensions of Soviet policy converge in Lebanon, Syria, whose army is in Lebanon; PLO, who live in Lebanon; and Libya, whose largest politico-military investment is in Lebanon. Soviet and Eastern Europe trade missions, cultural missions, and political activity have alarmed the traditionally pro-West Lebanese. A strong Lebanese state would blunt all this activity.

b. International terrorism, largely exported from Lebanon, could be brought under control for the benefit of free nations everywhere.

c. The peace process would be accelerated. Syrian power has played havoc with peace efforts in the area, and has hampered both Camp David and Saudi Arabian initiatives. The weakening of Syria and the strengthening of Lebanon would automatically accelerate the peace process. Additionally, a strong Lebanon would remove the free ground that the antagonists presently use to conduct military operations endlessly and at no penalty to themselves. Continued long-term access to that neutral ground will never motivate any of the parties to accept the peace process.

d. Defusing the volatile Lebanese flashpoint could increase regional stability and help preserve continual access to oil. If not defused and a strong Lebanon not established, the Lebanese situation would continually pose the threat of regional and perhaps strategic confrontation.

Mr. Chairman, one of the great ironies to emerge in the Middle East is that the main thrust toward achieving a fair and reasonable Palestinian goal is through the subjugation of Lebanese sovereignty and liberty. This has led to a moral dilemma in the Arab World, forcing a choice, which has consistently come down on the side of the Palestinians. The PLO and Syrians, in this convoluted world, have placed themselves in the absurd position of denying freedom to a fellow member of the Arab League, while the Israeli invasion may promise that very freedom.

Mr. Chairman, we see that the United States now has a rare, fleeting window of opportunity to save Lebanon and its people, while making major strides for peace and moderation in the region. We urge President Reagan to grasp this opportunity, one that may not come again, by sustaining his commitment to the following:

1. Withdrawal of all foreign forces from Lebanon.

2. Establishment of a strong, sovereign Lebanese Government, duly constituted, reflecting the will of the people, and having full responsibility and authority over the nation and its people.

3. Major funding for a strong Lebanese Army.

4. Major reconstruction and rehabilitation program for the extensive material damage to Lebanon, and the physical and emotional damage to its people.

President Sarkis states the feelings of all Lebanese in his speech to the diplomatic corps on January 5, 1980:

"In the name of what logic does one oppose cessation of destruction, of massacre, and the exodus, under the pretext that somewhere a global solution is in the making?

"In the name of what right does one impose on a person coerced to be displaced, to wait for all the problems of the world to be solved, before he can reintegrate his home, his property and his dignity; a field owned by his ancestors and labored by the sweat of their brow in an environment basically unrewarding, and fertilized by the uninterrupted labor of generations; an industrial or commercial institution that he was able to preserve in the midst of, and at the price of, all kind of dangers, in a way which deserved the esteem and admiration of everyone.

"Would it be permissible to say to such a people that your hour has not come; wait until the situation of the whole area and perhaps the situation outside the area has been settled?

"What is the crime of Lebanese people, with regard to humankind and its rights? And it has so far been burdened far beyond its capacity. Does that mean that our people must be asked to let themselves be completely brushed under the weight of the burden? Would this country be condemned?"

Mr. Chairman, we ask for your understanding and support.

Thank you.●

FINAL NECC ENERGY FORUM

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 1982

● Mr. CONTE. Mr. Speaker, I would like to bring to the attention of my colleagues the final issue of Energy Forum, a part of the New England Energy Congress, which was a project of the New England Congressional Caucus. The Energy Congress has made substantial contributions to lessen New England's dependence on oil which comprises 73 percent of its energy base. The Congress developed plans for energy conservation, renewable resources, low-income energy assistance and weatherization, and energy emergency preparedness. The Energy Congress published its ideas in "A Blueprint for Energy Action," 3 years ago. Since then Energy Forum has kept New England abreast of the most recent energy developments in the laboratories, in the field, and the government. In its final issue Energy Forum took a survey of the region's energy experts and found them still dedicated to their original plans and ideas expressed in "A Blueprint for Energy Action." In light of the present attitudes toward energy policy, I think it important that we recognize these opinions expressed in Energy Forum.

ENERGY SURVEY—NEW ENGLAND IN 1982

INTRODUCTION

The current oil glut and stable energy prices, combined with the ongoing recession and the Reagan Administration's objective of reducing government involvement in the marketplace, has dramatically altered the course of national energy policy in just 18 months. Elected officials, energy experts and interest groups have been carefully reviewing dozens of laws, programs and incentives designed to reduce U.S. dependence upon foreign oil. Many of these initiatives have already been scaled back; others, enacted in response to the 1979 price hike, have not yet been fully implemented. Some may soon be repealed altogether.

Eliminating or revising any government program, however, is almost never accomplished without considerable thought and debate. The current examination of federal energy programs is no exception. Sandwiched between time-consuming budget votes, several legislative committees in Congress are investing significant amounts of time and effort conducting hearings on dozens of energy laws enacted between 1978 and 1980. Numerous experts, representing a broad spectrum of views, have appeared to offer their opinions.

To provide an opportunity for New England's energy community to comment on the direction in which national energy policy is headed, as well as to comment on several other specific and timely topics, the New England Energy Congress recently conducted a survey. This final issue of the Energy Forum presents the survey results.

While not attempting to match in depth or in scope the original Energy Congress project, a concerted effort was made in this survey to insure that the sample included the balanced representation of several major constituencies. Over 70 people, representing a broad range of perspectives and geographical distribution, were contacted by telephone during May of 1982. The sample included energy experts from low-income and labor groups, energy supply firms, education/research groups, private firms, environmental organizations and various levels of government. Many were selected from the delegates who worked on earlier phases of the Energy Congress project between 1978 and 1980.

Throughout the survey, three central themes appeared to emerge as the rationale for the majority of responses, particularly those with the highest scores. First, the respondents felt strongly that the federal government does, indeed, have an important role to play in shaping national energy policy, despite current trends in Washington. This belief is best illustrated by the 83 percent of those questioned who expressed disagreement with a Department of Energy (DOE) statement that "renewable energy research and development has essentially been completed." Answers to other questions on the Strategic Petroleum Reserve, energy conservation, and other official policy statements support the respondents' belief that market forces alone will not resolve difficult energy issues.

Second, many respondents indicated their preference for eliminating all energy subsidies and truly allowing market forces to determine which energy supply or efficiency

improvement strategies are most cost-effective and desirable. In general, the respondents exhibited strong displeasure with current subsidies—particularly to synfuels and other conventional fuel sources—which they said tend to distort decisions that would otherwise be made in a true free-market economy. As a result, many who agree, for example, that the government should subsidize the Solar and Conservation Bank, did so as an effort to restore balance to federal energy subsidies. Their preference would be to eliminate all subsidies.

Finally, those interviewed indicated that, while sound energy policy must encourage the marketplace to set energy prices, the needs for low-income persons must not be ignored. Many who would have otherwise agreed that the low-income weatherization program could well be transferred to a block grant as the Administration has proposed, said that, because funds for this program might be diminished in this bureaucratic shift, they could not support such a position.

GENERAL POLICY

The DOE reports that the nation's dependence on foreign oil has been cut in half since early 1979 to the current rate of just over 4 million barrels of oil per day. While New England still relies on foreign sources to provide almost three-fourths of its petroleum needs, the dramatic reduction in oil imports nationwide may help explain why energy conservation—not energy independence—was mentioned most often by respondents when asked to identify the energy issues they felt were most important for the region to address in the next five years. The object of achieving energy independence appears to have given way to improving energy efficiency.

Energy policy issues whose main objectives are to reduce the region's vulnerability to oil supply interruptions (Strategic Petroleum Reserve, emergency planning and diversifying the region's energy mix) were mentioned only two-thirds as frequently as energy conservation. Thus, while energy conservation to some is one of a variety of strategies to reduce the region's vulnerability to an oil supply interruption, the sample surveyed here apparently views it as having additional benefits. It can be postulated that rising energy prices, a strong commitment to environmental quality and increased confidence in future domestic conventional and alternative energy supplies, taken together, have helped energy conservation to eclipse the concern of relying on foreign energy sources. Alternatively, respondents feel they have immediate and measurable control over the energy efficiency of their homes and businesses, whereas the source of their oil supply is difficult, if not impossible, to ascertain.

The other priority issues which the respondents thought were important to address were (in descending order of importance): (1) development of renewable resources, (2) energy pricing issues (includes utility rate regulation and natural gas decontrol), (3) nuclear power issues (mostly waste storage), (4) increase gas/coal use, and (5) low-income/equity issues. As many as 30 other priorities were mentioned at least once.

CONSERVATION

Four questions in the survey addressed specific budgetary and regulatory issues on energy conservation. Less than one-fourth of the respondents agreed with current DOE policy in each area, which included: (1) efficiency standards for appliances, (2) revision of the federally mandated RCS home audit program, (3) funding for energy conservation programs operated by state agencies, and (4) revision of the Low Income Weatherization program.

The sample was asked about a recent regulation which prohibits federal and state governments from issuing energy efficient standards for a wide range of major home appliances. Sixty-nine percent of the respondents thought that appliance standards should be issued. Of those who indicated that appliance standards should not be promulgated, however, a number mentioned that together with market forces, a labelling program administered by the Federal Trade Commission, would encourage consumers to purchase efficient appliances.

Conservation programs, run by the state energy offices, also received considerable support. Three-fourths of the sample indicated that the federal government should continue to fund these programs. However, several persons expressed the view that new guidelines should be issued to refine and improve their performance, while others mentioned the desirability of requiring state matching grants to encourage cost-sharing between federal and state governments.

When asked if states should have more discretion over administration of the Low Income Weatherization program, 63 percent said "no". Specifically, they said, the program should not be transferred from a categorical grant (funds may be spent only on their authorized use) to a block grant (states may decide among a variety of possible uses how to spend funds). Several indicated their reluctance was based on the fear that the needs of low-income persons would go unmet if the program was forced to compete within each state with other programs having stronger political bases. In addition, many interviewees expressed the concern that the aggregate level of funding would be cut under a block grant, further exacerbating competition for these funds.

UTILITY ISSUES

The sample was asked if they thought Construction Work In Progress (CWIP) regulations should be revised to make it easier for utilities to charge customers for construction of a new power plant prior its completion. Several of the 60 percent who answered "no" indicated that while they believe in the concept of CWIP, they thought that it would lead to "speculative projects", in practice. One respondent said CWIP would be used to "tail out" uneconomical nuclear power plants.

One out of five respondents said that the sections of the Public Utility Regulatory Policy Act (PURPA), designed to encourage conservation, small power producers and cogeneration, should be repealed by the courts. (The Supreme Court decided, shortly after this survey was conducted, that those sections of the law that had been challenged were not unconstitutional as had been claimed.) This view was shared strongly by all groups queried, except for energy supply firms which said by a 2-1 margin that these sections should be repealed.

The sample was asked whether they endorsed the Senate's recent action to authorize the government to build an interim nuclear waste storage facility. 56 percent said "yes". While 65 percent said that the plant should be partially financed by a user fee on utilities with nuclear generation, several indicated that the funds should be taken from utility profit margins, rather than be included into the rate base. Others indicated that inclusion in the rate base would be justified because it would expose hidden costs of nuclear generation presumably making other sources more economically attractive.

SURVEY QUESTIONS AND RESULTS

	Response (by percent)		
	Yes	No	Uncertain
General policy:			
(1) Do you think New England is in a better position to cope with an energy supply curtailment now than it was in 1978?	50	36	14
(2) Please range by order of importance the energy issues you feel are most important for New England to address in the next five years.			
As the only open-ended question in the survey, respondents offered a wide variety of answers to this question. The answers were generalized to fit the most appropriate category. The number of times each was mentioned follows. (1) Conservation (50). (2) Reduce vulnerability to oil supply interruption (33). (3) Renewable energy development (29). (4) Energy pricing issues (21). (5) Nuclear power issues (19). (6) Increase coal/gas use (16). (7) Low-income/equity issues (8). Thirty additional topics were mentioned less than four times.			
(3) The Reagan administration asserted in the fiscal year 1983 budget request that "the Federal Government has limited responsibility in energy beyond its overriding responsibility to let the market economy function." Do you agree with this statement?	33	63	4
Conservation:			
(4) Stating that energy efficient appliance standards would not result in significant energy conservation or be economically justified, the DOE recently decided, in effect, not to issue such standards. Do you feel that appliance standards should be issued?	69	18	12
(5) DOE has proposed to simplify the requirements of the residential conservation service program to "minimize regulatory burden". This revision would repeal certain regulations, making many aspects of the program voluntary. Do you think the RCS rules should be revised as proposed?	24	50	26
(6) Last year DOE provided state energy offices with over $300 million to audit buildings, plan for energy emergencies, collect data, and provide information to consumers. This year DOE has proposed that no federal monies be made available for these purposes. Do you think that the federal government should fund these programs through the State energy offices?	74	21	6
(7) The administration has suggested that DOE no longer provide financial assistance to weatherize low-income residences. In lieu of these categorical grants, States would be allowed to use HHS block grant funds for low-income weatherization, if they so choose. Do you think the low-income weatherization program should be transferred to a block grant?	24	68	14
Utility:			
(8) The Federal Energy Regulatory Commission has proposed revising construction work in progress (CWIP) regulations. These changes would make it easier for an electric utility to charge customers for construction of a new powerplant prior to its completion. Should CWIP rules be revised as proposed?	32	60	8
(9)(A) In response to the accident at Three Mile Island, a proposal has been made to split clean-up costs between the Federal Government, the nuclear industry, General Public Utility, and the states of Pennsylvania and New Jersey. Do you endorse the concept of a surcharge on nuclear activities to help pay for TMI clean-up activities	46	40	14
(B) Should the Federal Government contribute to this fund?	40	47	13
(10)(A) The constitutionality of the Public Utility Regulatory Policy Act (PURPA) has been challenged. Should this challenge be upheld, regulations requiring States to consider certain conservation-inducing rate structures would be repealed, as would incentives for small power producers and cogeneration. Do you think these sections of the law should be repealed?	19	76	4

SURVEY QUESTIONS AND RESULTS—Continued

	Response (by percent)		
	Yes	No	Uncertain
(B) In a separate challenge, a Federal appeals court invalidated the interconnection and full-avoided-cost provisions of PURPA. Do you support this action?	18	50	32
Renewable energy sources:			
(11) The administration has proposed that the business energy tax credit be eliminated. Do you favor such action?	11	75	14
(12) In reducing the budget request for renewable resources, the administration has said that "the private sector can assume responsibility for continued development or commercialization of renewable energy technologies." Do you agree with their conclusion that "the Federal role in renewable energy R. & D. has essentially been completed?	15	83	1
(13) Congress last year appropriated over $21 million to make loans for solar and conservation improvements through a solar/conservation bank. However, to date the administration has declined to initiate bank start-up activities. Do you think the Federal Government should subsidize the solar/conservation bank?	65	26	8
(14)(A) Several influential congressional leaders and members of the administration have indicated their support for an oil import fee of $5 per barrel to reduce the budget deficit. Do you support the use of an oil import fee for raising revenues?	36	56	8
(B) Would you support an alternative energy tax, such as a BTU tax for this purpose?	26	40	33
(15)(A) DOE has estimated that in the next 5 years, 11 nuclear powerplants will run out of storage capacity for spent fuel. In a bill directing the DOE to construct a permanent nuclear-waste storage facility, the Senate recently authorized the Government to build an interim storage facility. Do you endorse the construction of such a facility?	56	29	15
(B) Should this interim storage plant be financed by a user fee on utilities with nuclear generation?	65	13	22
(16) President Reagan has decided not to propose any legislation to accelerate the scheduled decontrol of natural gas prices. In the meantime, the Federal Energy Regulatory Commission is considering using administrative authority to raise the price of certain categories of gas. Do you think that the administration should alter the decontrol schedule established in the Natural Gas Policy Act?	37	47	15
(17) The Federal Government's energy emergency preparedness policy relies on continued purchase and storage of large quantities of crude oil for the Strategic Petroleum Reserve, located in Texas and Louisiana. Do you think it is important for the Federal Government to maintain a similar stockpile of crude oil in the Northeast?	60	26	14
(18) Congress approved in 1980 a program to provide Federal support for the construction of synthetic fuel facilities. Do you think the Federal Government should provide support for the construction of synthetic fuel facilities?	37	56	7

RENEWABLE ENERGY RESOURCES

The New England energy experts indicated a very strong priority for development of renewable energy resources. There is a solid feeling among all constituencies that the federal government should assist in the research and development stage of these technologies, as well as provide financial incentives to encourage their implementation.

Of the 22 questions asked in the entire survey, the two strongest responses recorded were in support of continued federal incentives for renewable energy research and development. 83 percent of the sample indicated that they did not agree with the current administration's position that "the federal role in renewable energy research and development has essentially been completed." While several respondents indicated agreement with this policy, many others cited a long-standing federal commitment to development of conventional fuels as an additional justification for these federal expenditures.

Only one in eight respondents agreed that business energy tax credits should be eliminated as has been proposed. The majority of respondents said that these tax breaks were a wise and cost-effective means of encouraging greater energy efficiency and renewable energy use in the private sector. Few mentioned misgivings about the fact that the tax incentives were a subsidy that might distort market forces.

Finally, two-thirds of the sample agreed that the federal government should subsidize the Solar and Conservation Bank. As in previous questions, many respondents indicated their preference for eliminating subsidies to all energy sources. Until this is accomplished, they said, solar energy sources and increased energy efficiency technologies should receive federal assistance, if only to counterbalance existing federal subsidies to conventional fuels. The majority of representatives from energy supply and private firms did not support the Solar and Conservation Bank. One respondent said that private financial institutions would make these loans if they were cost-effective; another said a war effort would be needed to make solar energy economical in the next 50 years.

CONVENTIONAL FUELS

While 56 percent of the sample said that they did not support the use of an oil import fee to raise revenues, over a third (36 percent), said they did. Many who opposed this tax said they would support it, if it were earmarked to help fund conservation and renewable energy projects and if regional and social equity issues were addressed. The qualified support for this surtax by those surveyed again appears to portray an underlying belief that, while energy pricing policies must be tempered so as not to unfairly impact any one segment of society, the most effective long-range energy policy must strive to reflect market prices. This position is supported by a similar response (37 percent "yes," 47 percent "no") to the question regarding acceleration of the natural gas decontrol timetable established in the Natural Gas Policy Act.

In response to a question regarding the Strategic Petroleum Reserve, 60 percent said that they thought the federal government should maintain a stockpile of crude oil in the Northeast. Several respondents said that because the closest refineries to the region were located in New Jersey, it would be more prudent to store refined product rather that crude oil.

Slightly more than one third of all respondents (37 percent) thought the federal government should support development of synthetic fuel facilities while 56 percent disagreed. Many who feel a need for federal assistance believe that government support should be provided in a more highly leveraged form. Debt guarantees, rather than price supports, was one suggestion; tax credits were another. Others felt that eligibility for these funds should be broadened to include cogeneration, district heating and other capital intensive projects that may have applicability in more regions of the country than do synfuels.

But once again, it appeared as if the survey sample was most interested in removing subsidies to all energy sources and letting market forces work with a minimum amount of distortion from the federal government. Several respondents said that they wished the Reagan Administration would implement policies consistent with their public statements. Achieving a balanced and more equitable policy was the watchword.

CONCLUSION

In contrast to the "energy crisis" of 1979, today's energy situation is marked by ample supplies and relatively stable prices of crude oil. More importantly, it is overshadowed by a world-wide recession. Experts point out, however, that the recession, more than energy efficiency improvements, is primarily responsible for the declined in energy use and the resulting glut of petroleum. Observers fear that when the economies of nations around the globe recover, their appetite for oil will increase accordingly.

In the United States, the energy situation is also marked by inaction. Without a shortage (like in 1973) or a price hike (like in 1979), consumers have become complacent about their vulnerability. Without strong constituent support, elected officials are reluctant to stand behind legislation which would lessen the chance of future crises. Further, with actions such as the proposed elimination of the Department of Energy and the veto of even the most modest of emergency oil allocation measures, the President has demonstrated his intent in significantly reducing the role of the federal government in energy and relying solely on market forces.

This survey reveals that these views about the role of government are not widely shared by energy experts in New England. While federal energy policies changed with the new administration, it appears that the region's priorities have remained remarkably consistent for the last several years. This is supported by the fact that these survey results closely parallel the recommendations articulated in the Energy Congress' 1979 publication, "A Blueprint for Energy Action."

A broad range of respondents questioned indicated their belief that the federal government has an important role to play in setting national energy policy. Specifically, the majority of those interviewed said the federal government should encourage energy conservation, assist in research, development and implementation of new energy technologies and prepare for energy emergencies.

The respondents exhibited a strong feeling that, while the government should intervene when market forces fail to adequately resolve intractable issues, policies should be devised to minimize distorting market priorities. Additional and external costs associated with various energy systems should not be hidden from consumers who will eventually pay for these costs. Subsidies, while best eliminated, they said, should at least be balanced so as not to favor any one technology or solution.

Finally, the needs of low-income Americans must be addressed. While respondents generally believe that sound energy policy must ultimately encourage prices which reflect true market levels, low-income consumers must be protected.●