

**MAY 2**  
 10:00 a.m.  
 Appropriations  
 HUD-Independent Agencies Subcommittee  
 To continue hearings on proposed budget estimates for fiscal year 1980 for HUD and independent agencies.  
 1318 Dirksen Building

Appropriations  
 Interior Subcommittee  
 To continue hearings on proposed budget estimates for fiscal year 1980 for the Smithsonian Institution.  
 1223 Dirksen Building

**MAY 3**  
 10:00 a.m.  
 Appropriations  
 HUD-Independent Agencies Subcommittee  
 To resume hearings on proposed budget estimates for fiscal year 1980 for HUD and independent agencies.  
 1318 Dirksen Building

Appropriations  
 Interior Subcommittee  
 To continue hearings on proposed budget estimates for fiscal year 1980 for the Department of Energy.

Appropriations  
 Transportation Subcommittee  
 To resume hearings on proposed budget estimates for fiscal year 1980 for the Department of Transportation.  
 1224 Dirksen Building

**MAY 7**  
 10:00 a.m.  
 Appropriations  
 Transportation Subcommittee  
 To resume hearings on proposed budget estimates for fiscal year 1980 for the Department of Transportation.  
 1224 Dirksen Building

2:00 p.m.  
 Appropriations  
 Transportation Subcommittee  
 To continue hearings on proposed budget estimates for fiscal year 1980 for the Department of Transportation.  
 1224 Dirksen Building

**MAY 8**  
 10:00 a.m.  
 Appropriations  
 Interior Subcommittee  
 To resume hearings on proposed budget estimates for fiscal year 1980 for the Department of Energy.  
 1223 Dirksen Building

**MAY 9**  
 10:00 a.m.  
 Appropriations  
 Interior Subcommittee  
 To continue hearings on proposed budget estimates for fiscal year 1980 for the Department of Energy.  
 1223 Dirksen Building

**MAY 10**  
 10:00 a.m.  
 Appropriations  
 Interior Subcommittee  
 To continue hearings on proposed budget estimates for fiscal year 1980 for the Department of Energy.  
 1223 Dirksen Building

Appropriations  
 Transportation Subcommittee  
 To resume hearings on proposed budget estimates for fiscal year 1980 for the Department of Transportation.  
 1224 Dirksen Building

**MAY 17**  
 10:00 a.m.  
 Appropriations  
 Transportation Subcommittee  
 To resume hearings on proposed budget estimates for fiscal year 1980 for the Department of Transportation.  
 1224 Dirksen Building

2:00 p.m.  
 Appropriations  
 Transportation Subcommittee  
 To continue hearings on proposed budget estimates for fiscal year 1980 for the Department of Transportation.  
 1224 Dirksen Building

## HOUSE OF REPRESENTATIVES—Tuesday, March 6, 1979

The House met at 12 o'clock noon.  
 Rabbi Joseph Hirsch, Temple Shaarei Tikvah, Arcadia, Calif., offered the following prayer:

Heavenly Father: We ask You to bless these men delegated with the responsibility of governing this country, with Your gifts of wisdom, strength, and perseverance. Under providence, this country has grown from humble beginnings into the great and prosperous land that it is today. We thank You for the privilege of living in such a land, but we also know that privileges entail obligations.

May our leaders thus be inspired with a sense of mission. May they realize that it is in their power to make the prophetic vision a reality, to create a society where justice and kindness will always prevail. May this land then find its greatness in serving as the example of democracy and decency for the entire world. 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.

### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Sparrow, one of its clerks, announced that the Senate had passed a resolution of the following title:

S. RES. 88

*Resolved*, That the Senate has heard with profound sorrow and extreme regret the announcement of the death of the Honorable

Dewey F. Bartlett, who served in the United States Senate from the State of Oklahoma from 1973 until 1979.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased, together with a transcript of remarks made in the Senate in praise of his distinguished service to the Nation.

*Resolved*, That when the Senate recesses today, it recess as a further mark of respect to the memory of the deceased.

The message further announced that the Vice President, pursuant to section 1024 of title 15, United States Code, appointed Mr. SARBANES to fill the vacancy of the majority party membership on the Joint Economic Committee.

And, pursuant to Public Law 94-304, appointed Mr. MCGOVERN to the Commission on Security and Cooperation in Europe, in lieu of Mr. Clark, retired.

And, pursuant to Public Law 86-420, appointed Mr. BENTSEN as chairman of the Senate delegation to the Mexico-United States Interparliamentary Conference, to be held in Mexico in May 1979.

And that the President pro tempore, pursuant to Public Law 93-618, and upon the recommendation of the chairman of the Committee on Finance, appointed the following Senators as Official Advisers to the U.S. delegation to negotiations relating to trade agreements: Mr. LONG, Mr. TALMADGE, Mr. RIBICOFF, Mr. DOLE, and Mr. ROTH; and as alternate Official Advisers to the above negotiations: Mr. HARRY F. BYRD, JR., Mr. NELSON, Mr. GRAVEL, Mr. BENTSEN, Mr. MATSUNAGA, Mr. MOYNIHAN, Mr. BAUCUS, Mr. BOREN, Mr. BRADLEY, Mr. PACKWOOD, Mr. DANFORTH, Mr. CHA-

FEE, Mr. HEINZ, Mr. WALLOP, and Mr. DURENBERGER.

**WELCOME TO DR. JOSEPH HIRSCH, RABBI, TEMPLE SHAAREI TIKVAH, ARCADIA, CALIF.**

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

Mr. ROUSSELOT. Mr. Speaker, I am pleased to welcome Dr. Joseph Hirsch, rabbi at Temple Shaarei Tikvah in the city of Arcadia, Calif., who opened our session today with his meaningful prayer.

Rabbi Hirsch, a constituent of the congressional district which I represent, California's 26th, is visiting in Washington, D.C., with a Jewish leadership delegation to the Community Relations Committee of the Jewish Federation Council. In California, Rabbi Dr. Joseph Hirsch is a spiritual leader of Temple Shaarei Tikvah, of Arcadia, Calif., a Conservative congregation affiliated with the United Synagogue of America. Rabbi Hirsch has been with the temple since 1976, after having served as a chaplain with the Air Force in Okinawa.

Rabbi Hirsch received his B.A. with honor in history from Yeshiva College, in New York City; he received his masters and was ordained a conservative rabbi at the Jewish Theological Seminary of America; he was awarded his doctorate in modern Jewish history by Yeshiva College.

In his present position in Arcadia, as well as his prior pulpits, Rabbi Hirsch has been active in community and interfaith affairs. When he was rabbi of Con-

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

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

gregation Agudas Achim in Malden, a suburb of Boston, he was vice president of the clergy association and member of Boston's New Century Club. As assistant rabbi in Cincinnati, he was a member of the Clergy Dialogue of the National Conference of Christians and Jews, and was active in MARCC—Metropolitan Area Regional Coordinating Council. In Arcadia and Los Angeles, Rabbi Hirsch is a member of Rotary, is active in local interfaith activities, as well as serving as a member of the Committee on Interreligious Activities of the Board of Rabbis of Southern California. Rabbi Hirsch has also been a guest speaker at many service clubs and churches.

Rabbi Dr. Joseph Hirsch is a member of the following organizations: The Rabbinical Assembly, Board of Rabbis of Southern California, the Community Relations Committee of the Jewish Federation Council of Eastern Los Angeles, the American Jewish Committee and the Masons.

It is a great pleasure to have Rabbi Hirsch and his mother and father, Mr. and Mrs. Max Hirsch of New York, with us today and I appreciate the fine prayer that he offered in the Chamber of the U.S. House of Representatives.

□ 1205

#### ANOTHER EXAMPLE OF SENIOR CITIZENS AND DISABLED PERSONS BEING HURT BY FOOD STAMP PROGRAM CUTS

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

Mr. PEYSER. Mr. Speaker, I was asked today when I would run out of examples of senior citizens and disabled persons who are being hurt by the cuts in the food stamp program.

Unfortunately, Mr. Speaker, I could present these daily examples for the next 10 years if the Congress does not act.

The example I have today, Mr. Speaker, is that of an 81-year-old woman who has a total income of \$286 a month. Her shelter costs, including rent, utilities, and telephone, are \$259 a month. Presently, Mr. Speaker, she is receiving \$57 a month in food stamps, and as of last week she was cut to \$15 in food stamps.

Mr. Speaker, I hope that this body will give active consideration very soon to correcting the deleterious effects of this program, which hurts rather than helps senior citizens and disabled persons.

#### CENSUS BUREAU SHOULD SEND ITS LONG FORM TO 1 OUT OF 6 HOUSEHOLDS IN ALL COMMUNITIES

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

Mr. HIGHTOWER. Mr. Speaker, I have just learned that in an attempt to reduce the sampling error in census data for communities with a population of less than 5,000 people, the Census Bureau is planning to send their long census form consisting of 61 pages of instruction and highly detailed personal

questions to every other household. The Bureau will send the same long form to every sixth household in communities of more than 5,000 people. I can only say that I am glad that I live in Vernon, Tex., in a community of over 12,000, and I will not have a 50-50 chance of having to spend a week answering questions. But residents of 52 small towns in my congressional district will have to suffer this burden.

I can see how enlarging the sample in these small communities could possibly decrease the sampling error and more clearly reflect the nature of the average income and other important demographic details which help to pigeon-hole the town in this computer-oriented era. I will also concede that perhaps a more accurate sample might insure slightly more revenue-sharing funds or indicate a higher growth rate than if a smaller sample is used.

Unfortunately, these factors are almost insignificant when you look at the greatly enhanced potential for error. Faced with such a dizzying form I doubt if I would have the time or patience to devote to making it 100 percent accurate. The error potential will be increased to a startling degree. Followup procedures which involve telephone calls and perhaps even traveltime will be an enormous part of the census procedures in these towns and the additional cost will be staggering. I do not doubt that some will simply throw the booklet away and not even register their existence with the Bureau much less provide accurate information.

I recognize that the decennial census is important to business and government. It is wrong however to saddle those in smaller communities with the huge burden of filling out such a tediously detailed questionnaire. The Bureau should treat all of us fairly and send the long form to 1 out of 6 in all communities. Whether you live in mid-town Manhattan or Follett, Tex. we should all have the benefit of the odds being 1 in 6 against having to fill out the long form. If it is not too late, I hope even the long form can be shortened and simplified. Public funds will be saved and believe me, many of us will have a much more contented constituency.

□ 1210

#### ADMINISTRATION OF JIMMY CARTER CONDUCTED IN COMMENDABLE SPIRIT OF CANDOR AND GOOD FAITH

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

Mr. GORE. Mr. Speaker, as criticism mounts, I am pleased to have the privilege today of paying tribute to a fellow southerner and Democrat, a man whose high principles and dedication have made him a most worthy occupant of the office he now holds—President Jimmy Carter.

In an era when public trust and confidence in elected officials seems to have reached a record low, it is reassuring to know that the man who holds the most important office in the land maintains

both privately and publicly a character of the highest order.

We are all aware of the tendency for public officials to lose sight of the purpose for which they were elected and to allow personal and individual interests to supersede those of the people. Positions of power are rife with such opportunities to abuse the privilege of leadership. One who is able to rise above such impulses is truly a rare individual.

Mr. Carter has proven himself to be such an individual. Throughout the past 2 years, he has displayed a passion for justice and forthrightness, not only in his dealings with the Congress but with leaders across the Nation and around the world.

Regardless of political party, regardless of policy interpretation, regardless of priorities, or procedures, or ideology—one cannot dispute the fact that the administration of Jimmy Carter has been conducted in a commendable spirit of candor and good faith. It is this spirit which I wish to wholeheartedly commend today. Let us not underestimate its value.

#### THE CONFIDENTIAL INFORMATION FILES OF THE INTELLIGENCE AGENCIES

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

Mr. DEVINE. Mr. Speaker, there are certain elements in this Nation and overseas that would be delighted to destroy our existing intelligence agencies. One of the key laws that has been passed in the Congress of the United States that is going in the direction of destroying the intelligence agencies has to do with the Freedom of Information Act. Anyone who has ever been involved in law enforcement or intelligence knows that an intelligence agency or a police department or a law enforcement agency is only as strong as its sources of information. When busybodies, curiosity-seekers, foreign agents, and nosey people have access to confidential information from the files of the intelligence agencies, it dries up those sources and makes them virtually ineffective.

Mr. Speaker, as I did last year, I have just introduced a bill that would modify the terms of the Freedom of Information Act. Rather than going into detail on the bill, I would suggest that the Members refer to page 16803 of the June 8 CONGRESSIONAL RECORD of last year that cites details. I invite cosponsors to this legislation in the public interest.

□ 1215

#### SELECTION OF MEMBERS AS OFFICIAL ADVISERS TO VARIOUS U.S. DELEGATIONS

The SPEAKER. Pursuant to the provisions of section 161(a), title I, Public Law 93-618, and upon recommendation of the chairman of the Committee on Ways and Means, the Speaker has selected the following members of that committee to be accredited by the President, as Official Advisers to the U.S. delegations to international conferences,



meetings, and negotiation sessions relating to trade agreements during the 1st session of the 96th Congress:

Mr. VANIK of Ohio;  
Mr. GIBBONS of Florida;  
Mr. ROSTENKOWSKI of Illinois;  
Mr. CONABLE of New York; and  
Mr. VANDER JAGT of Michigan.

#### BUDGET RESCISSION BILL, FISCAL YEAR 1979

Mr. WHITTEN. Mr. Speaker, I call up the bill (H.R. 2439) to rescind certain budget authority contained in the message of the President of January 31, 1979 (H. Doc. 96-46), transmitted pursuant to the Impoundment Control Act of 1974, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The bill reads as follows:

H.R. 2439

A bill to rescind certain budget authority contained in the message of the President of January 31, 1979 (H. Doc. 96-46), transmitted pursuant to the Impoundment Control Act of 1974:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following rescissions of budget authority proposed in the message of the President of January 31, 1979 (H. Doc. 96-46), are made pursuant to the Impoundment Control Act of 1974, namely:

#### Chapter I—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

##### STATE HOUSING FINANCE AND DEVELOPMENT AGENCIES

Appropriations and contract authority provided for in the Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1976, for interest grant payments pursuant to section 802(c)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 1440), are rescinded.

##### NEW COMMUNITY ASSISTANCE GRANTS

Any amounts not administratively committed from appropriations provided for grants, as authorized by section 412 of the Housing and Urban Development Act of 1968, as amended (42 U.S.C. 3911) and sections 718 and 720 of the Housing and Urban Development Act of 1970 (42 U.S.C. 4519, 42 U.S.C. 4521), are rescinded.

#### Chapter II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

##### HEALTH RESOURCES ADMINISTRATION

##### HEALTH RESOURCES

Of the funds provided for "Health Resources" for fiscal year 1979 in the Departments of Labor and Health, Education, and Welfare Appropriations Act, 1979, and in Public Law 95-482, \$61,796,000 are rescinded.

##### OFFICE OF EDUCATION

##### SPECIAL PROJECTS AND TRAINING

Of the funds appropriated under this head in the Departments of Labor and Health, Education, and Welfare Appropriations Act, 1979, \$12,500,000 are rescinded.

#### Chapter III

##### FOREIGN CLAIMS SETTLEMENT COMMISSION

##### PAYMENT OF VIETNAM AND U.S. "PUEBLO" PRISONER OF WAR CLAIMS

Of the funds appropriated under this head in Public Law 93-50, \$9,000,000 are rescinded.

#### SMALL BUSINESS ADMINISTRATION

##### SALARIES AND EXPENSES

Of the funds appropriated under this head in the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1979, \$8,925,000 are rescinded.

#### Chapter IV—DEPARTMENT OF THE INTERIOR

##### BUREAU OF MINES

##### HELIUM FUND

Of the borrowing authority provided in the Department of the Interior and Related Agencies Appropriation Act, 1962, Public Law 87-122, \$3,127,000 are rescinded.

Mr. WHITTEN. Mr. Speaker, I move to strike the last word.

##### GENERAL LEAVE

Mr. WHITTEN. 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, H.R. 2439, and that I may include in behalf of the committee certain extraneous and tabular matter.

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

There was no objection.

Mr. WHITTEN. Mr. Speaker, this is the first bill reported by the Appropriations Committee to be considered in the 96th Congress. This is a rescission bill under title X of the Congressional Budget and Impoundment Control Act of 1974 in response to the Presidential message of January 31.

In his message the President proposed rescissions in 10 separate accounts totaling \$914 million. The committee is recommending 7 full or partial rescissions totaling \$703 million as shown on page 2 of the committee report. I would say that the proposed rescissions have been considered by the subcommittees in the usual fashion. There are four subcommittees involved in this bill: HUD-Independent Agencies; Labor-HEW; State-Justice-Commerce; and Interior. The appropriations subcommittees considered the rescission proposals during the weeks of February 19 and February 26. The full committee met on March 1 and reported the bill by a voice vote.

##### SUMMARY OF COMMITTEE ACTION

As I have indicated, the committee is proposing rescission of \$703 million of the \$914 million recommended by the President. The committee feels that the remaining \$211 million is necessary for the Government to continue priority business.

Mr. Speaker, this bill to rescind \$703 million, has been approved by the chairman and the membership of the 13 subcommittees which constitute our Appropriations Committee of 54. A small start you may say, but it is our judgment it is a start in the right direction and I am advised it will not harm programs, and as to nurses training it will withhold \$13 million for masters and Ph.D. training for the remainder of the fiscal year and will save \$83 million for nurses training.

This is my first voyage as chairman of the Committee on Appropriations, and I wish to thank all who supported me for this very responsible position and to

them and to Members who would have preferred some other, I assure you that I shall give to this position the very best I have.

To all I realize that there is not too much any one Member can do to change the course of human events, but each can do his part.

When I realized that I would likely become chairman of the Appropriations Committee, I brought together some facts, for I believe with any problem we must first find out the facts.

(1) The dollar has depreciated 50 percent since 1967. We have continued to buy more from abroad than we have sold. We have taken the gold from behind our currency and the silver out of our coinage. There's virtually nothing behind our money today except the promise to pay.

(2) Our public debt has reached nearly \$800 billion and from present commitments is estimated to increase to \$900 billion by 1980. Due to the higher cost of money, interest on the public debt will increase by \$5.9 billion in 1980 to a total of nearly \$60 billion.

(3) Only 57 percent of the Federal Budget (budget authority) is handled by the Appropriations Committee through the annual budget process, and 24 percent is virtually uncontrollable. Under present laws, Congress has effective control of only 38 percent of the budget authority proposed for 1980.

(4) About 58 percent of the funds in the budget are indexed by basic law to guarantee increases to meet inflation, regardless of appropriations ceilings. Adding funds to offset inflation merely brings on additional inflation. It is like trying to put out a fire with gasoline.

□ 1220

From these facts I am convinced the best we can hope for is to balance off income against outgo. We cannot afford to turn back 20 years or 10 years without a crackup, for our economy is just as dependent on keeping the economy strong, the income up, as we are upon cutting out spending unnecessary at this time.

##### AMENDMENT OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STAGGERS: Page 3, line 9, strike out "\$61,796,000" and insert in lieu thereof "\$24,750,000".

Mr. STAGGERS. Mr. Speaker, this amendment simply restores those rescissions proposed for capitation grants to schools of medicine, osteopathy and dentistry; and for advanced training, traineeships, research and fellowships under the Nurse Training Act. The amendment continues to provide for rescissions in the area of health resources totaling nearly \$25 million—an unprecedented act in itself.

Mr. Speaker, the many health professionals of this Nation contribute to our individual and collective well-being on a daily basis. Each of us is indebted in some way to the health community which serves us all. And, in like fashion, we have an obligation to our fellow citizens to assure that an adequate supply of well-trained, highly competent health professionals continues to be available to all those in need.

As chairman of the Committee on In-

terstate and Foreign Commerce, the committee with authorizing jurisdiction in the area of health manpower, I am the first to recognize that the questions of manpower needs, distribution, and supply are not questions which are simply answered. In fact, the nurse training amendments of 1978, legislation which was adopted overwhelmingly by the 95th Congress and subsequently pocket-vetoed by the President, directed the Secretary of the Department of Health, Education, and Welfare to arrange for a comprehensive study of the need for continued Federal financial support for nursing education and to make legislative recommendations to the Congress based on the findings of that study. At the time of our hearings on that legislation, the administration emphasized the need for continued and expanded advanced training opportunities for nurses.

Unfortunately, the administration has now called for significant reductions in health manpower appropriations without the data I believe is necessary to make the informed decisions which are needed. Even more incredulous is the fact that the proposed reductions are greatest in the areas of advanced training, the very areas which the administration has identified as being of greatest importance.

Mr. Speaker, with all due respect for my colleagues on the Appropriations Committee who share my concerns for a reduction in the budget deficit and for precise targeting of Federal funds on areas of greatest need, I must point out that the rescissions which have been proposed for acceptance today, are, at best, premature, and should not be accepted in their totality by this body. As you know, both nurse training and other health manpower issues are to be re-examined by our committee early in this Congress. Until that comprehensive review can be made by the Subcommittee on Health and the Environment, wholesale rescissions in the nature of those before us today simply should not be accepted.

Specifically, I urge my colleagues to reject any rescission in the capitation grant program to schools of medicine, osteopathy, and dentistry; and to restore to their current appropriation levels advanced training, traineeships, fellowships, and research programs authorized under the Nurse Training Act.

Health professions capitation grants provide crucial support to 189 schools of medicine, osteopathy, and dentistry. These important national educational resources have developed their budget plans for the coming academic year on the understandable assumption that such support will continue at least until the need for and benefits of such support are reviewed and reassessed by this Congress. I sincerely believe that it is incumbent on us to act responsibly and in an informed manner when dealing with such a critical question as the supply of this nation's physicians and dentists.

Rescissions in the areas of advanced nurse training programs and traineeships would severely hamper the already

limited training of individuals at the master's and doctoral levels; even at existing levels of support there is a serious shortage of professional nurses with advanced degrees to serve as nursing service administrators, nursing supervisors, faculty in schools of nursing and in various clinical specialties.

Mr. Speaker, my amendment would restore proposed rescissions approved by the Appropriations Committee in the total amount of \$37,046,000 in the areas of capitation grants to schools of medicine, osteopathy, and dentistry; and advanced training, traineeships, fellowships and research in nursing. I would note that even with the reinstatement of these appropriations, we would still be approving rescissions in the area of health resources totaling nearly \$25 million—an unprecedented action in itself. I urge my colleagues to join me in support of this important amendment.

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

Mr. STAGGERS. I would be glad to yield to the gentleman from Nebraska.

Mr. CAVANAUGH. Mr. Speaker, I thank the distinguished chairman of the committee for yielding.

I would like to express my support for the gentleman's amendment. As the chairman of the committee knows, I intend to follow this amendment with an amendment to restore the entire \$61 million which has been stricken. This is, I believe, Mr. Speaker, the first salvo in this year's budgetary priorities, and we are identifying for the country what the standards and priorities are going to be for this Congress and the country for the years ahead. The first attack has been leveled upon the quality of educational training for our health sciences.

Mr. Speaker, I wish to vigorously urge support for the amendment offered by the committee chairman, and hopefully the Members of the House will not only go this step but take the additional step of restoring all the funds.

Mr. STAGGERS. Mr. Speaker, I thank the gentleman for his remarks.

I wish to repeat again that the President said that his veto of the Nurse Training Amendments of 1978 would not take one bit of money away from Nurse training because of the continuing resolution. We have a bill in now, and we are going to hear all these issues this year.

Why should we approve these rescission proposals before our committee has had the opportunity to review the questions and before a decision has been made? If any Member votes for these rescissions and goes to the hospital, I do not know how he can look any nurse in the eye.

I would say this to the Members, that the nurses are very important in America. Any of us who have been in hospitals know it is not only the surgeon who operates but the nurses who take care of us that are important, and certainly we do not want to reduce the number of available nursing professionals.

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

Mr. STAGGERS. I yield to the chairman of the subcommittee.

Mr. WAXMAN. Mr. Speaker, I thank the chairman of the full committee for yielding to me.

I want to join in the gentleman's amendment and urge my colleagues to accept this amendment to restore funds for nurse training and health programs that are proposed for rescission by the Committee on Appropriations.

I understand why the Committee on Appropriations acted. We are all faced with the necessity in this Congress to try to cut back on funds that are being spent by the Federal Government in order to deal with the outlays, but I am concerned that the health manpower rescissions proposed by the Committee on Appropriations may be premature and misdirected toward worthy programs.

The Subcommittee on Health and the Environment of the Committee on Interstate and Foreign Commerce, will hold hearings in a few weeks on the Nurse Training Act. Later on this year we will hold in depth hearings on the entire health manpower program. The rescissions proposed by the Committee on Appropriations would in effect cut programs overwhelmingly endorsed by the Congress last year without appropriate evaluation of the programs' progress.

For that reason I think it is premature to make these cuts. Our committee may well want to recommend some reductions in authorizations when we evaluate the programs, but I think it is a mistake to make these reductions at this time. I hope my colleagues will support the amendment offered by the gentleman from West Virginia (Mr. STAGGERS).

□ 1225

Mr. STAGGERS. I thank the gentleman.

Mr. Speaker, I wish to compliment the Committee on Appropriations. I know they are doing their job as the administration has asked them to. I have never had any quarrel with them. They are all men of honesty and integrity, trying to do what is best for America. But I would say that there are other places that we can cut, instead of the health care of this Nation. We are hitting at the very foundation and the strength of the land when we do this. Let us restore these cuts. I am not asking for the whole thing, but for those that are essential for the health of the land.

Mr. Speaker, I hope all of my colleagues will vote against this rescission and for this amendment.

Mr. NATCHER. Mr. Speaker, I move to strike the last word. I rise in opposition to the amendment offered by my distinguished friend, the gentleman from West Virginia (Mr. STAGGERS).

Mr. Speaker, as we well know, President Carter has sent up rescissions for the Department of HEW totaling \$227,258,000. This is out of a total of \$58 billion appropriated for HEW for fiscal year 1979.

Mr. Speaker, when you speak of Labor and HEW programs it is right easy at times to question the President, from the standpoint of trying to hold the budget in line. This is the first test now, Mr. Speaker, as to whether or not we can move in that direction in the House.



Mr. Speaker, the Nursing Training Act—and my distinguished friend, the gentleman from West Virginia, knows this—was started in 1956. The rescission of funds for the Nursing Training Act as submitted by the President provided for rescission of \$30 million in capitation grants. We did not go along with the President's request for a complete rescission of this item in this amount. Instead we recommended that a rescission take place of only \$10 million and we would leave in the bill \$20 million which we do not approve for rescission.

For advanced training, the amount requested for rescission was \$10,300,000 out of a total of \$12 million. Mr. Speaker, we do not approve that. We approve only \$6 million to be rescinded.

Under special projects for the nursing program, the request was for \$7,500,000 to be rescinded. We go along with that and we recommend that to the House.

For nurse training student loans, out of \$22,500,000 appropriated, the administration requested that \$9 million be rescinded. We do not recommend this rescission to the House.

Under scholarships, the total appropriation of \$9 million was requested to be rescinded. We recommend that only \$3,500,000 be rescinded.

Under traineeships, out of \$13 million appropriated, the entire amount is requested to be rescinded. We recommend to the House only \$6,500,000.

Under loan repayments, out of \$1,500,000, the sum of \$750,000 is requested to be rescinded. Mr. Speaker, we recommend this to the House.

And under fellowships, out of \$1 million, the amount of \$647,000 is requested to be rescinded. We recommend the rescission of \$647,000.

Under research, out of \$5 million, the sum of \$3,899,000 is requested. We recommend that amount to the House.

Mr. Speaker, not a single member on this subcommittee is against the nursing training program. There was not a dollar in the 1979 appropriation bill for the Nursing Training Act, and my distinguished friend, the gentleman from West Virginia (Mr. STAGGERS), knows that. Not \$1 was in the bill for 1979.

□ 1230

The authorization bill was before the Health Subcommittee of the Committee on Interstate and Foreign Commerce and chaired by my friend from West Virginia (Mr. STAGGERS). The authorization bill was late and for that reason not a dollar was in the 1979 appropriation bill. On our subcommittee we said to the full committee and to the chairman at that time, Mr. Mahon of Texas, "the Subcommittee on Health has not produced a bill. The Nurse Training Act expires the last day of fiscal year 1979. So we cannot appropriate funds for the act."

Now, Mr. Speaker, just to show you how much we are interested in nurse training, we got the chairman of our committee to recommend to this House a continuing resolution to carry the Nurse Training Act at the 1978 level in order to give the gentleman from West

Virginia, the chairman of the Subcommittee on Health, an opportunity to bring out a bill authorizing this program. This program is not authorized to this day, Mr. Speaker. A bill was produced by the authorizing committee after we adjourned the 95th Congress. The bill was vetoed during the month of October.

The SPEAKER. The time of the gentleman from Kentucky has expired.

(By unanimous consent Mr. NATCHER was allowed to proceed for 5 additional minutes.)

Mr. NATCHER. Now, Mr. Speaker, in order to show that we are interested in this program, we carried it under the continuing resolution in 1979 at the 1978 level. So far, no authorizing bill has been produced by the Committee on Interstate and Foreign Commerce. The program is still not authorized.

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

Mr. NATCHER. There is not any money authorized for this program, but we still carried it under the 1979 continuing resolution.

Let me say to the gentleman from West Virginia, and then I will yield, that as soon as you bring a bill out from the Interstate and Foreign Commerce Committee that authorizes this program, then you will permit the Appropriations Committee to consider any amount that you would like to have us consider. The gentleman from West Virginia also knows that in the budget for fiscal year 1980, that we are now working on, there is less than \$15 million in that budget for all nurse training programs.

Now, I will yield to my friend.

Mr. STAGGERS. Mr. Speaker, I thank the gentleman for yielding, because I would like to straighten out a lot of the statements just made. I know the gentleman did not make them intentionally. He knows that last year we authorized a bill in this House for nursing training, and only 12 Members of this House voted against it. That shows how overwhelming it was.

It went to the President, and the President vetoed it. Then, there was a continuing resolution by the gentleman's committee, and it said they would appropriate \$120 million for this year, the year of 1979. The President said that is fine. He said, "It will all be carried in there and you can keep it in there." Now, he comes back and asks for a rescission.

A lot of people in the dental schools and medical schools have made their provisions and their arrangements. If this passes, they are going to have to go back and try to rearrange their whole schedule, and it is just impossible for them to do it. The first bill I introduced this year was the nurses training bill, because I thought it was necessary to have it done.

Mr. NATCHER. Mr. Speaker, let me reclaim some of my time. Will the gentleman from West Virginia state to the members of the committee now, Mr. Speaker, in all fairness to the committee, there is no authorization for nurse training? The gentleman would agree to that, would he not?

Mr. STAGGERS. I will—

Mr. NATCHER. The bill was vetoed. We carried this under a continuing resolution to help you and your committee.

Mr. STAGGERS. To help America, not us.

Mr. NATCHER. All right, to help America. You know we have never been against this Training Act.

Let me say to you, Mr. Speaker, we believe the President of the United States is correct in the rescissions he makes.

Mr. STAGGERS. Oh, no.

Mr. NATCHER. We had hearings on it. We developed the facts. For the Nurse Training Act over \$80 million was requested for rescission but we only agree on \$34,897,000. We do not go along on his entire rescission. But when you have no authorization, and there is less than \$15 million in the budget for 1980, what can the Appropriations Committee do?

□ 1235

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

Mr. NATCHER. I certainly yield to the gentleman from West Virginia.

Mr. STAGGERS. Mr. Speaker, the gentleman knows that there has been no time to authorize a bill, especially at this time when the Congress is considering one of its first bills.

We were depending upon the fact that there was a continuing resolution for the year 1979, which was put through last year. The nurses, the doctors, and the dentists of America were depending on everybody to keep their word. They were depending on the Government to keep its word, and then the administration comes along and says, "No, we do not want to keep the promise made last year to America. We want to cut part of that out."

They came to the Hill and asked us to do that. I do not care how righteous it might be or anything like that. They made a promise to American nurses, doctors, and dentists. Now they want to rescind that promise.

I say it should not be done. We will pass an authorization bill just as soon as we can.

Mr. NATCHER. Mr. Speaker, the gentleman from West Virginia (Mr. STAGGERS), my good friend, says to the committee that we are going to pass an authorization bill. If so, then that puts the Appropriations Committee in position so that we can consider it.

The gentleman knows that in the budget for fiscal year 1980 there is less than \$15 million for the Nurse Training Act. In addition, the gentleman's amendment also covers capitation grants for medical, dental, and veterinary schools.

Mr. STAGGERS. Not veterinary schools.

Mr. NATCHER. Yes, the gentleman is right. It is also for schools of osteopathy.

Mr. Speaker, of the \$120 million for capitation grants we recommend that only \$20 million be rescinded.

The SPEAKER. The time of the gentleman from Kentucky (Mr. NATCHER) has again expired.

(By unanimous consent, Mr. NATCHER

was allowed to proceed for 5 additional minutes.)

Mr. NATCHER. Mr. Speaker, I say to the gentleman from West Virginia (Mr. STAGGERS) that he knows this. As far as capitation grants are concerned, this \$120 million is not one-half of 1 percent of the amount which is in the HEW budget for the medical schools in this country. Mr. Speaker, we have for HEW, \$1.3 billion for medical schools.

The President, Mr. Speaker, is right with respect to this \$20 million. This capitation grant program was started to bring in students and increase the enrollment in our medical schools. Now we have too many doctors in certain sections of the country and not enough down where the gentleman lives and where I live. We have enough in some places and not enough in other places.

Our recommendation is to rescind only \$20 million of the \$120 million. We have in the regular bill \$1.3 billion for our medical schools. Think about it.

Mr. STAGGERS. If the gentleman will yield further, Mr. Speaker, that \$20 million is the most important \$20 million of the whole thing because that is the money which goes to those who cannot afford to go to medical schools, those young men and women who have the brains and the ability, but do not have the money. That money does not go to the rich and those who have the money at all. The gentleman knows that.

We are trying to equalize a little bit in America through this money.

As soon as we have time, we will try to rectify this matter in order to bring a supply of doctors into the areas which need doctors. We are saying that if they are able to get money from the Government, they will be able to go there and supply doctors for those places, as many of them do.

Mr. NATCHER. Mr. Speaker, not \$1 of this money goes to students. It goes to the schools.

Mr. STAGGERS. Of course, but it goes to help the students who go there.

Mr. NATCHER. It only goes to the schools.

Mr. Speaker, I do not think that the gentleman from West Virginia and our committee have too much of a disagreement.

Mr. STAGGERS. No, we do not.

Mr. NATCHER. On this committee we have been strong for the Nurse Training Act all down through the years. We have gone along on capitation grants; but why does not the gentleman's committee bring in a law; why does it not authorize this program by a set time so that we can appropriate the money as far as nurse training is concerned?

Mr. STAGGERS. We will, we will.

Mr. NATCHER. Does not the chairman think that it would be a much better practice as far as the President is concerned? The gentleman knows that when the authorizing bill is brought out, it is going to have to come to the House, then go to the Senate. Then the President is going to have available the same procedure to follow as he did when he vetoed the last bill. Why not work it out downtown and put us in a position where we can go along with the gentleman on this money?

□ 1240

Mr. Speaker, there is one other matter that I would want to point out. The HEW appropriation bill has been vetoed seven times since the year 1969. Mr. Speaker, we do not want this bill vetoed this year. That is the all-time record—seven times since 1969.

This is the test as to whether or not \$227 million has to be rescinded. The President asked for \$227 million. We say, Mr. President, you are right only on \$74 million.

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

Mr. NATCHER. I will yield to my friend, the gentleman from West Virginia, anytime.

Mr. STAGGERS. I thank the gentleman for yielding.

I would say that the gentleman from Kentucky is one of the most honorable gentlemen I know in the House, and I know that he is very sincere in his argument in every way. But I would just like to say this to the gentleman, that last year, as he knows, the President vetoed that bill, and he pocket vetoed it. If we had had a chance, we would have overridden him 10 to 1. The gentleman from Kentucky knows that we would have overridden his veto 10 to 1 at least. The fact is then that the committee came along and said, "All right, we will put in enough money for 1979." And the President said, "I will go along with that." America was led to believe that this was going to be the level for the year 1979. We cannot cut him off in the middle of it. It would not be an honorable thing for us to do.

I say we must keep our promise as a government and do what we said we were going to do for 1979 and keep this amount. I do not ask for the full amount but for the nurses. I do ask for those people certain things they do not demand.

The SPEAKER. The time of the gentleman has expired.

(By unanimous consent Mr. NATCHER was allowed to proceed for 2 additional minutes.)

Mr. NATCHER. Mr. Speaker, let me say to the chairman of the Committee on Interstate and Foreign Commerce, one of the great Members in the House and my friend, why do we not do it the right way? Why do we not authorize the program and bring a law in here and give these Members a chance to vote on it? Remember for that there is less than \$15,000,000 in the 1980 budget for the entire Nurse Training Act.

We want to be in a position, Mr. Speaker, to go along and cooperate with the committee of the gentleman from West Virginia (Mr. STAGGERS).

Let me say this to the gentleman about overriding vetoes. Mr. Speaker, the gentleman knows a lot more about this than I do. I do not believe that any bill during the calendar year of 1979 that carries any money in it and is vetoed by the President of the United States will be overridden on this floor. All we have to do is travel in any one of the 50 States and talk to the people. They want a balanced budget. They want to reduce Federal spending.

Mr. O'BRIEN. Mr. Speaker, will the gentleman yield?

Mr. NATCHER. I yield to the gentleman from Illinois.

Mr. O'BRIEN. I thank the gentleman for yielding.

Just as recently as Friday there was a forum in my district of some 250 people representing all aspects of my constituency. The gentleman is exactly right. They expect us to represent all of the people, and they know that we are going to have to make cuts and they are going to become painful and difficult all along the line.

It seems to me if we yield right here on a very touchy point, we are going to bring the President's program down in flames, and I do not think we should do that.

Mr. Speaker, I support the gentleman from Kentucky (Mr. NATCHER).

Mr. NATCHER. Mr. Speaker, I yield back the remainder of my time.

Mr. CARTER. I move to strike out the last word.

Mr. SPEAKER. The gentleman from Kentucky is recognized for 5 minutes.

Mr. CARTER. Mr. Speaker, as much as I dislike to disagree with some of my good friends on both the left and the right, as ranking minority member of the House and Environment Subcommittee I am deeply concerned about the rescissions in health programs contained in H.R. 2439. I submit that rescinding these funds would have a severe impact on programs throughout the country which train our nurses, doctors, osteopaths, and emergency medical personnel.

□ 1245

Mr. Speaker, I share the President's concern about inflation and the committee's desire to moderate Federal spending.

However, I believe we must reduce expenditures responsibly, not in the precipitous manner proposed by this legislation.

For example, according to the American Nurses' Association, cutting almost \$39 million from our nurse training programs would have the following adverse impact:

Advanced nurse training: If the recommended rescission of \$6 million is allowed to stand, then 23 graduate nursing programs will lose funds for continuing projects. A cutback of this size would lead to abrupt termination of faculty for these programs and disruption of nursing education.

Traineeships: If the \$6½ million rescission for traineeships goes through, then 2,000 nursing graduate students who already are enrolled will lose tuition support, and we will have no new nurse clinicians in our coronary care and intensive care units.

Special projects: If the \$7.5 million rescission for special projects is approved then more than 60 ongoing projects will go unfunded.

Scholarships: If the \$3.4 million rescission for scholarships is adopted, then 3,500 undergraduate nursing students stand to lose funds—and most of the scholarship recipients are students from low-income families.

In addition to these cuts, the proposed rescission in nursing capitation grants would affect nursing schools across the



Nation by reducing the level of institutional support by 33 percent.

Finally, if the rescissions are adopted, more than 30 nursing research projects would have to be terminated abruptly. Clearly, these cuts would have an adverse impact nationwide.

I am particularly concerned about the problems that such funding cuts would cause in my own State of Kentucky. Our nursing schools have been allocated some \$259,000 for scholarships alone this fiscal year.

Approval of these rescissions would reduce that figure by about one-third. In all the nursing programs for which cuts are proposed, Kentucky stands to lose about a half a million dollars.

Since many students from Kentucky's nursing programs remain in the State to practice—the effect of these cutbacks would be to reduce the availability of nursing services in medically underserved areas. I submit that the effect would be similar throughout the country.

Mr. Speaker, in considering the budget rescission proposal today—I hope my colleagues will keep in mind the fact that just last year this body approved a 2-year extension of the nurse training authorities by an overwhelming vote of 393 to 12.

As you know, that bill did not cut nursing funds.

Instead, we kept the nursing authorizations at essentially the same level as in the previous year.

However, because there was uncertainty about whether we have an adequate supply of nurses, we required that a major study be done on our Nation's nursing needs. That study was to give us a definitive assessment of the need for continued Federal financial support for nursing education.

In other words, by passing last year's nursing amendments Congress acknowledged that there was not enough data to justify any cuts in nurse training funds.

However, as you know, the President vetoed that legislation. But in my view, the situation has not changed. We still do not have data sufficient to justify such drastic cuts in nurse training programs as are proposed today, and I urge you to reject the nurse training rescissions today.

Mr. Speaker, I also oppose the \$20 million rescission in capitation grants to our medical, dental, and osteopathic schools.

Over the years capitation has been an important source of institutional support for which our health professions schools have fulfilled various obligations to meet national needs in the health field.

For example, medical schools have increased their first-year enrollment 100 percent since 1962. They have also expanded the number of primary care specialties and have established training programs in medically underserved areas.

□ 1250

They have also expanded the number of primary care specialties and have es-

tablished training programs in medically underserved areas.

Frankly I do not believe it is fair or responsible for us to cut back on funding which already has been appropriated for this fiscal year.

Medical, dental, and osteopathic schools already have planned their budgets for the coming school year based on amounts that were appropriated.

The SPEAKER. The time of the gentleman from Kentucky (Mr. CARTER) has expired.

(By unanimous consent, Mr. CARTER was allowed to proceed for 3 additional minutes.)

Mr. CARTER. Mr. Speaker, these schools have already taken steps to be eligible for capitation this year. I have in mind the University of Kentucky, the University of Louisville, and other schools throughout our area with which I am familiar and which are in a precarious financial condition.

Mr. Speaker, these schools have expanded enrollment, set up special programs, purchased equipment and supplies, and hired faculty, all in good faith, expecting that our appropriation, which we voted for when we appropriated the funds, would go through, and now in spite of these expectations, this rescission is taking place and these programs will be cut out and our professors in medical schools and schools of dentistry and osteopathy will lose.

In light of the commitments that have been made by these institutions, I urge that Congress not retreat on the funding commitment we have made.

We will have ample opportunity to review these authorities in the near future, and I urge that we wait until then to consider altering our policies.

Finally, Mr. Speaker, I must oppose the \$3 million rescission in emergency medical training.

I submit that training is the most important component of the EMS program and that to reduce it at this time would be premature and unwise.

Many, many counties in the district I represent and many other counties throughout Kentucky have serious difficulties in funding these emergency medical systems programs, and I want to tell the Members that I believe throughout our country we will find those same programs in financial distress. I think this \$3 million is absolutely necessary. In fact, I feel that it should be increased. I urge that this Congress wait until a comprehensive review of the program has been completed before approving cuts.

Mr. Speaker, let me say that I understand well the desire to cut Federal spending, and I have voted that way quite often, as we all know. But in this case it produces too few results at a cost of only a few million dollars. I myself have pledged to accomplish this goal, and I will try to do so as we continue.

Mr. Speaker, I submit that such spending cuts must be evaluated carefully and made with complete information as to who will be hurt and as to how our action will affect ongoing programs.

I submit that to act precipitously to

cut programs willy-nilly for the sole sake of supposed savings to the taxpayer is irresponsible.

I submit that these rescissions before us today are just the sort of unwise, precipitous spending cuts which serve little purpose other than needless disruption of educational programs which have brought direct benefits to the American people.

I urge my colleagues to consider the impact of these funding cuts on your constituents, on your State's health care training programs, and on our health care system as a whole.

We still have time to plan responsibly for the future through the regular authorizing process.

Let us also vote responsibly today and reject these health rescissions.

Therefore, Mr. Speaker, in view of my concerns, I rise in strong support of the amendment offered by the distinguished chairman of the Commerce Committee, the gentleman from West Virginia (Mr. STAGGERS).

His amendment would restore proposed rescissions approved by the Appropriations Committee in the total amount of \$37 million and \$4,600 in the following areas:

Capitation grants for schools of medicine, osteopathy, and dentistry;

Advanced nurse training;

Nursing traineeships; and

Nursing fellowships, and nursing research.

I urge my colleagues to join me in support of this amendment.

□ 1255

Mr. DRINAN. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I rise in support of this amendment which would restore the \$61.8 million in fiscal 1979 health resource funds, slated for rescission in this measure. This sum represents a reduction of \$38.8 million for nurse training programs, \$20 million for capitation grants to health professions schools and \$3 million for emergency medical training.

I would like to address the issue of nurse training. Last November the President pocket-vetoed the Nurse Training Act which was overwhelmingly approved by this body in September of 1978. In his message of disapproval, the President stated his belief that there is no longer a need for the Federal Government to subsidize nurses training with special programs. He also noted that his action "would not cause an abrupt termination of funding of nurse training programs, since funds are available for fiscal year 1979."

Yet, just a few months later, the administration sought to rescind 67 percent of the funds Congress made available for nurse training programs in fiscal 1979. Although this measure does not approve the entire rescission, it would require a cutback of \$38.8 million or 31 percent of the fiscal 1979 appropriation for nurse training programs.

The cutback is bound to have a detri-

mental effect on nursing education and our health care delivery system. In Massachusetts there are 10,000 students in nurse training. About one-third are enrolled in hospital diploma programs, another third in associate degree programs and the final third in college degree programs. Tuition at private nursing colleges and hospital diploma schools in Massachusetts ranges from \$4,000 to \$5,000 a year.

A survey conducted by the National Student Nurses Association revealed that 51 percent of the students responding came from families with incomes of \$15,000 or less. Sixteen percent were the breadwinners for their families and 81 percent of the respondents expressed the need for some type of tuition assistance to complete their educations. In Massachusetts one nursing school dean estimates that 65 percent of the undergraduate nurses are completely dependent on Federal tuition assistance as are 95 percent of the nurses in graduate training.

If we approve the \$3.5 rescission for scholarships, some 3,500 undergraduate nursing students from low income families will be without assistance. Some may be forced to forgo their educations. The rescission of \$6.5 million for traineeships would cut tuition support to 2,000 already enrolled graduate students. The rescission of \$6 million for advanced training would cut funds from 23 graduate programs. Since women still comprise the majority of nurses an additional effect of the rescission will be to further limit their career opportunities and advancement.

It is unrealistic to expect other student loan and grant programs to meet the needs in nurse training assistance. The result of that assumption will be a severe drop in enrollment at a time when continued support of nurse training is critical. Also a drop in support at this time could mean the closing of our smaller nursing schools.

Continued support of nurse training is critical at this time because we are in the process of a metamorphosis in nurse utilization. Use of specially trained nurses as major health care providers is a relatively new phenomenon which appears to be working very well especially in physician shortage areas. Nurse practitioners are becoming increasingly popular in the areas of family medicine, gerontology and pediatrics. This is proving not only cost effective but vital in making quality health care available to more of our citizens. As we move toward a program of national health insurance, we can only expect these roles to be further expanded. We must continue to fully support the specialized training needs which accompany the changes in our health care delivery system.

This rescission would also withdraw specific support for research projects. It is reasoned that the National Institutes of Health could fund such efforts. However, we are all aware of the keen competition for NIH research funds and I question how well nursing research would fare in competition with other interests. Nurses and nursing care are the major determinants of how rapidly and

sufficiently a patient will recover from serious health care problems. This directly affects their length of stay in a hospital and thus has a bearing on hospital costs.

In my view it is not in our national interest to cut back on nurse training and related programs at this time. Besides the ongoing need for special support because of the changing roles of nurses in our health care programs, there is no evidence to substantiate the charge that we have met our personnel needs in this area.

The extremely low unemployment rate for nurses shows that there is no surplus at this time. Of the 50,507 nurses licensed in 1977, only 1.9 percent were looking for jobs in 1978. While on the other hand nursing shortages have been reported nationwide in urban as well as rural areas.

According to occupational projections made by the U.S. Department of Labor, the need for nurses will steadily rise over the next decade. It is expected to be one of the professions in greatest demand.

We as policymakers invest in health as well as the treatment of disease. Nurses play an important role in both undertakings. As the Nation moves toward a commitment to preventive health care, we will require more services from our nurses. Cutting back on nurse training at this time will reflect an insensitivity not only to the health care needs of the Nation but to our own policies of best providing that care.

□ 1300

Mr. PURSELL. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I think this discussion on the nurses training program is the tip of the iceberg. In our discussions in the HEW Subcommittee, it should be noted, and Congress should know, including authorization committee of which Mr. WAXMAN is chairman, the following facts should be noted:

No. 1, most of us were disappointed at the administration pocket vetoing the Nurses Training Act. No. 2, we were disappointed that the administration is now attempting to gut the continuing resolution which is the 1978-79 funding document as recommended by the Office of Management and Budget. No. 3, what concerns me to a greater degree in the long run is that the nurses profession in the United States is not getting any input into this decisionmaking process either at OMB or HEW. From discussions with HEW's professional staff, Dr. Henry Foley, the Health Administrator of Resources Administration, in our testimony, indicated that the nurses had not had any major input into these decision-making processes. This question was raised by members of our HEW Subcommittee.

What concerns me in the long run in our discussion today, germane to this decision, is the fact that the proposed new Nurses Training Act, is being developed by a task force in the administration without any input at this time from the nurses profession in the United States of America—I think that is an insult to the nurses. That is a great mistake, and per-

haps the authorizing committee and our appropriations committee should address that major fact, that if we are going to have some changes in this program, the administration in fact has the cart before the horse. If we are going to have a good bill, a good proposed piece of legislation, we ought to be talking about, No. 1, looking at the legislation and going into a transition with good planning, good management, and good budgetary decisions.

The very fact that the administration elected to reverse the process, is very disturbing to some of us who would require some credibility of the governmental decision and policy setting responsibilities of HEW, OMB, and congressional committees must have a rational plan from present nurses programs to any new programs that have been openly reviewed and studied.

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

Mr. PURSELL. I yield to the gentleman from California.

Mr. WAXMAN. Mr. Speaker, I fully share each and every one of the points the gentleman from Michigan expresses to the Members of this House. I was very disturbed that the President vetoed the authorization bill last year, leaving us without an authorization for the Nurses Training Act program.

I would prefer, rather than have the rescissions being proposed today, to have us accept the amendment offered by the chairman of the Interstate and Foreign Commerce Committee, Mr. STAGGERS; to put the money back in so that we do not do any harm to the program that is ongoing now. We are quite busy with the authorization process. We are certainly going to take into consideration all the views expressed. I think we act too hastily if we go along with these rescissions now. Let us move in the orderly procedure the gentleman suggests, get an authorization bill considered and passed, and the appropriations passed thereafter.

Mr. PURSELL. Mr. Speaker, I suggest that is what Mr. NATCHER suggested. That is what we should be doing, and I just hope the Authorization Committee is aware of the fact that the present discussion on the new administration bill, the figures reported are less than \$14 million or \$17 million. No. 2, my major point there is not any professional input from the nurses. I think we ought to look into that quickly and immediately to make sure the nurses authorization bill we get does not have this major flaw in it. I am only making that as a point of fact today. I ask the administration to correct this omission. Invite the nurses to participate.

Mr. WAXMAN. I thank the gentleman for his effective statement.

Mr. Speaker, I move to strike the last word.

Mr. Speaker, I want to reiterate my support of the prospect before us offered by the chairman, Mr. STAGGERS. I was so impressed by the remarks of the gentleman from Massachusetts which were made about the impact of these cuts, and particularly the remarks of our distinguished colleague from Kentucky, Tim



LEE CARTER, who was one of the architects of the whole health-manpower law on the books today. He has warned us about the impact of these rescissions on the training programs. I think it is a warning we ought to take to heart.

Dr. CARTER went through a number of the items that will be affected according to the American Nurses Association. Rescissions today would have the following effect:

First, 33 research projects would be abruptly terminated;

Second, 40 nurse researchers will lose support this year and 3 graduate programs will lose institutional research training awards;

Third, 23 graduate programs for advanced training will lose funds;

Fourth, 2,000 already enrolled graduate students will lose tuition support;

Fifth, 68 noncompeting special projects will be cut off. Special projects include support for recruitment of students from disadvantaged backgrounds; continuing education projects; retraining programs for older nurses who have not been working; inservice programs for aides in nursing homes; and funds for developing new curriculums for schools of nursing; and

Sixth, 3,500 nursing students on scholarships will lose funds. Most of these students are from low-income families.

I came from an urban area, but I think we ought to consider carefully the implications of hasty action today to rescind funds for training programs for health professionals as it would affect the rural areas. It is virtually impossible for some poor communities to attract and retain doctors to meet their health needs. Nurses and allied professions may be the only providers. Health problems that are considered routine in many areas of the country and rich urban communities can be fatal in towns without qualified nursing and other medical personnel.

□ 1305

The result is higher infant mortality rates, shorter life expectancies, malnutrition, and anemia, all of which contribute to reinforcing the circle of poverty and low economic productivity.

I appreciate why the Committee on Appropriations has gone along with the rescissions proposed by the administration. I would think that even though they acted with sincerity and good faith, their actions are hasty. We ought to wait until the authorization committee goes forward with full hearings, as suggested even by the chairman of the Subcommittee on Appropriations.

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

Mr. WAXMAN. I yield to the gentleman from Nebraska.

Mr. CAVANAUGH. Mr. Speaker, I appreciate the gentleman's yielding, and I thank the chairman for raising the point of rural health care.

I come from Nebraska. The national average of availability of physicians is 1.62 per thousand. In Nebraska it remains at 1.3, substantially below the national average.

I think it is very difficult for this Con-

gress to say to the country that we have met the health manpower needs of this country and that we are providing adequate health care throughout the width and breadth of this country, when the facts are clearly contrary to that.

I think we should carefully consider what is in issue in this rescission motion.

Again, Mr. Speaker, I thank the gentleman for bringing the issue of rural health care to the attention of the Congress.

Mr. WAXMAN. Mr. Speaker, I thank the gentleman for his remarks. His point is an excellent one.

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

Mr. WAXMAN. I yield to the gentleman from New Jersey.

Mr. MAGUIRE. Mr. Speaker, I want to thank the gentleman for his leadership, and I also thank the chairman of the full committee.

Obviously, there are a couple of key underlying questions here. One is, frankly, whether we are going to cut the heart out of social programs at the same time as we go ahead with questionable defense weapons systems such as the MX and Trident II.

Second, there is a question if we are going to have to cut a certain number of health dollars, where do the cuts come from and what is the procedure we follow?

Mr. Speaker, the cuts and rescissions proposed here will have an enormous impact across the country on programs which have been carefully considered. In particular, we are talking about traineeships and graduate programs and increasing student and faculty opportunities for minority students.

We simply cannot afford and should not be participants in any effort to devastate those programs.

Again, I thank the chairman for his leadership.

Mr. WAXMAN. I thank the gentleman for his views.

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

Mr. WAXMAN. I yield to the gentleman from Connecticut.

Mr. DODD. Mr. Speaker, I want to take this opportunity to join with those of my colleagues who have stood up today in opposition to the proposed rescission of the 1979 funds for advanced nurse training and nurse training research.

As a supporter of the Nurse Training Act Amendments of 1978, I feel that the budget rescission under consideration is both irresponsible and premature. More important than my personal belief that the need for continued support in these areas still exists is the fact that the pros and cons of the matter have not been adequately aired. Before such an action as the one proposed today is undertaken, I feel that the Interstate and Foreign Commerce Committee's Subcommittee on Health and the Environment should have held hearings in this regard. It is critical to point out that the proposed rescissions would have a tremendous im-

pact on the future of the Nurse Training Act amendments and that at no time was the input of the nursing community solicited.

Over and above the matter of the precipitous nature of this action, we must address the question of the responsibility of the Congress to honor its commitments. I recognize that we will have to consider reductions in these programs as in others; however, I question whether this is the appropriate time and means for implementing such measures.

As you know, the funds we are being asked to rescind were provided by a continuing resolution to continue funding of programs in this fiscal year at the 1978 level, which was passed on October 18, 1978, by an overwhelming vote of 396 to 12. I believe that this Congress has an obligation to those students and schools, which acting in good faith have undertaken programs and contracts on the basis of Congress actions and assurances. Likewise, they have undertaken these obligations on the assurances of the President in the message accompanying his veto of the Nurse Training Act authorizing legislation, as has been so aptly pointed out today by many of my colleagues.

I am convinced that to act today to restore the 1979 funds, we are not acting in conflict with the administration's goal and the American public's desire to reduce spending. Rather, we have a moral responsibility to uphold our previous commitments. I think that there is no alternative to the view that H.R. 2493 is in direct conflict with the standing commitment of the 95th Congress and the President's assurance that there would be no abrupt termination of programs, because of continued funding through the continuing resolution.

It is for this reason, in addition to the importance I personally place on the nursing programs and research involved, that I feel compelled to support Representative STAGGERS' amendment to restore \$37 of the \$39 million for nurse training programs and capitation grants for schools of medicine, osteopathy, and dentistry. Contracts have been signed; students are enrolled in programs; and obligations have been undertaken based on the commitments of Congress and assurances from the President. There are no immediate alternatives for the colleges, junior colleges, universities, and students in my State and around the country, if their programs are brought up short in midstream.

I would ask my colleagues to join me in supporting the restoration of funds, and, further, I would ask that you support those today who have requested that in any future considerations of this matter by the authorizing committee, they solicit and evaluate the comments and input of the nursing community. As you know, the health and care of the American public rests largely in their hands.

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

Mr. WAXMAN. I yield to the gentleman from Kansas.

Mr. GLICKMAN. Mr. Speaker, in con-

nection with the question of priorities, I point out to the gentleman from California (Mr. WAXMAN) that I will be offering an amendment which will reinstate the rescission of \$37 million for bricks to build a building at the NIH facility. I think that if we do have to make a choice on priorities, the gentleman's approach is far preferable to building such a building with 650 more parking spots, which very few people think is important.

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

Mr. WAXMAN. I yield to the gentleman from New York.

Mr. WEISS. Mr. Speaker, I appreciate the gentleman's yielding.

I want to associate myself fully with the remarks of the gentleman from California (Mr. WAXMAN).

I think that one of the most unsupportable aspects of the proposed rescission, is that institutions and students would be cut off in mid-term and mid-year. It would be totally unconscionable and unjustifiable.

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

Mr. MICHEL. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker and Members of the House, I support the rescissions which have been recommended to the House, and I rise in opposition to the amendment offered by the gentleman from West Virginia.

Mr. Speaker, our committee had a difficult choice to make in recommending these rescissions which we have brought before the House today. Bear in mind that this is not going to be the only difficult decision which this Congress is going to have to face on levels of expenditure. There may very well be some other rescissions coming down the line, and we simply cannot back off.

In my judgment, the integrity of the rescission process is at stake here, if we simply fold under pressure.

Mr. Speaker, it should be kept in mind that only one-third of the HEW rescissions recommended by the President are included in this bill. The other two-thirds were rejected by our committee.

□ 1310

The gentleman from Massachusetts (Mr. DRINAN) made mention of the nurse practitioners who are going to go by the wayside. We did not touch the practitioners in the rescission. They were not bothered at all.

The gentleman from California (Mr. WAXMAN) made mention of how the rural areas are going to be hurting, because of what we are doing here. In last year's bill we had a 25-percent increase for the National Health Service scholarship program, which is designed to serve those rural areas.

Our problem today is one of maldistribution, and capitation grants as such do not solve the problem of maldistribution. Capitation grants represent only 3 percent of medical school non-Federal operating cost expenditures, and this rescission reduces capitation grants by only 17 percent. So the net effect on

the medical school budgets is only one-half of 1 percent.

I was not here on the floor at the time, but I am advised my good Chairman, the gentleman from Kentucky (Mr. NATCHER) made mention of the fact that this \$20 million here represents only 1½ percent of the \$1.3 billion in Federal funds that are currently going to medical schools each year. Capitation grants, as I said, do not solve that problem of the maldistribution of health manpower in this country, and there is no shortage of students trying to get into medical school.

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

Mr. MICHEL. I yield to the gentleman from West Virginia.

Mr. STAGGERS. I thank the gentleman for yielding.

We do not mention anything under rescission of nurses' capitation grants.

Mr. MICHEL. On the medical schools.

Mr. STAGGERS. But the gentleman said nurses there. I would like to say to the gentleman even where some doctors are in short supply we have a greater chance of getting some of them into areas where they are needed.

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

I would like to say to the gentleman that because of our long friendship he knows that I am going to exercise every reasonable or responsible vote that I can to reduce spending on the part of the U.S. Government. But I have a question of the gentleman. I wonder if he might help me and the rest of our colleagues. When we are voting to reduce spending for some of these programs like nurses training and various educational grants, and things like this for our own home folks back in our district, how in the world do we explain to these folks that the President, who is requesting these reductions, is the very same President who is requesting an increase of 18 percent in his foreign aid program this year? I find that a little incompatible, and I am looking for some good answers. I wonder if the gentleman might be able to suggest some answers to that question.

Mr. MICHEL. I think probably the other side of the aisle would have to answer as to the President's recommendations. I happen to be in opposition to a number of things he has proposed over the course of the last 2 years.

My own feeling is that that foreign aid bill can be the bill which will likely come in for significant cuts by this Congress when all is said and done. I do not know that we can equalize the argument by saying that we just cannot afford to cut anything domestically because we still have some significant sums being spent in foreign aid.

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

Mr. MICHEL. I yield to the gentleman from Kansas.

Mr. GLICKMAN. I thank the gentleman for yielding.

How, then, given the focus of the gentleman, can the gentleman and the committee recommend reinstating \$37 million for construction of a building and a parking garage on the NIH facilities when that money theoretically could be used in the transfer of research functions and those kinds of things?

Mr. MICHEL. It might surprise the gentleman to know that this Member did not support the committee's action. I offered the amendment in full committee to also include in the rescission bill that building, and I made the arguments that the gentleman may very well be prepared to use today for including that in the rescission, because they are very solid arguments to use.

The SPEAKER. The time of the gentleman has expired.

(By unanimous consent, Mr. MICHEL was allowed to proceed for 5 additional minutes.)

Mr. MICHEL. Our nursing programs have helped to substantially increase the supply of nurses over the past decade to the extent that we now have 395 for every 100,000 population in this country. That is compared to only 300 per 100,000 10 years ago. But again I say that that increase has not solved the problem of maldistribution.

One of the problems Dr. Foley cited before our committee was the problem of filling swing shifts. We have had that trouble with us for a long time, and the only answer to that lies in the wage levels paid.

□ 1315

You are not going to do it by capitation grants or through a bigger supply. You have got to pay them to serve at ungodly hours or in less populated areas. That is the answer to it, not simply subsidizing the training of more numbers. When you get into advanced training, in how many other professions does the Federal Government subsidize advanced training for advanced degrees? Why should this be singled out as one profession that the Federal Government is obligated to do that?

Once you are going for a graduate degree, a fellowship, or advanced training, it seems to me you are going to get a bigger remuneration and reward. Why not have that burden on the individuals themselves, if that is their inclination?

You will find some of the professionals in the nursing field arguing for the advanced degrees and all this assistance for advanced training as being more important than simply helping young nurses get started in nursing schools.

We have been working, the administration and our subcommittee, toward having the aid follow the student, rather than subsidize the institution. Capitation grants do nothing more than subsidize the institution. The student does not get that particular assistance. I think we ought to realize that difference.

If I might make one or two more arguments here. According to the material from the nurses' own associations, the number of graduates from nursing pro-



grams is way up, compared to a decade ago. For instance, the number of students graduating from all nursing programs 10 years ago was 38,000. In 1977, it was 77,000, more than a 100-percent increase.

Breaking that figure down, graduations from baccalaureate programs in 1967 were a little over 6,000. In 1977, they were 23,000, nearly a fourfold increase. Graduates from associate degree programs increased from 4,600 10 years ago to 36,000 in 1977. That is an 800-percent increase. So we have not, in other words, shortchanged the nurses.

If I might make one final point, when that authorizing committee gets to talking about a new nurses training act, the committee's last bill that was vetoed carried an authorization of over \$200 million. We have never appropriated much over \$100 million in all the years I have been on the subcommittee; so what we authorize in that legislative committee is not necessarily a sacrosanct figure, nor has it been to the entire House, after they have taken the recommendations of the Committee on Appropriations.

I hope that you will be thinking very seriously about what the administration's views are, lest we get another veto and no nursing bill at all.

So I urge that we oppose the amendment and stick with the limited number of rescissions contained.

Mr. LEVITAS. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I supported and voted for the Nurse Training Act last year and confess I was mildly surprised when the President decided to pocket veto that measure.

In terms of bringing down the cost of health care and in providing and making available wider accessibility to the health care system, we get an excellent return for our tax dollar in the nurse training area and the nursing care field. However, I said if the President has reasons why he vetoed the bill then we ought to listen and take the opportunity to reassess the programs to see if there is some way to redirect our emphasis in this area. I felt this was the least we could do if the President asked us to.

□ 1320

Maybe he is correct that we can use other student support programs such as the BEOG's program rather than use special purpose scholarships, and maybe he is correct that we ought to get away from certain types of funding of special programs.

But what caught my attention at the time of veto was the memorandum of disapproval, which is the veto message dated November 11, 1978. In referring to this veto, the President said this, and I am quoting:

Disapproval of this bill will not cause an abrupt termination of funding of the nurse training programs, since funds are available for fiscal year 1979 under the continuing resolution.

I interpret that to mean that he had made a commitment, that the continuing resolution would be the fund level

at which this program would operate for the 1979 fiscal year. Consequently, I was more than mildly surprised to see the administration propose a rescission message on this program after the President in his veto message had said that there would be a continuation of funds under the continuing resolution for 1979.

So I think that if we want to save money—and we should, and there are many areas where we can cut the budget—we ought to take the President's statement in his veto message that this is not the place to do it. If we want to evaluate the entire nurse training program, let us do it. Let the authorizing committee evaluate it and then we can vote it up or down on their recommendation.

But insofar as the rescission is concerned, it seems to me it is unfair and unwise and inconsistent with what the President had in mind when he sent his veto message over. What we do for the future in fiscal year 1980 may be quite different from what we should do for the fiscal year in which the continuing resolution applies, namely 1979.

I disagree with my colleague, the gentleman from New Jersey. This is not a question of where we are going in our social programs or priorities or whether we need to increase defense spending or cut defense spending. It is not even a question of whether this is going to be the acid test of this Congress and as to whether we are going to hold the line on the budget. It is not that at all.

The President said in his veto message that there would be no abrupt cutoff of funds for the nurse training programs and the 1979 continuing resolution would provide that funding. Rescission of those 1979 funds is contrary to the President's expressed purpose in the veto message.

Mr. WHITTEN. Mr. Speaker, I move to strike the requisite number of words, and I rise in opposition to the amendment.

I do not think there is any Member here who is more interested in our nurse training programs than I am. I come from an area where nurses are in exceedingly short supply. Part of that is because lots of nurses who are active in the field for awhile quit because of their families and then perhaps come back to nursing later on.

I have checked to see what the facts are in this matter. If we are going to vote, let us vote with the full facts before us.

It has been repeated here that there is no authorization at the present time. Whether the President should have pocket-vetoed the authorization or not, it is provided for in the Constitution and he had his legal right to do it. I am one of those who felt it would have been better for the President to veto the bill and send it up and let us consider the facts, because the bill he vetoed did not, as far as nursing training is concerned, meet the needs where the shortage exists. It applied just as equally to an area where there is an adequate supply as it did to an area where there is a short supply.

But the point I want to make is that only \$13 million of this \$37-million amendment relates to nurse training. Do the Members know what that is for? It is to enable certain nurses to get a graduate degree or a Ph. D. degree. The \$83 million which goes to help to get nurses is not proposed for rescission. I hope my friend, the gentleman from West Virginia (Mr. STAGGERS) will come up with a law which would give some attention to where the need is instead of a law which would just give money to schools in places where there is an adequate supply and distinguish between where a nurse would get a degree at Government expense and also a master's degree or Ph. D. degree at Government expense.

The subcommittee is the one we look to to carry this program on, and the question is whether we are going to cut \$13 million. Let us slow down a little on these master's and Ph. D. degrees, because those are not our primary problems.

I just want the Members to know what the facts are. The facts are that there is \$13 million in the bill which goes for graduate students to get master's degrees and Ph. D. degrees, and those are rescinded.

We all know why we have got to do some of this, although we do not like to do it this year. Since 1967 the American dollar has depreciated 50 percent in its value. They do not want dollars anywhere around the world; they want German marks or Japanese yen or money from some other country. We are going to have to do some of these hard things in order to help strengthen the dollar.

□ 1325

Mr. Speaker, I hope the gentleman from West Virginia will give some attention to this legislation, to see that the money authorized goes where the need is and not to double the availability in places where they do not need it.

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

Mr. WHITTEN. I yield to the gentleman from West Virginia.

Mr. STAGGERS. Mr. Speaker, the gentleman mentioned the fact that this goes to graduate students; it goes to places which teach our nurses. We need nurses who have advanced degrees. We need nurses who have advanced degrees to run our hospitals.

Mr. WHITTEN. We are both interested in nursing. But let us not forget there is \$83 million available to help the nurses. I believe we should stay with the committee recommendation because this is a kind of test about our fiscal resolve. None of the reductions we are going to have to make through the years are going to be easy.

Mr. CONTE. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I really had not intended to speak on this, but after hearing some of the remarks I think that we ought to clear the air on it.

I was unhappy about some of these rescissions. Debate was very heated, both

in the Labor-HEW Subcommittee, on which I have had the honor to serve for many years, and in the full Committee on Appropriations. No member of either the Labor-HEW Subcommittee or the full Committee on Appropriations is happy at the prospect of recommending these rescissions, for all of the effeted budgets provide moneys for very popular health and education programs. But there is a sense of fiscal responsibility that impels us to urge the Members to accept the recommendations that we have made today.

The rescission that attracted the most attention is the proposed reduction of funds for health manpower programs. The Committee on Appropriations, I believe, suggested relatively sober cutbacks which reduce but do not fundamentally weaken the programs involved.

Mr. Speaker, nurses never had a greater friend than myself in the 21 years that I have been in the Congress. I have never voted against a nursing program. I always said—and my former chairman always said—"You do not turn your back on a nurse." And I never did turn my back on the nurses. My wife is a registered nurse. She has been a registered nurse for a good many years. That is how I met her. She is not only a registered nurse, she was an officer in the Navy during World War II. I think I know something about nurses, and it hurts me to stand up here and support my chairman, but I think he is right. It also upsets me, Mr. Speaker, when Members up here are going to be against the rescissions that we have made, and support the gentleman from West Virginia, and then come in here to cut \$37 million for a badly needed facility for the National Institutes of Health for child health care. But unfortunately those women who are interested in prenatal research, and those unborn children, just did not have a big lobby to send a lot of people telegrams here in the House of Representatives. If Members want to put this money back in, fine. But do not cut it out of another worthy program.

□ 1330

Mr. Speaker, the other day I was one of three over here on this side of the aisle supporting you, Mr. Speaker, and supporting the President, to increase the debt limit many Members voted against it, and then they come up here and vote for every program that comes down the pike, and they go back home to their people and say, "Look at that rollcall. I am a conservative; I am for a balanced budget."

If I sound upset, I am upset, because I will tell you, Mr. Speaker, it grieves me and it hurts me to get up here, to have to go along with these rescissions.

We have worked hard; we have worked over this in the subcommittee, and I think the subcommittee came out with a good recommendation. Out of \$176 million in health resources rescissions recommended by the President, we only went along with \$61 million. As for the new chairman of that subcommittee, the gentleman from Kentucky, I want to give

him all of the plaudits he deserves. He has been a good chairman. He has been very fair. Some of the Members on our side of the aisle had amendments to increase money here which they felt necessary. We went along with it. He went along with it. Some of us wanted some more money in other programs. He went along with it, and we came out with what was a compromise solution.

Everybody wants to balance the budget. Everybody wants to be for fiscal austerity and fiscal integrity. Today is your chance.

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

Mr. CONTE. I will be glad to yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Speaker, with his usual brilliant and incisive rhetoric, the gentleman has gone to the heart of the matter. I think he is correct in calling this the first test of the intentions of the House toward economy in Government. The other day 222 Members of this House voted against a \$40 billion national debt increase; 197 Members voted to balance the Federal budget by September on the same day.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

(At the request of Mr. BAUMAN and by unanimous consent, Mr. CONTE was allowed to proceed for 1 additional minute.)

Mr. BAUMAN. Those two rollcalls seem to indicate a hopeful trend in this House. This is the first political bullet-biter that has come before us, and there will be many, many more such issues in this Congress. But, I do not think the nurses of the United States, the farmers, or the Defense Establishment, or any program is sacrosanct when we have 9-percent inflation and are facing a \$40 billion Federal deficit for the 4th year in a row. If you cannot exercise the judgment the people want and vote in favor of a balanced budget as you promised in the recent elections, then the people ought to watch closely each Member's records and act accordingly in 1980.

Mr. CONTE. As the gentleman knows, I was one of three on this side of the aisle who voted to increase the debt ceiling. I took a lot of heat—I was thinking of buying an asbestos suit—but my logic was that I voted for these programs, and now I have got to foot the bill.

Mr. CORRADA. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I rise to oppose the provisions of H.R. 2439 which would reduce capitation grants and other health resources programs to schools of the health professions. I represent a district where there is a need and a shortage of trained personnel in the health field, and these programs have been operating very effectively.

The University of Puerto Rico as well as Catholic University would be severely affected by these unconscionable cuts. GAO has issued a report pointing to the proper use and effectiveness of capitation grants. Commitments for tuition for the coming academic year have already been

made, and schools or the students would have to seek alternate funding. As long as there is a demonstrated need, and I have not been persuaded that we have overcome this, we should continue to support this segment of the higher education community, whose graduates have a direct and tangible impact on the lives of the rest of us. I urge you to reject these rescissions and to support the Staggers amendment.

Mr. GIAIMO. Mr. Speaker, I move to strike the last word.

Mr. Speaker, this is one of the first occasions that we have had in the House to indicate our intentions and the seriousness of our purpose to get control of the Federal budget and to reduce expenditures wherever possible. The way in which we reduce expenditures is not to vote against debt ceiling limitations. That does not reduce expenditures. It may appear to, but it does not; nor do votes against budget resolutions or any of that type of vote reduce expenditures.

□ 1335

The time to reduce expenditures is when the money bills are before us. What we have here today is a money bill.

After wisely and carefully looking at this rescission bill, the committee is recommending reductions, reasonable, but nevertheless real reductions.

It is not easy to vote against money for existing programs. Today it is the nurses who are unhappy, plus those who are the beneficiaries of capitation grants. Tomorrow it will be another segment of our society, and the day after it will be someone else. I dare say that before this year is over we shall have many, many special-interest groups unhappy with us.

However, if we are serious about our commitment to hold the line on spending, if we are truly trying to make reductions in the Federal budget and in Federal spending and in the Federal deficit, then we have to make unpleasant decisions, such as we have to make today, and vote, wherever possible, for reduction.

That means that we have to look at existing programs such as the ones proposed here today. It is not enough to say, "But you are hurting them; you are taking away something which they had last year."

What it is doing is compelling us to examine programs, to make the kind of judgments which the committee wisely did, and say that they can do without some of the money which they received in the past.

The committee has not cut out all of the money. There is a great amount of money in here for the nurses training program. The committee has cut out some of the money; and certainly it is going to hurt; certainly it is going to be unpleasant.

It does not please me to say "no" to my friends in the nursing profession, for whom I have the highest regard and appreciation. It does not please me to say "no" to many of my constituents, all of whom will have their special con-



cern in this year's budget. However, if we are serious about holding the line on spending, we have to go along with these types of recommendations which the committee is making. They are not pleasant, nor easy, but I submit that they are necessary, because by these actions we are reevaluating these programs, looking at them with a finer tooth comb and, if you will, saying "We can do with a little less; we must tighten our belts."

The result will be that we will pick up some savings here and some savings in other programs, the cumulative effect of which will be to help hold the line on Government spending.

Therefore, Mr. Speaker, I urge the Members to go along with the committee. Let us begin to hold the line on spending, as we must, this year.

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

Mr. GIAIMO. I yield to the gentleman from Ohio.

Mr. SEIBERLING. Mr. Speaker, how does the gentleman from Connecticut (Mr. GIAIMO) intend to apply that position when we get to the 3-percent real increase in the defense budget?

Mr. GIAIMO. We are going to scrutinize the defense budget, as we have done each and every year in the past and as we hope to do this year. We will scrutinize the defense budget as we will every other budget.

Mr. EARLY. Mr. Speaker, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Speaker, this is a tough decision to make. I am on this subcommittee. During our markup I recommended that the major part of this suggested amendment be restored. This is a \$37 million cut. Mr. Speaker, \$20 million of that \$37 million is in capitation.

There is no bigger booster than I on this whole capitation matter, but for reasons different from those of the gentleman from West Virginia and the gentleman from Kentucky.

Mr. Speaker, I support capitation because I believe it is the only vehicle through which the Congress has any impact on the 124 medical schools in this country.

Several years ago, when we had a problem with the lack of general practitioners, it was capitation which allowed us to dictate to medical schools that they should train more GP's. It was just 2 years ago that this Congress, upon the suggestion of the committee of the gentleman from West Virginia, acted to have the American medical schools accept qualified American youngsters who had to study abroad, because spaces were not available in U.S. medical schools. They were taken back into our system in their second, third, or fourth year.

□ 1340

It was capitation that insisted that the 124 medical schools do that. Almost all medical schools did not want to participate, but it was the threat of losing capitation funds which made them do it.

Today one of our problems in the health field is maldistribution of doctors. I suggest that it is capitation that is going to increase the supply of doctors

and is going to enable us to address that problem. Two years down the road it is going to be a different problem in our health area. If we terminate capitation, then we will have no tool to address those problems. Let us look at capitation. This amendment suggests that the Subcommittee on Labor-HEW is wishy-washy on the medical schools. Last year it was the subcommittee that increased the funding level for capitation from less than \$100 million to \$120 million. This capitation item was the only item in conference in which the Senate recommended a lesser amount than the House. They put a ceiling on all other items.

Let us look at this rescission. The President suggests that we rescind \$58 million in capitation for our medical schools. I offered my amendment to restore the entire amount. The amount of money is not the sole factor. Rather it is the signal we send that is important.

The President's fiscal 1980 budget contains no funds for capitation—absolutely none. I will ask the subcommittee to restore the full \$120 million and am prepared to make my case for the inclusion of this money. However, during our deliberations today, I think it is important to note two things. This subcommittee has recognized what we all talk about, and that is the need for fiscal responsibility. But more than this, this subcommittee has recognized that it is both necessary and desirable to strike a balance between fiscal and social responsibility. And, I think it has attempted to do this. They have gone into sensitive areas to suggest reductions.

What effect will that have on the medical schools this year? The \$58 million rescission proposed by the administration would have required almost all of the private medical schools to increase their tuition by \$700 this September. However, with a \$20 million rescission the medical schools will be able to absorb that amount of money. It will let this House indicate that there are no longer any sacred cows. A big constituency does not necessarily mean that the Congress is going to get in line and follow them down the road. They are going to have to prove their case, and I suggest to all Members in here, what is wrong with that?

There is no one in this hall who is more attentive and favorable to the nurses and the doctors of this country than the gentleman from Kentucky. In the first bill he reports as subcommittee chairman we get a suggested amendment to it, a small rescission, of \$37 million. This House is about to vote on the amendment. And I suggest that the amount of money is not the issue. It is what the gentleman from Illinois and the gentleman from Connecticut have suggested. That is, are we going to go down the same road? Just because of a big constituency are we going to go against what the American public is telling us—to get a dollar's value for each tax dollar?

This rescission is something that apparently was not of great concern to the medical schools and the nursing fraternities because they did not participate until after the process. They said, "Oh, don't worry. We'll go to the Congress;

we'll go to the Senate, and they'll buckle like they always have."

I am opposing this amendment and at the same time I support full capitation—full capitation—in our move to put the \$120 million of the medical school money back in. I suggest that the nurses are going to have to remake their case.

A large part of this money goes to my State, Mr. Speaker. A large part of this money goes to Massachusetts. This is no political matter. I just say that if we mean what we have been talking about, we are not going to balance the budget. All I am suggesting is that we show some fiscal accountability, and I hope this amendment is rejected.

□ 1345

Mr. PREYER. Mr. Speaker, I move to strike the requisite number of words, and I rise in support of the amendment offered by the gentleman from West Virginia (Mr. STAGGERS).

Mr. Speaker, I regret that I must oppose the Appropriations Committee's recommendation for education of nurses, physicians, osteopathic physicians, and dentists. My regret is sincere—I am committed to cutting spending and I respect the committee for its toughness and courage in doing the unpopular thing.

My objection is not to making cuts in the health field, but to making such large cuts in the middle of a fiscal year. These are cuts which have come, in effect, out of the blue, out of funds which have been authorized, appropriated, and relied on by our institutions.

This budget, as proposed by the Appropriations Committee, is asking schools of medicine, osteopathy, dentistry, and nursing to revise their budgets for the current academic year. There is no way that lopping off \$20 million from medical and dental schools and \$38 million from nursing schools will not have a devastating effect on the education of students currently in these programs.

Budget consciousness is sound policy. But budget cutting should be orderly and rational. The fiscal year 1979 rescission acts more as an authorization cut than anything else. Furthermore, it was made without hearings.

I would suggest, as the wiser alternative, that the Health and Environmental Subcommittee review manpower legislation in this Congress, and report its findings to the Appropriations Committee. I am quite confident that responsible cuts can be made as a result of these hearings.

Through such hearings is the proper way to address the important changes taking place in health education. For example, just as there is clear evidence of a surplus of hospital beds, there now appears to be clear evidence that, in the next few years, there will be a surplus of physicians—perhaps more than a 25,000 surplus by 1985.

But to terminate or slash capitation grants abruptly because of this fact seems to me irresponsible. A brief history of Federal involvement in medical education will indicate why this is the case.

Federal funds for direct support for medical education began in 1963. The

reason was to increase the number of doctors. There was a magic number, a "50,000 shortage" of doctors.

In 1971, manpower capitation grants appeared, and these were "conditioned funds." One of the conditions was increasing the number of students enrolled by the medical schools.

The magic "50,000 shortage" figure has now disappeared almost overnight. It never went down to 40,000 or 20,000. It just vanished. It caught us all off guard. The medical schools have become very dependent on these Federal funds. We helped make them dependent. They are now faced with inevitable reductions in Federal funds. But they have the right to expect these reductions will not be done in midstream and without warning.

I think some reduction in capitation is wise and should result in a desirable shift to more State support. But it is unwise and unfair to make these cuts at too rapid a rate.

To slash Federal capitation funds by 20 percent in 1979 and to eliminate them in 1980 is irresponsible. After all, the Federal Government encouraged, and even mandated, these increased enrollments. The increased numbers that were enrolled in 1978 will not graduate until 1982.

There is a moral obligation to continue some substantial degree of capitation for the period of time schools must carry the increased numbers of students mandated by Federal law.

These are the kinds of fundamental questions which the Health and Environment Subcommittee must address in its hearings. And what has been said about medical schools also applies to nursing education. We must carefully reassess our needs in nursing as well.

If we are to balance the budget, we all must share some of the responsibility for cuts, and health services must bear their fair share. When these cuts are to be made, they ought not to be done in the middle of a fiscal year, and without full concentration.

I am confident that the Health and Environment Subcommittee will make responsible cuts after hearings on these fundamental questions. But, for now, I intend to oppose these rescissions in the health budget. And I urge support for the Staggers amendment.

□ 1350

Mrs. SCHROEDER. Mr. Speaker, will the gentleman yield?

Mr. PREYER. I am glad to yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. Mr. Speaker, I want to compliment the gentleman on his statement. I certainly concur with him in supporting the amendment.

I was going to ask for time on my own, but since the gentleman from North Carolina (Mr. PREYER) put it so eloquently, I just want to join with him and underline his statement and put exclamation points around it.

Mr. PREYER. Mr. Speaker, I thank the gentlewoman from Colorado (Mrs. SCHROEDER).

I just want to point out that these are the kinds of fundamental questions which ought to be considered by the

subcommittee and in the full hearing, and that the same sort of fundamental questions apply to nursing education.

Mr. Speaker, let me just close by saying that finally, once again, the Subcommittee on Health will make responsible cuts after considering these basic and fundamental questions, and in the meantime I urge the support of the Staggers amendment. I remind the Members that we are talking about a continuing resolution, meaning that this is funding at the 1978 level, which already discounts for inflation, and that the Staggers amendment still cuts \$25 million over and beyond that.

Mr. CAVANAUGH. Mr. Speaker, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Speaker, I had not intended to speak again on this amendment until my good friend, the gentleman from Massachusetts (Mr. CONTE), sought to inject my name and character and courage into the comity of this debate.

I would say it is disappointing to me that the gentleman would seek to detract from the debate and distract the attention of the House from the substantive issues before us and question my motives or my courage in supporting this amendment. I do not feel that I deserve lectures on political courage from the gentleman from Massachusetts.

Each of us here has to make those judgments that we think are appropriate, and we are going to have many difficult judgments to make in the year ahead. In the last Congress I think that I made my share of difficult judgments.

My district contains the home of the Strategic Air Command. In the course of the last Congress I actively and continuously opposed the B-1 bomber, which is a matter of great interest to that constituency and one on which they strenuously objected to my disagreement with them. And I will in the future disagree with major portions of my constituency.

This is not the basis upon which I approach this issue, and I do not think the gentleman is correct in attempting to impugn my motives, since I have never impugned his.

The real issue here is not whether or not the Congress is going to balance the budget this year. We are not going to balance the budget this year. The real issue is not whether we will try to make a commitment to balance the budget. Clearly we should have an obligation to move in that direction. But the real issue is whether or not we are going to carry out the commitment we made to the American people in the past Congress in 1979.

The fact is that we did not pass the authorizing legislation, but we did pass a continuing resolution by a vote, I believe, of 396 to 12, and I believe the gentleman from Massachusetts was probably in the majority there. I believe that there has been a commitment which the gentleman made and which I made and one that this Congress made.

In addition, the administration followed us in that commitment at the same

time, and I quote from the memorandum of disapproval:

Disapproval of this bill will not cause an abrupt termination of funding of the nurse training programs, since funds are available for fiscal year 1979 under the continuing resolution.

That was a commitment. That was the word that was given. That is the word that these institutions have relied upon. They have a right to rely upon it. They have a right to rely on the gentleman from Massachusetts who voted last September and to expect he would not change his mind this March. They had a right to rely on my vote, and they had a right to rely on the President's commitment.

I think the other gentleman from Massachusetts (Mr. EARLY) eloquently outlines the nature, need, and substance of these programs. These programs are not grab bags. They are not "goodies" that have been bestowed on constituencies. These gentlemen have served on the Committee on Appropriations for many years, and I presume the integrity of these programs has been evaluated over and over again. Now Members who support the program are accused of being Members without integrity. It is supposed that those who have abandoned it are the repositories of legislative integrity.

That is simply not the fact. The fact is that this Congress made a commitment to the people for 1979, and we ought to live up to it. We ought to live up to our commitment the best we can. Maybe the best way to live up to it is by the amendment the gentleman from West Virginia (Mr. STAGGERS) offers us today, and I support the amendment. This is not a gratuity; it is an obligation and it is one I think we owe to the American people.

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

Mr. CAVANAUGH. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Speaker, at the outset I am sorry if the gentleman feels I impugned his motives. I have nothing but the highest respect for him. But the record speaks for itself.

The gentleman did vote against increasing the debt ceiling, and at the same time, when we try to save a few dollars here, he opposes it.

Is the gentleman saying that every time this Congress votes for an appropriation of any kind, the administration cannot send up a rescission?

Mr. CAVANAUGH. No; that is not true at all.

Mr. Speaker, I support other portions of the rescission, but I think when we look at this particular item the Congress made a firm commitment to the health manpower professions to continue this funding for 1979. It was clearly debated and thoroughly debated in the last Congress. Our intentions were clear.

In addition, the President's veto message on the Nurse Practice Act continued his commitment to that funding.

□ 1355

I think we both share an obligation to stand by that commitment. That com-



mitment does not extend into 1980. This Congress, I think, is free to evaluate, to put those professions on notice.

The SPEAKER. The time of the gentleman from Nebraska (Mr. CAVANAUGH) has expired.

(On request of Mr. CONTE and by unanimous consent, Mr. CAVANAUGH was allowed to proceed for 2 additional minutes.)

Mr. CAVANAUGH. We put these medical health professions on notice that the Congress is now under different pressures and obligations, that it is going to view these obligations differently than in the past.

But the honest thing to do, the decent thing to do, is to do that in the future and not cut them down in midstream when they have had a right to rely on our previous commitments and extensions and to develop their programs on the basis of those commitments.

Mr. CONTE. If the gentleman will yield, we have made very minimal cuts. We went along with only a small fraction of what the President requested in his rescissions. We were very thoughtful. We were not cutting out any commitment to the nursing profession or medical profession. The gentleman from Massachusetts (Mr. EARLY) tried to get the full amount back in, and he was voted down. I was with him.

You talk about the B-1 bomber. I voted against the B-1 bomber.

Mr. CAVANAUGH. I have never questioned the gentleman's courage or political motives in attempting to ingratiate himself with his constituency. I know the gentleman is a man of great political courage. I have seen it on this floor many times. I simply extend to the gentleman that he has an obligation not to question mine.

Mr. CONTE. Mr. Speaker, I am sorry that we are getting a lot of pressure here and I feel our subcommittee has done a fair and equitable job.

Incidentally, before the rescission, we had a meeting. It was an open meeting. There was nobody there except the administration. We did not hear a word from outsiders about rescissions or what the rescissions would do for these particular programs.

Mr. CAVANAUGH. Mr. Speaker, I am sorry to learn that the Committee on Appropriations would act in ignorance as to the impact of its actions. It was stated earlier that these were minimal cuts.

Mr. CONTE. They do not act in ignorance.

The SPEAKER. The question is on the amendment offered by the gentleman from West Virginia (Mr. STAGGERS).

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 262, nays 139, not voting 31, as follows:

[Roll No. 21]

YEAS—262

Abdnor	Fowler	Motti
Addabbo	Fuqua	Murphy, Ill.
Akaka	Garcia	Murphy, Pa.
Ambo	Gaydos	Myers, Ind.
Anderson, Calif.	Gibbons	Myers, Pa.
Andrews, N.C.	Gilman	Neal
Andrews, N. Dak.	Gingrich	Nedzi
Anthony	Gonzalez	Nichols
Applegate	Gore	Nolan
Archer	Gradison	Nowak
Aspin	Gramm	Oakar
Bailey	Gray	Oberstar
Baldus	Green	Ottinger
Barnard	Grisham	Panetta
Barnes	Guarini	Patterson
Beard, R.I.	Guyer	Pease
Bedell	Hall, Ohio	Perkins
Bellenson	Hall, Tex.	Peyser
Bereuter	Hamilton	Preyer
Bethune	Hammer-	Price
Bevill	schmidt	Pritchard
Biaggi	Hanley	Pursell
Bingham	Harkin	Quillen
Blanchard	Harris	Rahall
Boggs	Harsha	Railsback
Bolling	Hawkins	Rangel
Boner	Heckler	Ratchford
Bonior	Hefner	Richmond
Bouquard	Heftel	Rinaldo
Bowen	Holland	Roberts
Breaux	Holt	Rodino
Brodhead	Holtzman	Roe
Broomfield	Horton	Rosenthal
Brown, Calif.	Howard	Santini
Burton, Phillip	Hubbard	Satterfield
Byron	Huckaby	Sawyer
Campbell	Hughes	Schroeder
Carr	Hutto	Seiberling
Carter	Jeffords	Shannon
Cavanaugh	Jenrette	Shelby
Chappell	Johnson, Calif.	Simon
Chisholm	Johnson, Colo.	Smith, Nebr.
Clausen	Jones, Tenn.	Snowe
Clay	Kastenmeier	Snyder
Cleveland	Kildee	Solomaz
Coelho	Kogovsek	Solomon
Collins, Ill.	LaFalce	Spellman
Conyers	Latta	Spence
Corman	Leach, Iowa	St Germain
Courter	Leach, La.	Stack
D'Amours	Leath, Tex.	Staggers
Daniel, Dan	Lederer	Stangeland
Daschle	Lee	Stark
Davis, Mich.	Leland	Stewart
Davis, S.C.	Lent	Stokes
Deckard	Levitass	Stratton
Dellums	Livingston	Studds
Derrick	Lloyd	Stump
Derwinski	Loeffler	Tauke
Dickinson	Long, La.	Treen
Diggs	Lowry	Trible
Dingell	Lujan	Udall
Dodd	Lukens	Van Deerlin
Donnelly	Lundine	Vanik
Dornan	McClory	Vento
Dougherty	McCormack	Walgren
Downey	Madigan	Wampler
Drinan	Maguire	Waxman
Eckhardt	Markey	Weiss
Edwards, Calif.	Marks	White
Emery	Marlenee	Whitehurst
Erdahl	Marriott	Whitley
Ertel	Mathis	Whittaker
Evans, Del.	Matsui	Williams, Mont.
Evans, Ga.	Mattox	Wilson, Bob
Evans, Ind.	Mavroules	Winn
Fascell	Mica	Wirth
Fazio	Mikulski	Wolfe, N.Y.
Ferraro	Mikva	Wolpe, Mich.
Fish	Miller, Calif.	Wyatt
Fisher	Mineta	Wydler
Fithian	Minish	Wyllie
Flippo	Mitchell, Md.	Yatron
Florio	Mitchell, N.Y.	Young, Alaska
Ford, Mich.	Moakley	Young, Mo.
Ford, Tenn.	Moffett	Zablocki
	Montgomery	Zeferetti
	Moore	
	Moorhead, Pa.	

NAYS—139

Albosta	Brademas	Conable
Annuzio	Brooks	Conte
Ashbrook	Brown, Ohio	Corcoran
Atkinson	Broyhill	Cotter
Badham	Burgener	Crane, Daniel
Bafalis	Burlison	Daniel, R. W.
Bauman	Butler	Danielson
Beard, Tenn.	Carney	Dannemeyer
Benjamin	Clinger	de la Garza
Bennett	Coleman	Devine
Boland	Collins, Tex.	Dicks

Dixon	Kostmayer	Roth
Duncan, Oreg.	Kramer	Rousselot
Early	Lagamarsino	Roybal
Edwards, Ala.	Lehman	Rudd
Erlenborn	Lewis	Runnels
Fary	Long, Md.	Russo
Fenwick	Lungren	Sabo
Findley	McCloskey	Schulze
Foley	McDade	Sebelius
Forsythe	McDonald	Sensenbrenner
Fountain	McEwen	Sharp
Frost	McHugh	Shumway
Gephardt	McKay	Shuster
Gialmo	Martin	Skilton
Ginn	Mazzoli	Slack
Glickman	Michel	Smith, Iowa
Goodling	Miller, Ohio	Stanton
Grassley	Mollohan	Steed
Gudger	Moorhead, Calif.	Stenholm
Hance	Murphy, N.Y.	Stockman
Hansen	Murtha	Symms
Hightower	Natcher	Synar
Hinson	Nelson	Taylor
Hollenbeck	O'Brien	Thomas
Hopkins	Obey	Thompson
Hyde	Patten	Ullman
Ichord	Paul	Vander Jagt
Ireland	Pickle	Volkmer
Jacobs	Quayle	Walker
Jeffries	Regula	Weaver
Jenkins	Reuss	Whitten
Jones, Okla.	Ritter	Wilson, Tex.
Kazen	Robinson	Wright
Kelly	Rose	Yates
Kemp	Rostenkowski	Young, Fla.
Kindness		

NOT VOTING—31

Alexander	Edgar	Pashayan
Anderson, Ill.	Edwards, Okla.	Pepper
Ashley	English	Rhodes
AuCoin	Flood	Scheuer
Bonker	Frenzel	Swift
Brinkley	Goldwater	Traxler
Buchanan	Hagedorn	Watkins
Burton, John	Hillis	Williams, Ohio
Cheney	Jones, N.C.	Wilson, C. H.
Coughlin	Lott	
Crane, Philip	McKinney	

□ 1410

The Clerk announced the following pairs:

Mr. Traxler with Mr. Buchanan.  
Mr. John L. Burton with Mr. Pashayan.  
Mr. Flood with Mr. Swift.  
Mr. Pepper with Mr. Hagedorn.  
Mr. Charles H. Wilson of California with Mr. Hillis.  
Mr. AuCoin with Mr. Lott.  
Mr. Ashley with Mr. Coughlin.  
Mr. Brinkley with Mr. Anderson of Illinois.  
Mr. Jones of North Carolina with Mr. Goldwater.  
Mr. Scheuer with Mr. McKinney.  
Mr. Alexander with Mr. Williams of Ohio.  
Mr. Bonker with Mr. Frenzel.  
Mr. Edgar with Mr. Cheney.  
Mr. Watkins with Philip M. Crane.  
Mr. English with Mr. Edwards of Oklahoma.

Messrs. GONZALEZ, DICKINSON, and DORNAN changed their vote from "no" to "aye."

Mr. BROWN of Ohio changed his vote from "aye" to "no."

So the amendment was agreed to.  
The result of the vote was announced as above recorded.

□ 1415

AMENDMENT OFFERED BY MR. GLICKMAN

Mr. GLICKMAN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GLICKMAN: After line 3, page 3, insert the following:

"National Institutes of Health Buildings and Facilities

"Of the funds appropriated under this head in the Departments of Labor and Health, Education, and Welfare Appropriations Act, 1979, \$37,000,000 are rescinded."

Mr. GLICKMAN (during the reading). Mr. Speaker, I ask unanimous consent

that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

□ 1420

Mr. GLICKMAN. Mr. Speaker, we just voted on an amendment to increase appropriations. My amendment cuts appropriations by \$37 million.

Now, the President has asked that we rescind \$37 million for the construction of a new facility for the National Institute of Child Health and Human Development program, which is a very good program. The committee disagreed and voted to add the \$37 million because they felt the facility was "needed to carry out the research necessary to the National Institute of Child Health and Human Development as well as to free up the existing laboratory space by other institutions."

According to the subcommittee staff, the subcommittee has always supported the NIH very well, and this project is for \$37 million. This proposal has been on the drawing board since 1966, and the committee decided we should go ahead with construction.

The fact is that it has been in the planning stage since 1966 and has never been funded to this time, and that is an argument against moving ahead now when the pressure is even greater to put a limit on Federal spending.

The supporters of the new facility argue that they need to have the staff all in one building. The committee amendment does not directly affect programming at all. It is to coordinate people at different sites on NIH facilities. This is true of all Federal agencies. HEW is working on an overall plan for meeting space needs, as is NIH right now.

It does not make sense and it complicates matters to select out this one Institute for \$37 million for special treatment.

Let me talk for a moment about space. The average space for this facility is 237 square feet for research employees. It varies from 200 square feet per employee to 296 square feet per employee. If the proposed building is constructed, the requirements for space for each employee would be 330 square feet.

I suppose the main point, Mr. Speaker, above all this kind of thing is a "bricks before people" argument. It may be nice to coordinate all these functions in one building. By the way, part of the \$37 million is for a parking garage for 650 cars.

All I am asking the House today to recognize is whether this is a compelling Federal expenditure that we will die without. I think the obvious answer is, no, that there are many, many priority functions for research and development in Government, not a \$37 million building.

I would ask the House to show the people that we do have some fiscal restraint and at the same time recognize that this does not curtail the program whatsoever. This only curtails the con-

struction of a new building for \$37 million. We do not have \$37 million to throw around very often. I have seen this argued very hard for \$100,000 or \$500,000.

Here is some money we can save. The President is right. We do not need to spend the money.

Mr. Speaker, I would urge that the Members vote aye on my amendment to save this House and our constituents \$37 million.

Mr. EARLY. Mr. Speaker, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Speaker, I rise in opposition to this particular amendment to delete funds for the construction of new facilities for the National Institute of Child Health and Human Development which was proposed in 1966. If we had proceeded with construction then, we could have built this facility for \$12 million.

When Dr. Fredrickson and Dr. Kretchmer testified—I cannot say too enthusiastically—and when this decision by OMB was made, they said the cost of the building would not go down. They also suggested in some of their earlier testimony, Mr. Speaker, that there was a necessity for the building. In testimony in the previous year, Dr. Kretchmer, when asked what was the significance of this building, replied: "Yes, this building would be the only one of its kind in the Western World. It would bring together research on the special health problems of women, mothers, children, and families, with studies of reproduction and developmental biology. It would be a symbol of our commitment to research in these fields."

This building would be built on the only available land there today, and this building would house programs on basic research related to such problems as birth defects, reproductive abnormalities, genetic disorders, child development, learning disabilities and nutrition.

This, Mr. Speaker, I suggest, is spending money to save money. We talk about the importance of preventative medicine. With this facility we can really address and impact upon the health problems of our women and children.

So, Mr. Speaker, I urgently suggest that this Congress reject the amendment.

Mr. CONTE. I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 5 minutes.

□ 1425

Mr. CONTE. Mr. Speaker, I must rise to oppose the amendment offered by my good friend and colleague, the gentleman from Kansas. While I can only praise my friend's sense of fiscal responsibility, I can only deplore his lack of vision in this matter.

I wish all of you could have been present when the administration's witnesses, led by Dr. Donald Fredrickson, the Director of NIH, lamely tried to convince the Labor-HEW Subcommittee that this rescission was justified. I produced memoranda signed by Dr. Fredrickson himself which I will include in the RECORD in

which he stated what a high priority he assigned to building this new facility. Dr. Julius Richmond, the Assistant Secretary for Health, feels exactly the same way. I will also include his memorandum in the RECORD. At present, the NICHD research facilities are located in no less than nine separate buildings, many of which are antiquated and cannot even pass Federal safety codes.

Dr. Andre Helligers, a world famous researcher and physician, and Director of the Kennedy Center for the Study of Human Reproduction and Bioethics, testified last year before the Select Committee on Population. He said there that NICHD as it is now could not attract top people because of its poor facilities. He also said that he had twice turned down an offer to become the Director of NICHD. A top scientist turning down the Directorship of one of our National Institutes of Health is to me both shocking and disgraceful. We give them large sums of money precisely so that they can attract the best people and do the best possible research; here we are failing.

I have already briefly cited some of the benefits we can hope for from the research that would take place in this facility. Perhaps I should repeat a few of them, both for my distinguished colleague from Kansas, and for the benefit of all my fellow Members. This new building will house important research in fetal development and hopefully we will live to see the breakthroughs mothers today dream of that will give us a cure for many dread birth defects. What a joy it will be for mothers of future generations to carry their children to term without the fear that their infant might be crippled or handicapped by some presently incurable disease.

This new center will also provide an excellent place for research to develop a safe, effective contraceptive. Not only in this country, but throughout the world, there is a pressing need to find a means to check the burgeoning growth of our population.

By building this center, America will be giving a sign to the world that we are deeply committed to research to help mothers and children. We will be building one of the top facilities in the world.

In opposing this expenditure, my colleague does not in fact oppose research of this kind. He feels that this research can be carried on as it is now, in nine distant and inadequate buildings. If we are only committed to mediocre, subpar research efforts, he is correct; we can continue this way. I believe that the House of Representatives ought not commit itself to poor quality ventures, especially where the health of mothers and children is concerned. I urge all Members to vote for full funding for this building. Today we can show the world our commitment to the health of future generations. This commitment is not contrary to our common desire to balance the budget.

Let us not, in the name of fiscal responsibility, cut funding for so worthy a project. There are other, better ways to balance the budget. Together, I hope we can find them, so that America can re-



turn to an era of prosperity and of health.

The memoranda of Donald S. Fredrickson, M.D., and Julius B. Richmond, M.D., follow:

#### MEMORANDUM

From: Director, NIH.

Subject: Proposed Research Facility for the National Institute of Child Health and Human Development—Information.

This responds to your telephone request of today for information on the above subject. The National Institute of Child Health and Human Development (NICHD) is a component of the National Institutes of Health (NIH). The NICHD was established in 1963, and has the primary Federal responsibility to conduct research on maternal, child, and family health and in the reproductive sciences. The major objectives of research efforts at the Institute are:

To advance knowledge that will assure those who want children the birth of a healthy baby;

To develop through research the means to prevent life-long disability and death in children that result, for example, from congenital defects which now affect seven percent of all newborns; and

To provide to those who do not want children a choice of safe, effective, and acceptable methods for regulation of fertility.

The pace toward achieving these objectives, however, depends upon the Institute's realizing its plan for an integrated Intramural Research Program.

Construction of a research facility at NIH to accommodate this program has my strongest support, for the following reasons:

At the present time, the intramural scientists of this Institute are scattered in no fewer than nine different buildings on the NIH campus and in an offsite rental building. At best, this situation is logistically difficult; at worst, it diminishes the communicative environment so necessary for multidisciplinary scientists who share common objectives.

The NICHD Intramural Research Program space allocation is the lowest at the NIH (114 net square feet per staff member, as compared with an average of 210 net square feet for the other Institutes on campus). The space is overcrowded and poorly designed for its present occupancy.

\$602,000 has been spent in the design and development of construction plans for Building 33. The original plans, drafted in 1966 and modified in 1973, still meet the NICHD program of requirements and need no expensive or time-consuming revision.

Building 33 as presently projected will contain approximately 85,400 net square feet of laboratory and support space. Anticipated cost of the construction as currently planned is approximately \$37 million.

Construction of Building 33 would meet an additional important need. Seven older laboratory buildings at NIH have deteriorated seriously and cannot meet Federal safety standards. It has been determined that two buildings will ultimately have to be dismantled. Five buildings, however, can be renovated, provided that their scientist occupants can be displaced from one building at a time and each building restored in succession. The space necessary to initiate this process is now totally lacking but can be provided by Building 33 if a minimum of one additional floor is added to the present plans. Cost estimates are:

One additional floor: 23,500 net square feet—\$5 million.

Two additional floors: 47,000 net square feet—\$10 million.

A new building equivalent in size to the two-floor addition would cost in excess of \$12 million, so potential savings would be at

least \$2 million. Further delay will escalate the cost.

In the entire Western world, there is not a single national research facility where scientists committed to improvement of the health of mothers, children, and families can pool their expertise under one roof. Creation of such a facility at the NIH would provide a physical, conceptual, and organizational focus for research efforts aimed at improving each infant's chances in life. A critical mass of scientists will be assembled in Building 33 to concentrate on problems of early development. The results of this research will contribute to prevention of those diseases and disability increasingly encountered in later life. It will consequently make an important contribution to the effectiveness of the emerging National Health Plan being developed by this Administration.

DONALD S. FREDRICKSON, M.D.

#### MEMORANDUM

From: Assistant Secretary for Health.

Subject: Proposed Research Facility for the National Institute of Child Health and Human Development—Information.

This is in response to your request for a briefing on the present status of the research building for the National Institute of Child Health and Human Development (NICHD).

The NICHD is a component Institute of the National Institutes of Health (NIH). Established in 1963, the NICHD has the primary Federal responsibility to conduct research on maternal and child health and in the reproductive sciences. Two major objectives of research at the Institute are: to advance knowledge that will assure those who want children the birth of a healthy baby, free from disease and disability; and to provide to those who do not want children a choice of safe, effective, and acceptable methods for regulation of fertility.

From its inception, the Institute has emphasized the importance of early human development and its relationship to adult health and well-being. The Institute's leadership has served to focus multidisciplinary efforts on the field of human development to the degree that significant contributions to fetal and preventive medicine have been possible. The pace of these accomplishments, however, depends upon the Institute's realizing its plan for an integrated Intramural Research Program. It is the youngest Institute among those having an intramural program located on the NIH campus.

At the present time, the intramural scientists of this Institute are housed in no less than nine different buildings scattered over the NIH campus and a rental building in Bethesda. At best, this situation is logistically difficult; at worst, it diminishes the communicative environment so necessary for multidisciplinary scientists who share common objectives. Moreover, the NICHD Intramural Program space allocation is the lowest at the NIH (114 square feet per staff member, as compared with an average of 210 square feet for the other Institutes on campus).

As early as 1965, it was determined that a building should be designed and constructed on the NIH Bethesda campus to house the NICHD intramural research activities. The attached architect's rendering of this building shows its general features (see Tab A). At that time, the northwestern area of the NIH campus was selected as the site for the building because it would place the facility within close proximity to the Clinical Center (Building 10). This fact is important because it eliminates the necessity for the construction of an independent pediatric hospital, which is not economically defensible. An appropriate area in the D wing of the Clinical Center has been specially constructed for the treatment of pediatric patients under the supervision of the NICHD.

The proposed building for the NICHD, known as Building 33, has been given a high priority by the directorate of NIH. This project, however, has been superseded by the essential modernization of the Clinical Center and construction of its Ambulatory Care Research Facility, the Lister Hill National Center for Biomedical Communications of the National Library of Medicine, and the new construction of the National Institute of Environmental Health Sciences at Research Triangle Park, North Carolina. With these three construction programs now under way, the construction of Building 33 is of the highest priority.

To date, \$602,000 has been spent in the design and development of construction plans for Building 33. The original plans, drafted in 1966 and modified in 1973, still meet the NICHD program of requirements and need no expensive or time consuming revision. The building as presently projected will contain approximately 85,400 net square feet of laboratory and support space. It will not contain clinical space, since that is more effectively provided in Building 10 where all the clinical services are immediately available. The anticipated cost of the construction exclusive of parking facilities as currently planned is approximately \$32 million.

In considering and evaluating other space needs on the NIH campus, it is increasingly apparent that the more ancient laboratory buildings—namely, buildings 2, 3, 4, 5, 7, 8, and 9, all built between the years 1938 and 1946—have deteriorated significantly and presently need extensive modernization (see Tab B). Indeed, buildings 7 and 9 have been judged beyond the point of useful reconstruction and are earmarked for ultimate elimination. The remaining buildings listed above, however, can effectively be modernized, provided they can be vacated for significant periods of time. To achieve such a modernization, a program has been developed whereby in succession each building is freed of occupants, restored, and then occupied by staff presently situated in the building next scheduled for restoration. In order to initiate this process, it is necessary to find turn-about space which, at the moment, is totally lacking.

A Committee on Laboratory Space, which has studied the problem, has strongly recommended to the Director, NIH, that Building 33 be built immediately with two additional floors, thereby providing the needed turn-about space. This action would permit initiation of the plan to modernize buildings 2, 3, 4, 5, and 8, and at the end of the cycle to dismantle buildings 7 and 9. The NIH Division of Engineering Services indicates that this is entirely feasible and that the additional costs will be substantially lower than constructing another independent, free-standing new laboratory building, assuming that a construction site were available. It has been estimated that an additional two floors containing approximately 47,000 net square feet would cost \$9 million, resulting in a total Building 33 cost of \$41 million. A new building equivalent in size to the two-floor addition would cost in excess of \$11 million, so that the potential savings would be at least \$2 million.

The foregoing plan thus will provide not only for the modernization of several older NIH laboratory buildings but will, for the first time, permit NICHD scientists to cooperate fully and to exchange information, ideas, and advances. Additionally, it will place them in reasonably close proximity to the hospital beds that contain the patients who are the ultimate objective of study.

The benefits to be realized by the enhanced ability of NICHD to promote research on fetal medicine and human development through the new facility are manifold.

Among the dramatic advances of recent years in clinical medicine has been the development of means to approach the problem

of diagnosis of disease in the fetus and thereby reduce fetal wastage. Techniques including those of amniocentesis and direct fetoscopy, and the recently developed capacity to secure fetal blood samples with minimal hazard to mother or fetus, provide the obstetrician and pediatrician with previously unavailable means of diagnosis and detection. Such advances in research have contributed to techniques and knowledge on the identification, management, and treatment of problems detected *in utero*. Not only have these advances permitted the physician to anticipate the birth of a distressed baby and thereby prepare for corrective treatment upon delivery, but they have also made possible the correction of certain deficiencies and problems prior to conception and during gestation.

For example, it is known that certain genetically caused disorders can be corrected *in utero* by management of the mother's diet. New knowledge on pregnancy management has decreased the threat of maternal and infant mortality and morbidity for diabetic women. A major advance occurred with the development of techniques that permit treatment, *in utero*, of the Rh baby. Physicians may now advise against smoking and drinking on the basis of research findings that illustrate the adverse effects on the fetus of these habits in the mother. Epidemiological research has contributed to defining populations at risk of delivering premature and low-birth weight infants. New findings in research on the Sudden Infant Death Syndrome (SIDS) indicate that the origin of SIDS may reside within some period of antenatal development.

The practice of fetal medicine and the physician's ability to treat a diseased fetus depend upon advances in research such as those described above. Further, it is critically important that there is continued opportunity for multidisciplinary research and cooperation.

The need for biological and behavioral research to advance fetal medicine is fully acknowledged by the NICHD. The complementary activities of NICHD-supported research on the health of mothers and children and in the reproductive sciences comprise an ideal milieu for a focus of study on fetal and human development and on antenatal origins of disease and disability. These are realistic objectives of the research programs of the NICHD that will be significantly facilitated and enhanced by construction of this intramural NIH research facility.

JULIUS B. RICHMOND, M.D.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts (Mr. CONTE) has expired.

(By unanimous consent, Mr. CONTE was allowed to proceed for 2 additional minutes.)

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

Mr. CONTE. I yield to the gentleman from Kansas.

Mr. GLICKMAN. I thank the gentleman for yielding.

Mr. Speaker, I wanted to make it clear that this funding does not go in any way for program activity or for personnel activity. It is only for construction of a building and a parking lot.

Mr. CONTE. That is right. If the gentleman wants to talk about parking lots, why does he not start right here in the Capitol and get rid of some of these parking lots? And I am going to give the gentleman a chance, when the legislative appropriations bill comes up, to knock

out \$30 million in construction for the House of Representatives. We have so many employees they should get workmen's compensation, so in case they trip over each other they will have some insurance to take care of them.

□ 1430

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

Mr. CONTE. I yield to the gentleman from Kentucky.

Mr. CARTER. Mr. Speaker, I thank the gentleman for yielding to me. I want to associate myself with his remarks. I strongly support his position. I think this building is desperately needed to improve research on maternal, child, and family health. I want to compliment the gentleman on his statement.

Mr. CONTE. I thank the gentleman.

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

Mr. CONTE. I yield to my colleague from Massachusetts.

Mr. EARLY. Mr. Speaker, I would like to ask the gentleman in the well, the purport of the amendment offered did not really deal with service or effective service. What was the testimony of the carriers? Did they suggest what effect it had on recruitment of researchers over there, that they could not recruit many researchers who would come in because of the poor facilities? Did they suggest what effect this building would have on that?

Mr. CONTE. The gentleman from Massachusetts is absolutely right. I just said on the floor that one of the best scientists in the field, Dr. Hollinger, refused to become Director twice when he was asked to go there because of the poor research facilities at NIH. It is disgraceful. This building has been planned; blueprints have been printed since 1965, and it is high time that we finish it.

Mr. EARLY. I thank the gentleman.

Mr. ROYBAL. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, this is a subject matter that was thoroughly discussed by the committee, after testimony was given by experts in the medical field. I do not know that I can recreate the atmosphere created by the expert testimony before the committee at that particular time, but I can assure that those who testified for the administration did not have their plea for rescission at heart. They, in fact, were saying, "Yes, we are requesting this rescission," but on the other hand they were admitting that just a year before they had testified strongly in favor of making possible the construction of this facility because of its great need.

Now, we all know that there is a great need for this facility. We know it because, in answer to various questions, the experts did in fact admit that they were unable to get the top scientists of the country to come to work for them because of the lack of space in the facility that they now have. In a direct answer to my question, one of the witnesses told the committee that they had overcrowded conditions, that they could not attract the necessary scientific personnel to do the job properly, and that the facility that they were trying to rescind the funds for was definitely needed.

These witnesses, all experts in the field of medicine, were testifying on behalf of the administration, requesting a rescission that they themselves based on their professional opinion did not believe in.

The truth of the matter is that this facility is needed. Testimony before the committee confirms that in 1979 alone, over 3.2 million infants will be born with birth defects in the United States. Childhood disease and the developing problems which in most cases we know too little about, have lasting effects throughout adult life. Even worse is the shocking and appalling infant mortality rate we have in this country. Since 14 other countries in the world have lower infant death rates, I refuse to believe that we cannot give our resources to addressing this critical problem.

□ 1435

May I repeat that there are 14 other countries in the world which have a lower infant mortality rate than the United States does; and we are supposed to be the most developed nation, have the best scientists, and the best overall medical know-how in the world.

When it comes to infant mortality, however, we are still lagging far behind. One of the reasons for it is that we do not have the proper facility and that the proper facility can now be built with \$37 million which this amendment before us seeks to rescind.

Had we built this facility, when it was first brought up by the committee, the cost would have been anywhere between \$12 million and \$14 million. If we wait another year or two, the cost will continue to increase, and every year of delay will be a setback for the children of America, those now living and yet to be born. The need for the facility is not in contention. We do know that when it is built in the future, that it will cost more money. Therefore, let us build it now so that we cannot only meet the need but give us the opportunity to catch up with the 14 other countries which have a better record when it comes to infant mortality than we have in the United States.

Mr. Speaker, the time to do it is today by not agreeing to the amendment before us.

Mr. MICHEL. Mr. Speaker, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Speaker, when our subcommittee was initially considering this rescission which totals \$236 million, I was hoping that we would have included in the rescission this building for \$37 million, for then we would have had in total a rescission of \$111 million, or about half of what was proposed. That would have given a really good indication of where we were going in this whole area of spending in this coming year.

The gentleman from Connecticut some time ago, in the earlier debate, made mention of what kind of signals we ought to be giving. We saw as a result of that last vote, when one gets down to the individual line items, how much different it is to go to the well on one of those items than it is simply to vote for a bal-



anced budget or to vote for an expenditure ceiling of some kind. It is these individual items, one on one, that make the difference. At some time we have to face up to that fact in this House; we have to make the difficult decisions.

Mr. Speaker, in my judgment, at a time of budget constraint, new facilities that are not urgently needed ought to be the first to go as far as funding is concerned.

Dr. Frederickson, the director of NIH, says that while the Child Health Institute can use a new facility—who cannot?—it can certainly go without it at this time; but, more importantly, that its research will not be hampered.

HEW is currently undertaking a complete review of NIH space needs. We ought to wait for completion of this review before unilaterally going ahead with a new facility for one institute.

The author of the amendment, the gentleman from Kansas (Mr. GLICKMAN), made mention of the square footage of the average institute out there. As a matter of fact, construction of this building would give the Child Health Institute 330 square feet per employee, which is 50 percent more than the average for every other institute at NIH.

The argument is made that the Child Health Institute activities are located in several buildings, and therefore, they should be consolidated. The Child Health Institute is not unique in this respect because virtually every one of the NIH institutes has programs located in more than one building.

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

Mr. MICHEL. Yes, I am happy to yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Speaker, is the gentleman saying that if we vote for this amendment, we are in no way jeopardizing the program?

Mr. MICHEL. That is correct.

Mr. ROUSSELOT. And we cannot be accused of doing great damage to the program because the space already exists for this purpose; is that correct?

Mr. MICHEL. Right. As a matter of fact, this facility would provide space for 241 people. They only have 170 on board currently.

Mr. ROUSSELOT. Will the gentleman repeat that? They have only 170 on board?

Mr. MICHEL. They have 170 on board in that institute currently.

□ 1440

If they had the building, they would have room for 241. That is not to suggest that if additional people are really desirable in the future we could not still be housing them in some other facility. Again, it is not saying that in the future it would not be desirable to have them all under one roof in a beautiful, more sophisticated kind of laboratory environment. Every one of us, I guess, would like to have the ultimate, but we are in a period of budget restraint.

The other point is that when we look at the square footage provided for here, there are 531,000 square feet, of which only 85,000 are net square feet insofar as research is concerned. In other words, 16 percent of the space is for research

and the other space is for ancillary activities or parking, as the gentleman mentioned, for 600 cars or more. But the point we have got to make here is these designed plans were initiated in 1966 when we did not have a Metro. We are going to have a Metro stop out there now, so there is no need to have that parking facility. In my judgment, if we build the building in the future, it ought to be with a new design to accommodate research activities and people, and not cars.

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

Mr. MICHEL. I yield to the gentleman from Massachusetts.

Mr. CONTE. I thank the gentleman for yielding.

Do we have a Metro system here on the Hill?

Mr. MICHEL. Oh, yes.

Mr. CONTE. Why in the world do we have all of these parking lots?

Mr. MICHEL. Because we had the parking places before we had the Metro.

Mr. CONTE. Metro had been planned for years. The gentleman from Illinois is very fair. When I asked Dr. Frederickson whether it was true that he was having difficulty attracting top scientists to the National Institute for Child Health Care because of poor research facilities, did he say "Yes"?

Mr. MICHEL. Yes, he did. The gentleman from Massachusetts makes a good point, but my view is that if there is all that motivation on the part of these scientists to do what ought to be done, it is not going to be the building that is going to make the difference about whether or not they are going to sign on. Maybe they have to have a deep seated feeling down here that under the most minimum facilities, they will serve. That tells me something, as opposed to one who says, You give me everything I would like, boys, and only then will I come and serve.

The SPEAKER pro tempore (Mr. WRIGHT). The time of the gentleman has expired.

(At the request of Mr. DICKS, and by unanimous consent, Mr. MICHEL was allowed to proceed for 1 additional minute.)

Mr. DICKS. Is it not true that we will still go ahead after the facility study is done, when we really know what the space is, and look this thing over again, say, in a year or so when we have gotten through this period of inflation and high Government spending, and with everyone trying to balance the budget? Could we not wait until a year or two and still go ahead and do this when we have a new design?

Mr. MICHEL. This would not be the first time we have had to exercise that kind of restraint, and I would be the first one to say that they would probably give first priority to this facility when they get to building buildings again.

Mr. DICKS. I am very concerned. This design was done some 10 years ago.

Mr. MICHEL. Thirteen years ago.

Mr. DICKS. And a lot of people object to the serious problems with the design. We ought to go back and take a fresh

look, and we can defer this for another year.

Mr. MICHEL. I agree with the gentleman.

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

Mr. MICHEL. I yield to the gentleman from Massachusetts.

Mr. EARLY. I thank the gentleman for yielding.

The design was 1966, but the plans were revised in 1973. In the testimony did they not tell us they could start construction in 3 months?

Mr. MICHEL. Yes.

The SPEAKER pro tempore. The time of the gentleman has expired.

(At the request of Mr. CONTE, and by unanimous consent, Mr. MICHEL was allowed to proceed for 2 additional minutes.)

Mr. CONTE. Again I repeat, the gentleman has been most fair and forthright in his answers. But in answer to the gentleman from Washington, if we are against brick and mortar, the place to start would be right in the Congress. They are going to do a great deal of research on prenatal care, et cetera. Why do we not stop that mausoleum over in the Senate, the Senator Hart Building for \$50 million? What are they ever going to research in that building.

Mr. MICHEL. Mr. Speaker, I yield back the remainder of my time.

□ 1445

Mr. NATCHER. Mr. Speaker, I move to strike the requisite number of words and I rise in opposition to the amendment.

Mr. Speaker, I dislike finding myself in disagreement with my distinguished friend, the gentleman from Illinois, the ranking minority member of our subcommittee. The gentleman from Illinois is one of the ablest Members in this House. I say that quite frankly.

Mr. Speaker, at the beginning of 1966 we started planning this building. For a number of years it was the priority number one building at the National Institutes of Health. If this building is constructed, Mr. Speaker, we will continue our research in matters concerning the health of children, birth defects, reproductive abnormalities, genetic disorders, child development and nutrition.

Mr. Speaker, this building ought to be constructed. I hope this amendment is defeated.

Mr. MILLER of California. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I rise in opposition to the amendment. I think it would be fair to say that the subcommittee chairman, in this case the gentleman from Kentucky, is the one who either has a lack of understanding about public buildings or what they might cost, and second, that he is not one who has a reputation for being "terribly loose with a buck." But also I rise because we are starting to see an argument that will be coming forth for the rest of this year until the mood of the country changes, until we address some fundamental problems we have with the operation of this Government.

Last year, we discussed budgets, by dis-

cussing only dollar figures, as if there was nobody behind those dollars. Now this year, in the height of the hysteria about spending we discuss facilities designated for research on maternal and child health and well-being. There are no children involved in this facility, we are told. We are being asked to con ourselves into believing that we are voting against a building; we are not voting against a building; we are voting against the future of a lot of children who are not yet born.

Let me tell you, that on the Committee on Education and Labor, we try to come up with solutions to the problems of defective births, of generic diseases. Let me state that it is very expensive to try to come back to pick up the pieces after we have ignored the preventive approach. It is very expensive, after a child has suffered a birth defect, after mental retardation has captured a child, to come back and talk about what we are now going to do for that child. Are we going to create a bionic child? Are we going to add on sophisticated limbs? Are we going to mainstream that child in school? How are we going to take care of these children, and how much will that cost us, for the rest of that person's life?

We know in the past we have made major discoveries about the relationship of fetuses to the mothers' use of alcohol, her nutrition, and her intake or use of drugs and chemicals. We have saved a great number of children from tragedies of life by establishing preventive health, nutrition and diagnostic programs. So we are not postponing a building. We are postponing the ability to attract leading scientists.

We are postponing developing the knowledge that may save those children. By refusing to make an investment in the future, assuring that we will have to spend money in the future. Now, we can stop deceiving ourselves and decide to invest in preventive care through the study that will be undertaken in this facility, or we can defer action and wait to pick up the pieces in the future, when the costs are far greater.

Do we know that in the International Year of the Child? As politicians, we are very fond of telling audiences that we consider our children are our most important resources. Do we tell them that 17 million of our children have never seen a dentist? Do we know that the third leading cause of death among 10- to 14-year-olds is suicide? Do we know that 1 million of those children are abused and neglected? Do we know that if their parents are abused that, the likelihood of those children, and their children, being abused and neglected dramatically increases?

We have all made speeches about cutting the welfare cycle, in a truly preventive and constructive sense, to cut that cord that ties generations of poor, malnourished, disabled, and abused people together?

We may have a chance when we bring a healthy child into the world.

We spend a great deal of money to try to give children an equal chance out of the starting gate. But when a child comes into the world engrossed in poverty, when it suffers from birth defects,

when it suffers from mental retardation, that child does not have an equal chance no matter what subsequent action we take. So let us not sit back and con ourselves into believing that we are voting only against a building. Let us not sit back and con ourselves, because we would be ignoring the plight of children in this country.

□ 1450

We can talk about facilities instead of children, we can talk about budget cuts instead of children. But behind those budget sums, behind those facilities, are people who are dedicated to research and the taking care of children. They are not asking to work in lavish quarters, but they want good research facilities. Somebody may say that they have the welfare of our children in their hearts but that they want to save some money. The next time we have an office space problem in the Rayburn Building, let us not run over there and suggest that we can do a better job if we have larger staffing quarters and if we have larger offices in which to meet our constituents who come to see us.

The SPEAKER pro tempore. The time of the gentleman from California (Mr. MILLER) has expired.

(On request of Mr. GLICKMAN, and by unanimous consent, Mr. MILLER of California was allowed to proceed for 2 additional minutes.)

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

Mr. MILLER of California. I yield to the gentleman from Kansas.

Mr. GLICKMAN. Mr. Speaker, I share the gentleman's concern. I would just point out that again, as I said before, that it is clear from both the NIH people and from reading the record myself, that research programs are not going to be affected, but I would point out that there are several institutes in the NIH that are housed in several different buildings. This happens to be one of them.

Now, it would be nice, it would be helpful to have them all located in one facility. But the point is this: The gentleman mentioned the International Year of the Child, and we can also say that we have the "International Year of Fiscal Prudence."

The point is that there is some point at which we have to say what is compelling to spend money on. We should not cut the research being done for those people, but this is to build a parking lot and a building that will not supply adequate working space for the people. We might combine the House and the Senate in one facility and it might make it more efficient, I do not know.

I suppose all of us have to reach down in our guts and say what is the compelling expenditure. At this point, as I see it, it is not a \$37 million building, especially in view of the remarks of the gentleman from Washington as to new needs analyses that are not compelling right now.

Mr. MILLER of California. Mr. Speaker, I just find that ironic, if the gentleman will allow me to continue, because I think it does affect the research. I think that is a con game that we go through and I think it does involve the

Congress in a priority setting. I do not know, in the short tenure that I have spent here, anywhere that we have been terribly lavish on the future of children in this country.

The SPEAKER pro tempore. The time of the gentleman from California (Mr. MILLER) has again expired.

(By unanimous consent, Mr. MILLER of California was allowed to proceed for 30 additional seconds.)

Mr. MILLER of California. Mr. Speaker, the testimony that the committee has received is that it has had an impact on throwing these researchers and scientists together here. Why would they come here if they had things better elsewhere?

The reason I raise the question of the International Year of the Child is that the conclusions the sponsors have reached are the same conclusions that have been reached every decade. The children of this country are in deep trouble.

So I am willing to risk a little expenditure on their behalf with this research building to those researchers the facilities they need, because it may mean that in one of these years the children are a little better off as a result.

Mr. McCLOSKEY. Mr. Speaker, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Speaker, I hesitate to oppose the efforts of my good friend, the gentleman from Kansas (Mr. GLICKMAN), to cut spending because I think we are going to be trying to balance the budget all year, and I think this is a reasonable argument that he makes.

But this particular building, as the gentleman from Kentucky pointed out, has been in the works for 10 years; as we studied NIH last year and we found that they spent nearly \$3 billion each year in research, we found that only a paltry fraction of that sum was spent in research for contraceptive development. We found that the private drug companies, which used to put substantial funds into contraceptive research and development have found they could no longer do so because of the increasing time frame and investment costs.

But most of all, we found that of all the 11 institutes of the National Institutes of Health, the only one that did not have its own in-house laboratory facility, the only one which could not provide a focal point in the National Center of Government for Research, was in this particular area of research of child and maternal health research.

□ 1455

I would beg my colleagues that, in a year when we are, hopefully, going to balance the budget, that we not sidetrack this plan which has been under way for some 10 years, the final culmination of making the U.S. seat of government as the center for in-house governmental research in maternal and child health. If any of the other national institutes did not have their in-house laboratory, I would not be making this argument. But if there is a basis at all for the National Institutes of Health that basis lies in having a focal point



for research throughout the world. Without this building it cannot be. I would urge a vote against this amendment.

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

Mr. McCLOSKEY. I yield to the gentleman from Illinois.

Mr. MICHEL. I thank the gentleman for yielding.

Mr. Speaker, one cannot argue with the point the gentleman from California makes and the point which his predecessor in the well, the gentleman from California (Mr. MILLER) made, on the laudable objectives of improving the health and welfare of our children.

The point is, we are at that juncture where we have to make a choice. Now, if, when we write up the regular bill, I am given a choice of \$37 million for programs to do what the gentleman is talking about, as distinguished from a facility in which to do them, this Member is going to opt for the program all the time. And that may very well be the choice we will have to make, if these programs are all that good, for the future of our children.

Mr. McCLOSKEY. I just voted against funds for my own medical school at Stanford University, and for its nursing school. I do not make this argument because I do not accept what the gentleman says. What I can say is that, in contraceptive and biomedical research, we cannot effectively contract that out around the country unless there is an inhouse focal point at NIH as the basis for those operations in the country.

If we stand at all behind the concept of national medical research, then this institute, at least in this particular year, deserves the same dignity and the same credibility of the other institutes at NIH.

As we examined the question last year, it appeared that we are doing an inordinate amount of research into diseases of elderly men, cancer and heart disease and other diseases which affect elderly Members of Congress, yet we have to be embarrassed at the lack of research for the benefit of our young women.

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

Mr. McCLOSKEY. I yield to the gentleman from California.

Mr. ROUSSELOT. I thank the gentleman for yielding.

Mr. Speaker, I have tried to listen to these arguments carefully, and I think the point my colleague, the gentleman from Illinois, a member of the committee, is trying to bring to the attention of the House is that this building and the construction of it, in no way affects all of the programs for which my colleague just made an appeal. None of the programs for which my colleague, the gentleman from California (Mr. MILLER) made such a strong appeal, would be affected. This amendment does not affect the worthy research portions of the bill. It is only the \$37 million facility. Other facilities now exist to house the personnel. It does not cut off the program. And at some time and place we have to stop building all of these huge buildings in this town.

The gentleman does not disagree with that.

Mr. McCLOSKEY. No, I do not dis-

agree with that. But I do respectfully disagree with the assumption the gentleman makes that the programs can proceed without the building in this particular case.

Mr. ROUSSELOT. That is what we have been assured by members of the committee and by the Director of NIH. The elimination of the \$37 million will not affect the important research programs.

Mr. McCLOSKEY. We respectfully disagree.

The SPEAKER pro tempore. The time of the gentleman from California (Mr. McCLOSKEY) has expired.

(On request of Mr. VOLKMER and by unanimous consent, Mr. McCLOSKEY was allowed to proceed for 2 additional minutes.)

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

Mr. McCLOSKEY. I yield to the gentleman from Missouri.

Mr. VOLKMER. I thank the gentleman for yielding.

Mr. Speaker, I would just like to ask a further question in regard to the same items. We have the program ongoing now. It is just diversified into this structure. This proposal, as I understand it, is to have a central facility as a focal point, to upgrade it. Are we going to take the people, assuming the building is built, from other buildings in the area and put them in this one building? Is that correct?

Mr. McCLOSKEY. I cannot honestly answer that question.

Mr. VOLKMER. Then what is going to happen to the facilities in the other building? Are we going to add people in there? How much are we going to add to this one building?

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

Mr. McCLOSKEY. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Speaker, all of the equipment and the facilities we have, and the people, will move into this particular facility. Maybe the gentleman was not here when I was speaking, but the buildings are now nine antiquated buildings, including the rental downtown.

□ 1500

Some of those buildings cannot even pass the Federal Safety Code, so that most likely most of those buildings will be ripped down. I might mention that the gentleman is very strong for the Hyde amendment—

Mr. VOLKMER. What has that got to do with this?

Mr. CONTE. This is an area in which we can really do a tremendous amount of work prior to the birth of a child in studying the fetus and preventing a lot of handicapped children from being born. We are doing a tremendous amount of work in the field.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. In further answer to this question, we actually received testimony that these good researchers are in great demand. We actually re-

ceived testimony that good researchers have refused to operate under the conditions that they have out there now.

The SPEAKER pro tempore. The time of the gentleman from California has again expired.

(At the request of Mr. ROUSSELOT and by unanimous consent, Mr. McCLOSKEY was allowed to proceed for 2 additional minutes.)

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

Mr. McCLOSKEY. I will be glad to yield.

Mr. ROUSSELOT. According to the committee, this \$37 million laboratory would include 192,000 gross square feet and 85,400 net square feet. The parking facility would include 254,000 gross square feet.

How much research do you do in a parking facility? I know that my colleague did not mean to imply that great advances in medical research will be accomplished in this proposed parking facility.

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

Mr. McCLOSKEY. I will be glad to yield.

Mr. CONTE. To answer the gentleman from California, how much legislating is being done in all these parking lots that we have in the Rayburn Building, the Cannon Building, out behind the Congressional Hotel?

Mr. ROUSSELOT. No legislation that I know of is being written in our parking facilities.

Mr. CONTE. Then why have it?

Mr. ROUSSELOT. Maybe we should cut it back.

Mr. McCLOSKEY. Mr. Speaker, I am glad to be the focal point of this increasingly enlightening debate, but I will yield back the balance of my time.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Kansas (Mr. GLICKMAN).

The question was taken; and the Speaker pro tempore being in doubt, the House divided, and there were—ayes 74; noes 59.

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 290, nays 114, not voting 28, as follows:

[Roll No. 22]

YEAS—290

Abdnor	Barnard	Brown, Ohio
Albosta	Bauman	Broyhill
Ambro	Beard, Tenn.	Burgener
Andrews, N.C.	Bedell	Burlison
Andrews, N. Dak.	Benjamin	Butler
Annunzio	Bennett	Byron
Anthony	Bereuter	Campbell
Applegate	Bethune	Carney
Archer	Blanchard	Cavanaugh
Ashbrook	Boner	Chappell
Ashley	Bonker	Cheney
Atkinson	Bouquard	Clausen
Badham	Bowen	Cleveland
Bafalis	Breaux	Clinger
Bailey	Brodhead	Coelho
Baldus	Brooks	Coleman
	Broomfield	Collins, Tex.

Conable	Ireland	Quayle
Corcoran	Jacobs	Quillen
Cotter	Jeffries	Railsback
Courter	Jenkins	Ratchford
Crane, Daniel	Johnson, Colo.	Regula
D'Amours	Jones, Okla.	Rinaldo
Daniel, Dan	Jones, Tenn.	Ritter
Daniel, R. W.	Kazen	Robinson
Danielson	Kelly	Roe
Daschle	Kemp	Rose
Davis, Mich.	Kildee	Rostenkowski
de la Garza	Kindness	Roth
Deckard	Kogovsek	Rousselot
Derrick	Kostmayer	Rudd
Derwinski	Kramer	Russo
Devine	Lagomarsino	Santini
Dickinson	Latta	Satterfield
Dicks	Leach, Iowa	Sawyer
Dingell	Leath, Tex.	Schroeder
Dornan	Lederer	Schulze
Dougherty	Lee	Sebelius
Duncan, Oreg.	Lehman	Seiberling
Duncan, Tenn.	Lent	Sensenbrenner
Edwards, Ala.	Levitas	Sharp
Emery	Lewis	Shelby
Erdahl	Livingston	Shumway
Ertel	Lloyd	Shuster
Evans, Del.	Loeffler	Simon
Evans, Ind.	Long, La.	Skelton
Fary	Lowry	Slack
Fazio	Lujan	Smith, Nebr.
Fenwick	Luken	Snowe
Findley	Lundine	Snyder
Fish	Lungren	Solomon
Fithian	McClory	Spence
Filippo	McDonald	Staggers
Florio	McEwen	Stangeland
Ford, Tenn.	McHugh	Steed
Forsythe	McKay	Stenholm
Fountain	Madigan	Stockman
Fowler	Maguire	Stratton
Frenzel	Marlenee	Stump
Frost	Marriott	Symms
Fuqua	Martin	Synar
Gaydos	Matsui	Tauke
Gephardt	Mattox	Taylor
Gialmo	Mavroules	Thomas
Gibbons	Mazzoli	Treen
Gingrich	Mica	Tribble
Ginn	Michel	Udall
Glickman	Mikulski	Ullman
Goodling	Mikva	Vander Jagt
Gore	Miller, Ohio	Vento
Gradison	Mineta	Volkmer
Gramm	Minish	Walgren
Grassley	Mitchell, N.Y.	Walker
Grisham	Mollohan	Wampler
Guarini	Montgomery	Weaver
Gudger	Moore	White
Guyer	Moorhead, Calif.	Whitehurst
Hall, Ohio	Moorhead, Pa.	Whitley
Hall, Tex.	Mottl	Whittaker
Hamilton	Murphy, Ill.	Williams, Mont.
Hammer-	Murphy, N.Y.	Williams, Ohio
schmidt	Murphy, Pa.	Wilson, Bob
Hance	Murtha	Wilson, Tex.
Hanley	Myers, Ind.	Winn
Hansen	Myers, Pa.	Wirth
Hefner	Neal	Wolpe, Mich.
Heftel	Nelson	Wright
Hinson	Nichols	Wyatt
Holland	Nowak	Wyder
Holt	Oakar	Wylie
Hopkins	Panetta	Yates
Howard	Pashayan	Yatron
Hubbard	Paul	Young, Alaska
Huckaby	Pease	Young, Fla.
Hughes	Pickle	Young, Mo.
Hutto	Price	Zablocki
Hyde	Pritchard	Zerfetti
Ichord		

## NAYS—114

Addabbo	Conte	Garcia
Akaka	Conyers	Gilman
Alexander	Corman	Gonzalez
Anderson,	Davis, S.C.	Gray
Calif.	Dellums	Green
Aspin	Diggs	Harkin
Barnes	Dixon	Harris
Bellenson	Dodd	Harsha
Bevill	Donnelly	Hawkins
Bingham	Downey	Heckler
Boggs	Drinan	Hightower
Boland	Early	Hollenbeck
Bonior	Eckhardt	Holtzman
Brademas	Edgar	Horton
Brown, Calif.	Edwards, Calif.	Jeffords
Burton, Phillip	Erlenborn	Jenrette
Carr	Evans, Ga.	Johnson, Calif.
Carter	Fascell	Kastenmeier
Chisholm	Fisher	LaFalce
Clay	Foley	Leland
Collins, Ill.	Ford, Mich.	Long, Md.

McCloskey	Patterson	Solarz
McCormack	Perkins	Spellman
McDade	Peyser	St Germain
Markay	Preyer	Stack
Markus	Pursell	Stanton
Mathis	Rahall	Stark
Miller, Calif.	Rangel	Stewart
Mitchell, Md.	Reuss	Stokes
Moakley	Richmond	Studds
Moffett	Roberts	Thompson
Natcher	Rodino	Van Deerlin
Nedzi	Rosenthal	Vanik
Nolan	Roybal	Waxman
O'Brien	Runnels	Weiss
Oberstar	Sabo	Whitten
Obey	Scheuer	Wolff, N.Y.
Ottenger	Shannon	
Patten	Smith, Iowa	

## NOT VOTING—28

Anderson, Ill.	Dannemeyer	Lott
AuCoin	Edwards, Okla.	McKinney
Beard, R.I.	English	Pepper
Biaggi	Ferraro	Rhodes
Bolling	Flood	Swift
Brinkley	Goldwater	Traxler
Buchanan	Hagedorn	Watkins
Burton, John	Hillis	Wilson, C. H.
Coughlin	Jones, N.C.	
Crane, Philip	Leach, La.	

## □ 1515

The Clerk announced the following pairs:

Mr. Traxler with Mr. Anderson of Illinois.  
 Mr. Biaggi with Mr. McKinney.  
 Mr. John L. Burton with Mr. Buchanan.  
 Mr. Flood with Mr. Dannemeyer.  
 Mr. Pepper with Mr. Edwards of Oklahoma.  
 Mr. Charles H. Wilson of California with Mr. Coughlin.  
 Mr. AuCoin with Mr. Hagedorn.  
 Ms. Ferraro with Mr. Goldwater.  
 Mr. Jones of North Carolina with Mr. Lott.  
 Mr. Leach of Louisiana with Mr. Hillis.  
 Mr. Watkins with Mr. Philip M. Crane.  
 Mr. Beard of Rhode Island with Mr. Swift.  
 Mr. Brinkley with Mr. English.

Mrs. HECKLER and Mr. FOLEY changed their vote from "yea" to "nay."  
 Messrs. ULLMAN, LATTI, HALL of Ohio, ICHORD, LUKE, PRICE, KAZEN, McEWEN, SPENCE, MARLENEE, FORSYTHE, and WRIGHT changed their vote from "nay" to "yea."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

## □ 1520

Mr. PERKINS. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, the President recommended that all the funds in the Career Education Act be rescinded; the committee recommended that only \$12.5 million be rescinded.

## □ 1525

The committee recommended the rescission of the \$8½ million, insofar as postsecondary education is concerned, and \$4 million taken from elementary and secondary education.

Leaving \$20 million in the bill for elementary and secondary education was the committee's recommendation on the career education bill.

But, Mr. Speaker, I would like to ask the chairman of the committee a question.

As I understand the committee's action, \$12.5 million of the \$32.5 million appropriated for fiscal 1979 for the Career Education Incentive Act would be rescinded. And, as I understand the committee's report explaining this action, no funds would be available under the act relating to postsecondary educational

demonstration projects as a result of this rescission. I understand that \$8.5 million is presently earmarked from the \$32.5 million appropriation for that purpose.

I believe that I understand all of that correctly, but where I am confused involves the remaining \$4 million of the rescission. The committee's report says that no funds would be available for national demonstration projects in elementary and secondary education under this rescission.

I am concerned about that statement because the Office of Career Education is presently funding a number of exemplary elementary and secondary demonstration programs throughout the country. And, if we were to send all of the money to the States and permit no funding at all for exemplary projects from the national level, there would be a grave danger that these programs would have to be cut back.

Therefore, I would like to ask the chairman of the subcommittee whether he might interpret the committee's intention for us. Would outstanding elementary and secondary demonstration programs still be eligible for funding from the national level under this rescission?

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

Mr. PERKINS. I yield to the gentleman from Kentucky.

Mr. NATCHER. I thank the gentleman for yielding.

Mr. Speaker, I would like to assure the gentleman from Kentucky that the committee's intention was to focus all of these funds in career education on elementary and secondary education. That was the intention of our committee. It was also our intention to send out to the States as much money as possible in order for them to implement the career education in local school districts.

I would further like to assure the gentleman from Kentucky, the chairman of the Education and Labor Committee, that I can envision the Office of Career Education funding several exemplary local education programs from the national level with some of the remaining \$20 million appropriation.

The gentleman's contention is correct, Mr. Speaker, and that is the intention of the committee. I am glad that the gentleman from Kentucky has raised this point.

## □ 1530

Mr. PERKINS. Let me thank the gentleman, my colleague, for this clarification, Mr. Speaker.

## AMENDMENT OFFERED BY MR. VOLKMER

Mr. VOLKMER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VOLKMER: Page 4, line 9, add the following:

Chapter V.—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION RESEARCH AND PROGRAM MANAGEMENT

Of the funds appropriated under this head in the Department of Housing and Urban Development—Independent Agencies Appropriation Act, 1979, \$2,400,000 are rescinded.



Mr. VOLKMER. Mr. Speaker, Members of the House, I know this amendment does not concern a great amount of money in comparison to the last two just previously voted upon. And, I know that many Members may wonder why this House should take the time to consider an amendment that would delete from funding \$2.4 million when we are talking about almost a trillion dollar total budget for next year. But, I believe savings begin with the smallest amounts, and we have to review critically all appropriations and all spending.

This is what this amendment is all about: This \$2.4 million is an amount appropriated to NASA to buy a jet airplane so that they can jet about the country to their research sites with their personnel to review the programs as they exist. They presently have prop planes that are quite adequate. However, the question is whether they are quite as fast.

I will admit that the prop planes that NASA has are not quite as fast as jets, but on the other hand I question whether—and the President in his message questions whether—it is actually necessary—and I use the word and put emphasis on the word “necessary”—for NASA to have a jet at this time to jet about the country.

The President finds it is not essential to carry out the objectives of the Nation's aeronautic and space programs. It is not consistent with the idea of trying to hold down unnecessary Federal spending. NASA has been able to use the prop in the past. NASA says now that they can save time by using a jet.

I noticed in the committee report that as to using commercial airlines the NASA centers and contractor locations are not in areas conveniently served by commercial airlines. That may be, but my question to the committee is this: We have a nice big jet, and I do not know that that nice big jet is going to land at some of the small airports, and they are still going to have to find ways of getting from the large airports to the smaller areas where the research locations are located.

I question, and the reason for this amendment is, I question whether, if we would ask our constituents, our taxpayers, with all the programs that we have coming, should we spend \$2.4 million for a jet for NASA to take their management teams around, or would it be later on better to spend \$2.4 million for people programs? I personally prefer that NASA continue to operate with the prop planes that they have, and that we try to find a better way at this time when we have fiscal constraint to use the \$2.4 million.

I know in my own mind, as a taxpayer, how I feel. That is why I offered the amendment. I hope that the Members feel the same way. It is not going to put NASA out of business. It is not going to put the Shuttle project out of business. It may mean a little inconvenience to the management team for NASA, but it is not going to close down NASA or the Shuttle program.

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

Mr. VOLKMER. Yes, I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Speaker, I congratulate the gentleman from Missouri (Mr. VOLKMER) on the amendment and suggest that NASA could surely use the scheduled airlines for most trips. If they had an occasion when they could not make a trip by scheduled airlines, they could lease a lot of planes for \$2.5 million.

Mr. VOLKMER. Yes. They already have their own. They have a Gulfstream turboprop right now which they use.

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

Mr. BOLAND. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, this is an attractive amendment if one does not give it any thought.

The gentleman from Missouri (Mr. VOLKMER) seeks to rescind \$2.4 million for a jet aircraft. The fact of the matter is that there was no money added to the 1979 act for any aircraft.

The action of the subcommittee which I chair was agreed to unanimously in respect to the 1979 budget. When we considered the rescission proposal, it was agreed to unanimously that we ought to reject the rescission. What we said in the 1979 budget was: “Find the \$2.4 million somewhere else and take it out of the research and program management account.” We said that we were not going to provide the \$2.4 million in extra funds for the purchase of a jet aircraft.

Incidentally, what NASA is really doing here is trading in a Gulfstream I turbo-prop plane which is 18 years old for a used jet aircraft, really to make it more convenient, as the gentleman from Missouri has said, to get to its NASA centers where program management is so important in the very huge Space Shuttle program. That is a \$15 billion program.

The report indicates, of course, that it is difficult to get commercial airline service in areas where critical NASA centers are located. These NASA centers have their own airstrips which can accommodate jet aircraft.

The fact of the matter is that we looked at this item very carefully. I think anyone who sat on this subcommittee and viewed the NASA program, particularly the Space Shuttle program, from the point of view of program management would say that this is a wise expenditure because it is absolutely necessary that the managers of the space transportation system be able to get to those NASA centers which are engaged in critical program work.

My judgment is that we would be saving a considerable amount of money by permitting NASA to operate a modern jet aircraft.

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

Mr. BOLAND. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Speaker, I am pleased to hear what the gentleman said, because I did not know that this matter had not been specifically budgeted for the airplane, but had been specifically budgeted to NASA for program management.

Mr. BOLAND. That is right.

Mr. VOLKMER. What the gentleman

is telling me, though, is that undoubtedly NASA had it in their program management budget to the extent of at least \$2.4 million. Therefore, do I need to look at their budget next year?

Mr. BOLAND. No, no. The gentleman is correct when he says that if the amendment is carried, what we really are doing is denying \$2.4 million to program management. We would be reducing that item by \$2.4 million.

□ 1540

Mr. VOLKMER. Which NASA says we do not need, because we put in an airplane.

Mr. BOLAND. No; that is not it really.

Mr. VOLKMER. The point is, we are letting NASA determine—not this House, not the Senate, but NASA—how they want to use their money. We give it to them for program management. Instead of using it for personnel, we budget it to them for personnel operations and they go out and buy an airplane for \$400 million.

The SPEAKER pro tempore. The time of the gentleman has expired.

(By unanimous consent Mr. BOLAND was allowed to proceed for 2 additional minutes.)

Mr. BOLAND. Mr. Speaker, this account includes more than \$900 million. It includes all administrative funds—it was the unanimous judgment of this subcommittee last year, and is the judgment of this subcommittee this year, that we ought to permit NASA to purchase a jet aircraft. It would save a great deal of time for the program managers. They are supervising a program that next to the Apollo program is the most costly program that NASA will ever be engaged in. So it was the wise judgment of this subcommittee that we ought not to rescind this item. Again I see, Mr. Speaker, obviously the Members of the House agree with me, and I yield back the remainder of my time.

Mr. FINDLEY. Mr. Speaker, I move to strike the requisite number of words, and I rise in support of the amendment. I take this time in order to clarify, if I possibly can, the effect of the adoption of this amendment. If I could have the attention of the gentleman from Massachusetts and the gentleman from Missouri, am I correct that if the gentleman's amendment is adopted, the effect will be to stop NASA from making this aircraft trade?

Mr. VOLKMER. If the gentleman will yield, yes, that is correct.

Mr. FINDLEY. Will the gentleman from Massachusetts agree with me on that point? Will the gentleman from Massachusetts (Mr. BOLAND) agree that if this amendment is adopted, the effect will be to stop NASA from making the trade?

Mr. BOLAND. If the gentleman will yield, the gentleman is correct.

Mr. FINDLEY. I thank the gentleman.

Mr. Speaker, I yield back the remainder of my time.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Missouri (Mr. VOLKMER).

The question was taken; and the Speaker pro tempore being in doubt, the

House divided, and there were—ayes 54, noes 29.

So the amendment was agreed to.

● Mr. JENRETTE. Mr. Speaker, I must express my deep concern about H.R. 2439, the first fiscal year 1979 budget rescission.

Let me emphasize that I do not oppose all the rescissions proposed in this bill. Far from it. In fact, I am supporting well over \$600 million of the approximately \$700 million proposed for rescission in H.R. 2439.

I was surprised, however, to learn that in his rescission message the President had proposed to eliminate almost \$168 million of health resources funds. I share Mr. Carter's desire to reduce the budget deficit and hold down inflation.

I can also well understand the pressure our Labor-HEW Subcommittee was under to approve all these proposed rescissions, for that very reason. And I want to commend our subcommittee and its chairman for cutting the rescission back to only a little over a third what was proposed by the administration.

All the same, I do not think any rescission in this area is warranted. I do not believe the way to balance the budget is by "rescinding" the health of our people.

There are three programs involved. The one of particular concern to me is nurse training and research.

The Members will recall that at the end of the last Congress the House passed the Nurse Training Act, authorizing more than \$200 million per year for nurse training and research programs, by a vote of 393 to 12. In vetoing that bill, President Carter told us his action would not set back the nursing program, because the continuing resolution provided necessary funds for it. Now he has proposed to rescind the funds for this purpose contained in that resolution.

I reject the administration's basic premise in proposing this rescission. They seem to think that, since there may be enough nurses on a per capita basis, then we do not need to train any more. Well, there may be enough nurses in New York City or San Francisco, but there are not enough in my district and, I suspect, in lots of other rural districts around the country. So I see a good justification for nurse training just to help us deal with the maldistribution of nurses around the country.

I would make one other point in support of this program. It is that nursing training is not useful just to provide some arbitrary number of people to staff the hospitals and medical clinics of the country. This form of training can be useful on a far broader basis. As we look for alternative ways of providing medical care in order to hold down hospital use and medical costs, it may be that the need for nurses and paramedical personnel will be greater.

Nurses with advanced training could transform America's present health care system from one that limits itself to the treatment of sickness into one that stresses preventive health. The cutoff of funds for fiscal 1979 contemplated by the rescission threatens, however, the innovative graduate nursing and re-

search programs that train nurse specialists to practice and teach in primary care, gerontological nursing, community health nursing, parent-child nursing, and other advanced specialties.

In rural areas like mine, people with these kinds of training will be able to reach out and provide medical services to poor, elderly or remotely located people in a more effective and economical manner. If we are ever to be able to afford national health insurance, a greater emphasis on specialties such as these may have to be the wave of the future.

Let me say also that we as a nation can afford the program funded in the continuing resolution. That program has not been growing. In fact, the \$122 million originally provided for fiscal 1979 is actually less than the amount appropriated in fiscal 1978, which was \$126 million. There is simply no reason to cut back further on this program.

Neither is there any reason to cut back on capitation grants to schools of medicine, osteopathy, and dentistry. The second rescission approved by the committee in the health resources area would take away \$20 million of the \$120 million we originally appropriated for that purpose. Yet the committee denied the proposed rescission of funds for capitation grants to schools of veterinary medicine, optometry, podiatry, and pharmacy. What is the difference?

Do we now have too many doctors, osteopaths, and dentists in the country? Again, that seems to be the HEW premise.

I do not buy it. The maldistribution of personnel as between urban and rural areas that we noted for nurses also exists for other categories of medical personnel.

Rural areas also have a particular need for emergency medical services, the third area affected by the rescission. Why should we cut out this small program entirely, as HEW proposes, or cut it in half as this bill would do. I think this small program of emergency medical training will bring us good rewards around the country in terms of lives saved, and I would like to see it continued.

I am very pleased the Members of the House of Representatives agree with me and thus have seen fit to vote to restore the funds. This is money well spent.●

● Mr. BARNES. Mr. Speaker, the House has taken an extremely unwise action by voting to rescind \$37 million in funding for construction for the National Institute of Child Health and Human Development at the National Institutes of Health. The rhetoric of fiscal conservatism is extremely popular in this Chamber, and I can understand how many Members feel they can justify a vote against a new construction project, but all too often we forget that it is people who are vitally affected by our actions. A significant health mission of the National Institutes of Health has been set back by the vote of this body today, and research of potential benefit to millions of Americans could be delayed.

I supported the Subcommittee on Labor/HEW and related agencies in its op-

position to the rescission of this significant project, and I am hopeful that action by the other body and in conference can restore funding with a minimum of delay.●

● Ms. MIKULSKI. Mr. Speaker, I rise to speak in opposition to the rescission of \$61.8 million for health care. I am committed to cutting the Federal budget for expenditures that are wasteful and unnecessary, but I am not convinced that the "cost-benefit ratio," as the budget analysis entitle it, justify this action.

I am a new member of the Health Subcommittee of the Interstate and Foreign Commerce Committee. I look forward to this exciting and challenging assignment, because of my strong commitment to the goal of providing good, primary health care to all Americans at a cost they can afford. I think that this rescission is contrary to this goal.

First, I would like to address the \$38 million for nurse training. As we all remember, on September 1978, the House of Representatives voted 393 to 12 to continue the Nurse Training Act. At that time, I, along with 392 of my colleagues were convinced that there was an urgent need for additional funds to train nurses and also to broaden the variety of health services they could deliver.

I was shocked when President Carter pocket-vetoed the bill, stating that it was inflationary. I remember wondering if it was really more inflationary than the energy bill that he had just signed or the appropriations for the War College, but at least, I was reassured that the effect on the nurses would not be abrupt. At that time, President Carter said:

Disapproval of this bill will not cause an abrupt termination of funding of the nurses training program, since funds are available for FY '79 under the continuing resolution.

Now just a few months later, President Carter wants to cut 67 percent of these funds. Fortunately the Appropriation Committee has restored some of the funds, but many nursing schools and nursing students are going to face disruption in their funding on April 1, 1979.

As we entered this period of fiscal austerity, I made a commitment to my constituents that I would look for ways to cut Federal spending. I told them I would look at a proposed budget cut and ask some questions "Is the cut fair—does it hurt one segment of our society more than another. Does it abolish an ineffective program or does it provide basic services to my constituents."

It is clear to me that to rescind this money does not meet my criteria of a wise way to cut Federal expenditures.

But the questions are even more basic than that. I am committed to the expanded role of a variety of health professionals. I think that one way to keep the costs of health care down is to allow nurses, nurse practitioners, nurse-midwives, and other allied health professionals, the opportunity to provide a broader area of service. Properly trained, there are many services that these professionals could deliver, instead of high-cost doctors. So I want to see more, not less, nurses in the next decade.

But even before we add new services, I am not convinced that we have too many



nurses. The level of unemployment for newly trained nurses is 1.3 percent and for all nurses it is 3 percent. Way below the national average for most professions. In Baltimore, surveys indicate the hospitals are running 15 percent short of nurses.

Recently we had a natural disaster in Baltimore—it was 24 inches of snow. And I discovered that Baltimore ran okay when the politicians and the bureaucrats did not get to work. We were not even missed. But the nurses were missed immediately. And you know what, many of them found a way to get to work and if they could not get to their own hospital, they worked at one closer to their homes.

Since nurses are 97 percent female, the Carter administration may have decided that they were a vulnerable group in the same way the elderly were an easy target for social security cuts. But I think that the President is wrong. If he is really committed to preventive and primary health care as a way to hold down the cost of health care, nurses should not be the target of his budget cuts.

In conclusion, I would like to mention the \$20 million for capitation grants. I have seen some reports that we have filled our goals in the health manpower program and now we have enough doctors, dentists, pharmacists, et cetera. My Health Committee has jurisdiction over this act. I would like to give the medical dental, pharmaceutical, and podiatry schools an opportunity to come and tell their story. If in fact, after their testimony, I decide that the program has achieved its goals, I will be willing to end the program, but I am opposed to doing it by a rescission amendment to the fiscal year 1979 budget.●

● Mr. WALGREN. Mr. Speaker, I am very concerned about the proposed cuts in nursing research funds. Research in nursing is relatively new and is just beginning to pay dividends in improved patient care.

Support for nursing research is especially critical at this time for the very reason that it is a developing field. The growing importance of nursing research was recently pointed out by the National Academy of Science's National Research Council. The Council's committee on needs for research personnel designates nursing research as a "distinct area of scientific inquiry."

Just as in other professional fields, nursing skills can be fully developed and utilized only if there is effective research to provide sound data on which to base nursing practice.

The National Research Council committee has specifically recommended continued Federal support for nursing research training. In fact, the committee report said that the obvious demand for instructors and researchers with graduate training "makes it likely that training funds could be productively used for the next several years on an expanding basis."

If these rescissions are approved, 40 nurse researchers will lose support this

year and 3 graduate programs will lose research training award funds.

Nursing research addresses the human and behavioral questions that arise in the treatment of disease. It also is concerned with prevention of illness and the maintenance of health. One nurse researcher, for example, conducted a study that led to effective treatment of postsurgical infections that had been on the increase in a hospital. Another study dealt with methods to improve home care and self-care and prevent posthospitalization complications of persons with spinal cord injuries.

I personally think that a program of continued support for nursing research is a necessity and I ask my colleagues to restore these funds.●

● Mr. OTTINGER. Mr. Speaker, I rise in opposition to the proposed rescissions in the nurse training and research programs.

These requested budget rescissions would wipe out nursing's small research program. Thirty-three current projects would be abruptly terminated. Medical research deals primarily with diseases. Nursing research, on the other hand, is concerned more with the patient. It is aimed at better, more cost effective nursing care. Some studies seek to reduce postoperative complications, others to facilitate home-based care and self-care in chronic illness. Other projects are to improve the prospects for high risk groups such as premature infants and the elderly. Some nursing research deals with ways to reduce the disabilities, discomforts and costs of coronary and cerebral vascular problems.

Nurse researchers at the University of Minnesota have developed a program for children with terminal cancer that fulfills the dying child's wish to be at home and provides psychological benefits for the entire family.

Other research studies have focused on pain alleviation, care of burned patients, home care during dialysis.

Congress has recognized the importance of nursing research through appropriations and by incorporating specific reference to support of nursing research students in the National Research Service Awards program.

I would like to point out also that appropriations for nursing research for fiscal 1979 were included in the regular appropriations measure approved by Congress and signed by the President.

The entire appropriations for nursing research training and projects is only \$6 million. Surely this amount is not going to break the national budget. I just cannot see any justification in wiping out, in the name of economy, a program that is bringing great benefits to patients and cost effective methods of care. It is a false economy. I urge that those cuts be restored.●

● Mr. WEISS. Mr. Chairman, I support the amendment to the first Budget Rescission of 1979—H.R. 2439—which prevents \$37 million in proposed cuts in essential health education programs.

Offered by Mr. STAGGERS—the chairman of the committee responsible for authorizations for these programs—the

amendment restores \$17,046,000 for advanced nurse training programs and \$20 million for the capitation grant program which provides financial support for medical, dental, and osteopathic schools.

The severe funding slash represented by H.R. 2439 is unconscionable in the middle of the fiscal year. Both the affected programs were originally slated for modest extensions. Both programs were funded at a reasonable level by the previous Congress.

The Nurse Training Act was passed by a vote last year in the House of 393-12, but it was pocket-vetoed by the President. The President then agreed, however, to support a continuing resolution which preserved this vital program.

Over 50 national health organizations and related groups have spoken out in opposition to the proposed rescission. Among these groups are the Association of New York Neighborhood Health Centers, the Mental Health Association, and Planned Parenthood Federation of America.

The chairman of the Health Subcommittee, Mr. WAXMAN, has noted that this budget rescission would result in the abrupt termination of 33 research projects and scholarships for 3,500 nursing students, most of whom are from low-income families.

I would like to point out to those of my colleagues who support the budget rescission as a step toward balancing the budget that this \$37 million cut would in fact be an illusory savings. Decent health care for Americans, which these programs help insure, will save the Government and taxpayers money in the long run. We should not seek to economize at the expense of our constituents' health.

Health education institutions and program administrators have already planned for fiscal 1979 on the assumption that the funding level approved and promised them by both the President and Congress would in fact be delivered. They have rightly assumed that our commitments would be honored. We cannot now turn away from this pledge.●

□ 1545

The SPEAKER pro tempore. Are there further amendments?

Mr. WHITTEN. Mr. Speaker, I move the previous question on the bill.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### THE VFW'S VOICE OF DEMOCRACY CONTEST

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

Mr. WHITLEY. Mr. Speaker, each year United States and its ladies' auxiliary conduct a Voice of Democracy Contest. Students from secondary schools throughout the country participate by writing and delivering speeches. This year's topic is "Why I Care About America."

The winner from the State of North

Carolina is one of my constituents, Neal Ray Jones of Smithfield. Neal is 18 years old and has demonstrated outstanding ability and achievement during his high school career. I place his award-winning speech in the RECORD:

#### WHY I CARE ABOUT AMERICA

It is no easy task to lay bare the deep feelings that go with caring in a patriotic way. The temptation is to proclaim freedom as an easy going tolerance that says anything goes. "Our country, right or wrong," forgetting the rest of that quote by Carl Schurz, "When right, to be kept right; when wrong, to be put right." This thought brings into focus a basic truth about patriotism: The love of one's country is a moral virtue. If a man is bad, his patriotism cannot be good. Indeed, it becomes, as Samuel Johnson said, "the last refuge of a scoundrel." So, it is wise for us to know who it is that waves the flag, then we may well know why.

I care for America because of the rich heritage she has given me . . . woven out of a thousand strands of loving memory. Looking for the best, I find historic accounts that compel my grateful concern: The Thomas Jeffersons who loved their neighbors as themselves and their country even more; the Abraham Lincolns who reaffirmed the proposition of a people's government; the Franklin D. Roosevelts declaring the basic freedoms for all mankind: Freedom of speech and religion, freedom from want and fear and there are the unknown soldiers who gave full measure of devotion in the hours of conflict and crisis . . . at Valley Forge, at Gettysburg, at the Marne, and at Normandy; and there are common citizens of each generation exercising their democratic duty in the political process of the ballot box and tax returns. Nor should we forget the scientific genius of the Eli Whitneys, the Thomas Edisons, the Henry Fords, the Wright brothers, and that endless workline of nameless faces which gave America prestigious power in trade and commerce. It is because of what she was in affording me so great a heritage that I must care now for the America that is yet to be.

I care for America with high hopes for the future in ways that are personal and social. This concern will surely be high adventure on uncharted seas, countless Neil Armstrongs walking on unnamed planets, political Lincolns carrying the American dream of equality and fraternity to all the world. Moreover, this concern will produce social advocates that touch the lives of people where they hurt, bringing hope to the inner cities turned ghettos of despair, bringing hope to materialistic suburbia that is too much given to things. This concern will yield public servants fulfilling the idea of a "more perfect union" with integrity and good will. And this concern will provide spiritual counselors who push back the frontiers of mind and spirit and prevent the deadly winds of ignorance, poverty, and prejudice. These concerns will bring fulfillment and enrichment far beyond America's present horizon.

Now, a word of caution: Mere talk of heritage and hope is not sufficient in the expression of why I care about America. The thought waits upon the deed; the precept waits upon the example. Genuine caring and true patriotism are not restricted to service in high government office; they are also related to housewives and store clerks and schoolboys in their workaday opportunities. Genuine caring and true patriotism do not wait upon the trumpet call to mortal combat; they also have to do with the humdrum of everyday life and the challenge of the common place. Here, at last, is where the real test takes place; and here, finally, is where we begin to care for America.

#### INFLATION STEALS FROM EACH EXISTING DOLLAR IN PAYCHECKS AND SAVINGS ACCOUNTS AS A DELIBERATE GOVERNMENT POLICY TO FINANCE SPENDING

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

Mr. PAUL. Mr. Speaker, in the Old Testament, the Prophet Isaiah denounced a society that had debased its money through inflation, and therefore was suffering increased crime, political corruption, and oppression of the poor.

These and other evils always follow fiat money.

"Fiat" is Latin for "Let it be so." Fiat money is a currency backed only by the "Let it be so" of politicians, instead of something with intrinsic value.

America has a fiat dollar, and nothing stops the Federal Government from printing more and more billions. This inflation steals from each existing dollar in paychecks and savings accounts as a deliberate Government policy to finance spending.

Economist Howard S. Katz discusses this in his brilliant book, the *Paper Aristocracy*. I would like to bring some of his remarks to my colleagues' attention:

The effects of a currency depreciation are not taught in our schools. But they are a common occurrence throughout history. For example, the Civil War currency depreciation—the product of the legal tender laws of 1862 and the borrowing for the war—was described by Clarkson Nott Potter to the Supreme Court as follows:

"Who can deny that a whole community is being demoralized, as under such a system of paper money communities everywhere and at all times have been demoralized? Who can deny that men will do now what they would have shrunk from ten years ago, before this system existed? When the wicked prosper, other men make haste to do likewise. And now not from the cities only, but from every part, men seek the great marts to try their fortunes in the ventures of the hour, hoping to gather where they have not strewn. Gambling in stocks, with the dangerous combinations it invites, and the corruption which it encourages, has become general; so that it is deemed venial to artificially inflate or depress prices, to create fictitious values by forced scarceness or undue depression by combined attacks. And whatever danger may come to the public debt of this great country, will come, not from the unwillingness of the people to pay; not from their want of ability to pay but will come, if it should come at all, from the recklessness of a people carrying out their schemes upon the waves of an inflated currency, and from the demoralization which such speculation produces. How can it be expected that this people will make the sacrifices necessary to enable their government to keep its pledged faith, when it has not only failed to keep its own faith with its creditors, but has filled its coffers from the sale of licenses to men to wrong each other by short payments, and has made haste to ratify, by the decision of its supreme tribunal, the constitutionality and righteousness of such a course?"

This was 100 years ago, but how very like the present. Potter is talking about the likes of Jay Gould, Jim Fisk and Daniel Drew. But he could be talking about our own Allen Klein, Fred Mates or Bernard Cornfeld.

And we find the following description of England during the currency depreciation of the Napoleonic Wars:

"Nature seemed to make common cause with war and bad finance. The winter of 1812 was extraordinarily severe, and the accidents by flood and fire here numerous. *Crimes began to multiply* in that accord between physical distress and moral decay so often noticed. *Wages were down at starvation point.* Spinners had 7s. 6d. per week in a time of high prices for the necessities of life. The recent introduction of machinery and the extension of the factory system would have caused an inevitable period of pressure on hand workers. Now these causes fell in with others to enhance the distress. The artisans, in striking analogy with our own farmers at the present time, sought their foe in the nearest and most palpable shape in which the bad circumstances of the time pressed upon them. They attacked the machines, burned the factories, and united in riotous disturbances. *The corn laws were in full force, and prevented the relief which might have come from other countries in time of scarcity, while manufacturers were entangled in a mesh of restrictions, more ruinous even than Napoleon's Decrees or the Orders in Council.*"

Here again we see crime, a decline in real wages, civil unrest, war and restrictions on freedom. Throughout history we find the fate of nations attached to the soundness of their currency. The fall of the Western Roman Empire was accompanied by a depreciation of its currency while the Eastern Empire survived. The Ottoman Empire lasted for 800 years with sound money and collapsed half a century after starting its debasement. England, after the Napoleonic Wars, established the pound as a gold currency and attained her period of greatness through the 19th century. But when the attempt to return to the gold standard failed after WW I, England quickly became a second rate country.

The reason for this is that paper money is the principle of something for nothing, and a society founded on the principle of something for nothing can not survive. Money is used by everyone in our modern society, and when money is corrupted, a corruption enters the bloodstream of our social life. Those who prosper are no longer the Hortaio Alger types who prospered in the 19th century and built the country by their own success. They are fly-by-night promoters and gamblers who construct jerry-built conglomerates and know more about public relations than about operations. The beaver has been put out, and in his place is the leech—the man who prospers by taking from others.

When the road to success in a society is by legalized robbery, then the men in that society fall to eating each other. "When the wicked prosper, other men make haste to do likewise." That is what we in America are doing now. The evil are eating up the good, and when they have finished with that, they will eat each other.

#### THE CHANGING OF RURAL AMERICA

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

Mr. SKELTON. Mr. Speaker, today, I want to talk about something that is important to all of us: Agriculture and rural America. Particularly, I want to discuss the change in American farming as we have known it in years past.

Our country is fortunate in having the world's most productive agricultural sys-



tem. It supplies all of our domestic needs and still exports nearly one out of every three harvested acres. The food and agriculture sector is the largest employer in the United States. Exports of farm products are the major contributor to balancing growing trade deficits. In our State alone, Missouri, 1977 cash receipts from farm marketings totaled \$2.78 billion. The value of farm exports was \$766.4 million. In Missouri's Fourth Congressional District, 1977 crops totaled \$280,607,000, of which \$123,062,000, 45 percent, went into the export market.

However, this productive agriculture system has undergone significant changes in the last three decades. The basic trend has been one of increasing concentration of farms as well as supporting facilities. There has been a drastic reduction in the number of family farms, and in the number of people living on farms. Many of our rural communities have declined in vitality. If these trends continue, agriculture and life in rural America may cease to exist as we have known them. The consequences, both economic and social, would be serious.

In 1935, we had 6.8 million farms in the United States. By the 1974 Census of Agriculture, this number had dropped to 2.34 million farms, only 1.7 million of which are considered to be commercial farms with yearly sales of \$2,500 or more. As the number of farms has decreased, the size of the average farm has increased from 197 acres in 1940 to 440 acres in 1974. The commercial farms average 534 acres. The United States has been losing an average of 2,000 farmers per week since the 1940's. In the past, most farms were owned by the families who operated them. Today, it is estimated that less than one-half of all farmland is owned by the operator. Over half of all farmers today receive income from off-farm sources, with the average farm family now getting nearly 60 percent of its total income from other sources.

Agricultural sales today are dominated by the largest farms. The top 2 percent account for 37 percent of farm sales. The largest 20 percent make 80 percent of all gross agricultural sales.

Although we are prone to think that bigness equals efficiency and productivity, this may not be the case with large, nonowner operated farms. Indeed, statistics show that relative operating costs are substantially lower for small and midsize farms. Many of the largest farms tend to be specialized, thus some of the flexibility needed to deal with adverse times is missing. They are more dependent on hired labor to do the necessary work. Moreover, they are more dependent on factors beyond their control, such as worldwide economic conditions, and costly imported oil.

As the number of farms has declined, there has been an equally dramatic drop in farm population. In 1960, over 15.6 million people lived on farms. By 1970, this figure had declined to under 10 million. In the 1970's, farm population has been dropping by an average of about

300,000 each year. It was down to 7.8 million in April of 1977.

Some percentage figures show how this has affected the political base of farmers. Thirty percent of the U.S. population lived on farms in 1920. By 1950, it was 15 percent. It fell to 5 percent by 1970, and to 3.6 percent by 1977.

As Congress and State legislatures have been reapportioned to reflect this population shift, farmers have witnessed a decline in their political power. Those legislators who have a constituency with a rural majority have become fewer and fewer. Those in urban and suburban areas with no rural constituents have increased in number.

There is no doubt that this shift has affected Government programs. For example, about 41 percent of the Nation's poor people (a total of 10.5 million people) live in rural areas. They generally are older, more disabled and less educated than their urban counterparts. Yet Government programs to assist the poor have been targeted at urban areas. The result is that only one-fifth of the rural poor receive all or part of their income from public assistance programs, compared with one-third of the urban poor.

Similarly, Government programs to assist cities often explicitly exclude towns below a certain population level, even though the problems in the small towns and rural areas are no less severe in human terms than those in large cities.

The enactment and maintenance of basic farm legislation has become more difficult. It is no accident that the food stamp program and other food and nutrition programs have been placed in farm legislation and are administered by the USDA. This is necessary to broaden the support for farm legislation and farm programs.

The decline in farm population has adversely affected rural areas economically as well as politically. As a rule, farmland owners who do not operate the farm on a day-to-day basis do not take as active a role in community affairs as a family-type farmer. Frequently, they do not even live in the farm community, taking the revenues from the farm operation outside the area.

Local businesses and institutions have felt the impact. Large farms often must go outside the local area to purchase sophisticated farm equipment. This contributes to the decline of local, home-owned small businesses, and lessens employment opportunities for nonfarm young people, forcing them to seek jobs in larger cities. The tax base of rural communities has eroded, resulting in a decrease in services and amenities. This encourages further outmigration.

In addition to politics and economics, I believe the decline in rural population has threatened what I like to call rural values. As a life-long resident of a community surrounded by farms, and a former prosecuting attorney in a basically rural county, I have always been impressed by rural young people. They are self-reliant, dedicated, respectful of the rights of others, and willing to work hard

to achieve success in the world. This owes in no small part to the upbringing they receive on the family farm. These are values that are an important part of the social fabric of America. They are values our Nation cannot afford to lose.

The changing structure of American agriculture raises many questions which need to be addressed. We must decide, as a Nation, whether we want our food produced by family farmers. If that decision is yes, we must take steps to preserve this important institution. We in Government must review those policies which, however well intentioned, have contributed to the decline in the number of family farms, and make the necessary policy changes.

Since the decision will largely be made by the 97 percent of our population which is nonfarm, we must establish a dialog with our urban and suburban colleagues in Congress and with the residents of urban and suburban areas. We must convince them that they have a large stake in the preservation of the family farm. For our part, we must listen to their concerns and the concerns of their constituents.

We must vigorously oppose attempts to weaken the USDA, by reorganization or whatever means. A strong, effective Department of Agriculture, with a broad constituency, is vital to rural America. Further, we must oppose attempts to cut back disproportionately on programs that benefit family farms and rural America.

We must work to make sure that rural areas are permitted to participate fully in Government programs. We are not asking for bigger Government programs and more spending. To the contrary, I am proud of the fact that rural America has been the leader in the drive for fiscal responsibility in Government. What we do want, and deserve, is our fair share of programs for which we are helping to pay.

Work must be done on the House Agriculture Committee, and through ad hoc groups such as the Congressional Rural Caucus, to achieve these goals. We need the help of all who are interested in agriculture. We must work with and convince our city friends of the importance—both economically and socially—of America's family farms. If we are not successful, family farms will go the way of our American frontier wilderness—a bright but sad chapter in the history book of America.

Years ago, William Jennings Bryan said:

Burn down your cities and leave our farms, and your cities will spring up again as if by magic; but destroy our farms and the grass will grow in the streets of every city in the country.

Bryan may have been speaking with exaggeration, but we must not allow his words to be put to the test.

#### SOCIAL SECURITY FINANCING AMENDMENTS OF 1979

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

man from New York (Mr. GREEN) is recognized for 10 minutes.

● Mr. GREEN. Mr. Speaker, today I am introducing the Social Security Financing Amendments of 1979. This bill is an updated version of H.R. 11304, which I cosponsored in the 95th Congress with the late Representative William Ketchum.

My colleague from Minnesota (Mr. FRENZEL) has introduced H.R. 1851, which is similar to my bill. However, my bill contains a number of technical changes and adjusted effective dates which distinguish it from H.R. 1851.

For the benefit of my colleagues, a section-by-section analysis of the Social Security Financing Amendments of 1979 follows:

#### SECTION-BY-SECTION ANALYSIS OF THE SOCIAL SECURITY FINANCING AMENDMENTS OF 1979

##### TITLE I. PROVISIONS TO IMPROVE THE FINANCING OF THE OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM

###### Section 101: Adjustments in tax rates

(a) Amends those provisions of the Internal Revenue Code which relate to the tax rates imposed on employees, employers, and self-employed persons under the Old-Age, Survivors, and Disability Insurance Program (Title II of the Social Security Act) as follows:

Employees and employers [In percent]		
	Current law	Social security financing amendments of 1979
1979-80	5.08	5.05
1981	5.35	5.60
1982	5.40	5.60
1983	5.40	5.60
1984	5.40	5.60
1985	5.70	5.60
1986-89	5.70	5.60
1990-2010	6.20	6.25
2011 and thereafter	6.20	7.25

Self-employed persons [In percent]		
	Current law	Social security financing amendments of 1979
1979-80	7.05	7.10
1981	8.00	7.10
1982-84	8.05	8.46
1985-89	8.55	8.46
1990-2010	9.30	9.35
2011 and thereafter	9.30	10.45

(b) Amends those provisions of the Internal Revenue Code which relate to the tax rates imposed on employees, employers, and

self-employed persons under the Hospital Insurance program (Title XVIII of the Social Security Act) as follows:

Employees and employers [In percent]		
	Current law	Social security financing amendments of 1979
1979-80	1.05	1.00
1981-84	1.30	1.30
1985	1.35	1.30
1986 and thereafter	1.45	1.45

Self-employed persons [In percent]		
	Current law	Social security financing amendments of 1979
1979-80	1.05	1.00
1981-84	1.30	1.30
1985	1.35	1.30
1986 and thereafter	1.45	1.45

##### Section 102: Allocation to Disability Insurance Trust Fund

Amends those provisions of the Social Security Act which indicate the percentage of wages paid and self-employment income reported which are to be allocated and appropriated each year to the Disability Insurance Fund as follows:

	Current law	Social security financing amendments of 1979
1979-80	1.50% of wages, plus 1.04% of self-employment income.	1.55% of wages, plus 1.09% of self-employment income.
1981-84	1.65% of wages, plus 1.2375% of self-employment income.	1.71% of wages, plus 1.35% of self-employment income.
1985-89	1.90% of wages, plus 1.4250% of self-employment income.	1.71% of wages, plus 1.35% of self-employment income.
1990-2010	2.20% of wages, plus 1.650% of self-employment income.	2.20% of wages, plus 1.66% of self-employment income.
2011 and thereafter	2.20% of wages, plus 1.650% of self-employment income.	2.57% of wages, plus 1.925% of self-employment income.

##### Section 103: Repeal of special statutory increases in contribution and benefit base

Repeals the special statutory increases in the contribution and benefit base for 1980 (\$25,900) and for 1981 (\$29,700), and provides instead that the contribution and benefit base for those and subsequent years are to be determined by the automatic adjustment formula in the law.

##### Section 104: Borrowing among social security trust funds

Adds a new section to the Social Security Act by which the Board of Trustees of each of the 3 trust funds (the Old-Age and Survivors Insurance Trust Fund, the Disability Insurance Trust Fund, and the Hospital Insurance Trust Fund) is authorized to make formal requests for loans from either or

both of the other two funds if such Board of Trustees determines that the balance in its fund is or will shortly become insufficient to make required payments. Such loans may be made at the discretion of the Board of Trustees of the fund to which such request is directed. Any loan made by one trust fund to another is repayable with interest within two years, although the term of any such loan may be extended at the discretion of the Board of Trustees of the fund from which it was made.

##### Section 105: Effective date

Provides that the amendments made by sections 101 and 102 shall apply with respect to remuneration paid or received on or after the date of enactment of this Act. The provisions of section 103 shall become effective upon enactment of this Act.

##### TITLE II: IMPROVEMENT OF LONG-RANGE FINANCING THROUGH A GRADUAL INCREASE IN RETIREMENT AGE

##### Section 201: Increase in minimum retirement age for unreduced benefits from 65 to 68

Provides for increasing the minimum retirement age at which unreduced benefits are payable from 65 to 68. This would be accomplished by amending section 202(q)(9) of the Social Security Act (which defines "retirement age" as "age 65" for the purpose of reducing benefits for individuals who retire prior to that age) and adopting the following definition of "retirement age" for individuals entitled to old-age, wife's, husband's, widow's, or widower's insurance benefits:

"The term 'retirement age' means—

##### The age of

65	December 1999 or before
65 years and 3 months	April to December 2000
65 years and 6 months	April to December 2001
65 years and 9 months	April to December 2002
66 years	April to December 2003
66 years and 3 months	April to December 2004
66 years and 6 months	April to December 2005
66 years and 9 months	April to December 2006
67 years	April to December 2007
67 years and 3 months	April to December 2008
67 years and 6 months	April to December 2009
67 years and 9 months	April to December 2010
68 years	After March 31, 2011

##### If the individual attains such age in

December 1999 or before	1999 or before.
April to December 2000	2000.
April to December 2001	2001.
April to December 2002	2002.
April to December 2003	2003.
April to December 2004	2004.
April to December 2005	2005.
April to December 2006	2006.
April to December 2007	2007.
April to December 2008	2008.
April to December 2009	2009.
April to December 2010	2010.
After March 31, 2011	2011 or after."

And if the individual does not attain such age in or before the calendar year shown below, but files an application in such year

1999 or before.
2000.
2001.
2002.
2003.
2004.
2005.
2006.
2007.
2008.
2009.
2010.
2011 or after."



*Section 202: Effective date*

Provides that the amendment made by section 201 shall become effective upon enactment of this Act.

**TITLE III: WORKING SPOUSE'S BENEFIT AND ELIMINATION OF GENDER-BASED DISTINCTIONS UNDER THE OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM**

*Part A—Working Spouse's Benefit**Section 301: Benefits for certain working spouses*

Adds a new section to the Social Security Act, which provides a working spouse's benefit for any person who is entitled in any month to both an old-age or disability insurance benefit on account of his or her own work and to a benefit as a wife, husband, widow, widower, or mother. Such working spouse's benefit for any month is equal to 25 percent of whichever of the two benefits is smaller. However, such benefit may not be greater than the difference between (1) the larger of the two other benefits involved (after any reductions required by other sections of the Act) and (2) the maximum primary insurance amount which would be payable to such individual if he or she had had the maximum credible amount of wages and self-employment income in each year after 1950 and prior to the first year in which he or she was first entitled to both such benefits. Only one member of a married couple can be entitled to a working spouse's benefit for any month on the basis of the same wages and self-employment income. (Where both would otherwise be entitled to a working spouse's benefit on the basis of the same wages or self-employment income, the spouse whose entitlement to such a benefit would result in the greatest total amount of benefits for the couple would be the one to receive it.) The amendments made by this section would apply with respect to months after December 1979.

*Part B—Equalization of Treatment of Men and Women Under the Program**Section 311: Divorced husbands*

Revises those provisions of the Social Security Act which relate to husband's and widower's benefits by extending eligibility for such benefits to aged divorced husbands and aged or disabled surviving divorced husbands on the same basis that wife's and widow's benefits are now available to aged divorced wives and aged or disabled surviving divorced wives. (Benefits are currently being paid to aged divorced husbands as a result of a 1977 Federal district court decision in *Oliver v. Califano*.)

*Section 312: Remarriage of surviving spouse before age 60*

Revises those provisions of the Social Security Act which relate to widower's benefits by extending eligibility for such benefits to widowers who "are not married" at the time they apply for benefits. Currently, widower benefits are limited to those who "have not remarried". Such a change would enable males to receive widower's benefits on the same basis that females can now receive widow's benefits.

*Section 313: Illegitimate children*

Revises those provisions of the Social Security Act which relate to the entitlement of illegitimate offspring of the worker to children's benefits. Provides that the status of illegitimate children for purposes of entitlement to children's benefits will be determined with respect to the child's mother in the same way as it is now determined with respect to the child's father. In addition, this section would change the Social Security Act to conform with a 1974 Supreme Court decision (*Jimenez v. Weinberger*) which provided that certain illegitimate children could get benefits based on a worker's earnings if the relationship and/or living

with or support requirements in the law are met at the time the child applies for benefits (instead of before the worker becomes disabled, as the Social Security Act now provides). Children of retired workers would be affected by this change as well.

*Section 314: Transitional insured status*

Revises those provisions of the Social Security Act which relate to benefits based on transitionally insured status, by extending eligibility for benefits to husbands and widowers (who attained age 72 before 1969) of transitionally-insured workers. Currently, benefits are only payable to wives and widows (who attained age 72 before 1969) of transitionally-insured workers.

*Section 315: Equalization of benefits under section 228*

Revises those provisions of the Social Security Act which relate to special payments to certain uninsured individuals, by providing that each member of an eligible couple will get an equal payment (rather than a larger amount for the man and half that amount for his wife, as present law now provides).

*Section 316: Father's insurance benefits*

Amends the Social Security Act to conform with a 1975 Supreme Court decision (*Weinberger v. Weisenfeld*), which provided that a widower who has in his care a minor or disabled child (that is, one who is entitled to child's benefits) of his retired, disabled, or deceased wife, or of his deceased former wife, is entitled to benefits on the same basis as benefits are now available to a widow in like circumstances. This section would also amend the Social Security Act in order to provide benefits to the following men who were not affected by the Supreme Court's holding: young husbands of retired or disabled workers, and surviving divorced husbands, who have an entitled minor or disabled child of the retired, disabled, or deceased worker in their care. Under current law, benefits are payable only to young wives, and surviving divorced wives, who have an entitled minor or disabled child of the worker in their care.

*Section 317: Effect of marriage on childhood disability beneficiary*

Provides that the benefits of a male childhood disability beneficiary who is married to a childhood disability or disabled worker beneficiary would cease if the latter's benefits are terminated because she recovers or engages in substantial gainful activity. (Present law provides for terminating the benefits of a female childhood disability beneficiary under similar circumstances.) The amendment made by this section would become effective with respect to termination of benefits of a female beneficiary occurring after December 1979.

*Section 318: Effect of marriage on other dependents' or dependent survivors' benefits*

Provides for terminating the husband's, widower's, or parent's insurance benefits of a man married to a childhood disability beneficiary, if the disabled spouse's benefits are terminated because she recovers or engages in substantial gainful activity. Under current law, a woman who receives wife's, widow's, or parent's benefits has her benefits terminated if her disabled spouse's benefits are terminated because he recovers or engages in substantial gainful activity. The amendment made by this section would be effective with respect to terminations of disability benefits occurring after December 1979.

*Section 319: Treatment of self-employment income in community property states*

Revises those provisions of the Social Security Act and the Internal Revenue Code which relate to the treatment for social security purposes of self-employment income

from a trade or business of a married couple in a community property state, by providing that such self-employment income will be credited to the spouse who exercises the greater management and control over the trade or business. Where each spouse exercises the same amount of management and control over the trade or business, this section would provide that such income and deductions would be divided equally between the two spouses. Under current law, such self-employment income is credited to the husband unless the wife exercises substantially all of the management and control over the trade or business. The amendments made by this section would become effective with respect to taxable years beginning after December 1979.

*Section 320: Credit for certain military service*

Revises those provisions of the Social Security Act which relate to the crediting of certain military service, by giving to widows and children the same right which widowers now have to waive a civil service survivor's annuity and instead receive credit for military service prior to 1957 in determining (a) eligibility for survivor's benefits and/or (b) the amount of the benefit.

*Section 321: Conforming amendments*

Makes technical amendments in various provisions of the Social Security Act in order to conform to changes made by this Act.

*Section 322: Effective date*

Provides that the amendments made by this part of the Act (except as otherwise specifically provided) shall apply with respect to benefits payable for months after December 1979.

**TITLE IV: COVERAGE OF EMPLOYEES UNDER THE OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM**

*Section 401: Coverage of Federal employees*

Revises those provisions of the Social Security Act and the Internal Revenue Code which relate to the definition of "employment", by repealing those paragraphs which now exclude from such definition service performed in the employ of the United States or an instrumentality of the United States which is covered by a retirement system established by United States law, and of certain other instrumentalities of the United States. The amendments made by this section would become effective with respect to service performed after December 1980. This section would also provide that the Secretary of Health, Education, and Welfare, in consultation with the Civil Service Commission, make a detailed study of how best to coordinate the benefits of the old-age, survivors, disability insurance system and those of the civil service retirement system. This would be done with the objective of developing for Federal employees a combined program of retirement, disability, and related benefits which would assure that such employees are no worse off (comparing their benefits under the combined program with the benefits they would receive under the Federal staff retirement system then in effect) upon their coverage under the old-age, survivors, and disability insurance system pursuant to the amendments made by this section.

The Secretary of HEW is to submit to the Congress by January 1, 1980 a full and complete report on the results of such study, together with a specific and detailed plan for coordinating the benefits of the civil service retirement system and the benefits of the old-age, survivors, and disability insurance plan (along with appropriate comments or recommendations with respect to other staff retirement systems covering Federal employees). The plan so submitted is to include financing and benefit provisions and other features as may be necessary to

assure that the employees involved will not be placed at a disadvantage by the coordination of the benefits of the systems as compared with their treatment under the Federal staff retirement systems in effect prior to such coordination.

In addition to and along with this study, the Secretary would be required to carry out a study of how best to coordinate the Medicare program and the program established by the Federal Employees Health Benefits Act, with the objective of developing for Federal employees a combined program of health insurance benefits to accompany the combined retirement and disability program discussed earlier. Such a combined health insurance program would include features necessary to assure that Federal employees are no worse under that program, in terms of benefits, than they were under the Federal Employees Health Benefits Act.

The study is to take into account the same aspects of the two health insurance programs and their coordination as those taken into account in the study dealing with the retirement and disability systems. The report due from the Secretary of HEW by January 1, 1980 on the combined retirement and disability systems is to include or be accompanied by a full and complete report on the combined health insurance programs.

**Section 402: Crediting of certain Federal service performed prior to the effective date of coverage**

Adds a new section to the Social Security Act, which provides that any individuals, who perform services in the employ of the United States (or any instrumentality thereof) both prior to and after the date on which the definition of "employment" is revised to include Federal service for purposes of social security coverage under section 401 of this Act, will have each calendar quarter in which such service was performed prior to that date treated as a quarter (if it is not otherwise a quarter of coverage.)

**Section 403: Conforming amendments**

Makes technical amendments in various provisions of the Social Security Act in order to conform to changes made by this Act.

**TITLE V: LIBERALIZATION AND EVENTUAL REPEAL OF EARNINGS LIMITATION FOR INDIVIDUALS AGE 65 AND OVER**

**Section 501: Liberalization of earnings limitation**

Raises the monthly earning limitation in 1981 for persons age 65 or over from \$458.33 $\frac{1}{3}$  to \$625, and repeals the provision in current law which provides that the monthly earning limitation in 1982 for persons age 65 or over will be \$500.

**Section 502: Repeal of earnings limitation**

Provides that the earnings limitation, beginning in 1982, would only apply to beneficiaries who are under retirement age (as defined in section 201 of this Act). Under current law, beneficiaries under age 72 (under age 70, beginning in 1982) are subject to the earnings limitation. This section would also repeal the delayed retirement credit provision of the Social Security Act for those persons who attain retirement age (as defined in section 201 of this Act) after December 31, 1981.

**CONGRESSIONAL VETO OF POSTAL CHANGES**

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. CORCORAN) is recognized for 5 minutes.

● Mr. CORCORAN. Mr. Speaker, I am pleased to introduce a bill today that truly represents the interests of all of our constituents. This bill would return

to Congress some control over the level of service the public receives from the U.S. Postal Service. It would give the Houses of Congress the right to veto substantial service changes proposed by the Postal Service if these changes are not in the public interest. This is truly the people's bill because it returns the right to a final decision to the elected representatives of the people.

As I am sure all of you are aware, there have been times in the past when the Postal Service seemed to be a private entity operating for and in its own interest rather than in the interest of its clients. It was not run as a public service. This has been reflected in higher rates and reductions in service. Since 1968, first class postal rates have increased 150 percent, from 6 cents per ounce to the current 15 cents. By way of comparison, the Consumer Price Index increased only 87.5 percent during the same period. At the same time, public services have been reduced, including the elimination of any new door-to-door delivery and the closing of many small post offices. I am not suggesting that the Postal Service currently plans to pursue a course of more service reductions and cost increases that has led, in the past, to a public outpouring of dissatisfaction, but I do believe that we should be prepared in the event that the Postal Service finds it desirable to follow such a path.

The legislation I am introducing would require the Postal Service to inform Congress of any proposed changes that would have substantially nationwide impact and would lead to a substantial change in service levels, such as elimination of Saturday mail delivery. If either House of Congress vetoed this plan, it would not go into effect. This would provide a mechanism for overseeing the activities of the Postal Service at the point where they most affect the public service levels.

A virtually identical bill was introduced in the last Congress by former Congressman Robert N. C. Nix of Pennsylvania, chairman of the Committee on Post Office and Civil Service during the 95th Congress. I was proud to cosponsor that bill along with all but one member of the Committee on Post Office and Civil Service at that time. On March 13, 1978, this legislation passed the House by a vote of 371 to 6, which is evidence of the unqualified support of and need for this legislation. Unfortunately, the Senate did not choose to act on the bill. I feel that it is in the best interests of the people to send this bill to the Senate one more time and I urge my colleagues to support it.

**HOSPITAL COST CONTAINMENT LEGISLATION**

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. WAXMAN) is recognized for 15 minutes.

● Mr. WAXMAN. Mr. Speaker, today I join my colleague, Congressman RANGEL of the Ways and Means Committee, in introducing the administration's hospital cost containment proposal.

I am joining in sponsoring this legislation, and I will make every effort to secure the passage of a hospital cost containment program in a workable, reasonable, effective form for a number of reasons.

First, President Carter has requested that Congressman RANGEL and I introduce the bill, and work to secure its passage. The President has emphasized to us, and to the American people, that this legislation is the keystone in his program to fight inflation. I support that effort. This is the one action he has requested from the Congress to provide him with the authority to enforce anti-inflation measures if voluntary efforts do not work. In the future, we may find that further direct controls are necessary. At the moment, this is the one that the President has asked for. I believe the Congress should give him the tools that are necessary.

Second, the leadership of the House has placed high priority on passing the cost containment bill. As the chairman of one of the two major subcommittees with jurisdiction over health issues in the House, and as a Democrat committed to my party's priorities, I intend to do all I can to see the legislation to enactment. I believe that ultimately the members of the Health and Environment Subcommittee, and of the full Committee on Interstate and Foreign Commerce, will take responsible action to control health care cost inflation. It is my intention to work with the members of the committee to secure this result.

Finally, I have introduced this bill because as a Government and as a society we cannot afford continuing increases in expenditures for medical care—particularly hospital care—at the rates we have been experiencing over the last decade. Reasonable persons may disagree on the exact amount of increases allowable in the hospital sector vis a vis other components in our economy. But there is no disagreement that:

Expenditures for hospital care have been rising considerably more rapidly than the economy as a whole for a lengthy period of time. Rates of increase in 1975, for example, reached 18 percent, even by conservative estimates. We have begun to change that trend, but the increases are still high.

The proportion of the gross national product spent on health care, already one of the highest in the world, has now reached 8.8 percent, and is continuing to increase with no end in sight. At some point, we must decide how much of our resources we want to spend on health care.

Government paid \$76 billion for health care in fiscal year 1978—40 cents out of every dollar spent for health, half again as much as was paid by all private insurers. Expenditures for health by the Federal Government alone account for one out of every eight tax dollars. With calls for balanced budgets, and the compelling need for better coverage in health care programs, we have to find ways to control costs.

The way we pay for hospital care—most particularly in Medicare and Medicaid—has resulted in a hospital sys-



tem with virtually no incentives to reduce costs and operate as efficiently as possible. We have to create incentives but we have to be sure that we have real change—not simply a shifting of the costs to other payers.

Over the past several years, we have begun to see a slowdown in the increases in hospital costs. I recognize that there have been legitimate efforts by hospitals to be more cost conscious. The consideration of hospital cost containment legislation in the last Congress focused the attention not only of the Congress, but also of the public and the medical profession itself, on the problem of costs. The resulting voluntary effort mounted by the hospitals has clearly had an initial effect. Further, we cannot overlook the very significant impact of some of the effective cost containment programs in the States. We would not be experiencing a rate of increase as low as the 13 percent in 1978 without those State cost containment programs in place. However, the drop in the rate of increase which coincided with the initial stages of the voluntary effort should not lull us into believing the problem as solved:

First. Very recent data indicate a disturbing increase in medical care inflation again;

Second. The overall rate of increase in hospital care is still significantly higher than the rest of the economy;

Third. Activities which will truly result in more cost-efficient medical care continue to elude us.

I have some concerns about the proposed cost containment legislation. I would prefer an approach that was more simple and easy to understand.

But the hospital industry is not a simple one, and the problem of excessive cost increases may not be ones that can be dealt with simply.

I would prefer an approach which dealt more leniently with hospitals who have worked to assure that the care they provide is appropriate—which treat cases on an outpatient basis where possible, which work to reduce lengths of stay, which enforce standards for high quality, cost effective practice, and which make special efforts to reach the underserved in the community. Hospitals that are truly efficient should be released from arbitrary constraints. However, turning this objective into legislation is difficult—partly because of shortcomings in our ability to measure and identify the truly efficient institutions.

I like an approach which deals with hospitals individually, which analyzes changes in admissions and which assures that cuts in hospital costs are not achieved at the expense of an adequate wage for hospital workers. In each of these areas, the bill proposed this year is improved over the proposal sent to the 95th Congress. Our deliberations last year had much to do with the improvements we see now. Some problems still remain. But I hope we can work constructively with labor, with the hospital industry, with physicians, with Governors, and with consumers to make the legislation we pass this year as fair and as effective as possible.

I am including in the RECORD the sum-

mary factsheet prepared by the administration explaining the rationale for and approach of the bill Congressman RANGEL and I have introduced today:

#### HOSPITAL COST CONTAINMENT LEGISLATION SUMMARY FACT SHEET

##### THE PROBLEM

MARCH 5, 1979.

Hospital cost containment legislation is a key component in President Carter's fight against inflation.

Over the past three years, total hospital expenditures have increased at a rate more than two times the rise in the Consumer Price Index—even faster than the rate of increase in such highly inflationary items as food and fuel.

No other legislative proposal before the 96th Congress can contribute so significantly

*To curb inflation in the economy* (if health care prices had increased at the same rate as other goods and services in 1975-77, the Consumer Price Index for that period would have been 5.8 percent rather than 6.1 percent);

*To lighten the burden on Federal, State and local taxpayers* (federal savings for Fiscal 1980-84 would be \$22 billion, including \$19 billion of social security trust fund savings; State and local savings for Fiscal 1980-84 would be as much as \$6 billion);

*To reduce the increasing cost to employers and workers of health insurance premiums* (employers would save \$14 billion for Fiscal 1980-84, and individuals \$5 billion in lower health insurance premiums); and

*To lower the direct cost of hospital care for the aged, poor, unemployed, and uninsured* (individual out-of-pocket payments for hospital care would be \$6 billion lower in Fiscal 1980-84).

Voluntary efforts to contain the sharp rise in hospital costs have not been adequate:

Hospital costs continued to rise in 1978 at about 13 percent annually according to estimates based on hospital industry data. Hospital room rates increased 12.4 percent, well in excess of increases in the prices of other goods and services (e.g., the Consumer Price Index for energy increased 8.0 percent in 1978 and food increased 11.8 percent, while the total CPI increased 9.0 percent).

Slight deceleration in the rate of increase in hospital costs in late 1977 and early 1978 has largely resulted from the prospect of a mandatory Federal program and from existing mandatory State cost containment programs, (e.g., New York State held increases in total hospital expenses to 6.2 percent in 1977). The deceleration has leveled off, and appears to be turning upwards.

Estimates of inefficient and unnecessary spending in the hospital industry indicate that there is ample room to realize significant savings without affecting the quality of health care. Strong legislative action is necessary because the hospital industry, which receives most payments on a cost plus basis, lacks fundamental market incentives to ensure efficiency and to eliminate waste.

##### THE LEGISLATIVE PROPOSAL

###### I. Basic approach

The proposed legislation has two parts:

*National Voluntary Limit:* The legislation would establish a national limit for the rate of increase in hospital costs in calendar 1979 which hospitals would be asked to meet voluntarily.

*Standby Mandatory Controls:* Should the hospital industry fail to achieve this nationwide voluntary limit in 1979, standby mandatory controls would be applied to individual hospitals beginning January 1, 1980.

###### II. National voluntary limit

The national voluntary limit for calendar 1979 would be a 9.7 percent rate of increase in total hospital expenses. This limit is set by adding three components:

*An inflation allowance* based on the increase in the cost of goods and services purchased by hospitals during 1979. This so-called "market basket" is estimated to be 7.9 percent in 1979. But if the market basket rate of inflation during the year actually changes, corresponding changes would be made in this component of the national voluntary limit. For example, if actual inflation caused the hospital market basket to rise from 7.9 percent to 8.2 percent during the course of the year, then the national voluntary limit would rise correspondingly from 9.7 to 10 percent.

*An allowance for population growth* would be 0.8 percent.

*An allowance for net new services:* the cost of additional services (e.g., new technology or more lab tests) minus savings from increased productivity and efficiency. This net new services allowance would be 1.0 percent.

In sum, the national voluntary limit will require the hospital industry markedly to improve productivity and efficiency to meet the allowance for net new services (ineffective management and unnecessary new services are the source of much hospital waste). But the limit will be adjusted upwards if inflation in the hospital market basket is actually higher than presently projected.

###### III. Exemptions from mandatory controls for individual hospitals

If the national voluntary limit is not met in 1979, certain types of hospitals that would otherwise be subject to mandatory controls would be exempted from those controls under the following conditions:

If the rate of increase in total hospital costs in any State during 1979 is within the national voluntary limit (adjusted for State population trends and its nonsupervisory wage experience), all hospitals in that State would be exempt from mandatory controls in 1980.

Even if total hospital costs in a State do not meet the limit, individual hospitals would be exempt in 1980 if their individual rates of increase in total costs (adjusted for their own nonsupervisory wage experience) were at or below the voluntary limit in 1979.

Small, nonmetropolitan hospitals (under 4,000 admissions), new hospitals (less than 3 years old), and HMO hospitals (with 75 percent of patients enrolled in qualified HMOs) would be exempt from the mandatory program regardless of their rate of increase in 1979; and

Hospitals in States with mandatory cost containment programs of their own could be exempt if the State program either met performance standards (i.e., the Statewide rate of increase in 1979 was within 1 percent of the national voluntary limit) or met other requirements established by regulation.

Present estimates indicate that more than half of the nation's 6,000 community hospitals would be exempted from the mandatory program under the provisions outlined above.

###### IV. Mandatory program for individual hospitals

Individual hospitals which are not exempted and which, thus, come under the mandatory program would be given an allowable rate of increase in total inpatient revenues per admission for 1980. This mandatory limit includes a basic limit—comprised of an allowance for inflation and an allowance for efficiency or inefficiency—and adjustments for exceptional circumstances.

###### Basic limit

Each hospital would be granted an inflation allowance to cover its own market basket price increases (increases in the cost of goods and services purchased). This includes an allowance for the actual rate of increase in non-supervisory wage rates experienced by that hospital. This assures that low-wage

workers will not bear the burden of hospital cost constraints.

Each hospital would be given an allowance based upon its efficiency or inefficiency. Efficiency would be measured by comparing the hospital's previous actual costs with those of other hospitals of similar size and location. Efficient hospitals would be given a bonus. Inefficient hospitals would be penalized.

#### Exceptions/adjustments

Hospitals with unusual circumstances, such as changes in admissions, would have their basic limit adjusted.

#### Sanctions

As in earlier cost containment proposals, once the mandatory limit on the allowable rate of increase on total inpatient revenues per admission is established, it would be enforced in two ways:

The refusal by Medicare, Medicaid and Blue Cross to pay costs in excess of the hospital's mandatory limit; and,

A 150 percent tax on excess revenues collected by the hospital from other payers, unless these excess revenues are set aside in a special account and used to reduce prices to private patients in future years.

#### Savings

Estimates of savings generated by the legislation are as follows:

[Dollars in millions]

	Federal savings	Total system savings
Fiscal year:		
1980	\$1,410	\$3,690
1981	2,560	6,520
1982	3,930	9,770
1983	5,820	14,130
1984	8,110	19,260
Total 1980-84	21,830	53,370

□ 1550

#### INTRODUCTION OF FOOD STAMP ACT AMENDMENTS OF 1977

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. STACK) is recognized for 10 minutes.

Mr. STACK. Mr. Speaker, today, March 6, 1979, I filed a bill to amend the Food Stamp Act of 1977, with respect to households which are composed entirely of persons who are age 62 or older, or who are recipients of benefits under title XVI of the Social Security Act—blind and disabled—by permitting, for the purpose of determining eligibility for food stamps, certain deductions as follows:

First. From the gross income of the household, my bill would continue the standard deduction of \$65—as provided in the Food Stamp Act of 1977.

Second. In addition, my bill would permit the deduction of all out of pocket medical expenses in excess of the standard deduction of \$65.

For example, if the household spent \$165 in a given month for medical expenses, they would deduct first the standard deduction of \$65, plus an additional \$100.

Third. In addition, again for the purpose of computing eligibility for stamps, my bill would eliminate the restriction on excess shelter deductions, which was set

at \$75 per month in the 1977 Food Stamp Act, which, by virtue of indexing, at present is \$80 per month. In lieu thereof, my bill would permit an excess shelter care deduction to the extent that the monthly amount expended for shelter care exceeds an amount equal to 50 percent of monthly household income after all applicable deductions have been allowed.

For example, in my district, a Mr. and Mrs. Pittman in the last month had shelter care costs which totaled \$160—their out of pocket medical expenses totaled \$166—the following is the method of computation which would be employed to determine income eligibility for food stamps under the bill which I have filed.

#### METHOD OF COMPUTATION

The Stack bill changes the method of computing eligibility for food stamps for those households composed entirely of persons who are age 62 or older or who are recipients of benefits under title XVI of the Social Security Act (blind and disabled).

Step 1—Compute household income.

Step 2—Subtract the standard deduction of \$65.

Step 3—Subtract medical and dental expenses (out of pocket) to the extent they exceed the standard deduction of \$65.

Step 4—This resulting figure represents "income after all deductions".

Step 5—Compute 50 percent of this figure ("income after all deductions").

Step 6—Compute shelter costs (rent/mortgage, utilities, phone).

Step 7—To the extent the shelter costs (step 6) exceed 50 percent of "income after all deductions" (step 5), subtract this amount from "income after all deductions" (step 4).

This final figure represents income for the purpose of determining eligibility for food stamps.

#### EXAMPLE APPLYING METHOD OF COMPUTATION

The following is an actual computation for food stamp eligibility for Mr. and Mrs. Pittman of the district. Their shelter costs total \$160 and their out-of-pocket medical expenses total \$166.

Step 1: \$225 social security plus \$84 veterans benefits equals \$309 monthly income.

Step 2: \$309 monthly income minus \$65 standard deduction equals \$244.

Step 3: \$244 minus \$101 (medical expenses to extent they exceed \$65) equals \$143.

Step 4: \$143 equals "income after deductions."

Step 5: 50 percent of \$143 equals \$71.50.

Step 6: \$160 shelter costs.

Step 7: \$160 shelter costs minus \$71.50 (50 percent of income after deductions) equals \$88.50 excess shelter costs; \$143.00 "income after all deductions minus \$88.50 excess shelter costs equals \$54.50 income for purpose of determining eligibility.

Go to the food stamp table—\$89.00 in food stamps.

The purpose of my bill is clear. The necessity for its adoption is equally evident. The bill applies only to the elderly poor, the sick and the disabled—to households composed entirely of individuals who are 62 years of age or older or who are blind or disabled. These individuals are in desperate need. They are ravaged by inflation—by the soaring costs of medical and dental care and of housing. How can we, Members of Congress, representatives of

the richest people in the world, deny to those who are literally starving, the few dollars it would take to feed them? This is a situation which cries out to Heaven for justice—to feed those who hunger is a cardinal work of mercy. I ask you, my colleagues, to join with me as cosponsors of this bill so that we can promptly deal with this most urgent matter.

In my own State of Florida, some 140,000 households, with a total of approximately 40,000 people, are adversely affected by the impact, as of March 1, 1979, of the Food Stamp Act of 1977.

I am very pleased to know that my distinguished colleague, the Honorable CLAUDE PEPPER, the chairman of the Select Committee on Aging, has indicated that he will join me as a cosponsor of my bill. On the Senate side, the honorable RICHARD STONE will introduce a companion bill.

#### Maximum allowable monthly income standards, March 1, 1979

Household size:	
1	\$277
2	365
3	454
4	542
5	630
6	719
7	807
8	895
Each additional member	+89

#### H.R. 2663

A bill to amend the Food Stamp Act of 1977 to eliminate certain restrictions on excess shelter expense deductions with respect to households which are composed entirely of persons who are age 62 or older or who are recipients of benefits under title XVI of the Social Security Act and to allow deductions for certain medical and dental expenses in the computation of incomes for such households.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(e) of the Food Stamp Act of 1977 (7 U.S.C. 2014(e)) is amended—

(1) in the fourth sentence, by striking out "Households" and inserting in lieu thereof "Except as provided in the following sentence, households"; and

(2) by adding at the end thereof the following new sentences: "The proviso contained in clause (2) of the preceding sentence shall not apply with respect to households which are composed entirely of persons who are age 62 or older or who are recipients of benefits under title XVI of the Social Security Act. In addition, households described in the preceding sentence shall be entitled to a medical expense deduction to the extent that the monthly amount expended by any such household for medical or dental care exceeds the amount of the standard deduction in effect under this subsection".

#### A TRIBUTE TO THE LATE MRS. KATHRYN STONER O'CONNOR

The SPEAKER pro tempore (Mr. MONTGOMERY). Under a previous order of the House, the gentleman from Texas (Mr. WYATT) is recognized for 5 minutes.

Mr. WYATT. Mr. Speaker, I would like to thank you for this opportunity to address the floor in memory of a great lady who lived in Victoria County, Tex., until her death last month. Actually, the words I have to say about Mrs. Kathryn Stoner O'Connor seems terribly insignifi-



cant following the words of praise which were bestowed upon her by the likes of Pope Pius XII, Pope John XXIII, King Juan Carlos of Spain, the legislature and universities in the State of Texas. The deeds of this great lady deserves to be recorded one more time in our National Archives, so I will attempt to do her justice in this short time before you.

She was born Kathryn Stoner in 1883 on the Seven Bar Ranch in Victoria County, where she also attended private school as she grew up. Shortly after the turn of the century she married Thomas O'Connor of Refugio County, and homes were maintained in both Victoria and Refugio Counties ever since.

Kathryn Stoner O'Connor was a devout Catholic and a member of St. Dennis Catholic Church on the River Ranch. She was also a keen student of, and an expert on, the history of Texas. Her work on behalf of the church, the cultural heritage of Texas, and the people of her State led to her first papal honor in 1939. Pope Pius XII bestowed the *Pro Ecclesia et Pontifici* upon her in that year. Later, in 1957, Pope Pius XII awarded her the honor of Lady Equestrian Order of the Holy Sepulchre of Jerusalem. She was subsequently raised to Lady Commander of the Order and Lady Commander of the Grand Cross of the Order by Pope John XXIII.

In these awards she was cited for her many years of devotion to the faith, education, health, and culture of the people of Texas; specifically her work with the Nazareth Academy for Girls, the St. Joseph's Education Foundation for Boys, the library built in honor of her brother, Father Victor Rose Stoner, at Annunciation College, and her work on behalf of the Lady of the Lake and Incarnate Word colleges in San Antonio.

Both of these colleges also honored Kathryn O'Connor. Lady of the Lake awarded her an honorary doctor of letters degree, and the Incarnate Word College awarded her its Aristotle-Aquinas Medal.

King Juan Carlos of Spain cited her generosity on behalf of the preservation of the Spanish cultural heritage in Texas when he bestowed the Spanish Order of Isabella la Catolica on her in 1975. The award cited her singlehanded efforts to restore the Presidio La Bahia in Goliad, Tex. Presidio La Bahia, one of the most important sites in Texas history, was in almost complete ruin and nearly forgotten before Kathryn O'Connor moved to bring the fort, and the history of the fort, back to the people of Texas.

Since the restoration of the Presidio, and through the generosity of Kathryn Stoner O'Connor, a Spanish Texas Microfilm Center for the study of Texas' Spanish heritage has been founded on the fort's grounds. The Spanish King's award honoring this benevolence was the first of its kind ever given to any citizen of the United States.

Her book, "Presidio La Bahia, 1721-1846," written in 1966, has been widely acclaimed and is now in its second printing. She also contributed numerous articles to the Southwest Historical Quarterly and is the author and editor of many, many works on the history of Texas.

Her devotion to Texas did not lie with only its churches and its history, though. The Kathryn Stoner O'Connor Foundation has been primarily devoted to the welfare of its people. The foundation awards grants for health and education throughout the State. Grantees from her foundation included a new wing on the Citizen's Memorial Hospital in Victoria, complete with the most advanced cobalt treatment equipment, to the agricultural experiment station of Texas A&M University's extension service at Beeville, Tex. Scientists at this station are studying ways to protect the indigenous prairie chicken from extinction.

Kathryn Stoner O'Connor is survived by an equally great family in Texas: her daughter, Mary O'Connor Braman of Victoria, and two sons, Dennis M. O'Connor of Refugio and Thomas O'Connor, Jr., of Victoria, and three grandchildren, Louise S. O'Connor of Austin, Kathrine O'Connor Counts of Victoria, and Daniel Hawes Braman, Jr., of Refugio County.

I have probably spoken longer already than Miss Kate would have wanted. For her funeral she requested that Rev. Edward Kircher of Woodsboro simply ask us to remember her in our prayers instead of offering a eulogy. That is the way she was—a simple, beautiful woman who liked simple, beautiful things.

Victoria and Refugio Counties, Tex., and very probably the world feel a sense of loss with the passing of Kathryn Stoner O'Connor. Her special spirit touched us all, and I simply wish to add my deepest sympathy to her family, and add my words of praise to those which have already been said for this grand lady.

Thank you, Mr. Speaker.

#### ANOTHER FORM OF BANK ROBBERY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

● Mr. ANNUNZIO. Mr. Speaker, when asked why he stole from banks, the famous robber Willie Sutton replied, "because that's where the money is." Today's bankers have been taught an ironic lesson from their former nemesis—rob the customers, because that is where the money is. That banks have learned this lesson well is evidenced by a recent editorial in the influential trade newspaper, *American Banker*. The editorial is entitled "Smart Competition," but what it really calls for is no competition. It suggests outright that competing banks "educate" any competitors who they believe are unwittingly underpricing their customer services. Low service charges can harm the banking community, the editor asserts, because, in order to compete, other banks will be forced to lower their charges, and this in turn endangers the health of each institution.

The recent advent of new services such as automatic transfers and NOW accounts prompted most banks to reassess their pricing strategies for the consumer services they offer. As a result, services formerly taken for granted, such as free checking with no strings attached, have all but disappeared. Once banks recog-

nized that such offerings were not producing a sufficient profit, most moved quickly to rectify the situation, usually at the expense of middle- and low-income customers. But some financial institutions did not jump on the bandwagon, and it is the threat these banks pose to their competitors which prompted the editorial. By offering services at low prices, banks pose a dilemma for their competitors, who must either cut their own charges or risk losing customers. This is one of the few areas in banking which is not strictly regulated, and the editorial's message indicates that at least some bankers cannot face the free market competition they always cry out for.

The editorial recommends that banks confront their low-priced competitors if they believe that the underpricing is due to a failure to recognize the costs entailed in providing the services. Banks can avoid the secrecy of cost comparing in other industries, the editorial proudly claims, by hosting cost analysis seminars and similar forums in which everything would be "open and above board." The *American Banker* calls this education. I call it price fixing, because it encourages and even pressures banks to raise the costs of their services to consumers.

The editors of *American Banker* do not object if banks are underpricing services as loss leaders, or are charging low fees because of efficient operational techniques. But low prices do no more harm to the banking community as a whole if they are assessed out of ignorance than if they are charged for specific reasons. Furthermore, bankers should be insulted by the paper's insinuation that many of them do not know what they are doing, or why. Behind the guise of helping the financial community avoid harm, the editorial is calling not for competition, but for collusion, so that consumers will have nowhere to turn.

So long as a bank is not performing unsafe and unsound practices in the context of its overall financial condition, any act by its competitors to force it to charge higher prices is blatantly anti-consumer and borders on violating anti-trust statutes. Whether it is done behind closed doors in smoke-filled rooms or at public meetings, the net effect is the same—the consumer loses because competition is stifled in the name of a supposedly greater good—the bottom line of the banks. ●

#### AMENDING THE FEDERAL TORT CLAIMS ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. RODINO) is recognized for 5 minutes.

● Mr. RODINO. Mr. Speaker, today Mr. DANIELSON and I are introducing a bill:

To amend title 28 of the United States Code to provide for an exclusive remedy against the United States in suits based upon acts or omissions of United States employees, to provide a remedy against the United States with respect to constitutional torts, to establish procedures whereby a person injured by a constitutional tort may initiate and participate in a disciplinary in-

quity with respect to such tort, and for other purposes.

A similar proposal, H.R. 9219, was introduced by me in the 95th Congress and was the subject of hearings by the Subcommittee on Administrative Law and Governmental Relations. In September of last year, that subcommittee reported H.R. 9219 with amendments, but the 95th Congress adjourned before action could be taken by the full committee.

The legislation that Mr. DANIELSON and I are introducing today would amend the Federal Tort Claims Act to make the United States the exclusive defendant in certain suits arising from the torts of Government employees. The Federal Tort Claims Act would also be amended to authorize the victims of certain torts arising under the Constitution to initiate an agency discipline proceeding against the offending employee. This legislation was developed with the assistance of the Department of Justice and is supported by the administration.

The Federal Tort Claims Act now makes the Government liable—

for injury or loss of property, or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred.

However, nothing in the existing Tort Claims Act prevents the plaintiff from also bringing suit against the individual employee or from bringing suit against the employee and not the United States.

Making the United States the exclusive defendant under the Tort Claims Act will have two consequences. First, Federal employees will be immunized from the threat of crippling lawsuits challenging their actions while in Government service. Second, it would no longer be necessary for the Government to retain private attorneys to defend employees who are defendants in lawsuits. With the employee no longer a party in interest, many valid plaintiff claims can be settled short of litigation by the Government.

Our bill also contains a number of provisions which will make it easier for a tort plaintiff with a meritorious claim to recover against the Government. The 93d Congress extended the Tort Claims Act to cover certain enumerated torts committed by Federal investigative or law enforcement officers. Section 3 of our proposal would remove questions of the act's coverage of law enforcement related torts by extending the provisions of the act to all torts arising under the Constitution. Proof of damage questions now faced by plaintiffs in law enforcement related tort cases will be eliminated by provision for minimum liquidated damages computed at the rate of \$100 a day for each day of violation not to exceed \$15,000 or \$1,000 whichever is higher. Successful tort plaintiffs would be able to recover litigation costs and attorneys' fees against the Government.

This legislation specifically provides that the United States may not raise as a defense to a constitutional tort suit the

absolute or qualified immunity of the employee (except that of Members of Congress, judges or prosecutors, or persons performing the functions of such persons) or the employee's reasonable good faith belief in the lawfulness of his conduct. If the United States is responsible for the commission of a constitutional tort, it should compensate the victim, regardless of whether the employee was acting in good faith or whether he was acting under a personal absolute or qualified immunity.

A person who has recovered on a tort claim against the Government would be able to initiate an administrative inquiry into the conduct alleged or found to have given rise to the claim, and a tort victim unsatisfied with the results of that inquiry could obtain administrative and then judicial review. A plaintiff who has begun a suit under the Tort Claims Act could initiate a discipline proceeding within a period beginning 60 days after and ending 120 days after filing of the suit, but he could not obtain administrative or judicial review until a court found, or the Government admitted, liability.

Former employees and former Presidential appointees who are sued as individuals would have to submit themselves to the discipline procedures for current employees in order to have the Government substituted as the exclusive defendant. The conduct of a current Presidential employee would be subject to review by the entity which would normally conduct administrative review of agency discipline proceedings. This body, which in most cases would be the Merit Systems Protection Board, would recommend any appropriate disciplinary action to the President.

Mr. Speaker, it is our view that this legislation is most urgently needed, both by Government employees who may be defendants in possible tort actions and by members of the public who may be plaintiffs in such actions. I understand that Mr. DANIELSON's subcommittee is planning to hold early hearings on this bill. The full committee will also give this bill its early attention. We are hopeful that this amendment to the Federal Tort Claims Act will be one of the early accomplishments of the 96th Congress. ●

#### PERSONAL EXPLANATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. FOUNTAIN) is recognized for 5 minutes.

● Mr. FOUNTAIN. Mr. Speaker, had I been present on Thursday, March 1, I would have voted "yea" on rollcall No. 19, to allow portions of the transcript of the trial of Representative Diggs to be read during debate, and "yea" on rollcall No. 20, a motion to refer the Diggs expulsion resolution to the Committee on Standards of Official Conduct. ●

#### EXPORT TASK FORCE ARTICLE NO. 4: AN EXPORT REFERENCE GUIDE

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

● Mr. ALEXANDER. Mr. Speaker, I recently had the opportunity to meet Mr. William J. Barton, president of the Internal Business-Government Counsellors, Inc. During our discussion, Mr. Barton repeatedly stressed the fact that a \$30 billion plus trade deficit has made the need for an effective U.S. national export policy imperative. The United States must make a vigorous effort to expand markets for our goods or large trade deficits will continue with the following consequences: A continued weakening of the dollar, added domestic inflation, and loss of U.S. jobs and production.

In order to assist Members of Congress and others in Government, labor, industry, and agriculture in understanding the export situation, the International Business-Government Counsellors, Inc., has compiled a special report entitled, "U.S. Export Policy: New Directions."

The report presents in a concise and analytical manner the complex questions surrounding the development of a national export policy. As chairman of the House export task force, I am pleased to submit a portion of this report for review by my colleagues:

[Excerpt]

#### U.S. EXPORT POLICY: NEW DIRECTION INTRODUCTION

The United States has never had a National Export Policy. And until very recently it has never really thought it needed one, despite a long history of government and private sector efforts to raise "export consciousness." For many years, the strength and diversity of the national economy have protected the U.S. from dependence on foreign markets, just as they have protected U.S. domestic industries from the realities of competition with foreign companies.

U.S. companies have seen themselves as part of a domestic market, by and large, not a world market. It's estimated that less than 10% of U.S. manufacturing firms have steady export business, and exports tally up to only about 6% of the U.S. gross national product, the lowest percentage of any major industrialized country. Many small and medium sized companies have never thought about exporting and don't really know how to go about it.

U.S. global multinationals, on the other hand, have in many cases become truly international, with strategic planning of production and marketing for the global economy and production sourcing abroad for sales in foreign markets. While multinationals are and will continue to be the key to U.S. export performance, many of these large companies give export expansion from the U.S. a fairly low priority.

This attitude can be traced to the high costs of producing for export from the U.S. market, in part. And also to the business community's uncertainty and distrust of U.S. government policy trends affecting their exports, which makes the U.S. a less attractive base of production for export than other countries.

Government policies have not put exports high on the national agenda, in large measure reflecting the domestic market mentality so long accepted in the U.S. This is despite the efforts of several administrations, notably President Lyndon Johnson's, to make export policy a high priority item. The issue has never really been given concentrated high level attention. The U.S. government not only has no top level Export or International Trade Department Head, but it has no central coordinating unit for international economic policy. Export functions are scattered



among a number of agencies, incidental responsibilities of many but the prime job of none.

"Trade policy" has focused usually on import protection, overseas investment, not on vigorous efforts to expand markets for U.S. goods. Export and import policy are by habit and by government organization treated as separate issues, instead of closely linked pieces in the process of U.S. adjustment to the world market place.

Specific policy areas illustrate the domestic market thread. U.S. antitrust policy was shaped for a 19th century world, when America was relatively isolated and threatened by domestic monopolies. But in the 20th century world, even the biggest U.S. firms have to worry about competition from foreign corporations that work in close partnership with their governments. Policies and regulations adopted for social goals or to affect the operations of business in the domestic market have not been closely examined for their impact on exports. Tax policy has been keyed to domestic policy goals, generally not used as a tool of international economic competition. The lack of a National Export Policy is part and parcel of the U.S. reluctance to coordinate its domestic economic goals with the changing demands of the international marketplace.

The U.S. today is in the midst of a serious export crisis, as was put into stark relief by the \$26.5 billion trade deficit in 1977. "Export policy" finally has become a top priority issue for national policymakers. In the spring of 1978, President Carter set up an interagency Task Force on Export Policy to come up with recommendations. Several Congressional committees, business orgs began looking more closely at how govt policies affect exports. But these efforts have produced only a few tentative steps to improve U.S. exports.

In 1979, development and implementation of a "National Export Policy" will be a major issue for the Administration and Congress.

This Special Report takes a concise look at factors affecting exports and possible recommendations for boosting them. It is divided into six sections: (1) U.S. Export Performance; (2) U.S. Government Policies Which Help Exports; (3) U.S. Government Policies Which Hurt Exports; (4) What Other Countries Do; (5) What Has Been Done; (6) New Directions For a National Export Policy.

This Special Report was prepared by Solveig B. Spielmann, Assistant Editor of the Washington International Business Report and Vice President of International Business-Government Counsellors, Inc. (IBGC), assisted by William J. Barton, President of IBGC; Janet Hunter, Editor of the Washington International Business Report; Eben Tisdale, Assistant Editor; and Anne Taylor and Nannette Montel, Editorial Assistants.

The editors want to thank the outside readers who reviewed the manuscript in draft and contributed valuable ideas and criticisms, particularly: Timothy O'Shea of Westinghouse, Robin Potter of the Commerce Department, Robert Russell of the Senate Banking Committee staff, and Thomas Trueblood of International Harvester.

#### V. WHAT HAS BEEN DONE

The trade deficits have made export policy a top priority issue in Washington for the first time in memory. The enormous negative turnaround in the U.S. trade position has shaken international confidence in the dollar. It has also shaken the confidence of U.S. government and business leaders, who are beginning to question the fundamental ability of the U.S. to compete in the international marketplace.

Yet, no dramatic new directions for U.S. export policy have been announced. Leaders in the Administration, Congress and business have taken some tentative steps but are still searching for suggestions and

proposals on new policies to alter the export picture.

A. The Carter administration's export policy. Recognizing the serious nature of the trade problem, and pushed hard by Assistant Secretary of Commerce Frank Well to develop a "National Export Policy," President Carter set up an interagency Task Force on Export Policy in April, 1978. The program the President announced in September of last year resulting from the Task Force work fell far short of being a "National Export Policy," and Administration spokesmen have refrained from describing it as such.

The White House announcement promised only a "series of measures" to place a higher priority on exports. It is seen as a first step in developing a National Export Policy, one which will be expanded and changed over time.

Followup activity within the Administration has already begun. A Regulatory Council has been appointed to analyze the costs and effects of regulations, and a special interagency study is underway on the effects of "disincentives to exports." Justice Dept did appoint a Business Advisory Panel for the Antitrust Commission and is preparing guidelines on the improper payments legislation.

An interagency task force is working on exports of hazardous substances, with a policy statement now due in February. One question mark is whether Commerce Dept can convince the Office of Management and Budget (OMB) to OK more export promo funds.

The Administration is also pursuing export expansion goals through the Multilateral Trade Negotiations in Geneva, with the objective of reducing foreign barriers to trade and opening markets for U.S. goods.

B. Congressional action. Congress has been quick to get in on the export policy debate, with a number of committees holding hearings, writing reports and considering legislation. Consideration of major export expansion legislation seems almost certain in 1979. Senators Adlai Stevenson (D-Ill) and John Danforth (R-Mo) are already at work on broad proposals. Some of the groups and committees involved in the issue are:

In the House of Representatives.—

First. House Ways and Means Committee.—Trade Subcommittee Chairman Charles Vanik may go ahead with export policy hearings early next year. Subcommittee had planned special hearings for industry reps in December, but session was postponed due to health of Ranking Minority Member William Steiger (R-Wis), who had spearheaded the effort. Look for Congressman James Jones to be particularly active on issue, concentrating on antitrust issues, adaptation of trading company concept to U.S. Committee will also be key in Congressional consideration of MTN agreements. Vanik is interested in tax changes to boost Research and Development.

Second. House Export Policy Task Force.—Even before the Carter Administration's export program was announced, an informal Task Force of key House members was organized by Assistant Democratic Whip Bill Alexander (D-Ark.). Alexander's group will provide a forum for discussion of export policy issues and monitor legislation affecting export policy. It will work closely with a private sector support group made up of representatives of leading exporting companies, which will present ideas for legislation early in the New Year. The Task Force has no legislative authority or jurisdiction.

Members of Task Force include key committee and subcommittee chairmen: Bill Alexander (D-Ark.); Jonathan Bingham (D-NY); Barber Conable (R-NY); Tom Foley (D-Wash.); Jim Jones (D-Okla.); Steve Neal (D-NC); Henry Reuss (D-Wis.); John Slack (D-

W. Va.); Al Ullman (D-Ore.); Charles Vanik (D-Ohio); Clement Zablocki (D-Wis.); Bill Frenzel (R-Minn.); Dan Akaka (D-Hawaii).

Third. California Ad Hoc Committee on Exports.—An informal group of California Congressmen, focusing mainly on government policies affecting California exporters, especially in the aviation and high technology areas. Chaired by Jim Lloyd, other members are Democrats Glenn Anderson, Don Edwards, Harold Johnson, Lionel Van Deerlin, and Republicans Don Clausen, Robert Lagomarsino and Paul McCloskey.

Fourth. House International Relations Committee.—Chairman Clement Zablocki (D-Wis) could play a leading role in the export policy debate. His committee authorized a special study by the Library of Congress, comparing U.S. export promotion programs to those in eight other countries. And it has jurisdiction over Export Administration Act, setting export control policy. Jonathan Bingham's (D-NY) Subcommittee on International Trade and Economics is key.

Fifth. House Banking, Finance and Urban Affairs Committee.—Full committee Chairman Henry Reuss (D-Wis) is very concerned about export performance, dollar decline. Look for him to press Administration hard on broad range of issues affecting export performance. Committee has jurisdiction on Export-Import Bank legislation, but it will not be an issue in 1979.●

#### SUBCOMMITTEE ON CRIME TO CONTINUE HEARINGS ON THE RE-AUTHORIZATION OF LEAA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. CONYERS) is recognized for 5 minutes.

● Mr. CONYERS. Mr. Speaker, the Subcommittee on Crime, which I chair, will continue its consideration of H.R. 2108 and H.R. 2061, legislation to reauthorize and reorganize the Law Enforcement Assistance Administration, on March 8 and 15, 1979. These hearings will begin each day at 9:30 a.m., in room 2237, Rayburn House Office Building.

The hearing on March 8 will focus on the resources and activities of LEAA with respect to white-collar crime; the March 15 hearing will examine provisions of the bills regarding statistics and research programs.

Individuals wishing to testify or submit a statement for the RECORD should address their requests to the Subcommittee on Crime, House Committee on the Judiciary, 207E Cannon House Office Building, Washington, D.C. 20515.●

#### INTRODUCTION OF LEGISLATION TO LESSEN GERRYMANDERING

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. HANLEY. Mr. Speaker, we have in this country a practice popularly known as political gerrymandering which, for nearly 200 years, has hindered the concept of fair and effective representation within congressional districts.

I am sure that you are well aware of what the gerrymander has done—and is capable of doing—as an instrument of partisan political profiteering. This discriminatory districting which operates unfairly to inflate the political strength

of one group and deflate that of another, disrupts entire cities, towns, and communities of interest for the sole purpose of creating and maintaining a political power base within a State.

Although it runs in direct opposition to the principles upon which our Republic was founded, gerrymandering remains within the boundaries of the law. It is sad to say that we, as a legislative body, have done absolutely nothing to bring this unfortunate practice to an end.

Some progress in this area, however, has been made. The "one-man, one-vote" Supreme Court decisions of the mid-1960's, in addition to the many judicial breakthroughs in the early 1970's have taken great strides toward the creation of fair and effective political representation on the congressional level.

At the present time, all State constitutions contain some type of provision regarding redistricting and apportionment. Most State constitutions require the legislature to reapportion on a basis of population following each Federal decennial census, while many of them also explicitly provide for district compactness and contiguity.

Although the courts have entered this political thicket, and many State constitutions now contain redistricting provisions, the standards are usually too vague and unenforceable to amount to any substantial change.

The gerrymander's scalpel has not been deterred from successfully dissecting congressional districts. As a result, State legislatures are given the green light to perform their handiwork with virtually no opposition.

Congress is the only legislative body in the United States which exercises no influence over its own districting and the time has certainly come for us to constructively influence the manner in which the States conduct this process. Fair and effective representation is not a privilege which is determined through the whims and fancies of State legislators—it is a constitutional right. Gerrymandering is an evil practice and Congress, having the power and responsibility, ought to eliminate it.

I am introducing today a bill, H.R. 2653, which is designed to lessen the opportunity for such gerrymandering to take place. The proposed law will take districting power away from the State legislatures and give it to bipartisan commissions in the various States, which will be required to hold open hearings, assimilate public input and publicize their final plan to allow for citizen input and challenge.

In cases where States prove incapable of coming up with a workable and constitutional scheme, the U.S. district courts shall order the commission to set up a new plan within 60 days. Only in this way can we eliminate the possibility of a partisan court decision in this apportionment process.

An additional safeguard against making districting a political football would be the provision limiting this redistricting process to one per census. These commissions would be required to follow guidelines in their work, such as main-

taining the integrity of political subdivisions to the greatest extent possible, making districts compact, keeping within general numerical requirements, and taking into account the fair representation of minority groups.

The track record of some State legislatures in dealing with this matter is not good. Past performances prove that some are incapable of creating fair and constructive plans for redistricting and are willing to place personal gain ahead of democratic principles.

It is time to put away the toys of gerrymandering. It is time to stop playing the manipulative games of old politics in a smoke-filled room. We must now enter into an era where fair and effective representation is no longer a meaningless phrase, but a political reality.

H.R. 2653 is not the complete answer. We will not establish a redistricting utopia through the passage of this bill, but I feel that sound reform is desperately needed, and H.R. 2653 will go a long way toward eliminating this worthless and undemocratic practice. ●

#### THE PUBLIC DEBT LIMITATION AND DEBT MANAGEMENT

(Mr. ULLMAN asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ULLMAN. Mr. Speaker, on March 6, 1979, the Committee on Ways and Means ordered favorably reported to the House H.R. 2534, a bill relating to the public debt limitation and debt management. Sections 1 and 2 of the bill would provide that the public debt limitation is to be \$830 billion through September 30, 1979. Section 3 of the bill would increase by \$8 billion, from \$32 to \$40 billion, the amount of long-term bonds which may be issued with interest rates above the 4¼-percent statutory ceiling. Section 4 of the bill would permit the Secretary of the Treasury to increase the interest rate on U.S. savings bonds from 6 to 7 percent with the approval of the President.

I take this occasion to advise my Democratic colleagues as to the nature of the rule that I will request for the consideration of H.R. 2534 on the floor of the House. The Committee on Ways and Means specifically instructed me to request the Committee on Rules to grant a modified open rule which would only provide for:

First. Committee amendments, which would not be subject to amendment;

Second. Germane amendments with respect to the amount and duration of the temporary debt increase, such amendments not to be subject to amendment except for pro forma amendments for the purpose of debate;

Third. Waiving all necessary points of order;

Fourth. One hour of general debate, to be equally divided; and

Fifth. One motion to recommit.

In addition, we will ask that the rule be closed with respect to section 3 dealing with the long-term bond authority and section 4 dealing with the interest rate on savings bonds.

We intend to file the committee report on Thursday, March 8, 1979, and will request to be heard before the Committee on Rules as expeditiously as possible.

#### RAY TRAUB APPRECIATION DAY IN EVANSTON, ILL.

(Mr. MIKVA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. MIKVA. Mr. Speaker, my home town of Evanston, Ill., is known nationally for its outstanding schools. In large measure, the quality of education in Evanston is because of the commitment to excellence by both citizens and educators. This week, some of those citizens will honor one of those educators, the principal of the Oakton school for the past 11 years, Ray Traub.

Public recognition of a job well done is always a worthy event, but it is especially so in the case of Ray Traub. He is that special educator and administrator who involves parents in programs and policies; who is creative enough to expand recreation and cultural arts opportunities in the face of shrinking budgets; who knows all the children at Oakton because of his constant presence in the lunchroom and on the playground—and because he thinks about them as individuals, not as the student body.

Mr. Speaker, I suspect that we take too much for granted when we fail to take time out and show our public appreciation to a person like Ray Traub. I am pleased that my neighbors in Evanston will take the time on Thursday of this week. John Dewey once said that education is not preparation for life; education is life itself. Those of us in Evanston know how much richer and fuller life is at the Oakton school because of the efforts of Ray Traub. ●

#### WHAT AMERICA MEANS TO ME

(Mr. HALL of Texas asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

● Mr. HALL of Texas. Mr. Speaker, we all take a special personal pride in this great country of ours; however, when seen through the eyes of our young people, we tend to be even more proud of the way they see it. Recently, a contest was sponsored by the Pilot Club of Marshall, Tex., encouraging the third grade students in the Marshall Independent School District to write essays on "What America Means to Me."

Heidy McWhorter was the first place winner in this contest and has, at my request, sent me a copy of her essay, and I am pleased and proud to include it herewith. Although we sometimes worry about the future of our country, our younger generation, obviously, shares our pride in and love of America, as you will see from Heidy's essay which follows:

#### WHAT AMERICA MEANS TO ME

(By Heidy McWhorter of Marshall, Tex.)

America to me means beauty! I am so proud of the beauty in our people. Most are kind and are willing to help you. I am also



proud of the beauty in our work because Americans try to do their best. There is also much beauty to enjoy in our land. God gave us a country with beautiful flowers, mountains, hills, and waters. America to me means freedom. Our country is free to worship God. An American can marry whoever he wishes. Americans may vote for their leaders without being scared of being killed. You have freedom to choose how you want to spend your time.

America to me will always mean hope. There is hope God will make everyday better for America. He is always looking over us and helping us to "make new friends and keep our old ones."●

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JONES of North Carolina (at the request of Mr. WRIGHT), for this week, on account of official business.

Mr. TRAXLER (at the request of Mr. WRIGHT), for today, on account of hospitalization.

Mr. BUCHANAN (at the request of Mr. MICHEL), on account of being a delegate to the Human Rights Commission meeting in Geneva.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GREEN) to revise and extend their remarks and include extraneous material:)

Mr. GREEN for 10 minutes, today.

Mr. KEMP for 10 minutes, today.

Mr. CORCORAN for 5 minutes, today.

(The following Members (at the request of Mr. ANTHONY) to revise and extend their remarks and include extraneous material:)

Mr. RANGEL for 15 minutes, today.

Mr. WAXMAN for 15 minutes, today.

Mr. STACK for 10 minutes, today.

Mr. WYATT for 5 minutes, today.

Mr. ANNUNZIO for 5 minutes, today.

Mr. GONZALEZ for 5 minutes, today.

Mr. ROBINO for 5 minutes, today.

Mr. FOUNTAIN for 5 minutes, today.

Mr. DODD for 10 minutes, today.

Mr. ALEXANDER for 5 minutes, today.

Mr. CONYERS for 5 minutes, today.

Mr. DANIELSON for 30 minutes on March 7.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. PERKINS, and to include extraneous material.

(The following Members (at the request of Mr. GREEN) and to include extraneous remarks:)

Mr. SAWYER.

Mr. GILMAN in two instances.

Mr. RINALDO.

Mr. SYMMS in two instances.

Mr. PAUL in 12 instances.

Mr. MICHEL in two instances.

Mr. COLEMAN.

Mr. RUDD.

Mr. SOLOMON in two instances.

Mr. ASHBROOK in three instances.

Mr. DERWINSKI in two instances.

Mr. MCCLORY in two instances.

Mr. FINDLEY.

Mr. ROUSSELOT.

Mr. MYERS of Indiana.

Mr. GRASSLEY.

Mr. LUJAN.

Mrs. HOLT.

Mrs. SNOWE.

Mr. LAGOMARSINO in two instances.

Mr. EVANS of Delaware.

(The following Members (at the request of Mr. ANTHONY) and to include extraneous remarks:)

Mr. RICHMOND.

Mr. CAVANAUGH.

Mr. DASCHLE in two instances.

Mr. ASPIN.

Mr. YOUNG of Missouri.

Mr. HAWKINS in two instances.

Mr. MATHIS.

Mr. WOLFF in three instances.

Mr. D'AMOURS in two instances.

Mr. STARK.

Mr. SHANNON.

Mr. ANDERSON of California in three instances.

Mr. GONZALEZ in three instances.

Mr. MCKAY.

Mr. WAXMAN.

Mr. BAILEY in two instances.

Mr. MINISH.

Mr. NELSON.

Mr. CORMAN.

Mr. NATCHER.

Mr. MOAKLEY in two instances.

Mr. REUSS.

Mr. GORE.

Mr. PEASE.

Mr. ALEXANDER.

Mr. ROBERTS.

Mr. BENNETT.

Mr. MOTT.

Mr. FARY.

Mr. WEISS in two instances.

Mr. GUARINI.

Mr. BENJAMIN.

Mr. McDONALD in three instances.

Mr. PANETTA.

Mr. ATKINSON.

Mr. UDALL.

Mr. LUKEN.

Mr. BRODHEAD.

#### ADJOURNMENT

Mr. ANTHONY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 7, 1979, at 3 o'clock p.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

834. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend section 409 of title 37, United States Code, to eliminate restrictions for transporting a house trailer or mobile dwelling by a member of the uniformed services, and for other purposes; to the Committee on Armed Services.

835. A letter from the Assistant Secretary of State for Congressional Relations, transmitting the determination of the Acting Secretary of State that the international security assistance programs of the United States for fiscal year 1979 are in compliance with the human rights requirements of section 5028 of the Foreign Assistance Act of 1961, as amended, pursuant to section 502B(a) (2) of the act; to the Committee on Foreign Affairs.

836. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the intention of the Department of State to consent to a request by the Government of the United Kingdom for permission to transfer U.S.-origin military equipment to the Government of Nigeria, pursuant to section 3(a) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

837. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a report on political contributions made by Ambassador-designate Richard E. Benedick and his family, pursuant to section 6 of Public Law 93-126; to the Committee on Foreign Affairs.

838. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a report on political contributions made by Ambassador-designate Richard C. Clark and his family, pursuant to section 6 of Public Law 93-126; to the Committee on Foreign Affairs.

839. A letter from the Executive Secretary, Administrative Conference of the United States, transmitting a report on the agency's activities under the Freedom of Information Act during calendar year 1978, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

840. A letter from the Acting Staff Director, U.S. Commission on Civil Rights, transmitting, a report on the Commission's activities under the Freedom of Information Act during calendar year 1978, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

841. A letter from the Director, Community Services Administration, transmitting a report on the agency's activities under the Freedom of Information Act during calendar year 1978, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

842. A letter from the Chairman, Federal Home Loan Bank Board, transmitting a report on the Board's activities under the Freedom of Information Act during calendar year 1978, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

843. A letter from the Deputy Executive Director of the Federal Labor Relations Authority and the Executive Director of the Federal Service Impasses Panel, transmitting a report on the agencies' activities under the Freedom of Information Act during calendar year 1978, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

844. A letter from the Director, Federal Mediation and Conciliation Service, transmitting a report on the agency's activities under the Freedom of Information Act during calendar year 1978, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

845. A letter from the Chairman, U.S. International Trade Commission, transmitting a report on the Commission's activities under the Freedom of Information Act during calendar year 1978, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

846. A letter from the Chairman, National Endowment for the Humanities, transmitting a report on the agency's activities under the Freedom of Information Act during calendar year 1978, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

847. A letter from the Director, Office of Administration, Nuclear Regulatory Commission, transmitting a report on the Commission's activities under the Freedom of Information Act during calendar year 1978, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

848. A letter from the Secretary, Railroad Retirement Board, transmitting a report on the Board's activities under the Freedom of Information Act during calendar year 1978, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

849. A letter from the Director, Selective Service System, transmitting a report on the agency's activities under the Freedom of Information Act during calendar year 1978, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

850. A letter from the Director, U.S. Water Resources Council, transmitting a report on the Council's activities under the Freedom of Information Act during calendar year 1978, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

851. A letter from the Assistant Attorney General for Administration, transmitting notice of a proposed new records system, pursuant to 5 U.S.C. 552(a); to the Committee on Government Operations.

852. A letter from the Chairman of the Board of Directors, Tennessee Valley Authority, transmitting a report on the Board's activities under the Government in the Sunshine Act during calendar year 1978, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

853. A letter from the Chairman, Federal Election Commission, transmitting a correction in the citation pursuant to which proposed regulations governing the Presidential Primary Matching Account were submitted (Executive Communication No. 669, February 21, 1978; House Document No. 96-57), changing the citation from section 315(c) of the Federal Election Campaign Act of 1971, as amended, to section 9039(c) of the Internal Revenue Code of 1954, as amended; to the Committee on House Administration.

854. A letter from the president, United States Railway Association, transmitting the fifth annual report of the Association, covering fiscal year 1978, pursuant to section 202(e) and (f) of the Regional Rail Reorganization Act of 1973; to the Committee on Interstate and Foreign Commerce.

855. A letter from the District of Columbia representative, Ladies of the Grand Army of the Republic, Inc., transmitting a report on the audit of the organization as of August 31, 1978, pursuant to section 3 of Public Law 88-504; to the Committee on the Judiciary.

856. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to extend the authorization of appropriations for law enforcement services at water resources development projects under the jurisdiction of the Secretary of the Army through fiscal year 1982; to the Committee on Public Works and Transportation.

857. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend section 54 of the Water Resources Development Act of 1974 to extend the time limit and increase the authorization of appropriations for the shoreline erosion control demonstration program; to the Committee on Public Works and Transportation.

858. A letter from the Under Secretary of Energy, transmitting a report on the application and system design study for cost-effective solar photovoltaic systems at Federal installations, pursuant to section 208(a) (1) of Public Law 95-238; to the Committee on Science and Technology.

859. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to establish voluntary

limits on the annual increases in total hospital expenses, and to provide for mandatory limits on the annual increases in hospital inpatient revenues to the extent that the voluntary limits are not effective; jointly, to the Committees on Interstate and Foreign Commerce, and Ways and Means.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ATKINSON (for himself and Mr. LUKEN):

H.R. 2618. A bill to establish in procurement by Federal agencies and in procurement using Federal funds a reasonable and fair preference for domestic products and materials, and to establish procedures to ensure that only freely and fairly traded foreign products and materials are procured by Federal agencies and are procured using Federal funds; to the Committee on Government Operations.

By Mr. BEARD of Rhode Island:

H.R. 2619. A bill to authorize the construction of a dike for flood control purposes in Warwick, R.I.; to the Committee on Public Works and Transportation.

By Mr. DINGELL:

H.R. 2620. A bill to amend the Energy Policy and Conservation Act to provide for adequate supplies of helium for future energy efficiency and conservation purposes, and to provide that helium-bearing natural gas may not be transported or sold in interstate commerce unless the helium is either extracted and stored or used for nonwasteful purposes; jointly, to the Committees on Interior and Insular Affairs, Interstate and Foreign Commerce, Rules, and Science and Technology.

By Mr. BEREUTER:

H.R. 2621. A bill to modify the flood control project for the town of Niobrara, Nebr.; to the Committee on Public Works and Transportation.

By Mr. PHILLIP BURTON:

H.R. 2622. A bill to provide benefits for sufferers from byssinosis; to the Committee on Education and Labor.

By Mr. CLAUSEN:

H.R. 2623. A bill designating the Luther Burbank Shasta Daisy as the national flower of the United States; to the Committee on Post Office and Civil Service.

By Mr. DE LA GARZA:

H.R. 2624. A bill to amend the Agriculture Act of 1949 to require that the proclamation made by the Secretary of Agriculture with respect to the national program acreage for feed grains to be made no later than October 1 of each year for crops harvested in the next succeeding calendar year; to the Committee on Agriculture.

By Mr. DEVINE:

H.R. 2625. A bill to amend the Freedom of Information Act to improve the handling of classified information and investigatory records, to revise the deadlines for agency action, and for other purposes; to the Committee on Government Operations.

By Mr. RANGEL (for himself and Mr. WAXMAN):

H.R. 2626. A bill to establish voluntary limits on the annual increases in total hospital expenses, and to provide for mandatory limits on the annual increases in hospital inpatient revenues to the extent that the voluntary limits are not effective; jointly, to the Committee on Interstate and Foreign Commerce and to the Committee on Ways and Means for a period ending not later than July 1, 1979.

By Mr. DONNELLY:

H.R. 2627. A bill to terminate the coverage of police officers of the Massachusetts Bay

Transportation Authority under the old-age, survivors, and disability insurance program; to the Committee on Ways and Means.

By Mr. DOWNEY:

H.R. 2628. A bill to amend chapter 5 of title 37, United States Code, to revise the special pay structure relating to medical officers of the uniformed services; to the Committee on Armed Services.

H.R. 2629. A bill to amend the Uniform Code of Military Justice to improve the military justice system, and for other purposes; to the Committee on Armed Services.

H.R. 2630. A bill to amend the Fair Credit Reporting Act of 1970; to the Committee on Banking, Finance and Urban Affairs.

H.R. 2631. A bill to amend the National Flood Insurance Act of 1968 for the purpose of providing insurance against damage caused by the movement of frozen water into property located along shorelines; to the Committee on Banking, Finance and Urban Affairs.

H.R. 2632. A bill to amend the Older Americans Act of 1965 to provide relief for older Americans who own or rent their homes; to the Committee on Education and Labor.

H.R. 2633. A bill to exempt companies which are engaged in investing in new business securities from the provisions of the Investment Company Act of 1940; to the Committee on Interstate and Foreign Commerce.

H.R. 2634. A bill to permit regulation of automated blood pressure machines to insure the accuracy and reliability of their performance; to the Committee on Interstate and Foreign Commerce.

H.R. 2635. A bill to repeal the act entitled "An act to express the intent of the Congress with reference to the regulation of the business of insurance"; to the Committee on the Judiciary.

H.R. 2636. A bill to amend the Federal Water Pollution Control Act to provide Federal funding for the costs of operation and maintenance of waste treatment works; to the Committee on Public Works and Transportation.

H.R. 2637. A bill to amend the Internal Revenue Code of 1954 to increase the corporate surtax exemption, to provide for the deferral of gain from the sale or exchange of certain stock, and for other purposes; to the Committee on Ways and Means.

H.R. 2638. A bill to amend section 226 of the Social Security Act to make inapplicable, in the case of individuals suffering from multiple sclerosis, the present requirement that an individual under age 65 must have been entitled to benefits based on disability for at least 24 consecutive months in order to qualify for medicare benefits; to the Committee on Ways and Means.

H.R. 2639. A bill to amend the Internal Revenue Code of 1954 to allow the deduction of taxes assessed by special districts for debt retirement and for capital construction in connection with the construction of sewage treatment works in the same manner as the deduction allowed for real property taxes; to the Committee on Ways and Means.

H.R. 2640. A bill to establish a national corporation to finance, through loan guarantees and loans, high-risk efforts which seek to develop and demonstrate technologies to meet critical national needs and which are unable to secure adequate funds through existing sources, to strengthen and insure congressional participation in the continuing review of Government operations and activities, and for other purposes; jointly, to the Committees on Banking, Finance and Urban Affairs, Science and Technology, and Rules.

By Mr. EDWARDS of California:

H.R. 2641. A bill to amend section 106 of the Civil Rights Act of 1957 to raise the limitation on appropriations for the U.S. Commission on Civil Rights; to the Committee on the Judiciary.



By Mr. EDWARDS of Alabama:

H.R. 2642. A bill to modify the project for navigation improvements in Mobile Harbor, Theodore Ship Channel, Ala., and for other purposes; to the Committee on Public Works and Transportation.

By Mr. EVANS of Delaware:

H.R. 2643. A bill to provide for the establishment of a veterans' cemetery in the State of Delaware; to the Committee on Veterans' Affairs.

H.R. 2644. A bill to amend the Revenue Act of 1978 to provide that, with respect to the amendments allowing the investment tax credit for single purpose agricultural or horticultural structures, credit or refund shall be allowed without regard to the statute of limitations for certain taxable years to which such amendments apply; to the Committee on Ways and Means.

By Mr. FOLEY:

H.R. 2645. A bill to provide coverage under the Federal Old-Age, Survivors, and Disability Insurance System for all Members of Congress and other officers and employees in the legislative branch of the Government; to the Committee on Ways and Means.

By Mr. GIBBONS (for himself, Mr. MIKVA, and Mr. NELSON):

H.R. 2646. A bill to provide that the public debt limit shall be established pursuant to the congressional budget procedures; jointly, to the Committees on Ways and Means, and Rules.

By Mr. GLICKMAN (for himself, Mr. ROE, Mr. BLANCHARD, Mr. BEDELL, Mr. EMERY, Mr. MURPHY of Pennsylvania, Mr. CONYERS, Mr. TRAXLER, Mr. WINN, Mr. CHARLES H. WILSON of California, Mr. LAFALCE, Mr. MITCHELL of Maryland, Mr. RICHMOND, Mr. HUGHES, Mr. JEFFORDS, Mr. NOLAN, Mr. ANDREWS of North Dakota, Mr. YOUNG of Florida, Mr. MILLER of California, Mr. PATTERSON, Mr. WHITEHURST, Mr. LLOYD, Mr. ERTTEL, Mr. BURLISON, Mr. SCHEUER, Mr. RANGEL, Mr. ALBOSTA, Mr. HEFTTEL, and Mr. LAGOMARSINO):

H.R. 2647. A bill to amend the Clean Air Act to promote the use of alcohol as a motor vehicle fuel and as an additive to motor vehicle fuels, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2648. A bill to encourage the production of alcohol for use as a fuel or petroleum substitute by allowing the rapid amortization of facilities producing alcohol for those uses; to the Committee on Ways and Means.

By Mr. GRADISON:

H.R. 2649. A bill to extend certain expired provisions related to the child support program under title IV-D of the Social Security Act and to child care under title XX of the Social Security Act, and for other purposes; to the Committee on Ways and Means.

By Mr. GREEN:

H.R. 2650. A bill to amend the Social Security Act and the Internal Revenue Code of 1954, to strengthen the financing of the social security system, to provide for a gradual increase in retirement age, to improve the treatment of women through the establishment of a working spouse's benefit and to eliminate gender-based discrimination, to provide coverage under the system for Federal employees, to increase and ultimately repeal the earnings limitation, and for other purposes; to the Committee on Ways and Means.

By Mr. GUARINI:

H.R. 2651. A bill to extend for 4 years the existing suspension of duty on crude feathers and down; to the Committee on Ways and Means.

By Mr. HANLEY:

H.R. 2652. A bill to amend title 10, United States Code, to provide that a member of a reserve component of the Armed Forces who is involuntarily released from active duty and receives readjustment pay and who later

becomes eligible for retired pay may receive that part of his retired pay not attributable to the service for which the readjustment pay was paid while the readjustment payment is being recouped as required by law through deductions in such retired pay; to the Committee on Armed Services.

H.R. 2653. A bill to provide for an equitable procedure for establishing congressional districts; to the Committee on the Judiciary.

By Mr. LAGOMARSINO (for himself, Mr. CLAUSEN, and Mr. WON PAT):

H.R. 2654. A bill providing for enlistment of certain citizens of the Northern Mariana Islands into the U.S. Armed Forces; to the Committee on Armed Services.

By Mr. LUKEN (for himself and Mr. ATKINSON):

H.R. 2655. A bill to establish a reasonable and fair preference for domestic products and materials in Government procurement and in procurement with Federal funds, and to establish procedures to insure that if purchased only fairly traded foreign products and materials are procured by the Government or with Federal funds to the Committee on Government Operations.

By Mr. MARLENEE:

H.R. 2656. A bill to amend title II of the Social Security Act to provide that a beneficiary who dies shall (if otherwise qualified) be entitled to a prorated benefit for the month of his death; to the Committee on Ways and Means.

By Mr. MOTTLE (for himself, Mr. ADDABBO, Mr. BIAGGI, Mr. BLANCHARD, Mr. BOLAND, Mr. BRODHEAD, Mr. CONTE, Mr. PHILIP M. CRANE, Mr. DAN DANIEL, Mr. EVANS of Georgia, Mr. FARY, Mrs. FENWICK, Mr. FLOOD, Mr. FORD of Michigan, Mr. GARCIA, Mr. GAYDOS, Mr. GEPHARDT, Mr. GILMAN, Mr. GINN, Mr. HUGHES, Mr. HYDE, Mr. KILDEE, Mr. LAGOMARSINO, Mr. MARKEY, Ms. MIKULSKI, Mr. MIKVA, Mr. MITCHELL of New York, Mr. MOAKLEY, Mr. MOFFETT, Mr. MURPHY of Illinois, Mr. MURPHY of Pennsylvania, Mr. NEDZI, Mr. NOWAK, Mr. PEPPER, Mr. RANGEL, Mr. ROE, Mr. RUSSO, Mr. SIMON, Mr. STRATTON, Mr. THOMPSON, Mr. TRAXLER, Mr. VENTO, Mr. WHITEHURST, Mr. WOLFF, Mr. YATRON, and Mr. ZABLOCKI):

H.R. 2657. A bill to provide for the issuance of a commemorative postage stamp in honor of Gen. Casimir Pulaski and Americans of Polish descent; to the Committee on Post Office and Civil Service.

By Mr. PAUL:

H.R. 2658. A bill to amend the Federal Reserve Act to terminate the authority of the Secretary of the Treasury to require the delivery of gold to the Treasurer of the United States, which shall be known as The Gold Ownership Act of 1979; to the Committee on Banking, Finance and Urban Affairs.

By Mr. RODINO (for himself and Mr. DANIELSON):

H.R. 2659. A bill to amend title 28 of the United States Code to provide for an exclusive remedy against the United States in suits based upon acts or omissions of the U.S. employees, to provide a remedy against the United States with respect to constitutional torts, to establish procedures whereby a person injured by a constitutional tort may initiate and participate in a disciplinary inquiry with respect to such tort, and for other purposes; to the Committee on the Judiciary.

By Mr. ROE (for himself, Mr. LENT, and Mr. MCKINNEY):

H.R. 2660. A bill to amend section 218 of the Social Security Act to require that States having agreements entered into thereunder will continue to make social security payments and reports on a calendar-quarter basis; to the Committee on Ways and Means.

By Mr. SATTERFIELD:

H.R. 2661. A bill to amend the Federal Mine Safety and Health Amendments Act of 1977 to provide that the provisions of such act shall not apply to stone mining operations or to sand and gravel mining operations; to the Committee on Education and Labor.

By Mrs. SPELLMAN:

H.R. 2662. A bill to promote the domestic recruiting of teachers for teaching positions in overseas dependents schools of the Department of Defense, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. STACK (for himself and Mr. PEPPER):

H.R. 2663. A bill to amend the Food Stamp Act of 1977 to eliminate certain restrictions on excess shelter expense deductions with respect to households which are composed entirely of persons who are age 62 or older or who are recipients of benefits under title XVI of the Social Security Act and to allow deductions for certain medical and dental expenses in the computation of incomes for such households; to the Committee on Agriculture.

By Mr. STAGGERS:

H.R. 2664. A bill to incorporate the Gold Star Wives of America; to the Committee on the Judiciary.

By Mr. STANGELAND (for himself, Mr. KINDNESS, Mr. SABO, Mr. GUYER, Mr. KOGOVSEK, Mr. HARKIN, Mr. HAGEDORN, Mr. SYMMS, Mr. ERDAHL, and Mr. CHENEY):

H.R. 2665. A bill to amend title 23 of the United States Code, relating to highways, to authorize a program to separate rail and highway crossings in certain energy impacted cases; to the Committee on Public Works and Transportation.

By Mr. THOMPSON:

H.R. 2666. A bill to authorize funds for the American Council of Learned Societies; to the Committee on Education and Labor.

By Mr. VANDER JAGT:

H.R. 2667. A bill to amend the Internal Revenue Code of 1954 to provide for an extension of the period during which an individual must purchase a new residence for nonrecognition of gain on the sale of an old residence in the case of members of the Armed Forces who are stationed overseas or who are required to reside in Government-owned quarters; to the Committee on Ways and Means.

By Mr. COTTER:

H.J. Res. 239. Joint resolution to authorize the President to issue a proclamation designating the week beginning on September 30 through October 6, 1979, "International Motion Picture Week"; to the Committee on Post Office and Civil Service.

By Mr. MCCLORY:

H.J. Res. 240. Joint resolution proposing an amendment to the Constitution to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. PATTEN (for himself, Mr. PICKLE, Mr. VENTO, Mr. ADDABBO, Mr. MCCLORY, Mr. FLORIO, Mr. MATHIS, Mr. CORRADA, and Mr. MURPHY of Pennsylvania):

H.J. Res. 241. Joint resolution authorizing the President to issue a proclamation encouraging Americans to turn off their electric lights on October 21, 1979, for a "Minute of Tribute" to Thomas A. Edison; to the Committee on Post Office and Civil Service.

By Mr. ROE:

H.J. Res. 242. Joint resolution to authorize the President to proclaim the last Friday of April each year as "National Arbor Day"; to the Committee on Post Office and Civil Service.

By Mr. HAWKINS:

H. Con. Res. 65. Concurrent resolution authorizing the printing as a House document

of a revised edition of "The Declaration of Independence and the Constitution of the United States of America"; to the Committee on House Administration.

H. Con. Res. 66. Concurrent resolution authorizing the printing as a House document of a revised edition of "Our Flag"; to the Committee on House Administration.

By Mr. SATTERFIELD:

H. Con. Res. 67. Concurrent resolution expressing the sense of Congress that the new regulations of the Department of Labor with respect to the health and safety training of miners places an undue burden on small operators; to the Committee on Education and Labor.

By Mr. STUDDS (for himself, Mr. BONKER, Mr. ROSENTHAL, Mr. BARNES, Mr. WOLPE, Mr. SOLARZ, Mr. BINGHAM, Mrs. FENWICK, Mr. PEASE, Mr. BEILSON, Mr. JENNETTE, Mr. EDWARDS of California, Mr. FAZIO, Mr. MITCHELL of Maryland, Mr. RICHMOND, Mr. DRINAN, Mr. VENTO, Mr. OTTINGER, Mr. CORRADA, Mr. CONYERS, Mr. AUCCOIN, Mr. CONTE, Mr. SHANNON, Mr. SIMON, Mr. CARR, Mr. WEAVER, Mr. CHARLES WILSON of Texas, Mr. DOWNEY, Mr. LEDERER, Mr. RANGEL, Mr. DELLUMS, Mr. ROE, Mr. LAFALCE, Mr. LEE, Mr. SCHEUER, Mr. DIXON, Mr. EDGAR, Mr. DOUGHERTY, Mr. HARRIS, Mr. BLANCHARD, Mr. GARCIA, and Ms. MIKULSKI):

H. Res. 146. Resolution expressing support for the approval of the Convention on the Prevention and Punishment of the Crime of Genocide; to the Committee on Foreign Affairs.

### MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

53. By Mr. RUDD: Memorial of the Senate of the State of Arizona, relative to Mexican petroleum reserves; to the Committee on Foreign Affairs.

54. By the SPEAKER: Memorial of the Legislature of the Commonwealth of Virginia, relative to the award of the Navy's Service Life Extension program to the Newport News Shipbuilding and Dry Dock Co., to the Committee on Armed Services.

55. Also, memorial of the Legislature of the Commonwealth of Virginia, relative to the contributions of television stations in Virginia; to the Committee on Interstate and Foreign Commerce.

56. Also, memorial of the Legislature of the Commonwealth of Virginia, relative to including the costs of hearing aids and hearing rehabilitation services under the medicare program; jointly, to the Committees on Interstate and Foreign Commerce, and Ways and Means.

### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. PHILLIP BURTON:

H.R. 2668. A bill for the relief of Elias Salim Kardosh; to the Committee on the Judiciary.

By Mr. BONER of Tennessee:

H.R. 2669. A bill for the relief of Shoo Shien Wang; to the Committee on the Judiciary.

By Mr. DE LA GARZA:

H.R. 2670. A bill for the relief of Narciso G. Michelena; to the Committee on the Judiciary.

H.R. 2671. A bill for the relief of Helen R. Pestano; to the Committee on the Judiciary.

By Mr. STANGELAND:

H.R. 2672. A bill for the relief of Larry Gene Steffen; to the Committee on the Judiciary.

By Mr. YOUNG of Missouri:

H.R. 2673. A bill for the relief of Karl Josef and Karoline Steinbrecher; to the Committee on the Judiciary.

By Mr. MAZZOLI (by request):

H. Res. 147. Resolution to refer the bill (H.R. 2616) for the relief of McNamara Construction of Manitoba, Limited, of Willowdale, Ontario, Canada, to the Chief Commissioner of the Court of Claims; 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. 51: Mr. STAGGERS, Mr. PREYER, Mr. SCHEUER, Mr. OTTINGER, Mr. MAGUIRE, Mr. MOFFETT, Mr. GORE, Ms. MIKULSKI, Mr. MOTT, and Mr. LELAND.

H.R. 96: Mr. HANSEN, Mr. GOLDWATER, Mr. BUTLER, Mr. GOODLING, Mr. MYERS of Indiana, Mr. DUNCAN of Tennessee, Mr. BRINKLEY, Mr. BADHAM, Mr. LUJAN, Mr. STANGELAND, Mr. LEATH of Texas, Mr. HINSON, Mr. ROE, Mr. EDWARDS of Alabama, Mr. BAUMAN, Mr. STUMP, Mr. RINALDO, Mr. BAFALIS, Mr. LIVINGSTON, Mr. HOWARD, Mr. VANDER JAGT, Mr. GRISHAM, Mr. CHARLES WILSON of Texas, Mr. MICA, Mr. YOUNG of Missouri, Mr. HUTTO, Mr. YOUNG of Florida, and Mr. EVANS of Georgia.

H.R. 111: Mr. BAUMAN.

H.R. 160: Mr. HALL of Texas, Mr. YOUNG of Alaska, Mr. MATHIS, Mr. GOLDWATER, Mr. SKELTON, Mr. BAFALIS, Mr. BEVILL, Mr. WATKINS, Mr. McDONALD, Mr. IRELAND, Mr. HEFTTEL, Mr. LLOYD, Mr. ROBERTS, Mr. GUYER, Mr. KRAMER, Mr. RUDD, Mr. HOLLAND, Mr. MONTGOMERY, Mr. BADHAM, Mr. BAUMAN, Mr. WHITLEY, Mr. MARRIOTT, Mr. KELLY, Mr. DAN DANIEL, Mr. FLIPPO, Mr. ROUSSELOT, Mr. GINN, Mr. HARSHA, Mr. WHITEHURST, Mr. BOWEN, Mr. SYMMS, Mr. SEBELIUS, Mr. DE LA GARZA, Mr. TREEN, Mr. CLAUSEN, Mr. RUNNELS, Mrs. SMITH of Nebraska, and Mr. GOODLING.

H.R. 352: Mr. STANTON.

H.R. 596: Mr. CHAPPELL, Mr. DOUGHERTY, and Mr. MCHUGH.

H.R. 758: Mr. COELHO, Mr. LOEFFLER, and Mr. HAGEDORN.

H.R. 809: Mr. ADDABBO, Mr. BRODHEAD, Mr. BUTLER, Mr. CORRADA, Mr. DEVINE, Mr. FAZIO, Mr. FUQUA, Mr. HORTON, Mr. HUGHES, Mr. LAFALCE, Mr. LAGOMARSINO, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. PEPPER, Mr. WAMPLER, Mr. BOB WILSON, Mr. YATRON, and Mr. YOUNG of Florida.

H.R. 1006: Mr. D'AMOURS, Mr. CONYERS, Mr. WOLFF, Mr. JOHNSON of California, Mr. DELLUMS, Mr. GINN, Mr. DOWNEY, Mr. STUDDS, Mr. LONG of Maryland, Mr. DANIELSON, Mr. MITCHELL of Maryland, Mr. HORTON, Mr. SANTINI, Mr. HUGHES, Mr. ANDREWS of North Dakota, Mr. LUJAN, Mr. MURPHY of Pennsylvania, Mr. HYDE, Mr. CORRADA, Mr. PANETTA, Mr. HALL of Texas, Mr. DICKINSON, Mr. LAGOMARSINO, Mr. AUCCOIN, Mr. FAZIO, Mr. BEDELL, Mr. RICHMOND, Mr. MINETA, Mr. FASCELL, Mr. BEVILL, Mr. PRICE, Ms. HOLTZMAN, Mr. PEPPER, Mr. EVANS of Georgia, Mr. RANGEL, and Mr. EDGAR.

H.R. 1008: Mr. GINGRICH, and Mr. LEACH of Louisiana.

H.R. 1009: Mr. CLEVELAND, Mr. GINGRICH, Mr. SYMMS, and Mr. COUGHLIN.

H.R. 1041: Mr. LEDERER, Mr. CORRADA, Mr. BRODHEAD, Mr. MOAKLEY, Mr. MURPHY of Pennsylvania, Mr. BONIOR of Michigan, Mr. ROE, Mr. WOLPE, Mr. WOLFF, Mr. DOWNEY, Mr. HOWARD, Mr. VENTO, Mr. BEVILL, Mr. YATRON, Mr. LUKE, Mr. MATHIS, Mr. PRICE, Mr. DONNELLY, Mr. FORD of Michigan, Mr. FROST, Mr. DOUGHERTY, Mr. AKAKA, and Mr. ZEFERETTI.

H.R. 1049: Mr. SCHEUER, Mr. BROYHILL, Mr. BINGHAM, Mr. BONIOR of Michigan, Mr. CORRADA, Mr. DAVIS of Michigan, Mr. DOWNEY, Ms. HOLTZMAN, Mr. MITCHELL of Maryland, Mr. NOWAK, Mr. RANGEL, Mr. RICHMOND, Mr. ROSENTHAL, Mr. WEISS, and Mr. WOLPE.

H.R. 1141: Mr. GUYER, Mr. EMERY, Mr. COUGHLIN, Mr. BROYHILL, Mr. BADHAM, Mr. GAYDOS, Mr. FLOOD, Mr. ZEFERETTI, Mr. HOLLAND, Mr. ROBINSON, Mr. CLEVELAND, Mr. EDWARDS of Oklahoma, Mr. ROE, Mr. JENNETTE, Mr. COLEMAN, Mr. YATRON, Mr. FOUNTAIN, Mr. ADDABBO, Mr. MAGUIRE, Mr. WAMPLER, Mr. HINSON, Mr. PATTEN, Mr. NICHOLS, Mr. BEARD of Tennessee, and Mrs. BOUQUARD.

H.R. 1603: Mr. RUNNELS, Mr. ARCHER, Mr. COELHO, Mr. COUGHLIN, Mr. THOMAS, Mr. MOLLOHAN, Mr. ALEXANDER, Mr. FORSYTHE, Mr. BEARD of Tennessee, Mr. BURGNER, Mr. RAILSBACK, Mr. LEACH of Louisiana, Mrs. SNOWE, and Mr. BROWN of Ohio.

H.R. 1612: Mr. CARNEY, Mr. DANNEMEYER, Mr. FLORIO, Mr. GILMAN, Mr. LAGOMARSINO, Mr. LEDERER, Mr. MAGUIRE, Mr. MOAKLEY, Mr. RICHMOND, Mr. ROE, Mrs. SCHROEDER, and Mr. SNYDER.

H.R. 1613: Mr. CARNEY, Mr. DANNEMEYER, Mr. FASCELL, Mr. FLORIO, Mr. GILMAN, Mr. LAGOMARSINO, Mr. LEDERER, Mr. MAGUIRE, Mr. MOAKLEY, Mr. RICHMOND, Mr. ROE, Mrs. SCHROEDER, and Mr. SNYDER.

H.R. 1714: Mr. CONYERS, Mr. DERRICK, Mr. DOWNEY, Mr. ERTTEL, Mr. MURPHY of Pennsylvania, Mr. RAHALL, Mr. RICHMOND, Mr. THOMPSON, Mr. WEISS, and Mr. WON PAT.

H.R. 1734: Mr. LEDERER, Mr. BEARD of Rhode Island, Mr. CORRADA, Mr. MITCHELL of Maryland, Mr. CLAY, Mr. FORSYTHE, Mr. MATSUI, Mr. COTTER, Mr. FASCELL, Mr. ADDABBO, Mr. PATTEN, Mr. MITCHELL of New York, Mr. FLORIO, Mr. DORNAN, Mr. MOAKLEY, Mr. LOTT, and Mr. RANGEL.

H.R. 1739: Mr. WOLPE.

H.R. 1852: Mr. DUNCAN of Tennessee and Mr. DORNAN.

H.R. 1921: Mr. McDONALD, Mr. SYMMS, Mr. KINDNESS, Mr. STOCKMAN, Mr. STUMP, and Mr. PHILIP M. CRANE.

H.R. 2073: Mr. DOWNEY, Mr. MAGUIRE, Mr. MITCHELL of Maryland, Mr. SOLARZ, and Mr. ERDAHL.

H.R. 2152: Mr. SOLARZ, Mr. FAZIO, Mr. BROWN of California, Mr. DANNEMEYER, Mr. YATRON, Mr. NOLAN, Mr. BEDELL, Mr. WOLPE, Mr. BINGHAM, Mr. EDGAR, Mr. SEBELIUS, Mr. PANETTA, Mr. HUGHES, Mr. CARR, Mr. YOUNG of Alaska, Mr. NEAL, Mr. RANGEL, Mr. SCHEUER, Mr. MCHUGH, Mr. TRAXLER, Mrs. SCHROEDER, Mr. WEAVER, and Mrs. SPELLMAN.

H.R. 2172: Mr. ALBOSTA, Mr. DASCHLE, Mr. LIVINGSTON, Mr. MCKAY, Mr. MICA, Mr. PANETTA, Mr. KILDEE, and Mr. FAZIO.

H.R. 2463: Mr. PRITCHARD, Mr. DORNAN, Mr. MURPHY of Pennsylvania, Mr. MITCHELL of Maryland, Mr. AKAKA, Mr. HYDE, Mr. JENNETTE, Mr. DERWINSKI, Mr. CORRADA, Mr. RICHMOND, Mr. MCCLOSKEY, Mr. WAXMAN, Mr. WHITEHURST, Mr. THOMPSON, Mr. ROE, Mr. JOHN L. BURTON, Mr. VENTO, Mr. MCHUGH, Mr. DIXON, Mr. SIMON, Mr. LAGOMARSINO, Mr. DELLUMS, Mr. CONTE, Mr. FAZIO, Mr. CHARLES WILSON of Texas, Mr. BONIOR of Michigan, Mr. THOMAS, Mr. OTTINGER, and Mr. AUCCOIN.

H.R. 2521: Mr. VENTO, Mr. HEFTTEL, Mr. MINETA, Mr. DOWNEY, Mr. MOAKLEY, Mr. DIXON, Mr. CORRADA, Mr. AKAKA, Mr. MITCHELL of Maryland, and Mrs. SCHROEDER.

H.J. Res. 22: Mr. DASCHLE, Mr. EDGAR, Mr. EVANS of Delaware, Mr. LUKE, Mr. MAGUIRE, Mr. MOFFETT, Mr. PANETTA, and Mr. VENTO.

H.J. Res. 100: Mr. WON PAT, Mr. MURPHY of Pennsylvania, Mr. WOLPE, Mr. LEDERER, Mr. LAGOMARSINO, Mr. JEFFORDS, Mr. FRENZEL, Mr. PRICE, Mr. GUYER, Mr. ERTTEL, Mr. BAILEY, Mr. RAHALL, Mr. RANGEL, Mr. DORNAN, Mr. MOAKLEY, and Mr. ZEFERETTI.

### PETITIONS, ETC.

Under clause 1, of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

71. By the SPEAKER: Petition of Frances R. Grant, S. Fanny Simon, and others, New



York, N.Y., relative to Nicaraguan democracy; to the Committee on Foreign Affairs.

72. Also, petition of the National Association of Regulatory Utility Commissioners, Washington, D.C., relative to continuation of

emergency energy assistance to low income persons and families; jointly, to the Committees on Appropriations, and Education and Labor.

73. Also, petition of the National Associa-

tion of Regulatory Utility Commissioners, Washington, D.C., relative to nuclear power-plant licensing reform; jointly, to the Committees on Interior and Insular Affairs, and Interstate and Foreign Commerce.

## EXTENSIONS OF REMARKS

### NEW JERSEY WINNER OF 1978-79 VOICE OF DEMOCRACY CONTEST

#### HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. MINISH. Mr. Speaker, it is with deep pride that I announce that the winning speech from my State of New Jersey in the 1978-79 Voice of Democracy scholarship program was entered by Miss Ellen Lorraine Jeffrey of Essex County. This year more than 250,000 secondary school students participated in this contest, which is sponsored by the Veterans of Foreign Wars of the United States and its Ladies Auxiliary. I certainly feel fortunate to have a young woman of Miss Jeffrey's caliber as one of my constituents. A high school senior who participates in numerous activities at Archbishop Walsh High School, Miss Jeffrey is the daughter of Mr. and Mrs. Robert Jeffrey of 187 Western Parkway, Irvington, N.J. She has been honored for her inspirational remarks based on the theme "Why I Care About America." It is with great pleasure that I insert her eloquent words into the RECORD:

#### WHY I CARE ABOUT AMERICA

(By Ellen Lorraine Jeffrey)

Why do I care about America? A simple enough question. If someone were pressed for an answer, he would probably say, "I care about America, (most obviously) because I live here, I reap the benefits of a wealthy nation, and I enjoy the freedoms and privileges provided for under a successful democracy." Of course, the reply would not come in those exact words; perhaps no words would be necessary. Ask a first grader why he cares about America, and his initial reaction, a wide, brilliant grin, expresses more eloquently than a speech the pride Americans feel for their country. And Americans have every reason to be proud of their land, their system of government, and of themselves. Despite her youth, America is a prospering world power, a growing empire born of tears and toll; hope and fear; the sweat and blood of her people—her highest ideal freedom.

We have much to be proud of, but if our admiration stops there, as a warm, somewhat vague affection for our country, then we might as well say good-bye right now to all those aspects of American life that we so rightfully boast of. The various freedoms secured in the Bill of Rights; numerous job and education opportunities; a democratic government; the right to live as one's conscience dictates; all these and everything else our forerunners strived for will be in vain. If our concern about America amounts to nothing more than an impersonal appreciation for the comfortable life we lead, then that satisfying existence will soon cease to be. If a man rowing a boat decides to set aside his oars, relax and just enjoy the ride, the boat will eventually either stop

dead or be swept away by the current. If the man does not watch where he is going, he might even find himself unintentionally shooting the rapids.

So it is with the United States; too many people are merely "enjoying the ride." Though they profess to "care" about their country, in reality, their country is caring for them. Spouting patriotisms while neglecting one's duties as a responsible citizen is not living as a concerned, caring America. The United States was formed through the combined efforts of people of action. Though the Declaration of Independence, the Gettysburg Address, and the United States Constitution are remarkable works in themselves, they were written to inspire, to guide, to joyfully proclaim; they were the means to an end, not ends in themselves. Words were highly treasured by our forefathers, but only to spur people into action. Speaking never replaced doing.

The time has come for me to answer for myself the question "Why I Care About America." But I want my response to automatically lead me to ask, more importantly, how I care about America. I want to be sure that the pride I feel for my country goes deeper than just a surface emotion; that my pride breeds a concern that is real, motivated, and produces effective action. If I love my land, then I must support its ideals, cherish the freedom I possess, strive to maintain what is good and abolish the present injustices. Caring, if it is sincere, equals work. And work involves sacrifice. There is much work to be done. People are hungry. People are lonely. People are in need.

Caring about my country can and should begin now. Enlisting in political campaigns, participating in government sponsored programs, doing my very best in school, and staying informed on current issues are ways in which I and all young people can actively care about America.

Why do I care about America? Not because she is perfect, but because she is free, and I am free to help her grow. How do I care about America? Use my freedom responsibly. ●

### OUTSTANDING COMMUNITY LEADERSHIP OF NANCY CARTER AVERY

#### HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. CORMAN. Mr. Speaker, it is my pleasure to bring to the attention of my colleagues the dedicated community services of Ms. Nancy Carter Avery.

Ms. Avery has served a wide range of community interests in the San Fernando Valley and Los Angeles areas. She is past president of BUILD for Mental Rehabilitation, the Los Angeles County Postmasters Association, Parents Teachers Association, the NAACP, and Pacoima Coordinating Council.

She has also been a member of the following organizations: United Way,

Pacoima Women's Club, Pacoima Chamber of Commerce, the NAACP, Fair Housing Council, San Fernando Boys' Club, and National Chairman of Equal Opportunity and Handicapped Committee of the Postmasters' Association.

Ms. Avery has been honored as "Woman of the Year" by the North Valley YWCA, and Zeta Phi Beta for her community services. Other awards include the NAACP Freedom Award Citation, Outstanding Service Mental Health Campaign of the Urban League, and the Vaughn Street PTA. The list is endless.

Ms. Avery brought national prominence to the San Fernando Valley in 1961, when she was appointed the first black postmaster. The Pacoima community is most fortunate to still have her services today.

Nancy Carter Avery is an individual who has made a tremendous impact on her community, and I extend to her our deep gratitude for her many contributions and selfless services. ●

### WHY I CARE ABOUT AMERICA

#### HON. NORMAN E. D'AMOURS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. D'AMOURS. Mr. Speaker, each year more than a quarter of a million high school students across the Nation participate in the Voice of Democracy contest sponsored by the Veterans of Foreign Wars of the United States. The contest was started 32 years ago to promote the study of democracy and American political traditions. The authors of the best essays from each State are invited to Washington each spring to visit the city and to compete for five national scholarships ranging up to \$10,000.

I am pleased to be able to share with my colleagues the prize-winning essay for the State of New Hampshire, which was written by a resident of the First Congressional District, John D. Stackpole of Merrimack, N.H.

John is a junior at Merrimack High School where in addition to being an honor roll student and winning first prize in the 1978 Science Fair he has been active in interscholastic athletics and has been awarded the Pop Warner scholar-athlete prize.

John is contemplating a career in medicine or the sciences and is interested in photography, music, and sports. He lives with his parents, David A. Stackpole, a marketing manager for Digital Equipment in Merrimack, and Shirley M. Stackpole, a homemaker, and his three sisters Debra, Carol, and Beth.

John's excellent essay analyzes the importance of individuality and opportunity in our society and the contribution that our educational system makes in nurturing these values. It is a poignant reminder of the critical role these ideals play in our democracy:

#### WHY I CARE ABOUT AMERICA

I care for America—millions have shared this deep feeling. My country has always been viewed as the land of opportunity. Immigrants came in abundance to seek the opportunities that only this nation could offer. The ideals of personal freedom, opportunity for education, and the means by which our government insures these rights, are the primary reasons I care for America.

The foremost reason I care for my country is the guaranteed right, the constitutional right, to personal freedom. This freedom is unequalled in other countries of the world. We are the sole nation that allows freedom to this extent. We, as Americans, have the right to do and be who we wish. We are a union of individuals treated as persons possessing unique qualities. Individuality, imagination, and originality are nurtured and encouraged; we accept and acknowledge new ideas. New ideas are not shunted aside just because they don't agree with the established ways. They are weighed and evaluated. I believe these ideas allowed us to go to the moon, to wipe out disease, to unite our people.

But these achievements could not have been developed if it weren't for the view our country has on education. The opportunities for better education and self-improvement are abundant in our nation. There are numerous public and private schools that give a basic education. Colleges, vocational schools, and graduate schools are available for those who wish to further their education. Education is also offered to us through the media—through newspaper, television, and radio—this freedom of expression allows us to see society as it really is. It contributes to our daily education, it allows us to know our country. Education is not limited to the mind; other freedoms of expression, such as music, art, and dance, allow us to broaden our scope of knowledge. I believe that if we use this knowledge to improve our nation—we show that we care.

To insure these rights of Individuality and Opportunity our government was established in such a manner as to give the ultimate power to the people. The laws of our country were written and ratified by the people. The people enforce and interpret these laws through the executive and judicial branches. Our government also promotes education by providing schools, scholarships, and loans. I believe our country works because our government both promotes and protects these rights.

These ideas—personal freedom, educational opportunities, and the means by which our government guarantees the other two, are the basic reasons I care for my country. There are others, however, none exemplify as well the soul of America—Liberty, Individuality, and Justice. ●

#### FEDERAL CAMPAIGN FINANCING

### HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. LAGOMARSINO. Mr. Speaker, I would like to submit for the benefit of my colleagues, the following editorial on Federal campaign financing, which appeared in the *Lompoc Record* on March 2, 1979.

#### PROTECTION ACT

There is a very important bill being argued in Congress this session called H.R. 1, the public financing measure for election campaign subsidies. More than 150 House members have co-authored the bill by House Speaker Tip O'Neill.

The bill would limit campaign spending by each congressional incumbent and his challengers to \$150,000 and it would "match" up to \$60,000 each raises with \$60,000 in tax dollars.

If each House incumbent has a single challenger and each incumbent receives his \$60,000 in matching funds, it means \$52.2 million in matching funds would have to be taken out of the Treasury for each House election. It is also estimated that it will cost an additional \$6 million to administer the election subsidy program if approved.

It is our opinion that this bill is heavily weighted in favor of the incumbent congressman. It would be almost impossible in most districts to beat an incumbent with special privileges valued at a half-million dollars a year by a challenger only spending \$150,000. In the last election 95 percent of House incumbents who ran won.

We do have concerns about the high cost of running for election, but we do not feel that H.R. 1 is the solution.

We cannot see how so many members of Congress can advocate such a costly new statute that would proliferate the federal bureaucracy when the public is clamoring for less spending and less government.

H.R. 1 could more appropriately be called the "Incumbent's protection act." ●

#### MONESSEN EDUCATOR CITED

### HON. DON BAILEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. BAILEY. Mr. Speaker, on March 24, 1979, a well-deserved tribute will be paid to an outstanding educator and citizen, Dr. Joseph J. Pallone, to mark over 24 years of dedicated service as the Superintendent of Schools in Monessen, Pa.

Ever since Dr. Pallone earned his first education degree in 1935 from Indiana State University, he has been unrelenting in his efforts to improve the quality of American education.

From 1935 until 1956, Dr. Pallone used his tremendous educational talents in serving as a teacher and then principal in the Arnold public school system, Arnold, Pa.

It was from this position that Dr. Pallone began his 24-year tenure of public service as superintendent of schools in Monessen.

During all of these years, he continued to further his impressive educational training by earning his master of education degree from the University of Pittsburgh in 1938 and his doctor of education degree from Pennsylvania State University in 1956.

In addition to his daily involvement in the public school system, Dr. Pallone has participated in many educational and professional organizations and associations, ranging from the American Association of School Administrators to the Westmoreland County Superintendents' Association.

However, Dr. Pallone's accomplish-

ments do not stop at the academic world. He has unselfishly devoted many hours of hard work in various community services and projects.

Most noteworthy was his service as president of the Monongahela Valley Hospital, Inc., project.

It is entirely proper that Dr. Pallone be recognized not only for his tireless efforts and achievements within our educational system but also for his dedicated service to his community.

On behalf of the good citizens of Pennsylvania's 21st Congressional District and the House of Representatives, it gives me a great deal of pleasure to salute Dr. Joseph J. Pallone, an educator who has contributed much to the improvement of the American education system. ●

#### NO PERFECT ANSWER

### HON. HAROLD S. SAWYER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. SAWYER. Mr. Speaker, I would like to insert into the *Record* a copy of the editorial from the Grand Rapids Press that summarizes much of my feeling about the proposal for public financing of congressional campaigns. The editorial follows:

#### KEEP ELECTIONS PUBLIC

Supporters of public financing for congressional political campaigns say they'll try again in the 96th Congress to pass the reform legislation, but there's nothing in the makeup of the newly convened body to suggest the concept will be adopted this time around.

Public financing for congressmen—similar to the system now in place for campaigns of the U.S. president and Michigan's governor—has never lacked widespread legislative praise, but enough votes could never be raised in the U.S. House and Senate.

The issue was filibustered to death in the Senate in 1977; it died in the House last year under an overwhelming majority of Republicans and southern Democrats. Some say vigorous White House backing, which faded fast after early enthusiasm, could have saved the legislation.

Many proponents of public financing for congressional campaigns are concerned with what they regard as a dangerous combination of soaring campaign costs and sharply rising political investments by special interest groups. They believe that, ideally, public financing shouldn't be necessary, but the alternative of letting present trends continue is much worse.

Opponents say a public financing law would work to the advantage of incumbents and would lessen public involvement in the election process.

Recent figures from the Federal Election Commission suggest arguments advanced by public financing foes cannot be sustained. Further, as Fred Wertheimer, vice president of Common Cause likes to point out, if the proposal would indeed help incumbents, how come sitting members of Congress have been so reluctant to pass the bill? Exactly 95 percent of the House and Senate members who were running for re-election were winners last year—hardly a challenger's paradise.

In almost every instance the election commission's figures reveal overwhelming influence of special interest money—especially for incumbents—and the political



impact of individual voters and the political organizations where they can participate without making a sizeable financial contribution.

In the two years preceding November 1978, special interest political action committees contributed \$18.2 million to congressional incumbents and only \$6.6 million to their opponents.

Individual donations, on the other hand, comprised less than half of the total money taken in by incumbents but more than two-thirds received by challengers. Little wonder that incumbents hate to see the demise of the special interest committees.

Another revealing category of campaign financing is the amount of money candidates spend on themselves. Congressional incumbents contributed or loaned \$800,000 to their own campaigns. Personal contributions and loans that went into challenger coffers totaled \$11.2 million, a circumstance that is making congressional candidacy more exclusive than ever.

Obviously it takes heavy money to get elected these days. Just as obviously, those who have it to begin with are more likely to be challengers, and those who are incumbents attract it like a huge magnet. With those conditions becoming more true with each election, it's time Congress, admittedly a body of incumbents, tried to prevent election contests from becoming races for the buck—and never mind its source. Public financing may not be the perfect answer, but right now it seems to be the only one. ●

#### THE REVOLT HAS ONLY BEGUN

**HON. ROBERT H. MICHEL**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 1979*

● Mr. MICHEL. Mr. Speaker, most commentaries have stated that the main reason for the victory of Jane Byrne over Mayor Michael Bilandic in the recent Democratic mayoral primary in Chicago, was that Bilandic had failed to deal with Chicago's snow problems and had alienated many voters.

Perhaps this is true. But could it not be that the Byrne victory is a part of a growing, dynamic, unstoppable peaceful revolution of voters and taxpayers? This is the question asked by the Peoria Journal-Star in a recent editorial. I commend to you this incisive and persuasive argument.

At this time I wish to insert in the RECORD, "The Revolt Has Only Begun," Peoria Journal-Star, March 2, 1979:

#### THE REVOLT HAS ONLY BEGUN

Give Jane Byrne credit for challenging the machine.

Give her hard-boiled campaign manager—Don Rose—credit for fighting the machine with their own rough-house tactics and thus cutting down sharply on the fraud practices that have marked so many machine elections.

Give the Blizzard of '79 credit for exposing the financial scandals in a new light—as related to the failure of the city's snow-removal efforts and the breakdown of the public transit system. (Although in Washington, D.C. with far less snow even the new multi-billion dollar subway shut down for three days.)

But none of these events would bring out 50 percent of the voters in Chicago for a pri-

mary election to dump Bilandic in his own party.

Neither the blizzard nor Jane Byrne nor her hard-boiled campaign manager "got out the vote."

Nor is it enough to simply say that Bilandic's ineptitude has been so great that what really happened was not a case of Jane Byrne beating Bilandic or of any one issue beating Bilandic but simply a case of Bilandic, himself, beating Bilandic.

The Chicago machine has survived worse things and tougher challenges than anything that happened in 1978-1979.

The earthquake that broke three generations of uninterrupted control in the city of Chicago goes a lot deeper than that.

It is a sign of the times.

It is part of The Revolution, not an isolated incident all by itself.

And politicians in Springfield—and Washington—would do well to read into it the reality that what is involved here is The Temper Of The Times.

It ranks with Proposition 13 as an expression of growing public dissatisfaction with the cost—and related performance—of government, generally.

If national politicians think they can ride majestically above the local revolt evidenced in elections across the land in 1978, in Proposition 13 in California, in the party reversal in the once "liberal" stronghold of Minnesota at gubernatorial and senatorial levels, alike, and now in the defeat of the famed, invincible Chicago Machine—they are whistling past the graveyard.

Proposition 13 could not be dismissed as a limited revolt against the local property tax. That was merely the form of expression available.

Jane Byrne's massive upset in Chicago can not be dismissed as a blizzard-born revolt against an inept mayor. That was merely the form of expression available.

What we have in this country is the climate for revolt, and it erupts among people who have felt frustrated and helpless—like guerrilla warfare—wherever the opportunity seems to pop up.

And The Revolution has only begun.

The Jane Byrnes had better understand that, too.—C. L. Dancy. ●

#### ITC HEARINGS ON IMPORT RESTRAINTS ON FOREIGN-PRODUCED SPECIALTY STEEL

**HON. DOUGLAS WALGREN**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 1979*

● Mr. WALGREN. Mr. Speaker, today, the International Trade Commission began hearings to determine whether or not to grant an extension of the current limitations on the importation of foreign-produced specialty steel. At the request of the United Steelworkers of America and the Specialty Steel Industry of the United States, I testified in favor of such an extension. I would like to share my statement with my colleagues:

Mr. Chairman and Members of the Commission: My name is Doug Walgren and I am privileged to serve in the United States Congress as the representative for the 18th District of Pennsylvania. This district in Western Pennsylvania is both residential and industrial. A large number of my constituents earn their livelihood as industrial employees.

Two of the specialty steel producers currently covered by the import restrictions,

Cyclops and Allegheny Ludlum, are located in the 18th Congressional District. As you can expect, I have tried to become familiar with the plight of specialty steel workers, the communities supporting the facilities, and the present import restraint program.

Prior to the institution of the restraints, the conditions in the steel industry, in general, and the specialty steel industry, in particular, were dreadful. By any measure, the industry and its workers were suffering a real hardship. Production had fallen dramatically and unemployment was staggering. About 40 percent of the workers in the specialty steel industry were laid off during this period.

Since the President's decision to take action against imports of specialty steel, life in specialty steel communities around the country has improved. In my district this is surely true. In Bridgeville, where the Cyclops plant is located, and Brackenridge, where the Allegheny Ludlum plant is located, there has been noticeable improvement. Employment levels have risen and production has been revived. Communities that were recently severely threatened by the injuries inflicted on their main industrial facilities are returning to life. The earnings of workers and of these plants which are so vital to the economies of their regions have produced revenues for state and local governments, and vitality is present where despair seemed all too important.

Throughout the Chartiers Valley and the Allegheny Valley, workers who were on lay-off have returned to gainful employment. With the paychecks brought home by these workers, more food, clothing and other goods and services have been bought in neighboring shops and stores. Even the local and state treasuries have benefited, as the governments began collecting tax revenues rather than paying out welfare, unemployment compensation, and adjustment assistance. In short, in concrete human terms, the effects of the trade restraint program have been positively felt by people, businesses, and local governments in the 18th Congressional District.

So that my comments on the progress experienced since the institution of the restraints are not misunderstood, let me state clearly that the industry has just begun making a recovery. It is not fully recovered. For example, although profits in the industry have increased, they are still below those in most other manufacturing sectors. Any observer can see the signs of progress, but no one could expect an import restraint program of only three years duration to restore to full health so injured an industry as the specialty steel industry. The ITC itself recommended at least five years of restraints for recovery in 1976.

It is because full revitalization has not occurred that I am here to recommend to you the continuation of the import restraint program. A continuation of the program will bring us closer to full recovery. Failure to sustain the program will most surely result in a loss of the progress made in the last three years.

To illustrate what is at stake if the restraints are terminated let me share with you some information on the effect our present import restraint program has had on the 18th Congressional District. The progress made in the last three years is impressive.

At the Cyclops' plant in Bridgeville, the number of production workers increased from a 1976 average of 470 to that of 762 workers employed there in February 1979. As employment increased so did payroll. During 1976, the average monthly payroll was \$850,000. By February 1979 that average increased to \$2.1 million. The unemployment figures are even more revealing. During the first six months of 1976, there were an average of 500 people on layoff. In February 1979 only 22 employees were on lay-

off status, and they were in a "temporary layoff" status.

The imposition of import controls has had a similarly beneficial impact on Allegheny Ludlum's Brackenridge plant where recovery has been extremely important to the local community. Employment in two years has risen by 200 to a level of 2,952 workers. Monthly payroll is now up from \$5.7 million in 1976 to \$7.5 million in 1978.

From this illustration I think you can imagine just what will happen if import relief is discontinued. A rapid reversal of the recent progress is sure to result. Employment in the specialty steel industry decreases with the unrestrained flow of imported stainless steel.

Our experience has taught us that we have every reason to believe that the removal of the restraints will result in a rapid and quickly expanding influx of foreign specialty steel. This belief is supported by several facts. First, a look at the growth of specialty steel products not covered by the restraint program provides a clear warning. In 1976 the import level of specialty steel products not covered by the restraint program, such as stainless steel seamless and welded tube, round and flat wire and various tool steel, was approximately 35,000 tons. In 1977 that level increased to 75,000 tons. In 1978, a reliable estimate shows that the level of these unrestrained specialty stainless wire and tubing products will exceed 83,000 tons. Secondly, many foreign competitors including specialty steel facilities in developing nations have unwisely expanded their specialty steel production and appear poised and ready to flood our domestic market with their surplus production just as soon as our market is left unguarded. I might add that the developing country production capability is much greater than that which we faced in 1975.

Although one cannot quote with accuracy the numbers of employees that will become victims of unemployment if the restraint program is suspended, it is clear that production and employment in the industry will decline steadily if the restraint program does not continue.

We, as taxpayers and elected representatives, have another special reason to maintain employment in this industry. In 1975, 2,832 specialty steel workers received almost \$14 million in trade adjustment assistance benefits. In 1976, the number of workers receiving such benefits mushroomed to more than 16,000, receiving a sum totalling almost \$26 million. Beginning in 1977, however, the number of workers obtaining government assistance declined to 378 and in calendar year 1978 (through October) the number of

workers receiving trade adjustment assistance declined to zero. A lifting of the restraints might well require millions from the Congress to keep American workers from suffering the consequences of unlimited specialty steel imports.

These statistics demonstrate that the imposition of import restraints brought about a sharp reversal of the depressed employment conditions that characterized the industry in 1975, when the Commission originally found import-related injury to exist. At the same time, however, despite the improvement in labor market conditions, the total number of production and related workers in this industry remained substantially lower in 1978 than in 1974. The recovery of the domestic industry remains incomplete.

I hasten to add that the Trade Act of 1974 anticipated that certain restraint programs may have to be extended beyond the initial period of relief in order for the injured industry to realize full recovery. With all due respect to the lawyers at the Justice Department, I cannot accept that it was the intent of Congress in providing import restraints to merely "give a domestic industry time to adjust to increased imports." (Justice Department Pre-Hearing Brief, p. 16).

The Congress mandates the ITC, in its discretion, to determine the appropriate relief or import restriction necessary to prevent articles from being imported into this country in such quantities as to cause serious injury. The intent of Congress was to create the means to curb that injury by curbing imports when necessary. It was not the intent of Congress merely to give domestic companies and their workers a bit of temporary relief to "get used to the injury."

Although the Congress did provide in a wholly separate Part of the Trade Act of 1974 for adjustment assistance to workers, it is misguided to suggest that Congress was more intent on adjusting to substantial injury than on providing relief from injury.

I do not believe that there is a single Member of Congress who wants to see American workers injured and made eligible for adjustment assistance. The goal is to curb the injury from foreign imports, not to make that injury a permanent part of our economic life.

Many Members of Congress have joined me in support of the extension of the present relief program. Just last week, 63 of my colleagues took the floor of the House of Representatives to be recorded in support of the extension of the restraint program. Insofar as their comments will undoubtedly be of interest to the Commission, I have attached to my testimony those speeches and floor remarks made by Members of Congress who support the continuation of the specialty steel import restraint program.

On behalf of the people in the 18th Congressional district of Pennsylvania and on behalf of those colleagues who share my views, I urge the Commission to extend the restraint program so we can see the complete restoration of health in this vital American industry.

Thank you. ●

#### ASPIN FLIPS RECRUITING COIN

#### HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. ASPIN. Mr. Speaker, even though the Armed Forces had their worst recruiting period last quarter—as widely reported in the press—they actually had more men in uniform than they wanted. So, contrary to a widely held opinion, the statistics actually show the All-Volunteer Force is working.

The Pentagon announced last month that in the October–November–December quarter all four services failed to meet their recruiting goals for the first time since the draft ended 6 years ago.

But recruiting is only one side of the coin. The number of men in uniform is determined by how many come in and by how many go out. And fewer men than anticipated left the services in October, November, and December. As a result, the services ended the year with 2,000 more men than they had wanted.

In fact, the armed services are paying more men than Congress budgeted for. Now they will have to lower their recruiting goals in the coming months so they do not bust the budget at the end of the fiscal year.

The Navy was the most extreme case of the four services. The Navy had a disastrous recruiting quarter. It made only 85 percent of its recruiting goal and fell 3,000 men short of the number of recruits wanted. But the bottom line shows that it ended the year with 3,000 men more than it wanted.

When we try to judge the all-volunteer system by looking only at recruiting statistics, we are not getting the whole picture. In fact, we are getting a very distorted picture.

	Enlisted recruiting			Active military strength		
	4th quarter objective	4th quarter actual	Over/under objective	Dec. 31 objective	Dec. 31 actual	Over/under objective
Army.....	24,700	23,000	-1,700	756,000	757,000	+1,000
Navy.....	21,700	18,400	-3,300	526,000	529,000	+3,000
Marines.....	9,600	8,200	-1,400	179,000	188,000	+1,000
Air Force.....	15,800	15,100	-700	568,000	567,000	-1,000
Total.....	71,900	64,800	-7,100	2,039,000	2,042,000	+2,000

Note: Totals may not add due to rounding.

I hear some people suggest that in order to try to make their recruiting quotas, the services are actually cutting back on their standards and accepting many "dummies" in uniform. That turns out to be a false perception too.

In terms of intelligence, only 4 percent of the recruits accepted in the last

quarter fell into Mental Category IV, the lowest intelligence category accepted for service. That is a smaller proportion of Category IV's than have been accepted in any previous year whether under the draft or the all-volunteer system.

In the first 5 years of the draft, fiscal

years 1974 through 1978, the intake of Category IV recruits ranged from 4.8 to 10.2 percent. In the previous 20 years under the draft, the intake of Category IV's ranged from 12.9 percent in the best year, 1961, to 29.6 percent in the worst year, 1964. ●



VFW'S VOICE OF DEMOCRACY CONTEST—"WHY I CARE ABOUT AMERICA"

**HON. BILL ALEXANDER**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. ALEXANDER. Mr. Speaker, each year the Veterans of Foreign Wars and its ladies auxiliary conduct a Voice of Democracy contest. This year 250,000 secondary school students participated in the contest competing for the five national scholarships which are awarded as top prizes. The contest theme was "Why I Care About America." The winning contestant from each State is brought to Washington for the final judging as a guest of the VFW.

I am pleased to share with my colleagues the winning entry from Arkansas, that of Dennis Grant Smith, from Corning, Ark., in my congressional district:

WHY I CARE ABOUT AMERICA  
(By Dennis Grant Smith)

It's easy to care about America because She first cared for me through the great principles on which She was founded.

Our forefathers, while drafting the Constitution, kept individual rights foremost in their plans. This is not the case in many countries where individual rights are secondary to state's rights.

I especially cherish my freedoms of speech, religion, and personal choices.

As an American, I can speak out, write, campaign, and eventually vote my convictions. I can run for public office or support those I feel are qualified regardless of race, sex, economic or social status.

I can worship God according to the dictates of His Divine Word. I feel certain that we Americans will always be wise enough to preserve this freedom.

I can meet my full potential, without fear of repression, through my own initiative and willingness to work.

I can do all of these because a group of individuals over 200 years ago cared for me and my personal pursuit of happiness.

Wrong opinions of America are sometimes formed because so much of the news, reported by the news media, is of wrong-doing such as murder, fraud, misuse of authority, corruption in high office, and embezzlement. Fortunately, the people who commit these acts are a very small number among the American public. The majority of Americans respect and obey Her laws and this is where America's strength lies.

There are vast numbers of good people who don't wave large banners stating their love for fellow man but who show love daily through caring for others. Simple things such as helping old ladies across streets and helping others who have personal catastrophes such as prolonged illnesses, death of loved ones, and financial ruin.

These are the unsung heroes who care for America by caring for Her people.

As an American, if I care, I will not infringe upon the rights of others.

If I care, I'll be loyal, honest and have a willingness to work for what is right. I won't let apathy and complacency creep into my life and my community.

If I care, I'll preserve her physical environment. I won't litter Her beautiful countryside or unnecessarily pollute Her water and air. I'll conserve to the best of my ability Her energy supplies and keep an open mind toward the development of new resources for energy.

If I care, I won't discount the valuable resources of Her youth; for, in our hands lie Her destiny and Her dignity.

I believe that care breeds caring. If I care, those who follow will inherit the same rights and freedoms I've enjoyed.

This is why I care for America.●

VA ADMINISTRATOR'S AWARD TO TEXAS JOURNALIST

**HON. RAY ROBERTS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. ROBERTS. Mr. Speaker, the Administrator of Veterans' Affairs has authority to present honorary awards to private citizens who have made extraordinary contributions on a national scale to veterans. He has presented this award to a truly deserving man—Harry Provence of Waco, Tex. Many people outside the Government serve veterans but few have the talent and opportunity to perform in such a manner that the impact is felt throughout the country. Harry Provence is one of these. As editor-in-chief of the Waco Tribune-Herald he routinely arranged for a regular publication of news concerning benefits for veterans. This in itself is a service rendered by a multitude of people but Harry Provence's special knowledge and unique concern for veterans inspired him to give these stories special emphasis. The local regional office has been praised by Harry Provence many times but only for the services rendered to veterans, showing his continuing recognition that the agency is a servant without purpose except to serve. His knowledge of veterans benefits and Veterans' Administration procedures is such that his statements on these subjects are recognized as authoritative.

He has excelled especially in the area of medical education. As chairman of the Coordinating Board of the Texas college and university system, he successfully arranged for the affiliation between Texas A. & M. University and the VA Medical Center in Temple, Tex. He also participated in another project in which his unique talents as newspaper man and educator were highlighted at the VA Regional Medical Education Center in St. Louis, Mo. He gave a performance described as bringing an entire two-day program into focus by explaining the role of the VA manager in public relations.

I heartily endorse the Administrator's Award presented to Harry Provence, editor-in-chief, Waco Tribune-Herald, whose extraordinary contributions in publishing news of veterans benefits,

editorializing veterans affairs and in directing the State Coordination Board in affiliation between a State university and VA medical facilities have truly taught VA managers the value of media cooperation.●

NASHVILLE NEEDS A MUNICIPAL ZOOLOGICAL PARK

**HON. WILLIAM HILL BONER**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. BONER of Tennessee. Mr. Speaker, today, I have taken the liberty of writing the members of the Nashville City Council and the mayor urging them to set aside public land in the city for a municipal zoological park. The city of Nashville is one of the few remaining large American cities that does not boast a zoo of its own, free to the public and capable of attracting thousands of my fellow Tennesseans and fellow countrymen.

Never before in history has there been such a worldwide proliferation of zoos and aquariums or such vast rebuilding and expansion of existing zoological exhibit institutions. For example, in 1931, 55 public zoos, 14 public aquariums were listed in the United States and by 1968, 37 years later, the figures increased to 173 public zoos, 55 private animal parks, 24 public aquariums and 21 private aquariums. The 1967 attendance reported for public and private zoos, animal parks, and aquariums in the United States totaled over 104 million visitors. By comparison the total 1966 attendance for both professional baseball league in the United States totaled over 25,203,000 and was the greatest recorded for any season. Attendance in 1962 in art museums was 22 million, history museums 26 million and science museums 34 million. The situation despite the fact that the figures are almost 20 years old reflects well on the desire, need and willingness of Americans to support zoos.

I understand that zoos are among mankind's oldest institutions, dating back at least 4,500 years and probably more. Across the world they have worked together and displayed live wild animals for people to look at over the years and hundreds of millions have. Any institution with so long a history and so universally attended must reach something in people other than idle curiosity. Together with the American Association of Zoological Parks and Aquariums, a branch of the Nashville Recreation and Park Association, my staff and I have compiled a selected analysis of zoos in the United States. This table is attached at the conclusion of my remarks.

The purpose, Mr. Speaker, of my letter inserted at the conclusion of my remarks to the city council and mayor of Nashville, was to elicit local support for crea-

tion of a municipal zoological park in the city of Nashville currently containing over 545,000 people. It is my understanding that Opry-Land USA, located in Nashville, does contain a private zoo with 53 species, an annual attendance of 2 million, and an annual budget of \$146,000. However, it is my wish that Nashville contain within its city boundaries the same caliber of zoos that are exhibited throughout the Nation and, indeed, in the State of Tennessee. The city of Memphis, with a population of 875,100 does contain a Memphis Zoological Garden and Aquarium, owned by the city of Memphis and managed by the Memphis Park Commission. The city of Knoxville, with a population of over 300,000, also has a Knoxville Zoological Park governed by the mayor and the city council with an assist by the Appalachian Zoological Society. The Memphis Zoo has over 330 species, an annual attendance of over 570,000 people, and an annual budget of over \$1 million. Their source of funding is specifically from the city and the capital improvements in the area of \$102,000. The Knoxville Zoo has over 258 species, with an annual budget of \$825,000 and their

source is also city, capital improvements in the neighborhood of \$400,000. Nashville must be included in the listing of zoos in the United States.

What I propose is to support and encourage a Nashville Zoological Society to begin the efforts to acquire city land to set aside for the development of a zoological park. Funds to build and operate zoos can generally be classified in two major areas, first, capital outlay funds, either gifts, bank loans repaid from zoo income, from revenue bonds or operating funds, tax sources, parks or zoo commissions, public work departments, concessions, operations admissions and combinations depending on local circumstances and the nature of the governing authority. I would envision some sort of admission fee to alleviate the burden on the taxpayer and place it more directly on the user regardless of his residence. A minimum admission fee, however, must be maintained. Free admission policies could be instituted for organized educational groups, like schools or scouts, school-age children, and so forth to serve to further eliminate the disadvantages of an ad-

mission system and justify municipal subsidies.

I shall do all in my power, Mr. Speaker, to support the creation of such a zoological park in concert with my fellow Tennesseans. The need for a recreational facility of this kind in the city is great. The exhibits at such a zoo, both individually and collectively, could serve as living demonstrations of zoology and natural history. A zoo can play an increasingly more active role in scientific research in a community that contains both university and medical facilities. There is an increasing need to preserve forms of wildlife facing extinction and I would support the preservation of these species in our zoological parks that they may become a repository for the preservation of these animals for all to see. The cultural enrichment of the city and the popularity of zoos as a tourist attraction need not be re-emphasized.

I therefore urge the people of the city of Nashville to support efforts to create a municipal zoological park and to begin the work that is necessary to establish such a park within the near future.

I include the following:

RESEARCH INFORMATION ON ZOOS  
DATA ANALYSIS OF SELECTED ZOOS

Zoo	Population	Attendance	Operation	Acreage	Budget	Inventory	Adm.
Rochester, N.Y.	298,000	1,400,000	Municipal	14	100,000	204	No.
Birmingham, Ala.	325,000	1,444,467	Municipal	100	270,806	233	Yes.
Omaha, Nebr.	352,000	1,231,509	Society	102	206,943	91	Yes.
Fort Worth, Tex.	360,000	700,000	Municipal and society	22	270,000	813	Yes.
Portland, Oreg.	365,000	740,860	Municipal and society	40	540,000	206	Yes.
Toledo, Ohio	365,000	850,000	Municipal and society	43	500,000	514	Yes.
Oklahoma City, Okla.	375,000	1,464,770	Municipal	110	500,000	378	Yes.
Indianapolis, Ind.	515,000	1,192,283	Society	8	201,000	140	Yes.

<sup>1</sup> Actual cost.

<sup>2</sup> Estimated.

Note: Actual zoo area used, not area of park in which zoo is located. Annual operating budget, exclusive of capital improvement outlay. Animal inventory by species (different kinds) on exhibit.

THE GOVERNMENT'S POWER TO  
SEIZE GOLD

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

• Mr. PAUL. Mr. Speaker, today I am introducing a measure identical to a bill offered by Senator JESSE HELMS of North Carolina which would repeal the power of the Treasury Secretary to confiscate privately held gold.

When the freedom to own gold was restored in 1975, a little known provision of the Federal Reserve Act was overlooked—12 U.S.C. 248(n). This subsection outlines an authority which in effect would negate the freedom granted in 1975. The law states:

Whenever in the judgment of the Secretary of the Treasury such action is necessary to protect the currency system of the United States, the Secretary \* \* \* in his discretion, may require any or all individuals \* \* \* to pay and deliver to the Treasurer of the United States any or all gold coins, gold bullion, and gold certificates owned by such individuals.

In other words we have on the books, the power of the Government to abrogate

the freedom of individuals to hold a specific commodity; in this case gold.

This law was adopted in one of the less respectable periods of the U.S. Congress, that following the 1932 congressional and Presidential election.

I am glad to report that the chairman of the Federal Reserve System, G. William Miller, has expressed the view that he has no objection to deleting this section of the Federal Reserve Act.

We have not yet heard from the Treasury Department, but I would be greatly interested in learning how the Treasury Department would rationalize keeping this power. The law requires that the Secretary of the Treasury determine that it would be necessary to protect the currency system. Yet the Secretary of the Treasury has said that gold is to be demonetized. In addition, the Government has eliminated all gold backing from the currency and has turned the U.S. dollar from something that is as good as gold, into something that depends on the whims and capricious confidence of international bankers.

It is not unfair to say that the profligacy of the 1960's finally resulted in the abandonment of the dollar-gold link. Then the world's bankers and finance ministers realized that the dollar was no

longer as good as gold, and so they attempted to eliminate gold from the equation.

It is, tragically, not uncommon for the politicians of this country, and indeed most Western nations, to attack the symptoms of our illness and not the disease itself.

In this case, the illness is the lack of discipline by spending and monetary authorities resulting in the depreciation of currency. The seizure of gold is an illogical treatment.

The gold seizure power is obviously one that should be dropped as soon as possible.

I hope that early consideration can be given to this proposal.

Mr. Speaker, Jesse F. Cornish recently published an article on this topic which outlines many of the arguments and the history of the gold seizure power. Mr. Cornish also gave deserved credit to the Institute on Money and Inflation which has provided analyses on the subject to Members of both the House and the Senate. Organizations like IMI are vital to improving the economic literacy of Congress.

Mr. Speaker, I submit the Jesse Cornish article to be printed in the RECORD at this time.



# GOLD CONFISCATION—THEY DID IT BEFORE . . . WILL THEY DO IT AGAIN

Warning lights are flashing on the road to speculation and new pitfalls appear everyday. The prudent, in great throngs are seeking alternate routes. Millions of citizens remember the crash of '29 and other millions know it also as an economic tragedy that affected the lives of three generations.

Now a better informed American does not wish to stand at the brink of ruin before setting up a protection system. Millions who waxed strong in the heyday of conventional investments realize now that the days of wine and roses are gone. They gasp at the erosion rate of capital investment and move to gold like moths to a flame. Almost like the fear of death is the sobering truth that the longer they hang on to these dollar coupons, the less purchasing power they will provide.

During the remainder of 1933 the President and the Treasury issued additional regulations and clarification on gold surrender. One exemption was authorized which permitted the holding of gold, under special license, for use in industry, certain professions, and for rare and unusual coins of value to collectors.

The price of gold had been arbitrarily set at 20.67 a fine ounce for 96 years. The difference between the nominal value of the gold dollar and actual gold content by weight was due to the original seigniorage granted the Treasury by law in 1837. Under this, the statutory troy ounce of bullion worth 20.67 was exchanged for \$20.00 in coin. The difference was allowed to offset minting costs.

Citizens who surrendered their gold were paid \$20.67 per ounce in Federal Reserve notes and silver coin.

At the time of the surrender order the government stockpile stood at about 200 million ounces, or 4 billion dollars at \$20.67 for five ounce.

There are many estimates as to the actual amount of gold turned in by citizen "hoarders." It is safe to say that less than 20% of it ever reached the Federal Reserve. Most of it went into hiding, or found its way out of the country for storage in foreign banks. Americans strongly resisted what they felt to be an illegal seizure of personal property, and this writer can find no records of citizens paying fines or going to jail for failure to comply with the order.

In June 1933 Congress passed a joint resolution abrogating gold clauses in all contracts past and future. This meant that all contractual obligations must be met in units of current currency value.

Just six months later, on January 15th, 1934, the Gold Reserve Act was passed authorizing all monetary gold to be owned by the government as a bullion base for its currency. All gold in the Federal Reserve was transferred to the Treasury in exchange for non-circulating gold certificates issued to Federal Reserve Banks.

This Gold Reserve Act kicked off a series of events that shocked conscientious monetary thinkers and changed the face of the early "New Deal" from wonder to suspicion.

The new law gave Roosevelt the power to devalue the dollar in an amount he deemed appropriate, but not to exceed 60%. He jumped on it immediately and devalued the dollar 59%—from \$20.67 per fine ounce of gold to \$35.00. At the same time he formally prohibited the minting of all gold coins and demonetized all those outstanding.

The devaluation netted the government a 3 billion dollar profit and raised the value of its gold holdings to 7 billion. From the moment of devaluation the United States began to accumulate gold on an ever increasing scale and by 1940 our gold reserve had increased to 18 billion.

Next came the confiscation of silver. On August 9th, 1934, a Presidential Proclamation ordered all silver bullion surrendered to the Treasury within 90 days and a 50% tax

was levied on any profits from the sale of silver. The order netted 113 million ounces for which the holders were paid 50.1 cents per ounce. During the next 25 years the government went into the market for over 2 billion ounces for which it paid from 35 cents to 90 cents per ounce and maintained complete control of the silver market until 1963.

Government inefficiency in the market place was laid bare when it subsidized the mining industry by buying silver to force prices up during the thirties and then turned around and subsidized silver users in the fifties and sixties by selling from the stockpile to force prices down.

As we look back today, we clearly see that the monetary constitution emerging from the "New Deal" was a makeshift affair, consistent with no single conceptual framework. Full convertibility to gold could have been restored in 1934, at the \$35.00 price. Domestic ownership and trade in gold could have been reintroduced without the fears of "speculative profits" windfall gains and losses in gold-clause contracts, and multiple contractions in aggregate money stocks that produced the banking crisis.

It seems strange that these fears set the stage that broke traditions of free voluntary contract and free markets, placed into legal order a precedent setting potential for still other interventions with freedom of contract.

It was Roosevelt himself, who told us in times of crisis, "The only thing we have to fear is fear itself."

now

Gold and silver rank with other commodities today—soya beans, wheat, tin, copper, and pork bellies.

Gold has been branded a "Barbarous Relic" by our nation's top money managers and it has not been money for 44 years. Since January 1975, stockpile sales of IMF and Treasury gold have been aimed at discouraging "speculators" and "hoarders."

Our monetary system has taken up residence in the land of "Make Believe" and the dominant instrument of finance is externally-secured and non-secured bank credit. Most of it is fictitious and can be multiplied endlessly until financial "Judgment Day."

There are two ominous factors that need to be watched very closely. As judgment day for the dollar is only tomorrow; the world is listening to gold. The storm of anti-gold legislation and the continued stockpile sales have all back-lashed. No country or individual citizens has been fooled, nor have they lost an ounce of respect for the only monetary foundation that ever survived.

The OPEC nations are becoming nervous about accepting 50 billion no-confidence, no true-value credit receipts each year for their oil exports to the United States, and the European nations are working diligently toward their own currency unit, the E.C.U.

Gold and silver provide the safest haven for capital preservation. These two precious metals have weathered every currency wash-out, in history and offer the only truly liquid stability in today's shakey, equity-starved money systems.

*The thought of bailing out of paper into hard money does pose a host of serious questions*

1. How can I accomplish the conversion conveniently and quietly?
2. Do such transactions have to be reported?
3. Where do I store it when I take possession?
4. What if the government once again orders confiscation as it did 45 years ago?

*We do know this*

Today citizens can convert easily and quietly to hard money by dealing with a reputable, bonded dealer in precious metals.

Gold and silver rank with any other commodity and reporting of such purchase is not required.

Bullion coins with low premium are recommended over bars and wafers because of divisibility and liquidity. Storage can be accomplished safely and conveniently in safes, vaults, safe-deposit boxes, and select hiding places. Containers are available for those who wish to place it underground.

Then, there is the question of what our fiscal leaders will do when finally they spend the dollar to total collapse. Will they again, in panic, invoke another seizure order and enforce it under penalty of law?

This question will cause tens of thousands to hesitate and slow their active quest for financial stability. Because it is negative it will foster decisions by default. Many will sit and do nothing in fear of this remote possibility lurking somewhere out there in the future. This thinking is no more productive than refraining from building a home in fear of future acquisition proceedings. Few would reason to stop living now just because death is always out there waiting.

History shows clearly that the surrender of gold was not the factor that caused financial ruin. The most unkind cut of all was the devaluation of the dollar which gave the windfall profits to the government instead of the previous holders of gold. In fact those who surrendered gold were paid the going rate. Those who were wiped out were already buried in their worthless paper. The stock market killed them, not the surrender of gold.

The only property this government has ever confiscated from citizens, (excluding taxes) without remuneration in kind, has been that which was illegal to own.

*Gold is legal!*

For the sake of reason and rationality let's address ourselves to the "then" and "now".

THEN

When Franklin Roosevelt was inaugurated on March 4th, 1933, economic conditions were so bad that a situation comparable to panic existed.

More than 12 million people were out of work and unemployment stood at 24.9%. Bread and soup lines stretched endlessly through city streets to feed the thousands who had absolutely nothing.

4,000 banks failed that year. Three-fourths of them were Federal Reserve Banks. Nearly 32,000 businesses failed the year before and total national production had dropped nearly 50% since 1929. 90% of the values of the stock market were wiped out in the preceding 2½ years and the Dow stood at 41.22.

Mass withdrawals of bank deposits and "hoarding" of gold by individuals had reached a point that threatened complete destruction of the banking system.

If greatness can be defined as taking positive, decisive action to deter chaos and panic; then Roosevelt was great.

His first official act on March 6th was a staggering proclamation that reverberated a mixture of hope and fear. He ordered every bank in the nation closed and prohibited from paying out gold or dealing in foreign exchange.

Three days later he summoned a special session of Congress to confirm his actions and pass the Emergency Banking Act. The questionable authority of an old, 1917 "Trading With The Enemy" act was invoked to justify the action under the premise of a national emergency.

The new act empowered the President and the Treasury to maintain complete control over all transactions in gold, silver and foreign exchange. The bank holiday was extended for another week to allow time for

inspection and in-house audits by Federal Reserve examiners.

Four days later a seemingly sound banking system was established and public confidence was, to some degree, restored. Prohibitions on dealing in gold and foreign exchange, however, remained in force.

Following the bank moratorium, there was an immediate, massive return of all types of currency, as well as gold and silver to the banking system. The monetary system was relieved of its pressures and the dollar began stabilizing in foreign markets once again. The public generally assumed there would be an early return to the gold standard, and economic conditions began to improve.

Then, on April 5th, 1933 another executive order was issued demanding complete surrender of gold, gold coins, gold bullion and gold certificates still in possession of individuals. The order directed that it be turned in to the nearest Federal Reserve Bank within 25 days. Failure to comply was punishable by a fine of \$10,000 or ten years in prison or both.

This ended a 141 year era of circulating gold coins as a strong part of our money system.

*Here is what we should watch*

Mainly, we just keep watching the strength and weakness of the dollar. The temperature and general health of the economy will ride on this factor.

The oil producing nations yearn for a reserve asset which provides greater equity and stability than most of the world currencies. Should they decide to move to gold, or possibly to the proposed new European Currency Unit, the dollar would be in even more serious trouble.

*In either instance, the United States would have to come up with gold*

The question is where the government leaders will go to get it. Will they buy it abroad with pledges of agricultural surpluses or inflated dollars or will they come back to the citizens again?

Should they choose the latter it is reasonable to assume that the fair market price would be paid. If not, we will see one of the most massive black markets in history—because, this time, they don't know who has the gold. Reporting of buyer's names is not required on legal commodities and—gold is legal!

Someday out there, after the credit dream-world collapses, there will be a new money system. It will once again be founded on a base of gold as it has been for 3,000 years.

Chances are, the new financial leaders will play the game straight until they, too, begin committing beyond the limits of tax revenues—until they discover the magic of the printing press and the miracle of credit.

*But this will be the concern of our grandchildren. Right now, this generation has a decision to make*

We either ride the paper to zero, or move into hard assets that will retain value in spite of the fact they could, one day, be called in at a currency value.

It seems highly unlikely that a repeat of 1933 would ever occur until gold will once again be established as a base for our money system, or silver called in for wartime use.

Twice during the Wilson Administration in England gold confiscation was attempted and abandoned for lack of compliance.

Since 1934, Americans have come to regard officialdom with lessening credibility and respect. If 20% of citizen-owned gold was turned in under that surrender order, it seems likely that response to such an order today would net far less. It would be certain to create a black market of tremendous proportion, and hundreds of politicians would suddenly join the ranks of the unemployed.

The struggle now to preserve our present status will require courage and foresight. This battle will not be won by those who quake at the sound of distant guns.

*Get into hard money now. It's the best lot for survival!*

For the right to own gold every American is indebted to men like James U. Blanchard III, Chairman of the National Committee for Monetary Reform.

Jim rallied the forces that set gold free in 1975 and now with reinforcements is bringing into effect an awakening of the people to the crying need for a sound money system based on gold.

Senator Jesse Helms of North Carolina is the Simon Bolivar of honest monetary policy. By his extraordinary victories in Gold Clause Freedom legislation and the Gold Medallion Act he has notified the enemies of gold that war is in progress.

Howard Segermark, Executive Director of the non-profit Institute on Money and Inflation has highly qualified this institution as the headquarters of research and intelligence. The constant production of fact data is a vital aid to gold legislation. Mr. Segermark has announced that Senator Helms will present to the 96th Congress, a bill to repeal Subsection 12VSC 248 (N) of the Federal Reserve Act which authorizes the Secretary of the Treasury to seize gold whenever, in his judgment alone, such action is necessary to protect the currency.

We believe that Senator Helms' bill will pass. Gold no longer protects the nation's currency and Senator Helms possesses the stature to make Congress see the truth. If the Congress reacts to truth, then the law which authorizes gold confiscation will be repealed and that fear can be put to rest. To introduce legislation taking away the citizen's new right to own gold would seem a very perilous indulgence for any politician with a hope for re-election.

BUY AMERICAN ACT OF 1979

HON. THOMAS A. LUKEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. LUKEN. Mr. Speaker, I rise today to introduce the Buy American Act of 1979. This is the same bill which Senator HEINZ introduced yesterday.

It is time that our fair trade laws applied to Government purchases if we are to revitalize American industry and save American jobs from falling prey to unfair foreign competition. We can do this by passing and enforcing an improved buy American law.

The American Government presently has no way of making sure that Federal money is not used to purchase unfairly traded goods. This bill gives the Federal Government the mechanisms it needs to insure that it does not purchase unfairly traded goods. It will serve as an important alternative and a supplement to the International Procurement Code of the Multilateral Trade Agreements.

This bill also will provide a method for allowing American firms to bring an action under the fair trade laws if it suspects that a foreign firm is violating the law. No contract can be awarded until this action is resolved. If it is found that the foreign bid is unfair, then the foreign firm cannot be awarded the proposed contract.

The American Government must provide fair support for our home industries in its procurement policies in the form of a reasonable preference if our businesses are going to be able to compete with foreign firms who trade unfairly and who are protected in their home countries by buy-national policies which tend to completely exclude competition from American firms.

I repeat that a strong enforced buy American policy is essential if we in the Congress are to maintain strong domestic industries. We cannot continue our policy of supporting the unfair trading practices of foreign nations with the use of tax dollars when our own industries are in serious trouble. I urge my colleagues to give their support to fair trade by endorsing the Buy American Act of 1979.

WHY THE UNITED STATES IS LOSING POWER IN THE WORLD

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. MICHEL. Mr. Speaker, growing concern over the general incompetency of the administration's foreign policy has, predictably enough, created a backlash of sympathy for the President. Recent articles in the Wall Street Journal and the New York Times defended President Carter and castigated his foreign policy critics.

Is the criticism of the President's foreign policy unwarranted, as some are now saying? Is the President really a victim of events beyond his control? Should we all be applauding his handling of foreign affairs since, as his supporters always tell us, we are not in a war?

I think not. I think our Nation is in serious trouble and there is direct, identifiable and clear cause-and-effect relationship between the President's incompetence in foreign affairs and our Nation's growing problems abroad.

Business Week magazine, March 12, 1979, had addressed this question editorially. I want to insert that editorial—"Why the United States is Losing Power in the World," into the Record at this time in the hope that its calm, persuasive tone will convince our colleagues that President Carter's foreign policy is indeed a failure.

The article follows:

WHY THE U.S. IS LOSING POWER IN THE WORLD

For almost exactly 100 years—from the end of the Civil War to the middle of 1965 when Lyndon Johnson sent American troops into the Vietnam war—the U.S. exerted rapidly increasing power in world affairs and commanded growing respect from allies and enemies alike. Since 1965, the trend has reversed. There has been an alarming decline in U.S. strength and a succession of disasters involving U.S. policies. The erosion of U.S. power and influence is proceeding so rapidly



that many policymakers in other nations doubt the ability of the U.S. to define its own interests or to deliver on its commitments.

The difficulty President Carter has had in bringing President Sadat and Prime Minister Begin back to Camp David, the fall of the Shah's government, and the resulting shortage of oil, which some members of the Organization of Petroleum Exporting Countries quickly exploited by again raising prices, are only the latest in a string of setbacks for the U.S. All of them testify to the absolute necessity of a review and revision of foreign policy that will enable the Carter Administration to cope with the great forces at work in the world today.

Such a restructuring of U.S. attitudes must begin with recognition of two basic facts: First, the economic and political components of a nation's policy are inseparable from the stand it takes in foreign relations. Power and influence in the world have to be based on a solid foundation of a healthy economy and a political system that presents great issues to the country honestly and clearly instead of obscuring and confusing them. Second, the U.S. has tried to conduct foreign policy as if it were living in a make-believe world created by academics and do-gooders. The model that successive Administrations have used is a fiction; so it should not be surprising that it produced an unreal solution.

#### THE FOUNDATIONS OF POLICY

To translate these principles into specifics, the Carter Administration would have to:

Maintain defense spending at a level that will discourage any nuclear attack against this country and at the same time permit an effective response below the nuclear level where clearly defined U.S. national interests are threatened.

Develop economic policies that will restore stability to the dollar in international markets, check inflation, and encourage investment as well as consumption—instead of relying on rhetoric filled with empty promises to do these things.

Redesign the Administration's machinery for making foreign policy, eliminating contradictions, disputes, and incompetence, all of which are uncomfortably evident in the present apparatus.

Use all the tools of foreign policy, including a revitalized intelligence agency that can gather useful information, analyze it quickly, and conduct covert operations when they are called for.

The most vital interest of the U.S. clearly is preserving a decisive balance of strategic power to dissuade the Kremlin from taking actions anywhere in the world that could lead to nuclear war. A well-drawn treaty limiting strategic arms might contribute to effective deterrence of a nuclear attack at less cost than an all-out arms race. But the President has been so preoccupied with selling such a treaty to Congress that he sometimes seems to represent it as a substitute for keeping up with the Soviets in strategic weapons. This is totally misleading. A new treaty might reduce the investment in nuclear arms, but the U.S. simply cannot afford to stop developing new strategic weapons.

#### THE SOURCES OF ADVICE

A crucial element in the balance of power, of course, is the system of alliances that the U.S. has built with the nations of Europe and with Japan. And here is a point where the close connection between economic policy and foreign policy is easy to see. Relations between the U.S. and its allies have been badly strained by economic tensions arising out of the weakness of the dollar and the continuing trade deficits the U.S. has been running. The sad decline of U.S. influence in the past decade has been associated with the flight of investors and speculators alike from

the dollar and the inability of U.S. goods to compete in world markets. The same policies of deficit financing and undisciplined government spending that have wrecked the domestic price structure have kicked back to weaken the alliances that the U.S. built in its time of strength.

Perhaps the most frightening aspect of the decline of U.S. power is the apparent failure of the Carter Administration to recognize what is happening. Part of the trouble is that the President has divided authority and responsibility between the State Dept. headed by Secretary Cyrus R. Vance and the National Security Council staff headed by Zbigniew Brzezinski. Since the two men are often at odds, it is sometimes hard to tell who is making foreign policy.

A more fundamental source of confusion is the mindless destruction of the Central Intelligence Agency by hostile congressmen. To say, as Senator Frank Church (D-Idaho) has said to *Business Week*, that the CIA should not undertake covert operations under any circumstances is to say that the Administration is to be shut off from taking actions that good sense dictates in critical areas. The CIA needs better oversight than it was getting, but it cannot report to eight congressional committees and remain a competent agency.

Above all, the President needs better advice. And he must pay more attention to what the financial markets are trying to tell him. They speak in terms of reality, not in theories, because they reflect the judgment of people who are betting money, not just offering opinions. The failure to listen to people who are really immersed in the world's problems is a lot of what is wrong with President Carter's foreign policy. ●

### THE THREAT OF INTERNATIONAL TERRORISM

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. GILMAN. Mr. Speaker, international terrorism continues to be a deadly threat against civilized people everywhere. Actions by terrorists have continued unabated in recent years, striking innocent victims of every age and station.

Persons visiting airports or traveling by airplane are particularly vulnerable to international terrorists. They are likely to be of many nationalities, enabling terrorists to pressure all of their governments at once. Moreover, airports and airplanes are—tragically—still relatively accessible to terrorists. Moreover, since passengers are in a vulnerable situation simply because they are in the air, air piracy and sabotage have become favorite tools of terrorists.

For these reasons, the Subcommittee on Aviation of the House Committee on Public Works and Transportation, under the leadership of its distinguished chairman, the Honorable GLENN ANDERSON, and its ranking minority member, the gentleman from Kentucky, GENE SNYDER, has taken a lead in the formulation of possible legislative remedies to the problem of terrorism. Today, I had the privilege of submitting my views to the sub-

committee, and insert at this point in the RECORD, the following:

STATEMENT OF THE HONORABLE BENJAMIN A. GILMAN

Mr. Chairman and distinguished members of the subcommittee: It is a privilege for me to appear before the Public Works and Transportation Subcommittee on Aviation to testify on the important bills now before you. You are to be commended for your efforts to focus attention on the problems of international terrorism and to seek legislative remedies to those problems.

It is a sad fact that living with terrorism has become a way of life for millions of people around the globe. A pattern of terrorism has been continuing to spread throughout the world. As cooperation between terrorists, terrorist organizations, and some sovereign nations increases, so do the bombings, kidnappings, assassinations, and hijackings.

Acts of terror have become a popular tool for all those seeking to impose their world community which seems to be unable or unwilling to defend itself. The most frightening aspect of the trend is its arbitrary nature, as innocent victims are often slaughtered without any reason. As indicated by a PLO terrorist leader in 1970:

"In today's world, no one is innocent, no one is neutral." In the last 10 years, Mr. Chairman, there have been well over 1,000 terrorist incidents worldwide. They have resulted in the deaths of more than 2,000 people, and the wounding of more than 5,000. Of course, the recent, senseless killing of U.S. Ambassador to Afghanistan Adolph Dubs weighs heavily on all of us.

In fact, Mr. Chairman, the tide of terror has continued unabated. Since this committee's hearings last year, the following are among the incidents that have taken place:

Croatian terrorists placed bombs in two locations in New York City, and seized the West German consulate in Chicago.

Eight bombs, thought to have been planted by terrorists, exploded in British army bases in Germany.

The Popular Front for the Liberation of Palestine attacked a passenger bus in London, resulting in innocent death.

The Israeli town of Maalot, scene of the infamous murder of dozens of schoolchildren by Palestinian terrorists, was once again attacked, resulting in new deaths.

Just Tuesday, yet another bomb exploded in the crowded Jerusalem market where 21 persons were wounded this January 18.

Unfortunately, given current laws and the current lack of international cooperation, more than three-fourths of all terrorists escape punishment for their actions, while they are almost certain to achieve their aims of intimidating populations and governments and gaining widespread publicity. The conviction rate for terrorists who are captured and the sentences imposed upon them have been unimpressive. While the FBI has a better than 90 percent capture rate for criminals involved in kidnapping for ransom, a terrorist involved in an international kidnapping has about an 80 percent chance of escaping capture or death. Sadly, the average sentence for those who are caught and brought to trial has been only eighteen months.

At a time when the threats of terrorism are at an all time high, our current domestic and international efforts fall far short of the task before them. Last year, FBI director William Webster testified before the Congress that the Bureau's presently strained resources are not adequate to cope with a major terrorist campaign.

While there are numerous laws on our books that call for sanctions against nations aiding terrorists, their enforcement has been spotty.

The people of this Nation through their Government must respond to the terrorist attack on the civilized world. We must mobilize forces in this and other nations which will be equal to the task of combatting both the bands of fanatics and the conditions from which they spring. We must seek to deny safe havens to terrorists by establishing sanctions against states which aid them, harbor them, or fail to prosecute or extradite them.

We must impress upon each other the collective threat posed by terrorism. As history has shown, terrorism begets further acts of terrorism and violence. Our response can only be to create a dedicated, aggressive, coordinated, multinational effort to apprehend and punish terrorists wherever and whenever they strike. We must meet this challenge, for, as the Washington Post pointed out in its March 17, 1978 editorial:

"The terrorists are pressing the question whether a government actually exists.—Or is it only the legal shell of a government, with nothing inside? Is it capable of acting, at last, to preserve itself and public order?"

During the past few years in different forums, I have sought to alert those still unmoved to action that terrorist acts feed on each other. A civilized society cannot for long fail to respond to these threats to its very existence.

I have had the privilege in the past and in the present Congress of sponsoring or supporting a number of pieces of legislation to deal with the problems of terrorism. One such resolution, H. Con. Res. 55, which is currently pending before this committee, deserves your attention. The resolution calls for an international study of the causes of terrorism, urges the President to both take action against nations aiding terrorists and to seek stronger international sanctions against such countries, and to strive for the conclusion of an effective international convention against terrorism. It is unfortunately true that the U.S. does not now invariably invoke sanctions against nations aiding terrorists. My bill urges the President to invoke these sanctions whenever they are deserved.

In the specific area of air piracy and hijacking which is currently under study by this subcommittee, H.R. 1834 now under consideration, will deal in a comprehensive way with the threat terrorism poses to Americans both at home and abroad. This bill and similar legislation now before you can add some real punch to our efforts in the struggle against terrorism, and I am happy to endorse it.

To complement these efforts, we must encourage the world community to fully support the existing international treaties dealing with air piracy and hijacking.

The Tokyo Convention of 1963, the Hague Convention of 1970 and the Montreal Convention of 1971 provide for the classification of air piracy as an international crime and the extradition or prosecution of hijackers. Unfortunately, these conventions have not had unanimous acceptance or adherence.

Recently, however, there have been some encouraging signs of an awakening in the world community to threats posed by terrorist hijackings. On November 3, 1977, the United Nations General Assembly, for the first time, adopted a resolution condemning air piracy and called upon all governments to take steps to tighten security and to agree to prosecute or extradite hijackers. In addition, at last year's Bonn Economic Summit Conference, the seven attending heads of

state reached an important agreement on air piracy and terrorism that includes a call for the suspension of air flights to and from those countries that provide assistance to hijackers.

I urge the members of this subcommittee to seize this opportunity to support or strengthen these efforts by reporting out the legislation before it, thereby strengthening our nation's hand in combatting terrorism.

This subcommittee is playing an important role in providing the needed leadership to combat terrorism. The United States as a nation must take the lead to enlist all nations and peoples that are outraged by the brazen attacks, assassinations, threats, taking of hostages, and other vile forms in which international terrorism manifests itself. We have delayed much too long in combatting these infamous crimes.

#### H. CON. RES. 55

Concurrent resolution urging the President to take certain measures against countries supporting international terrorism and persons engaging in international terrorism and to seek stronger international sanctions against such countries and persons

Whereas abhorrent acts of international terrorism have resulted in the death and injury of many innocent persons and have caused serious disruption of the channels of international commerce and diplomatic discourse; and

Whereas international terrorism takes many shocking forms and continues to threaten the safety and well-being of citizens of all nations; and

Whereas previous efforts on the part of individual nations and of the international community as a whole to eradicate international terrorism have been unsuccessful: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring).* That it is the sense of Congress that the President should exercise his powers under section 620A of the Foreign Assistance Act of 1961 (relating to prohibitions against furnishing assistance to countries which grant sanctuary to international terrorists) (22 U.S.C. 2371), section 1114 of the Federal Aviation Act of 1958 (relating to suspension by the President of air services to countries which grant sanctuary to terrorist organizations which use hijacking of aircraft as an instrument of policy) (49 U.S.C. 1514), section 3(8) of the Export Administration Act of 1969 (relating to the imposition of export controls to nations that provide assistance to international terrorists), section 3(f)(1) of the Arms Export Control Act (relating to a cutoff of sales, credits, and guarantees for the purchase of military equipment to countries which provide assistance to international terrorists), and section 502(b)(7) of the Trade Act of 1974 (relating to the denial of duty-free treatment under the United States system of generalized trade preferences to any developing nation providing assistance to international terrorists) whenever an act of international terrorism occurs.

SEC. 2. It is further the sense of Congress that the President should instruct the Ambassador of the United States to the United Nations to seek the formation of a permanent international commission to conduct an ongoing study for the purpose of—

- (1) providing a definition of international terrorism;
- (2) determining the underlying causes of international terrorism; and
- (3) proposing methods for preventing future incidents of international terrorism and dealing with such incidents when they do occur.

SEC. 3. It is further the sense of Congress that the President should renew efforts begun at the air security conferences held in Rome during 1972 under the auspices of the International Civil Aviation Organization to establish an international convention providing aviation sanctions against countries that refuse to punish or extradite persons responsible for unlawful acts against civil aviation.

SEC. 4. It is further the sense of Congress that the President should use all available means to seek strict compliance with the Convention for the Suppression of Unlawful Seizure of Aircraft by each country which is a party to such convention and to obtain ratification of such convention by countries which are not parties to such convention.

SEC. 5. It is further the sense of Congress that the President should seek an international convention to provide for the prevention and punishment of the taking as hostages of persons who are not already protected by the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents.●

#### HYDROGEN FUEL TECHNOLOGY

#### HON. GUNN MCKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. MCKAY. Mr. Speaker, I submit for the RECORD an account of work being done on hydrogen fuel by a Utah company.

Work in progress at Billings Energy Corp., in Provo, Utah, continues to produce new advancements in hydrogen fuel technology. Notably, the company's efforts in the field were featured recently in a 60 minute broadcast aired by the Public Broadcasting System in a Nova report entitled, "The Invisible Flame."

Technological refinements of the science have enabled Billings Energy to begin marketing hydrogen powered automobiles to the general public. One of the advancements making this endeavor possible is Billings' development of a compact, moderate cost electrolyzer which produces hydrogen for the vehicle in the convenience of the driver's garage.

Billings Energy plans to convert a series of 10 prototypes for sale to the public at a cost of \$30,000. This cost, of course, includes the price of the subcompact car chosen by Billings for conversion, the engine conversion itself and the electrolyzer. Billings reports that the first hydrogen powered car in this series has already been sold. The company is hopeful that it can undertake a series of 100 conversions once the first 10 prototypes have been successfully marketed which it can offer for sale at a substantially lower cost than the current package.

Billings' work in hydrogen fuel technology is significant in many aspects. The pollution-free combustion properties of the fuel hold promise in alleviating the growing health hazards associated with air pollution, while the generation of hydrogen from plentiful supplies of coal could ultimately free the United States from dependence on for-



eign oil suppliers. Billings believes recent events in the Middle East only heighten the importance of developing alternative fuels such as hydrogen.

The introduction of a hydrogen powered car for private use culminates several years of research spent by Billings Energy in developing its technology. Among its conversion projects the company counts over a dozen vehicles including a U.S. Postal Service delivery jeep, two mass transit buses, a luxury car and even a city electric car. A hydrogen homestead built near the company's offices in Provo has demonstrated the feasibility of using hydrogen as fuel in residential applications. Here, the home's kitchen range, stove, water heater, gas log, outdoor barbecue and 20-horsepower garden tractor are equipped to utilize the pollution-free fuel.

Another aspect of Billings' work has also been devoted to research in hydrogen production methods. While it is the most abundant element in the universe, very little hydrogen is found in a free state in nature. For the most part it must be extracted from other sources, that is, from water through electrolysis or from coal by coal gasification.

Billings research in coal gasification as a source of hydrogen has led to a potential installation in the Midwest. A contract to fulfill initial design studies for a plant in Forest City, Iowa, is currently underway at Billings. The plant could initially supply fuel to the community's industrial complex and ultimately to the entire residential and business sector.

Billings' future plans call for extensive research, development and application of hydrogen energy concepts including remote wind power generation, storage and use for ground water irrigation systems; electrical utility load leveling; and pipeline transmission of hydrogen gasified from coal. Fleet conversions and medium-scale electrolysis plants are possible with present capabilities.

The work of Billings Energy Corp. and that of other hydrogen research organizations warrants high priority in this country's efforts to solve both the energy and pollution problems which plague industrial societies.●

#### PRESIDENT CARTER'S MIDDLE EAST TRIP

#### HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. STARK. Mr. Speaker, I rise today to express my admiration for the courage President Carter has so clearly shown in his decision to travel to Egypt and Israel to seek resolution of the few issues that remain barriers to a peace treaty between our two friends and allies in the Middle East.

Prime Minister Begin and the Israeli Cabinet, in agreeing to the President's latest proposals, have demonstrated the readiness to compromise that is so necessary to bring and keep peace. It is my

strong hope that President Sadat, who has shown us time and again his abilities as a statesman, will now take up the opportunity to bring his people and those of Israel the prosperity that only countries at peace can truly enjoy.●

#### KEEP THEM WALKING

#### HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. MOAKLEY. Mr. Speaker, I would like to call to your attention a bill which I have recently reintroduced in the House. Similar to legislation I sponsored during the 95th Congress, this proposal is part of my continuing attempt to aid the elderly with their quest for good health, safety, and well-being. Since one of the leading causes of activity limitation among senior citizens is lower extremity impairment, I am therefore proposing to amend title XVIII of the Social Security Act to provide the elderly with additional and essential foot care services previously neglected under the supplementary medical insurance program.

My bill, when enacted, will authorize medicare payments for the professional treatment of corns, warts, and calluses, conditions which are in fact pathological growths, not merely irritants or inconveniences. Also, subluxations and the medical care of flatfoot conditions would be added to title XVIII's list of benefits. Left untreated, these foot complaints often evolve into acute conditions causing associated back and leg problems, altering walking patterns and creating gait imbalances. Warts, which are actually viruses, may spread if left unattended. It is ironic to note that the treatment of warts, indeed subluxations, is presently permitted under medicare when they are diagnosed on any part of the body except the foot.

Experts in the field conclude that 20 percent of all corns, calluses, and warts do develop secondary pathologies. Additionally, medicare's failure to provide proper podiatric treatment condones and even encourages the practice of patient self-care methods. Home remedies usually prove ineffective. Their usage poses a definite threat to the health and safety of the senior citizen. Misapplication of over-the-counter medication too often results in dangerous burning, and the use of an unsterilized scissor or knife can easily cause infection. An inexcusable number of poorly sighted senior citizens have inflicted upon themselves severe injury by mistakenly cutting the wrong tissue on their feet. The lower extremity is always at risk as circulation diminishes with the aging process. Self-care, in any form, encourages complications and limb morbidity.

The current medicare law provides for the podiatric treatment of underlying or secondary conditions which develop when an uncovered pathology becomes

acute. The cost of treatment for an infection is \$35 to \$40 in an office, while hospitalization for the same infection averages around 4 days at a cost of over \$100 per day. Treatment for injuries which result from self-care and neglect are an even more expensive proposition. Each rejected medicare claim costs \$3.21 on the average to process, with an additional \$2 charge if the practitioner must be contacted for clarification. Medicare accounting costs (answering inquiries, providing patient information and appealing claims) increase the overall cost of medical care for the patient. The cost of treating and correcting a mild condition as a preventive measure, such as a corn or callus, is less expensive than treating a resulting and more severe pathology.

It is imperative that the medicare program provide adequate an inclusive foot care for the elderly. It is unpardonable to subject senior citizens to needless suffering and chance of injury. Instead, we must aid them to walk steadily, without fear of falling, so that they can be guaranteed greater mobility and social productivity. The extension of foot care benefits under medicare will relieve senior citizens of the initial discomfort of corns, warts and calluses while simultaneously reducing the risks of infection and injury as well as limb morbidity. This legislation will thus help guarantee the good health, safety and well being of the senior citizens of our Nation.●

#### NEWBURGH'S MAN OF THE YEAR: THE HONORABLE HAMILTON FISH, SR.

#### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. GILMAN. Mr. Speaker, the Honorable Hamilton Fish, Sr., a distinguished former member of the House who now resides in my congressional district, was recently honored as Man of the Year by Historic Newburgh, Inc., of Newburgh, N.Y.

Upon the presentation of the award, Mr. Fish delivered remarks on the city of Newburgh and its role in the early history of our Nation, a history in which Mr. Fish's ancestors played a prominent part.

Mr. Speaker, in order to share Mr. Fish's thoughts with my colleagues, I ask that his remarks be reprinted at this point in the RECORD:

SPEECH OF HON. HAMILTON FISH AT THE HISTORIC NEWBURGH DINNER AT THE HOLIDAY INN ON THURSDAY, FEBRUARY 22, 1979

I am honored and grateful to my friends in Historic Newburgh for being chosen to receive their award as the Man of the Year. Although I admit that this award should have been given in preference to my wife who has lived in this community for 50 years, written 22 books, all of which have been published extensively and has contributed generously to the St. Luke's Hospital and to the Community Chest. She has few or any enemies in Orange County. I myself have no personal enmities towards any one in Orange

County but I am sure that there may be some who do not like me for my expressed views on the menace of communism.

I want, on this occasion, to make it clear that I have a very warm spot in my heart for Orange County and that I will always be grateful to the people of this county who when I last ran for Congress, supported me in both the primary election by majority vote in every single district in the county from Newburgh to Port Jervis.

This being our ancient date for the celebration of Washington's Birthday, I will merely quote the eloquent tribute of Abraham Lincoln: "Washington is the greatest name on earth. On that name no eulogy is expected. It cannot be. Let none attempt it. To add brightness to the sun or glory to the name of Washington is alike impossible. In solemn awe pronounce the name and in its naked deathless splendor, leave it shining on".

Feeling as I do that Newburgh is the cradle of the Republic, but was ignored and almost completely overlooked during the Bicentennial celebrations. Therefore I urge all of you, and all other patriotic citizens of Newburgh, New Windsor and vicinity, to unite in restoring Newburgh, next to Philadelphia where the Declaration of Independence was written, as the most important site of our Revolutionary War. When the Declaration of Independence, that immortal document by Thomas Jefferson, was written, it was merely a scrap of paper until, under the magnificent leadership of George Washington, supported by his determination, faith and the courage of his armed forces, turned the Declaration of Independence into a government reality, by the consent of the governed. Our republican form of government later changed by the Constitution, is the oldest continuous form of government in the world.

It was here at Newburgh that Washington refused the offer of a crown and established our republic. It was here that he wrote his letters of advice to the 13 Governors. It was here that he made his famous law and order speech that kept the Army united until peace was declared.

I may be somewhat influenced by the fact that my grandfather, Hamilton Fish, as Governor of the State of New York, used his authority to persuade the State to purchase the Washington headquarters at Newburgh. That was the first time that the State bought any historic site or building.

I am inclined to believe that my grandfather was influenced by not only his admiration for Washington, but also out of affection for his father, Major or Lt. Col. Nicholas Fish who was stationed at Newburgh, New Windsor and at West Point after the war, where he organized the New York recruits for the First American Regiment, for duty on the Ohio River against the British and Indian intruders. Nicholas Fish was the same age as Alexander Hamilton and Lafayette and was a very close friend of both of them. Believe it or not, he was commissioned a Major in the Continental Army by an act of Congress, signed by John Hancock in 1776 at the age of 18 and 3 months and still is the youngest commissioned Major in the Armed Forces of the United States.

I take this occasion to urge all of you, all patriotic citizens and organizations in Newburgh, New Windsor and vicinity, to form a united 200th anniversary committee to restore Newburgh as one of our greatest Revolutionary shrines and to prepare arrangements for a massive celebration of at least 75,000 people on April 19, 1983 in honor of our glorious victory in winning our independence and establishing peace with Great Britain.

The 100th anniversary of that historic occasion held here in Newburgh, long before the advent of automobiles and airplanes, brought

over 75,000 people to that celebration. Now with better facilities in roads, accommodations, airports and automobiles and with hard work and good weather, we should double that number. The sooner we begin to organize and plan, the bigger the celebration and the greater the restoration of Newburgh to its proper place in the history of the Revolutionary War, and in the history of the United States. ●

## EQUITY FOR RETIRED WORKERS

### HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. WAXMAN. Mr. Speaker, inflation exacts a cruel toll on the income of our retired citizens. This impact is particularly grave for retired Americans living on fixed pensions scaled to living costs of the past.

While the cost of living has risen astoundingly in the past decade, most retiree benefits—health insurance and cost-of-living supplements—have remained static. With few exceptions, cost-of-living adjustments have not been provided retirees despite the interest of organized labor in arguing for increases through the collective bargaining process.

Pension and hospitalization benefits have seriously lagged behind actual costs largely due to a 1971 Supreme Court ruling that such adjustment is a permissive, rather than mandatory subject of collective bargaining.

The Supreme Court ruling (*Allied Chemical and Alkali Workers of America v. Pittsburgh Plate Glass Company*, 404 U.S. 157) held that employee representatives and management were not obligated to collectively bargain over retirement benefits for already retired employees. The ruling means that increases in the benefits of retired workers may only be discussed in collective bargaining negotiations if both management and labor are in accord. These negotiations are strictly voluntary and may be terminated by either party at any time. Unions may not insist to impasse on issues concerned with benefits to already retired employees.

Following the Supreme Court decision, many businesses stopped bargaining with regard to retiree benefits. As a result, many pensioners have been forced to live on pensions and medical benefits that reflect the low-wage levels of the distant past.

Mr. Speaker, these retired men and women deserve better. In large measure, their efforts are responsible for the growth of today's labor movement, our modern pension system and the development of many of our largest industries. Despite the debt owed these early pioneers, the Pittsburgh Plate Glass decision prohibits today's union members from protecting the economic security of their retirees.

During the 94th and 95th Congress, hearings on the impact of the Pittsburgh Plate Glass decision were held in the House Education and Labor Subcommit-

tee on Labor Management Relations under the capable leadership of our colleague FRANK THOMPSON. The hearings thoroughly illustrated the need to reverse the Supreme Court's ruling and make retiree benefits a mandatory subject of collective bargaining.

Retired workers from across the country testified to the rapid erosion of their pension benefits due to inflation. They pointed out the inequity and serious financial plight of workers whose pensions have not been adjusted to reflect higher living costs. For workers who retired prior to 1970—some with as much as 17 years employment—it was not unusual to have a fixed monthly pension of \$33. Thirty-three dollars does not go far in a 1979 economy.

Mr. Speaker, retired employees should not be made to bear the burden of changing economic conditions. We must be mindful of the human cost of allowing retired workers to exist on benefits which bear little relationship to actual living costs. As a Nation, we recognize the justice of cost-of-living adjustments within the social security system. With respect to private pension plans, we owe retired workers no less than the chance to have their needs discussed at the bargaining table.

To accomplish this, the Pittsburgh Plate Glass decision must be overturned.

On February 8, 1979, I introduced H.R. 2073 on behalf of 18 of our colleagues. The bill would amend the National Labor Relations Act to make retirees benefits a subject of mandatory bargaining.

The bill is simple and straightforward. It adds retirement benefits for retired employees to the standard items of obligatory collective bargaining. It would insure that unions and management have the power to raise the issue when they come to the bargaining table.

I should add that the bill does not mandate the result of that bargaining. It neither requires that unions negotiate on behalf of their retired members nor insures that such negotiations will be successful. It merely provides that the subject of raising retiree benefits to more adequately reflect living costs can be discussed at bargaining sessions. Whether there would be an improvement in benefits for retirees would depend largely on the objectives and tactics of the unions. The bill permits proponents of change the opportunity to be heard and many unions are ready to raise the issue in their negotiations.

Mr. Speaker, although this legislation will not by itself improve the financial plight of retired workers, I am encouraged by the strong showing of support it has received from the labor community. To date, the legislation has received the endorsement of such unions as the United Automobile Workers, the Communications Workers of America, and the International Union of Electrical Radio and Machine Workers.

I am convinced that only by making retiree benefits a subject of mandatory bargaining will they be considered and renegotiated to reflect living costs more fairly. We cannot improve the financial plight of retirees by leaving these benefits to chance or employer goodwill.



Mr. Speaker, from the standpoint of social policy, it is wise to afford retired workers collective bargaining protection. A worker's retirement from active employment and his separation from daily contact with fellow workers is the very time when he is most vulnerable economically and needs representation. Overturning the Supreme Court's decision in Pittsburgh Plate Glass makes good sense if unions are to have the power to preserve a decent and dignified standard of living for their retired members.

Adjusting pension benefits for already retired union members is a matter of need, a matter of justice and a matter of equity. H.R. 2073 will provide retirees the representation they have justly earned.

Mr. Speaker, I submit a copy of the bill to be printed in the RECORD at this point:

H.R. 2073

A bill to amend the National Labor Relations Act to provide that the duty to bargain collectively includes bargaining with respect to retirement benefits for retired employees

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 8(d) of the National Labor Relations Act is amended—*

(1) by inserting after "other terms and conditions of employment" the following: "including retirement benefits for retired employees", and

(2) by inserting after "all the terms and conditions" in paragraph (4) of the proviso the following: "(including terms and conditions relating to retirement benefits for retired employees)".

#### ARIZONA SENATE URGES DEVELOPMENT OF UNITED STATES-MEXICAN ENERGY TRADE

**HON. ELDON RUDD**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. RUDD. Mr. Speaker, I am pleased to call to the attention of my colleagues a memorial from the Arizona State Senate which urges the development of mutually beneficial arrangements for the purchase of Mexican petroleum products by the United States.

It seems to me, Mr. Speaker, that the shortages caused by the Iranian revolution and subsequent instability should provide ample evidence, if any were needed, that the United States should develop a variety of dependable sources for our energy supplies, without becoming heavily reliant on any single source.

It has been with the utmost regret that I have observed our Nation's cold shoulder policy toward the Mexicans. I was impressed on a recent trip to Mexico with the genuine interest of the Mexican people and their leaders in developing their petroleum reserves and expanding trade with the United States. They are willing to trade with us, and we need the oil supplies which they wish to develop and sell. Only the intransigence

and short-sightedness of the Department of Energy obstructs the establishment of mutually beneficial petroleum sales.

There have thus far been few signs that the administration's position has modified. The President returned from Mexico without making a commitment to approving Mexican gas sales. The more time lapses, the more serious are likely to be the shortages facing our citizens in the years ahead.

I commend to the President and my colleagues the course of action urged by the Arizona Senate, and request that their memorial be inserted in the RECORD at this point:

#### SENATE MEMORIAL 1002

Whereas, evidence indicates that Mexican petroleum reserves range from one hundred fifty billion to over two hundred billion barrels; and

Whereas, currently the United States is too dependent on receiving petroleum products from an unstable Middle East; and

Whereas, sale of Mexico's petroleum products to the United States will reduce this country's dependence on Middle Eastern petroleum products; and

Whereas, Mexican petroleum could be an important factor in holding down world energy prices; and

Whereas, the United States is the natural market for Mexico's petroleum products; and

Whereas, a significant percentage of American money spent for Mexican petroleum products, would, in turn, be used for purchases in this country; and

Whereas, development of Mexican petroleum reserves would serve to reduce poverty in Mexico and so reduce illegal immigration into this country.

Wherefore your memorialist, the Senate of the State of Arizona, prays:

1. That the President consider the importance of Mexican petroleum reserves during his review of United States-Mexico relations.

2. That the President offer further assistance to Mexico for the development of Mexico's petroleum reserves.

3. That the President work to establish mutually beneficial arrangements for the purchase of Mexican petroleum products by the United States.

4. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States and to each Member of the Arizona Congressional Delegation.

Passed the Senate—February 22, 1979 by the following vote: 29 Ayes, 1 Nays, 1 Not Voting.

Received by the Secretary of State—February 22, 1979. ●

#### TRILATERAL AID ARRANGEMENT

**HON. LEE H. HAMILTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. HAMILTON. Mr. Speaker, several months ago I had some correspondence with the Agency for International Development regarding U.S. policy on trilateral foreign aid arrangements whereby some of the oil-producing states would provide financial resources and the United States would supply project designs and technical advice.

In an era when our own ability to pro-

vide considerable aid resources is diminished, I urge AID to try to develop further trilateral mechanisms.

My correspondence with AID follows:

HOUSE OF REPRESENTATIVES,

Washington, D.C., September 19, 1978.

Hon. JOHN J. GILLIGAN,

Administrator,

Agency for International Development,  
Washington, D.C.

DEAR MR. ADMINISTRATOR: The concept and possibilities of trilateral aid have recently come to my attention. As far as I can determine, the Agency for International Development has done little to develop a policy to deal with trilateral aid issues and to increase coordination and discussion between the Agency and new donor nation's foreign assistance efforts in developing countries.

I believe that the whole area of trilateral aid arrangements needs to be explored carefully and the options of possible development programs through trilateral arrangements delineated and evaluated. To investigate this developing assistance effort, including aid efforts by OPEC countries, will require the Agency to devote special new energies, but I believe that you have the resources and should proceed.

I appreciate your consideration of this letter and hope you agree that it behooves AID to try to develop a trilateral capability. I would like to have an AID position on this issue and an indication of present efforts in this area and what resources will be committed to it in the near future.

With best regards,

Sincerely yours,

LEE H. HAMILTON,

Chairman.

AGENCY FOR INTERNATIONAL

DEVELOPMENT,

Washington, D.C. October 12, 1978.

Hon. LEE H. HAMILTON,

Chairman, Subcommittee on Europe and the Middle East, Committee on International Relations, House of Representatives,  
Washington, D.C.

DEAR MR. CHAIRMAN: Thank you for your letter of September 19 concerning trilateral aid. Since the emergence of the OPEC nations as major suppliers of development assistance, A.I.D. has been mindful of the possibilities of cooperation with them. The U.S. and OPEC donors do participate in World Bank-chaired aid coordination groups for a number of developing countries. Our joint membership in these groups, such as the one for Egypt, has enhanced our respective assistance efforts. We have sought where possible to encourage the oil producers to sustain and increase their assistance, which has been substantial. In 1977, OPEC concessional flows (disbursements) to developing countries totalled \$5.6 billion compared to \$4.2 billion for the United States.

In multilateral fora and on a bilateral basis, A.I.D. has consulted with Arab donors, including officials of national and regional Arab funds, on the possibilities for cooperation. We and other Western donors met with Arab assistance officials in June of this year at the Development Assistance Committee in Paris to explore areas of mutual concern. At that meeting it was agreed to hold further discussions on common problems. In addition, we are undertaking bilateral follow-up through a series of consultations in the Middle East next month between senior A.I.D. staff and Arab aid officials. These discussions will involve identification of specific areas of mutual interest, common problems in assisting a number of developing countries, and areas of potential cooperation.

Arab donors generally have shown a preference for cofinancing of development

projects managed by multilateral development banks. However, we have sought in A.I.D. to identify U.S.-supported activities which could attract Arab donor funding. Two successful examples of U.S.-Arab cooperation are projects in Jordan and Yemen. The former entails a \$420 million undertaking to which A.I.D. is contributing \$38 million together with financing from the World Bank and various Arab donors. In Yemen, the Taiz Water project involves \$10 million in U.S. financing and \$43 million in Arab funds. Another type of cooperation concerns U.S. assistance to the Arab donor agencies. For example, the Islamic Development Bank requested from A.I.D. a reimbursable detail of loan officers. Of the candidates suggested, one was selected by the Bank and arrangements are now being completed for the detail.

We attach great importance to our relations with Arab and other donors and shall endeavor to encourage them to support development efforts consistent with U.S. priorities.

If I can provide you with further information, please let me know.

Sincerely yours,

JOHN J. GILLIGAN.●

#### UKRAINE INDEPENDENCE DAY

**HON. JOE MOAKLEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. MOAKLEY. Mr. Speaker, recently, the U.S. House of Representatives commemorated the 61st anniversary of Ukraine's independence.

We in Washington were not the only ones to speak out in observance of Ukraine's national day. I would like to share with my colleagues some of the independence messages from Massachusetts.

The enclosures follow:

#### A PROCLAMATION 1979

Whereas: January 22, 1979, marks the 61st anniversary of the proclamation of free Ukrainian National Republic as the sovereign State of the Ukrainian people; and

Whereas: The Ukrainian people have not accepted the status of Soviet Russian enslavement and are continuing to struggle to regain their national sovereignty and independence; and

Whereas: Ukrainian Americans in Massachusetts support the Ukrainian people in their struggle for full national self-determination; and

Whereas: Ukrainian Americans in Massachusetts appeal to our President and Congress to take affirmative action at international forums for the implementation of national and human rights in captive Ukraine and all captive nations in Eastern Europe.

Now, therefore, I, Edward J. King, Governor of the Commonwealth of Massachusetts, do hereby proclaim January 22, 1979, as Ukrainian Independence Day and urge all citizens of the Commonwealth to take appropriate cognizance of the event and to participate fittingly in its observance.

#### DECLARATION

Whereas: The Ukrainian people in Boston and the world over will mark the sixty-first anniversary of the independence of the Ukrainian National Republic on January 22, 1918, and

Whereas: This sixty-first anniversary of

Ukrainian independence is a fitting opportunity to direct public attention to the continuous violations of Ukrainian rights by the government in Moscow; and

Whereas: This sixty-first anniversary of Ukrainian independence dramatizes the legitimate right of all people and nations to pursue freedom and national independence;

Now, therefore, I, Kevin H. White, Mayor of the City of Boston, do hereby proclaim Monday, January 22, 1979 Ukrainian Independence Day and direct that the Ukrainian National Flag be raised at City Hall Plaza on January 22, 1979, to commemorate this special occasion.

#### BOSTON CITY COUNCIL

Whereas, January 22, 1979 is observed as "Ukrainian Independence Day" in Boston, commemorating the 61st anniversary of Ukraine's independence; and

Whereas, the Ukrainian people continue to struggle to regain their full nation independence and sovereignty; and

Whereas, the Ukrainian Americans in Boston continue to support the right of the Ukrainian people for full national independence; and

Whereas, hundreds of Ukrainian patriots languish in Russian communist prisons as a result of their fight for the restoration of national and human rights in Ukraine;

Therefore, be it resolved that the Boston City Council appeals to our national leaders to continue to support the right of the Ukrainian people for national independence; and to exert all the efforts possible through the United Nations, the Belgrade Conference and other means to restore national and human rights in Ukraine and free Valentyn Moroz, Mykola Rudenko, Oleksiy Tykhy and hundreds of Ukrainian patriots from Soviet Russian jails; and to demand the restoration of Ukrainian Catholic, Ukrainian Autocephalous Orthodox and Ukrainian Protestant Churches in Ukraine.

[From the Jamaica Plain Citizen, Jan. 18, 1979]

#### UKRAINIAN INDEPENDENCE DAY TO BE OBSERVED WITH CITY HALL CEREMONIES

January 22, will be observed as "Ukrainian Independence Day" in Massachusetts and in Boston, in honor of the 61st anniversary of the proclamation of Ukrainian National Republic as the independent and sovereign State of the Ukrainian people. Governor Edward J. King and Mayor Kevin H. White have issued special proclamations. The Boston Council adopted a special resolution on January 9, 1979, which was introduced by Councilor Frederick C. Langone. Proclamations appeal to our President and Congress to take affirmative action at international forums for the implementation of national and human rights in Ukraine and all captive nations in Central and Eastern Europe.

On Monday, January 22, starting at 12:00 noon, a short ceremony will be held at Boston City Hall Plaza for the purpose of hoisting the Ukrainian national flag as a symbol of Ukrainian freedom and independence. The program will include prayers and greetings from government and civic leaders. The public is cordially invited to participate in the ceremony.

A special commemorative program will be held on Sunday, January 28, starting at 3:30 p.m., at the St. Andrew Ukrainian Orthodox Church Hall, 24 Orchard Hills Road, Jamaica Plain. The principal speaker will be Dr. Michael H. Voskobylnyk, professor of history at Central Connecticut State College in New Britain, Conn. There will be also a cultural program.

The Ukrainian National Republic was proclaimed on January 22, 1918, in Kiev, capital of Ukraine. It existed until 1921, when Ukraine fell a victim of the Communist Rus-

sian aggression. In 1923, without the ratification of the Ukrainian people, Ukraine became a constituent Republic of the Soviet Union, not Russia. In fact, Ukraine is a captive country today. The Ukrainian people do not exercise their national human and religious rights.

According to Orest Szczudluk, a vice president of the Ukrainian Congress Committee of America in Boston, which is sponsoring the observance of Ukraine's independence, emphasis this year will be placed upon informing the public about continuous violations of national, human and religious rights in Ukraine by the Soviet government. In noting the 30th anniversary of the U.N. Universal Declaration of Human Rights, President Carter stated that "human rights is the soul of our foreign policy" and "human rights count in the character of our relations with other countries."

"Ukrainians and all captive nations in Central and Eastern Europe are waiting for the implementation of national and human rights in their countries," stated Mr. Szczudluk.

[From the West Roxbury (Mass.) Transcript, Jan. 17, 1979]

#### UKRAINIAN INDEPENDENCE DAY MONDAY

Monday is "Ukrainian Independence Day" the 61st anniversary of the proclamation of Ukrainian National Republic as the independent and sovereign state of the Ukrainian people.

Gov. Edward J. King and Mayor Kevin White have issued special proclamations. The Boston Council adopted a special resolution on Jan. 9 which was introduced by Councilor Frederick C. Langone. Proclamation appeals to the president and Congress to take affirmative action at international forums for the implementation of national and human rights in Ukraine and other nations in Central and Eastern Europe.

On Monday, starting at noon, a short ceremony will be held at Boston City Hall Plaza for the purpose of hoisting the Ukrainian national flag as a symbol of Ukrainian freedom and independence. The program will include prayers and greetings from government and civic leaders. The public is invited to participate in the ceremony.

A special commemorative program will be held on Sunday, Jan. 28, starting at 3:30 p.m. at the St. Andrew Ukrainian Orthodox Church Hall, 24 Orchard Hills Rd., Jamaica Plain. The principal speaker will be Dr. Michael H. Voskobylnyk, professor of history at Central Connecticut State College in New Britain. There will also be a cultural program.

According to Orest Szczudluk, a vice-president of the Ukrainian Congress Committee of America in Boston, which is sponsoring the observance of Ukraine's independence, emphasis this year will be placed upon informing the public about "continuous violations of national, human and religious rights in Ukraine by the Soviet government."●

#### TRIBUTE TO JOSEPH SCIAME

**HON. LESTER L. WOLFF**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. WOLFF. Mr. Speaker, it is with great pleasure that I bring to the attention of this body the accomplishments of a very special man, the past venerable of Cellini Lodge No. 2206, Order Sons of Italy in America, New Hyde



Park, N.Y., and grand recording secretary of the State of New York, Joseph Sciamé.

A simple listing of this extraordinary young man's accomplishments would, in and of itself, be impressive. He has shown himself to be capable of great success in any area of endeavor he pursues. In his educational and professional life he has proven to be a sincere and talented academic and, as is typical for a person with such generosity of spirit, he has chosen to devote himself to providing young adults with the tools by which they can further their education. Moreover, the role he has taken in community life has been exemplary. Brother Sciamé is always willing to shoulder more tasks, no matter how much of his time such work will require, willing to offer all he can give of himself to his people and to the residents of the wider community. For these reasons, Brother Sciamé will be honored by his lodge on March 11, 1979—an honor he richly deserves.

However, for those of us who have had the privilege of meeting and working with Joseph Sciamé, we know that the sum total of his accomplishments is a great deal more than what one can read on a résumé. Instead, it is to the very spirit of this person to which we pay tribute—it is to his energy, warmth, and pride.

He is a person who brings new meaning to the words "youth," "commitment," and "determination." As a young leader he possesses the qualities of excellence that are needed to successfully meet the challenges that today's society presents for Italian-American—the challenges of continuing to bring to our great country the historic achievements in the arts, sciences, and humanities which the Italians have already contributed to the world. This is a man who is proud of his Italian heritage and strives to instill this same pride in others. This is a man who is concerned with how others live and who works to improve the fabric of life for all he meets. Most of all, Joe is a person who listens to neighbors and friends and who is capable of translating their dreams, and the dreams of the Italian-American community, into a reality. Joseph Sciamé has given his friends, family, and people reason to be grateful. Most importantly, he stands as an assurance that the tradition of the Italian-American leadership we have come to expect will most certainly continue.

I am honored to call him my friend, and as a member of the Cellini Lodge—my brother.●

#### GOOD SENSE ON MONETARY POLICY

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. PAUL. Mr. Speaker, Mr. Henry Hazlitt, one of our great free market economists, gave a speech last November at the annual meeting of the Foun-

dation for Economic Education, which he helped launch in 1946 with Mr. Leonard Read, president of the foundation. These two men have been two of the bright lights of freedom in the United States for many years.

Mr. Hazlitt's eloquent talk was published in the February issue of the Freeman, the foundation's monthly magazine.

Because Mr. Hazlitt's article contains so much good sense on monetary policy and the results of Government interventions into the economy, I would like to call it to my colleagues' attention by inserting it in the RECORD:

#### THE ROAD NOT TAKEN

(By Henry Hazlitt)

The Foundation for Economic Education, which publishes The Freeman, was set up in 1946. This seems to me as appropriate a time as any to review what has happened since its establishment in the realm of the government interventions and economic controls—the prohibitions and compulsions—that FEE was set up to combat.

In 1946, of course, these controls were already established over a wide-ranging area. A formidable network of what might be called "traditional" controls was already in existence in the early 1930s; but this was enormously extended and tightened by the advent of the New Deal. It was then established that the government could repudiate with impunity its most solemn pledges—the gold clause, for example; that it could abrogate contracts containing or assuming this clause; that it could allow labor unions to resort to violence and vandalism with relative immunity (as in the Norris-LaGuardia Act of 1932); that the government could act as a union-organizing agency, and force employers to "bargain collectively" with such unions—that is, to make at least some concessions to their demands—as in the Wagner Act of 1935. And so on.

But let us now come to 1946, the year FEE was founded. That was the year when the International Monetary Fund, which had been set up by the Bretton Woods Agreement of 1944, began to operate. The IMF had been set up ostensibly—believe it or not—to "stabilize" currencies. And this was to be done by phasing that absurd and tyrannical thing, the gold standard, out of the monetary system. Instead, the member countries pledged themselves to keep their currencies convertible at a fixed rate only into the dollar. If the dollar were kept convertible into gold, it was assumed, that would be sufficient to stabilize the whole world currency system and make the value of each national money unit dependable.

Of course none of the Fund's general rules were expected to be obeyed too strictly. That would have interfered with the freedom of each country's monetary authorities to manipulate their currency in the way that seemed to them most expedient at any given moment. Therefore, it was explicitly provided in the Fund's Articles of Agreement that any country could devalue its own currency at least 10 percent in any one step, and it was explicitly stipulated that "the Fund shall raise no objection." In addition, it was understood that the Fund was to come to the rescue of any country whose currency got into trouble, even through its own inflationary policies. The stronger currencies were to support the weaker ones, thus insuring that the stronger would also be weakened.

#### THE RESULTS OF BRETON WOODS

We all know now what this finally led to. The American monetary authorities could not bring themselves to take seriously the grave responsibility they had assumed in agreeing to make the dollar the world's anchor cur-

rency. Keeping the dollar convertible into gold, even if only at the demand of foreign central banks, seemed to them a mere technical requirement, an unnecessary annoyance and burden imposed upon them by some still persisting superstitions about gold. As the U.S. increased its paper-money issue, conversion became increasingly inconvenient. It practically stopped de facto in 1968, and in August, 1971, it was stopped openly and officially. Since then practically every nation's currency has become an irredeemable paper currency. Every currency fluctuates every day in terms of every other. Money values, world trade, and capital flows become more and more disorderly and unpredictable.

And all this has happened because the world's so-called statesmen and national monetary managers, when they met at Bretton Woods in 1944, were thinking only of their own immediate problems, and had no understanding of what the consequences of their patched-up scheme would be in the long run.

The same kind of shortsightedness has been the common characteristic of nearly all the government interventions of the last thirty years. We may select our examples almost at random.

#### MINIMUM WAGE LAWS

Take minimum wage laws. A national minimum wage was first enacted in this country in 1938. At that time the average hourly wage in American manufacturing was about 63 cents. Congress set a legal minimum of 25 cents. In 1945, the year before FEE was set up, the average factory wage had risen to \$1.02 an hour, and Congress raised the legal minimum to 40 cents.

It all seemed very reasonable, very compassionate, very necessary, to those who urged and those who voted for it. Could the country tolerate ruthless exploitation of unskilled workers with no bargaining power? Could it tolerate "starvation" wages? The obvious remedy seemed to be to prohibit such wages. Employers were forbidden to offer jobs at wages below the new legal minimum.

An ironic thing happened. As increased capital investment, increased productivity, and competition among employers (all with a little help from inflation) kept raising the average hourly dollar wage, and making each existing legal minimum wage level obsolete, Congress acted as if its prescribed minimums had brought this rise about. It kept amending the law every few years. It kept raising its minimum wage faster than the market was raising the average wage. It acted on the principle that whatever average wage the market produced, it would never be high enough. Congress had acted as if by constantly boosting the legal minimum it could hurry the market along. The minimum wage at \$2.65 an hour in 1978 and \$2.90 in 1979, is scheduled to keep going up to \$3.35 an hour on January 1, 1981.

Is this helping the poor? Is it helping the unskilled worker? The results show that it is doing exactly the opposite. Minimum wage laws overlook the obvious. It should be obvious that the first thing that must happen when a law prescribes that no one shall be paid, say, less than \$106 for a forty-hour week, is that no one who is not worth \$106 a week to the employer will be employed at all.

And if statistics can show anything they show this. The minimum wage laws were passed to help especially the unskilled, the teenagers, and the blacks. We have no comparative figures on the unskilled as such, but we do have comparative figures on the teenagers and the blacks. There has always been a tendency for teenage unemployment to run at a somewhat higher rate than that of men and women twenty years old and over, but it took the minimum wage levels

and their successive increases to make the contrast a startling one.

It is difficult to get comparative statistics going back beyond 1948. In that year the unemployment rate for both white and non-white teenagers stood at 10 percent. But as the minimum wage rate was jacked up year by year, not only did the overall teenage rate of unemployment keep rising, but it kept rising much more for black teenagers than for white. In 1954 unemployment for black teenagers stood at 14.9 percent against 13 percent for white. By 1968 the black teenager unemployment rate had risen to 26.6 percent against 11.6 percent for whites. In 1977 it rose to 37 percent for black teenagers against 15 percent for white. Between 1977 and 1978 unemployment for 16- to 17-year-old blacks rose from 38.7 percent to 50.4 percent.

So the minimum wage law and its successive hikes has simply driven into unemployment the very people it was most designed to help. The potential production of these people has been lost to the economy.

And what is the response to this consequence by the Congressmen who voted for the law and for the annual increases? They have simply ignored it. They would consider it political suicide, in fact, to oppose the minimum wage law.

#### UNEMPLOYMENT INSURANCE

A similar history can be traced for unemployment insurance. This was one of the great New Deal "reforms" adopted in 1935. The argument for it was appealing. Workers suffered terrific hardships when they were laid off. Even when they were working, they lived in dread of sudden unemployment. Certainly they should be assured of unemployment compensation when they were forced to look for new jobs.

The first State-Federal unemployment insurance programs, beginning about 1940, were surrounded with safeguards. Unemployment compensation was to be about one-half of the worker's previous earnings, but it was to run typically for only sixteen weeks, and there was to be at least a two-week waiting period for the worker, after losing his job, before he would be eligible for that compensation. But gradually, all these safeguards were weakened or removed. The typical waiting period was reduced from two weeks to one, and in some States to none at all. The period for paying the compensation was extended from sixteen weeks to twenty, then to twenty-six weeks, then to thirty-nine (in an emergency, of course), then in some States to sixty-five weeks. In 1969 President Nixon called upon the States to provide for maximum weekly benefits of two-thirds of the previous average weekly wages instead of one-half.

The result of prolonging and increasing unemployment compensation, naturally, has been to prolong and increase unemployment. It was found a year or so ago by a committee of the State Senate of New York that a number of New Yorkers repeatedly worked the minimum twenty weeks required and then collected sixty-five weeks of unemployment benefits. Though unemployment compensation may be only one-half of previous working salary, the unemployment compensation is tax-free, so the net loss from not working is sometimes quite tolerable. In a typical case in Pennsylvania, for example, a man whose previous weekly take-home pay was \$140 can draw \$96 a week in tax-free compensation. A study made by the U.S. Department of Labor itself found that "an increase in unemployment benefits leads to an increase in the duration of unemployment." This country can have as much unemployment as it wants to pay for.

#### RENT CONTROL

Still another example of our shortsighted legislation is rent control. This is usually im-

posed in the early stages of an inflation. As the inflation goes on, the discrepancy between the rent the landlord is allowed to charge, and the rent necessary to yield him a return comparable with that in other investments, becomes greater and greater. The landlord soon has neither the incentive to make repairs and improvements, nor the funds to make them.

When the rent control is first imposed, the government promises that new buildings will be exempt from it; but this assurance is soon repudiated by a new law. It becomes unprofitable to build new rental housing. New mortgage money for it becomes increasingly difficult to obtain. Landlords of old housing often can no longer supply even heat and other essential services. Some cannot even pay their taxes; their property has in effect been expropriated; they abandon it and disappear. Old rental housing is destroyed quicker than new housing is built.

Some favored tenants, already in possession, are momentary beneficiaries, but tenants or would-be tenants as a whole, in whose interest the legislation has been professedly passed, become the final victims. The irony is that the longer rent control is continued, and the more unrealistic the fixed rents become as compared with those that would yield an adequate return, the more certain the politicians are that any attempt to repeal the rent control would be "politically suicidal."

#### THE ENERGY CRISIS

The limits of space compel me to pass over any analysis of a score of other government interventions in recent years in the economic field, and to come immediately to the two or three that mainly characterize the economic situation today, not only in our own country, but throughout the world.

In 1974 the Organization of Petroleum Exporting Countries—the OPEC—quadrupled crude oil prices. It is instructive to notice that this was done by a combination of governments. They did what private industry is always accused of doing—forming a monopolistic conspiracy—but what the hundreds of private oil well owners and companies would never have been able to impose and enforce no matter how much most of them might have wanted to do so.

This OPEC action produced a profound economic shock throughout the world. And what was the response of our own government? Did it retain or insist on a free market to give the greatest possible incentive to petroleum production and exploration on the one hand and economy in consumption on the other? No. It did the exact opposite. It imposed an elaborate and incredibly complicated set of price controls on domestic crude oil and on natural gas, to encourage continued wasteful consumption and to reduce the incentives to output and exploration. It preferred to protect the short-term interest of American consumers at the cost of their real long-term interest, and at the cost of both the short-term and long-term interest of American producers.

#### RAMPANT INFLATION

Now let us turn to the government policies that most obviously affect us in all our daily activities—government finances and monetary inflation. Throughout our history as a nation, when we were on the gold standard, federal government surpluses were the rule. Deficits—except in the two world wars—were rare and comparatively small. But in 1931, we began to run chronic deficits—in the first few years by accident, and then by deliberate policy. In the last ten years or so, these deficits have been acceleratingly larger. These deficits—again since the early 1930s—have been accompanied by mounting monetary inflation. The dollar's purchasing power has been reduced, for example, to about 22 cents compared with that of 1940.

To bring this inflation to an end, what policy must we follow in the immediate future? Obviously what needs to be done is to bring the budget back to balance at the earliest possible moment. Obviously what needs to be done is to halt the accelerative increase in money and credit, to stop printing more paper dollars. But the situation is now so bad that practically no politician dares to suggest this course.

About half of our Federal expenditure programs consist in the transfer of income from the wealthy or the middle-classes to the so-called needy. In other words, they force the productive to support the unproductive. In the official budget these programs are not gathered under a single head. But there is a table, on page 191 of the official budget for fiscal 1979, called "National Need: Providing Income Security," which estimates the total of such expenditures for fiscal 1979 at \$160 billion. Who is there—among our office holders—who is going to suggest cutting these expenditures? And by how much? And who is there who is going to suggest halting the reckless expansion of our money supply and risking a recession? The situation is so bad that no politician dares to suggest where to begin in correcting it. Once more, that is considered the path of political suicide.

#### THE DILEMMA

This is the ominous dilemma that confronts us. Some of my readers must have recognized that the title of this article is taken from the title of a poem—"The Road Not Taken"—by Robert Frost. The last stanza of that poem reads:

I shall be telling this with a sigh  
Somewhere ages and ages hence:  
Two roads diverged in a wood, and I—  
I took the one less traveled by,  
And that has made all the difference.

Perhaps most of us have had a similar experience, either figuratively or literally. You may have driven on a throughway, for example, toward a destination to which you had never driven before, and may have been told, or may have figured out from a map, that you should get off, say, at Exit 23. And then suddenly and too late, you realize that you have driven past Exit 23. You can't turn back. You must look for the next exit, which may be miles ahead, and hope you will know what to do when you get there. You realize that you are going to be late, so you start almost unconsciously to speed up, but are aware that you are only going faster in the wrong direction.

We have reached such a dilemma in our political and economic life. We have taken the wrong road, and we have been on it so long that getting back on the right one seems almost hopeless. The longer we stay on the wrong political road, the more difficult it is to correct the error.

If—to take one example out of a hundred—rent control has been imposed for only a short time, so that the average of controlled rents is still about 90 percent of what free market rents would be, it is no great political problem to remove the controls. But if, as has sometimes happened, rent controls have been imposed so long in a severe inflation that the controlled rents averaged only 10 percent of free market rates, then any attempt to remove the controls might bring on riots. This has happened frequently in recent years in countries in which, for example, the government has been subsidizing food prices and can no longer afford it.

The wrong road has been the road of government economic intervention. The right road would have been to permit and encourage free markets. There are, it is true, a number of politicians today who praise the free market in speeches, but there are very few people, even among economists, who understand why the free market solves so



many intractable problems and performs so many near miracles.

The market does this because it reflects and responds to everybody's demand and to everybody's supply, and it reflects to some extent everybody's expectations regarding the future. This means that it makes the maximum use of everybody's knowledge, and not merely the knowledge of a handful of officials. It reflects this knowledge by constant daily changes in prices of individual commodities and services. These price changes are daily directing production out of this commodity and into that, reducing surpluses and relieving shortages.

The market does not fulfill this function perfectly, because everyone's knowledge is limited and subject to error; and these errors do not necessarily cancel each other. But the market is constantly and quickly correcting these errors. It works incomparably better in maximizing and properly directing incentives than any other imaginable system. Only when this truth is sufficiently recognized by the public will the free market be restored. ●

#### GIRL SCOUTS OF THE UNITED STATES OF AMERICA

#### HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. NATCHER. Mr. Speaker, the week of March 11 through March 17, 1979, commemorates the 67th anniversary of the Girl Scouts of America, and it is with great pleasure that I take this opportunity to salute this outstanding and commendable organization.

When Girl Scouting came to America 67 years ago, certainly an unprecedented long-range plan for the American girl was inaugurated and all down through the years we have witnessed the splendid contributions brought about by the emphasis of the organization on family, civic and worldwide responsibility, and the encouragement of understanding and friendship among youth of all nations, as evidenced by the young girls and adult leaders who are truly committed to this program.

Scouting is many faceted—a movement with multipurpose. What an impressive picture the Girl Scouts organization manifest through worthwhile activities such as caring for individuals with special needs; assistance to those who are physically and mentally handicapped and providing a wide variety of services to the elderly who in turn use their skills to enrich the lives of the Girl Scouts.

Girl Scout community service projects are often undertaken without benefit of grants and the small projects carried out by the Scouts in their own local communities seldom make national headlines. But these projects that fill a specific need in one particular area are the very foundation of the Girl Scout tradition of service, and it is these services which are making a significant contribution to the future of our country.

Scouting's program is specifically designed to encourage the girls' self-development, their self-reliance and self-

esteem. While the various projects of the Girl Scouts seem to be ever-changing, the beliefs and principles remain true to the original purpose of Girl Scouting: to inspire girls with the highest ideals of character, conduct, patriotism, and service so that they may become happy and resourceful citizens. Indeed, in my opinion, Girl Scouting clearly exemplifies that organized youth, through involvement with the handicapped, the aged, the ill and hospitalized, and the economically deprived, proves beyond a doubt the truth of one of the most important doctrines of the Girl Scouts; namely, that it's what you do that counts, and that the truly worthwhile deeds are those that make life better for everyone.

Mr. Speaker, in my home State of Kentucky, the Girl Scouts of the Kentuckiana Council continue to be one of the fastest growing Girl Scout councils in the United States. This is very significant when you consider the fact that the Kentuckiana Council membership exceeds 20,000 and serves 1 out of every 10 girls.

In October 1978, Kentuckiana Girl Scouts sponsored its successful Festival of the Arts in Louisville, Ky., where over 29 local arts agencies provided special programs for Girl Scouts. The Kentuckiana Council's goals for this year focus on providing services to adult volunteers that make being a volunteer both rewarding and fun, together with emphasis on career exploration programs at all age levels.

During 1978, the Girl Scouts of the United States of America prepared for the organization's 41st national council meeting. Working with the theme, "Challenge and Choice," a highlight of the convention was the introduction of a new Girl Scout emblem—a dramatic redesign of the familiar Girl Scout trefoil. To feature a stylized silhouette of girls' faces in profile—to launch a new 3-year Girl Scout identity program. The new identity program will be a unified campaign to tell the nationwide coordinated story of just who the Girl Scouts are and what they really do, to the widest possible public—not to "change" the image of Girl Scouting, but to give high visibility to its true contemporary face in all its fresh and varied facets. A nationwide campaign was also launched at the convention, promoting and supporting the aims and ideals of the "International Year of the Child."

Mr. Speaker, certainly this is the time for us to turn our attention to the more than 3 million Girl Scouts who possess an important voice among America's youth and are striving to make each tomorrow a better day, because of their sincere concern for their fellow man and their country. I am particularly proud of the Girl Scouts of the Second District of Kentucky for their many contributions and I look forward with them and all of the Girl Scouts of the U.S.A. to another fine year.

On this, the 67th anniversary of the Girl Scouts, I offer my very best wishes for continued growth in every way, together with my sincere congratulations and pledge of continued support. ●

#### DEPARTMENT OF EDUCATION

#### HON. CARL D. PERKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. PERKINS. Mr. Speaker, one of the most important pieces of legislation which the 96th Congress will be considering is a bill to create a Cabinet-level Department of Education.

I am proud to be one of the 72 original cosponsors of H.R. 2444, which was introduced by the distinguished chairman of the Committee on Government Operations, Mr. BROOKS. The Senate version of the bill to establish the Department of Education, S. 210, was introduced by my good friend, ABE RIBICOFF, chairman of the Senate Committee on Governmental Affairs.

Earlier this year, Senator RIBICOFF spoke before the National School Boards Association's Presidents' Leadership Conference meeting in Washington. This conference brought together school board leaders from the national association and its 50-State organizations. In his remarks to school board members, Senator RIBICOFF eloquently affirmed that creation of the new department will not erode, but will strengthen local and State control of education.

Because many of my colleagues have an interest in the new Department's effect on local control, I include these remarks in the RECORD at this time:

#### THE DEPARTMENT OF EDUCATION: INSURING STATE-LOCAL CONTROL

It is important to talk about the Department of Education today. You are the people who must make the American educational system work.

Decentralized control is the hallmark of our educational system. It is what sets us apart from other countries. It is also the strength of our system. And you—the local school boards—are the very symbol of that decentralized control.

When you think about it, it's an ingenious idea: You are panels of citizens elected to set educational policy suited to the needs of each community and its children. Local lay control is vital to the American educational system.

No one in this country who loves and respects education wants to change our education system. Public elementary and secondary education must remain a state and local responsibility.

We all realize that there is a federal role to help education. Federal spending for elementary and secondary education approaches \$11 billion annually. The federal role should be one of support and assistance to you who have the principal responsibility.

You are at the forefront of the challenges facing our educational system: declining enrollments, taxpayer resistance to increasing costs, a surplus of teachers, declining test scores, a frightening increase in violence and vandalism in the schools, and calls for drastic changes in curriculum.

You turn to the federal government for help but you find a maze of more than 300 different programs in 40 different agencies. Your employees answer the same questions over and over again for different offices. They spend hours putting together application packages for grants and approvals. And

they spend time trying to make sense out of contradictory requirements.

There is no one in charge. No one official can account to you, to the States, or to the American people as to where the federal dollar goes.

The federal government is not now equipped to help you with the educational challenges you face today—much less those of the future.

Education is buried in our largest domestic department. The Department of HEW has a budget of \$185 billion, and some 350 programs. But education is only a small portion of this—less than 10 percent of the Department's budget is spent on education. Education is squeezed between two giants—health and welfare—that take 95 percent of the Secretary's time.

In addition, the federal role in health and welfare is significantly different from the federal role in education. We do have national programs and responsibilities in health and welfare. Over the years the federal government has come to account for more of the spending in health and welfare. We have placed at the federal level much of the burden of assuring access to health care, of containing medical costs, of assuring adequate income. This inevitably leads to a federal or national perspective, to a "we're in charge" kind of attitude.

Education is different. It is and must remain primarily a state and local function. Ninety-two percent of the funds spent on education in this country come from state, local, and private sources. States and localities spend nearly 40 percent of their budgets on education. Clearly, the relationship between levels of government in education is different than in health or welfare.

The structure of spending and control is not the only difference between education and health and welfare. Health and welfare present the Secretary of HEW with large and often dramatic crises. Education presents a different kind of challenge. All too often its problems are set aside for another day.

Organization is both symbol and reality. Symbolically the current scattering of education programs throughout the government says that we think education is always secondary to some other goal. In reality it means there is no one with any clout to guide coordination and consistency.

How then can the federal government fulfill its appropriate role in education?

As we look to the future we know that the demands on our education system will grow. The American belief in the role of education and in its contribution to this nation is strong. We know that education needs a full-time spokesman at the highest level of government. We need someone whose statements would command our attention; someone who could call national attention to educational needs and problems.

We need a strong, highly visible person with direct access to the White House. Your concerns should not have to compete with those of health and welfare when the Secretary decides on his priorities. Your concerns should not always be the ones which get left out when he talks to the President.

A Secretary of Education can fight for coordination where a lower official can only argue. A Secretary of Education can be held accountable for the Federal contribution to American education where now dozens of officials are only occasionally responsible.

A Secretary of Education could look ahead with you to coming needs and problems. A Secretary of Education can stop the erosion of local control where currently unreasonable and burdensome federal regulations threaten to destroy delicate intergovernmental relationships.

We in Congress who support the creation of a Department of Education believe that federal interference with state, local and

private educational institutions can only increase if the current structure remains. An independent Department of Education can be more attuned to state and local concerns—and to the burdens placed on state and local agencies. Without the smothering influence of massive health and welfare programs the appropriate federal-state-local relationship can be maintained.

The creation of a Department of Education will provide a focal point for federal education activities. You will know where to turn to influence federal policy and federal regulations.

Today we have two "top" education officials—an Assistant Secretary and a Commissioner. Their authority is divided. Both are submerged in the Department of HEW. It is hard to get competent men or women to take or to stay in these jobs. The job of Commissioner of Education is so frustrating that it has changed hands 13 times in the last 12 years! And, in fact, having two top officials is often the same as having none.

Creation of a Department of Education will provide one top-level spokesman.

The Department of Education will provide a manageable and sound organization base for federal education programs. It will NOT be a national ministry of education. Neither Congress nor the American people would stand for that.

The way we structure the Department can protect the prerogatives of state and local governments in education.

In both the House and the Senate the Department of Education bills include provisions to preserve the decentralized control of education. The legislation makes explicit our commitment to state, local, and private control of education.

The bill specifically establishes an intergovernmental Advisory Council on Education within the Department. This Council will be largely made up of state and local officials and educators. It will review rules and regulations of the Department of Education to check their impact on state and local governments.

We are also recommending that the new Department contain a high-level Office of Citizen, Parent, and Student Concerns to assure public access to and participation in the workings of the Department.

Last year we accomplished a great deal. The Governmental Affairs Committee held days of hearings. The Senate passed a bill. Unfortunately, the legislation just missed reaching the House floor at the end-of-session jam.

This year we will build on the work of the last Congress. We in the Governmental Affairs Committee will start early. We expect to have a bill to the full Senate this spring.

I will be working closely with other members of the Governmental Affairs Committee to make sure that the intent of Congress is clear: that the Department of Education should reinforce not substitute for state, local, and private control of education.

We will continue to draw on outside experts for assistance. Our efforts to insure that the Department of Education supplements rather than supplants your work have been aided by the support and assistance of a large number of state and local organizations.

National PTA;  
Education Commission of the States;  
National Governors Association;  
American Association of School Administrators;  
Council of Chief State School Officers; and  
National Association of State Boards of Education and, very importantly, your own Association.

I especially thank three members of the staff of the National School Boards Association—Gus Steinhilber, Marsh Wice, and Mike Resnick—for their help in the drafting

of this legislation. We invite your continued help and advice.

The need for a separate Department of Education has been amply demonstrated. The Department can make the federal government your ally. With your continued help and support we can create a partnership to further a strong future for education in the United States. After all, organization is policy. To make education policy a creative reality—a Department of Education is a necessity. ●

#### SAN GABRIEL COUNCIL BOY SCOUTS OF AMERICA CELEBRATE 60TH ANNIVERSARY

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. ROUSSELOT. Mr. Speaker, there is still a need for an organization for youth founded on patriotic principles, character development, citizenship training, and mental and physical fitness. Thursday, March 8, 1979, just such an organization will be celebrating its 60th anniversary, the San Gabriel Council, Boy Scouts of America.

Scouting has a purpose: helping boys to become men; training them for citizenship. The program has had the greatest impact of any program in strengthening and preserving our cherished way of life. Compare scouting in the 26th Congressional District to one of the alternatives—it costs \$52 to apprehend and process a juvenile in the court system it cost \$30 per day to keep a boy in juvenile hall but, it costs only about 8 cents per day to bring the scouting program to a boy in the San Gabriel Valley.

Let me trace for you the history of the Boy Scouts in the 26th District of California:

BOY SCOUT HISTORY, SAN GABRIEL VALLEY COUNCIL

A Charter for the Pasadena Council of the Boy Scouts of America was granted by the National Headquarters on April 1, 1919, with jurisdiction over Pasadena, Altadena and Lamanda Park.

The Council brought together nine existing Scout troops with a boy membership of 210. Prior to the organization of the Pasadena Council the troops operated in independent units dealing directly with the National Headquarters in New York City. The nearby Los Angeles Council (established in 1916) was a source for forms, badges and related material.

Tallman Trask, a field executive of the Los Angeles Council, was selected to become the first Scout Executive, effective with the granting of the Charter. Headquarters were established, with Mr. Trask and a secretary, in the office of the Pasadena City Light and Water Department on Fair Oaks Avenue.

By 1922 the original territorial jurisdiction had been expanded to include Alhambra, Monterey Park, San Gabriel, San Marino, Sierra Madre, South Pasadena and portions of the present Rosemead area. During 1922 there were further additions with the inclusion of Arcadia, Azusa, Baldwin Park, Bassett, Covina, Duarte, El Monte, Glendora, Monrovia and Puente. By assignment from the regional organization, Avalon, Catalina Island was added in 1925. South Pasadena withdrew in 1927 and ultimately became part of the Los Angeles Council.



Stuart D. French served as Council President through 1925. Joseph P. Howe was selected as the second Council President and served until 1940. These two men guided the Council for the first 25 years of its existence. Subsequent presidents have generally held office for one or two years. Edward Butterfield is now serving his second term as President of the San Gabriel Valley Council.

Tallman Trask served as Scout Executive until his retirement in 1952. Lee E. Harbottle, Scout Executive from Toledo, Ohio, was selected to become the second Executive and served until his retirement in 1968.

P. William Davis became the third Scout Executive from his assignment as Deputy Regional Executive of Region XII. His death on August 29, 1972 began again the search for council leadership.

Francis J. Orlaski, assumed his duties on November 23, 1972. His previous assignment was as a Deputy Scout Executive in the Golden Empire Council in Sacramento, California.

From 10 units with 210 boys in 1919 the Council has grown to 600 units with over 16,000 boys. Total adults involved in 1919 were 64, while today there are over 5,500 adults active in the Boy Scout program in the San Gabriel Valley. The council started with a staff of two and now numbers 30.

For twenty years the Council Scouting Center was located in eight different donated or rented quarters. Finally, in 1948, Council-owned premises were occupied at the corner of Union and Mentor Streets in Pasadena. Almost immediately plans were started to secure better located and more usable modern Scouting Center facilities. This culminated in the dedication of the present Center in 1956 at 540 North Rosemead Boulevard, Pasadena.

Camping is synonymous with Scouting. Camp Huntington in Eaton Canyon, on land owned by the Pacific Electric Railway, served as both a week-end campsite and training camp through the 1950's. The nature of the surrounding property changed over the years from a primitive area to a residential area and it was finally necessary to close the camp. Even prior to the opening of Camp Huntington, negotiations were begun with the Santa Catalina Island Company for the transfer of camping rights on Catalina. The SCI Company, owned by the William Wrigley interests, granted rights to Howlands Landing as a permanent camp facility. The camp remained at the Landing until 1923 when it was moved to Cherry Cove.

An entire new camp was erected and named Cherry Valley. The camp has been under the control of the San Gabriel Valley Council since 1923 with the exception of the war years when the Federal Government took over for the duration of the war.

The Council has had other camping facilities over the years at Camp Blue Ridge, Camp San Antonio, Holt Scout Ranch and Sky Valley.

The 160 acre Trask Scout Reservation in Saw Pit Canyon, Monrovia, was acquired on February 9, 1966. Its development, and location makes it an excellent facility for week-end and day camping.

This week we celebrate the 60th Anniversary of the San Gabriel Valley Council of the Boy Scouts of America. During the dinner on March 8 the Scouting leaders who have helped to make this organization a success will be honored for their work. At the dinner, the Silver Beaver award, the council's highest honor, will be presented to 12 San Gabriel Valley volunteer Scout leaders: Dorcas L. Aunger, Council Committee; John Bechtel, Assistant District Commissioner, High Chaparral District; Ansel O. Berglund, District Chairman, Rose Bowl District; Alan W. Fitzgerald, High Chaparral District; Douglas Pratt, Council Board of Directors; John Hull, Jr., Assistant Council Commissioner; Ken-

neth E. King, District Committee, Los Amigos District; John Koenig, Conquistadores District; Waldo Shannon, Rose Bowl District; George M. Turner, Council Board of Directors; Norman Waldschmidt, Scoutmaster Troop 140, Lucky Baldwin District; Teddy M. Waters, Council Board of Directors.

Dan Renner, chairman of the 60th Annual Recognition District, is to be congratulated for his efforts in seeing that those who excel are publicly honored for their efforts in the San Gabriel Valley Council.

Because I am extremely proud of the record of the San Gabriel Council, Boy Scouts of America, I asked my colleagues to join me today in honoring the many devoted volunteers and the members of the professional staff who have worked to make this 60th Anniversary possible. ●

## PEACEKEEPING IN THE MIDDLE EAST

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. HAMILTON. Mr. Speaker, I would like to bring to the attention of my colleagues a review prepared by the United States Sinai Support Mission (SSM) on the applicability of the Sinai Field Mission-type electronic and early warning peacekeeping operation in other border areas in the Middle East. The Subcommittee on Europe and the Middle East, in its report on the foreign assistance legislation for fiscal year 1979, recommended that such a review be prepared. This study was contained in the sixth report to Congress required pursuant to section 4 of Public Law 94-110 and submitted every 6 months.

This review concludes that, with necessary modifications and with the support of parties involved, the basic approach to early warning activities performed by the Sinai Field Mission (SSM) could be applied elsewhere in the Middle East. It is possible that, as the various states in the Middle East hopefully move toward a comprehensive settlement of the Middle East conflict, the concept embodied by the SSM can be viewed as useful and productive.

This review on the applicability of the Sinai experience to other areas in the Middle East follows:

### APPLICABILITY OF THE SINAI EXPERIENCE TO OTHER FRONTS

Following the testimony in March 1978 of SSM Director C. William Kontos before the Subcommittee on Europe and the Middle East of the Committee on International Relations, House of Representatives, the Subcommittee recommended "that a review be made of the applicability, with whatever modifications may be necessary, of the Sinai Field Mission concept and operations in other border and buffer areas in the Middle East and that this review be included in the next SSM report to the Congress."

The Subcommittee's recommendation proved to be very timely. On May 24, 1978 Vice President Mondale, in an address before the Special Session on Disarmament of the United Nations General Assembly, offered U.S. assistance to other countries interested in applying the technology of the Sinai to other peacekeeping situations. In his "eyes

and ears of peace" proposal, the Vice President noted that:

"Our experience in the Middle East has demonstrated that technical assistance with monitoring systems such as aerial photography and ground detection devices can help create the confidence necessary to make disengagement and stabilizing agreements work."

More recently, the accords reached at Camp David suggest that early warning stations may be useful to ensure compliance with the terms of future Middle East peace agreements.

The U.S. early warning system in the Sinai functions as an integral part of the early warning and disengagement arrangements spelled out in the 1975 Basic Agreement between Egypt and Israel. It is a tactical supplement to the strategic surveillance facilities allowed the two parties. As a neutral third party, it is also charged with verifying compliance with certain aspects of the Agreement. The complex of early warning arrangements in the Sinai, including aerial surveillance, are a part of the broad disengagement arrangements under an overall U.N. aegis.

The U.S. Sinai Field Mission consists of a network of unattended ground sensors deployed in a manner to detect any unauthorized movement into or within the early warning area. When an intruder triggers one or more of the sensors, an alarm is transmitted instantly to a watch station where observer personnel on duty seek to identify the intruder visually. The capacity of these observers to identify intruders is enhanced by equipping the watch stations with high power binoculars, night observation devices, and, in one instance, a remotely-controlled, day and night television camera.

If it is determined that an unauthorized intrusion has occurred, the two Parties and the U.N. are notified immediately. If the identity of the intruder cannot be determined quickly, or if some interdictory action appears indicated, the SFM calls upon UNEF for appropriate action.

Drawing upon experiences acquired during more than two and one-half years in the Sinai, SSM believes that the basic operational concepts employed there can be applied to any other border or buffer area in the Middle East provided the Parties directly concerned want and are willing to support them. An early warning/alert system can be designed to monitor a border or disengagement line, possible invasion routes, or even a predetermined sizeable area, using a combination of unattended ground sensors, advanced observation devices and observer personnel. Such a surveillance system could detect any hostile movement of ground forces or clandestine infiltration by terrorist groups and provide sufficient alert to allow an interdiction force to react.

In considering the possible installation of such an early warning/alert system, it is important to note that, in addition to the limited kinds of sensors and observation devices currently used in the Sinai, there are many other surveillance devices which are based on the scientific principles of seismic, acoustic, infrared, magnetic, electric, pressure and electro-magnetic phenomena. The choice of equipment for deployment in any given situation would depend upon the particular geographic, climatic and demographic conditions. The specific selection from among the wide range of sensor and other surveillance equipment that has been developed in the U. S. should be determined after an on-site inspection by technical personnel experienced in the use of these devices.

Surveillance devices essentially sharpen and extend in range the eyes and ears of an observer. Therefore, the combination of equipment and human observers provides a more effective and efficient utilization of resources than do the individual components

taken alone. By equipping observer stations with high quality surveillance devices such as image intensifying night observation devices, terrestrial telescopes, thermal imaging devices and ground surveillance radar, the effectiveness of observer personnel can be greatly enhanced. In addition, the remote imaging surveillance system developed for use in the Sinai shows great promise of extending substantially the range of an observer's ability to identify an intruder or other hostile event, even under adverse weather conditions.

It is not difficult to envisage how these general operational surveillance concepts could be applied to ceasefire and armistice lines in the region of the Arab-Israeli conflict. For example, along the Jordan River Valley, a demilitarized zone, monitored by a network of ground sensors, watch stations, remotely-controlled imaging equipment, and river or border crossing checkpoints could effectively detect and provide adequate alert of any attempted clandestine movement by terrorist bands or unauthorized individuals. Such a system, supplemented by strategic surveillance sites and long-range detection mechanisms, could also provide rapid warning of any hostile ground movement beyond any predetermined limits.

U.N. personnel assigned to the Disengagement Observer Force (UNDOF) on the Golan Heights are considering improving their surveillance capability by acquiring better day and night observation equipment, as well as by deploying unattended ground sensor fields at critical points between existing outposts. The overall effectiveness of UNDOF to monitor the disengagement arrangements would thus be strengthened considerably.

The Norwegian Defense Research Agency is conducting a field study to determine the possible use of sensor technology in southern Lebanon to augment the ability of the U.N. Interim Force in Lebanon (UNIFIL) to stabilize that troubled area. Improved observation and detection capabilities, through the introduction of modern technology, would greatly facilitate UNIFIL's tasks.

The application of concepts now utilized at the SFM could, under the right circumstances, make a valuable and cost effective contribution to easing tensions and improving the climate for political negotiation in the Middle East. Such arrangements are not, however, a substitute either for diplomacy or for peace treaties or other agreements. They are cost effective, particularly when it appears they may be required to remain in place for a number of years. The technology employed is not prohibitively expensive, and it can replace substantial numbers of international peacekeeping forces that would be required to perform the same tasks without modern technology. Thus, whenever the contending parties believe early warning and surveillance can contribute to peacekeeping efforts and they are prepared to support such an undertaking, the concept merits careful consideration. Much of the surveillance equipment in question employs fairly advanced technology. Thus, qualified personnel will be needed initially to survey and determine the exact mix of equipment required for a particular environment, to train operators and to maintain the equipment. ●

#### COMMUNICATING WITH THE ICC

**HON. W. G. (BILL) HEFNER**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. HEFNER. Mr. Speaker, on January 26, I received, as did other Members

of the House, a letter and 5-page memorandum from the Chairman of the Interstate Commerce Commission, A. Daniel O'Neal. The point of the letter, simply stated, was to instruct me on the do's and don'ts of communicating with the ICC.

Chairman O'Neal carefully cited the applicable sections of both the Commission's Rules of Practice and the Administrative Procedure Act governing ex parte communications. In addition, he reminded us of similar communication restraints imposed by the courts. I will enter a copy of Chairman O'Neal's letter and memorandum at the conclusion of my remarks.

I appreciate a chairman, commissioner, administrator, or any member of any Government agency advising me as to what constitutes a proper or improper communication. Chairman O'Neal is, of course, absolutely correct that ex parte communications from Members of Congress on any formal rulemaking or adjudicatory proceeding before his commission are prohibited. But we know this. After all, we, the Congress, put this into the Administrative Procedure Act in 1976 for good reasons. The point of prohibiting ex parte communications is to insure that the formal decisions of our agencies which are required to be made on a public record with the opportunity for all parties to participate are not unfairly influenced by private, off-the-record communications from those with personal or pecuniary interests in the outcome. I have no quarrel with this law or with the ICC Rules of Procedure on this point.

But the tone and the timing of Chairman O'Neal's letter have disturbed me. When I first read the letter, I had to wonder what I had done wrong. I felt as if I were accused of something. I went back to my files for the past 2 years just to see if I had made any improper ex parte communications to the Commission. I am satisfied that I had not. I must interpret his letter as being one of warning, then—warning me not to communicate with the ICC lest I fall afoul of the law.

But I have, over the last 2 years, and even more so recently, been communicating with the ICC. A number of issues of concern to my constituents have been under discussion by the Commission of late—the Southern Motor Carriers Rate Conference case, the new protest standards in motor carrier application proceedings, the decision overturning a 40-year old ICC policy on private carriage, proposed new policies on motor carrier entry and acquisition proceedings, and more. I have received a great many letters and phone calls from officers and employees of motor carriers in my district concerning ICC policies.

Now, technically, I am not prohibited from inquiring on the status of a particular proceeding, nor am I prohibited from routinely referring communications from my constituents. But since nearly every action taken by the ICC—whether a specific rate-case or a general policy statement—is a formal on-the-record

rulemaking or adjudicatory proceeding, and covered by the prohibition against ex parte communications, it appears that I must be very careful to keep my own thoughts to myself.

I cannot help but feel that Chairman O'Neal's warning, coming as it did at a time when the Commission is making major policy changes affecting the structure of the regulated motor carrier industry, was calculated to have a chilling effect on public debate of these questions. And if the channels of communication are so cluttered with procedural barriers for Members of Congress, just imagine the frustrations felt by our constituents who dare to walk into this thicket of bureaucratic briars.

I want to work with the Interstate Commerce Commission on the issue of regulatory reform. I want to represent the interests of my constituents who are affected by these policies. And I want to represent the public interest as I see it to be. But it looks as if I have been invited to mind my own business.

Mr. Speaker, I believe this situation points out the need for congressional oversight and review of our regulatory agencies.

We have a legitimate interest in the areas touched by Government regulations. After all, in most cases, it is our constitutional legislative authority that is delegated to these agencies to act with. We in Congress are thus ultimately responsible for the actions of these agencies. This is why we need to participate at some point in the administrative procedures by which our laws are interpreted and enforced. The Administrative Rulemaking Reform Act, H.R. 1776, introduced by Congressman LEVITAS, is one way we can exercise our authority in this area. This bill, amending the Administrative Procedure Act, would give us the right and a procedure with which to exercise this right to review in advance and, if necessary, disapprove any rule or regulation issued by a Federal agency. From economic regulation of surface transportation to rules affecting health, safety, or the environment, I believe that Congress should have the opportunity to review major policy proposals and to decide whether the proposed changes are in the public interest as a matter of congressional policy. As a cosponsor of H.R. 1776, I believe its enactment will help deal with the problem illustrated by Chairman O'Neal's letter.

The letter and memorandum follow:

INTERSTATE COMMERCE COMMISSION,

Washington, D.C. January 24, 1979.

HON. W. G. (BILL) HEFNER,  
U.S. House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN HEFNER: As Chairman of the Interstate Commerce Commission, I believe it is very useful to have the views of Members of Congress about the many transportation issues that fall within the Commission's responsibility. There is, however, a rather fine line between views on general issues and comments which address the merits of a case pending before the Commission. An off-the-record contact about a particular proceeding, even if made by a Senator or Representative, may fall into the category of an



ex parte communication, which is prohibited by law.

The attached memorandum explains the different types of proceedings before the Commission, discusses the differences between appropriate and inappropriate contacts, and outlines the procedures we suggest Members of Congress follow to make certain their views are considered by the Commission in reaching a decision. If you have any questions, please do not hesitate to call me or the Congressional Relations Office.

Sincerely yours,

A. DANIEL O'NEAL,  
Chairman.

#### MEMORANDUM TO MEMBERS OF CONGRESS

##### TYPES OF PROCEEDINGS BEFORE THE ICC

Generally, there are two types of proceedings before the ICC:

1. **Rulemaking.**—A rulemaking proceeding is one initiated for the purpose of issuing statements, rules or regulations of general applicability. Formal rulemaking involves a hearing, an initial decision, and findings of fact and conclusions of law. (A formal rulemaking is used only rarely.) An informal rulemaking ordinarily involves only notice and an opportunity to comment in writing on proposed rules. An example is the proceeding to issue rules covering estimating practices in the household goods moving industry. These proceedings are designed to implement or interpret law or to formulate general policy.

2. **Adjudicatory.**—An adjudicatory proceeding is an on-the-record adversary proceeding. Some involve oral hearings. Others are conducted under the Commission's "modified procedure" through the submission of affidavits. Most proceedings at the ICC are adjudicatory. An adjudicatory proceeding is conducted to decide applications for licenses (certificates to operate in interstate commerce), applications for construction or abandonment of rail lines, applications to purchase ICC operating certificates, service extension applications, and control or pooling agreement applications. Examples of complaints are that the rates being charged by a carrier are too high or are unreasonable.

##### EX PARTE COMMUNICATIONS

Ex parte communications are letters to or contacts with agency decision-makers in an adjudicatory proceeding or formal rulemaking without the knowledge of the other party or parties to the proceeding. Prohibitions against ex parte communications have been adopted by both the Commission and the Congress to protect the decision-making process from undue outside influence.

The Commission's prohibitions against ex parte communications appear in its Rules of Practice in Appendix C at 49 CFR 1100. The prohibition passed by Congress appears at section 557(d) of the Administrative Procedure Act (APA), 5 U.S.C., section 557(d). Both enactments provide a description of the nature of the contacts between agency personnel and outsiders which are proscribed.

In addition, the courts have imposed similar constraints in informal rulemakings.

To conform with the law in this area, letters or contacts addressing the actual merits of a proceeding will be treated differently from letters or contacts inquiring about the status of a proceeding.

Members of Congress, however, have a real interest in the impact of the Commission's actions upon their constituents and upon the general public. It is expressly provided in section 551(14) of the APA that requests for status reports are not ex parte commu-

nications. Section 557(d) (2) goes further. It specifies that the bar against ex parte communications does not constitute authority to withhold information from Congress. Members of Congress are not prohibited, therefore, from making routine inquiries or referrals of constituent correspondence.

A Member of Congress could participate as a party to a Commission proceeding by entering an appearance or by filing written comments in accordance with the Commission's Rules of Practice.

Letters or contacts addressing the merits of a proceeding are proscribed, however, from the time an on-the-record proceeding is noticed for oral hearing, or the taking of evidence by modified procedure, or at such time as the person responsible for the communication has knowledge that the proceeding will be so noticed.

Late filings by Members will be accepted only if other parties to the proceeding have adequate time (in the judgment of ICC staff) to reply to their comments. Ex parte communications will not be shown to the Chairman, to other members of the Commission, or to lower level decision-makers. Communications received after the record is closed will be answered by the Congressional Relations Office, which will contact the Member's office to determine if the Member intends to file with the Commission a formal petition to intervene, have the letter placed in the correspondence file (which is not considered by the decision-makers), or have the letter returned. These precautions are necessary to prevent court challenges on procedural grounds.

Finally, the Rules of Practice preclude practitioners before the Commission from enlisting political influence in adjudicatory proceedings in which they are involved. Members of Congress should be aware of this prohibition and are requested to advise the Commission if they are contacted by representatives of parties to a pending proceeding in violation of this rule.

##### PARTICIPATION BY MEMBERS OF CONGRESS IN COMMISSION PROCEEDINGS

1. **Rulemakings.**—The procedures in rulemakings vary in formality depending on the potential impact of the subject matter. Rulemakings are subject to few inherent limitations as to who may participate in them. Persons who are not actually affected may express their views. The exception is where technical subject-matter is involved such as general rate levels. Any person may file a petition requesting the institution of a rulemaking proceeding. A Member of Congress may participate in the proceeding by presenting his or her views in accordance with the procedure designated by the Commission in the notice given of the rulemaking proceeding.

2. **Adjudicatory proceedings.**—Unlike most rulemaking proceedings, participation in an adjudicatory proceeding is subject to compliance with strict rules of procedure and time limits. These rules appear in the Commission's Rules of Practice, which are published in the Code of Federal Regulations at 49 CFR 1100. Some special rules appear in other parts of Chapter X of Title 49 of the Code of Federal Regulations. It is important that Members of Congress comply with these rules in order to assure that their views are considered in an adjudicatory proceeding.

In any adjudicatory proceeding, documents must be served on all parties to the proceeding at the same time they are filed with the Commission and a notarized statement submitted to the Commission that all parties have been served. Private petition-

ers are expected to assume this responsibility themselves, but the Commission will serve all parties to a proceeding on behalf of Members of Congress who clearly indicate their intention of becoming a party of record. When the Commission is contacted, orally or in writing, by a Member of Congress about an ongoing proceeding, the Congressional Relations Office will contact the Member's office and ascertain the exact intention of the communication.

When a Member of Congress becomes a party to a Commission proceeding, that fact is a matter of public information. This point deserves to be underscored in case the Member has other constituents who may want him or her to participate in favor of the other side of the issue. Becoming a party of record means that the Member will receive copies of all the documents filed in the proceeding, and opposing counsel may want to challenge the Member's pleadings at oral hearing.

When a motor carrier application, for example, is filed with the Commission, it is published in the Federal Register. Generally, after Federal Register publication, there is a 30-day period for the filing of protests. Protestants must show that they have a personal interest in the outcome of the proceeding. Applications are then set for hearing by written verified statements or oral hearing. The number of protests and the complexity of the issues will determine the type of hearing. More complex cases with many protests will be designated for oral hearing.

After the 30-day protest period, a person can become a party to the proceeding only by filing a petition to intervene (Rule 70 of the Commission's Rules of Practice). A petition under this rule should show the grounds for intervention and the position and interest of the petitioner. A petition to intervene should be filed prior to oral hearing or date the verified statements are due.

An adjudicatory proceeding is also conducted in certain proposed rate changes. When a carrier files a rate change the Commission may suspend the change and conduct an investigation. Rule 40 sets forth the procedure for filing a protest and requests for suspension of a proposed rate change. The protest must reach the ICC at least 12 days before the effective date of the rate.

An investigation into a rate suspension will be conducted either by oral hearing or modified procedure (written statements). A protestant is automatically a party to the investigation. A person who is not a party may make a special appearance at the hearing.

Rule 71 provides for participation by special appearance at a hearing without actual intervention. Under this rule, an appearance may be entered at hearing in an investigation (for example, an investigation into a proposed rate change), an abandonment, or a proceeding heard on consolidated record with a complaint proceeding. A special appearance can be entered if (a) there is no alternative relief sought; (b) there is full disclosure of the identity on whose behalf the appearance is sought; (c) the interest of the party is stated fairly; and (d) the contentions are reasonably pertinent and do not unduly broaden the issues.

Another type of adjudicatory proceeding is a complaint case. A common complaint is that the rates being charged by a carrier are too high, are unreasonable or that the applicable tariff is not being used. Again, the hearing may be by oral or modified procedure. To become a party, a petition to intervene must be filed before the end of the evidentiary period. These petitions are usually granted. ●

# A CONSTITUTIONAL CONVENTION TO CONSIDER A BALANCED BUDGET AMENDMENT: A REAL POSSIBILITY

HON. E. THOMAS COLEMAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. COLEMAN. Mr. Speaker, I fear that because some Members refuse to seriously consider a balanced budget amendment they have also dismissed the actions of States to call a constitutional convention to write such an amendment. This is, I believe, a grave mistake.

Members are aware that the issue of a constitutionally mandated balanced budget amendment is a very complex one. It is made more so by the call for a constitutional convention to consider the matter. To help me and my colleagues better understand the constitutional convention question, I have asked Mr. David Huckabee of the Congressional Research Service to provide me with the most recent information available on this matter. Mr. Huckabee's analysis is most helpful and enlightening.

According to Mr. Huckabee, "at least 28 (29 if Nevada's vetoed resolution is included) States have passed resolutions applying to Congress for a constitutional convention to consider an amendment in this area." We may be, in fact, as few as 5 States away from the required 34 States required to call a constitutional convention.

Mr. Speaker, if we do not act in Congress on a constitutional amendment to balance the budget, it is probable that consideration will be taken from our hands. This could happen soon. Congress then, having abdicated its own responsibility in this matter, shall look on merely as an observer as others decide the destiny of the country.

## CONSTITUTIONAL CONVENTION APPLICATIONS: ADDRESSING THE CONTROVERSY OF COUNTING STATE APPLICATIONS RELATING TO A DEFICIT SPENDING AMENDMENT

(By David C. Huckabee)

### BACKGROUND AND SURVEY RESULTS

Article V of the United States Constitution requires that proposed amendments must be ratified either by the legislatures or special conventions of three-fourths of the States before they become part of the Constitution.

Two methods are provided by Article V for submitting proposed amendments to the States for their consideration. The first requires the approval of two-thirds of both Houses of Congress before submitting the proposal to the State legislatures or conventions. This is the method by which all the amendments now part of the Constitution originated. The second, which provides that "on the application of the legislatures of two-thirds of the several States [Congress] shall call a convention for proposing amendments," has never been successfully invoked.

The National Taxpayers Union, a Washington based lobby group, and California Governor Jerry Brown, are sponsoring a campaign which has sparked considerable interest in State legislatures in adopting memorials to Congress relating to a pro-

posed amendment to limit the power of the Federal government to incur budget deficits. As of February 26, 1979, David Keating, a spokesman for the National Taxpayers Union, said that twenty-eight State legislatures had requested such a convention.

A recent study by the Council of State Governments shows that in 1976, State budget officers cited constitutional and statutory provisions indicating that forty States, the District of Columbia and Puerto Rico, had one or more constitutional restraints, and eight others had one or more statutory restraints limiting the power of their States to incur budget deficits. Set out in the table below are data summarizing these constitutional and statutory provisions.

TABLE 1.—Limitations on State Deficits: Summary<sup>1,2</sup>

	Number of States with deficit limitations, which are		
	Prohibitive	Constraining only	Total
Constitutional <sup>2</sup> ---	34	6	40
Statutory only ---	6	2	8
None -----	--	--	--
Total -----	40	8	50

<sup>1</sup> Does not include Puerto Rico and the District of Columbia.

<sup>2</sup> Ten States cited both constitutional and statutory provisions.

<sup>3</sup> Limitations on State Deficits. The Council of State Governments. Lexington, Kentucky. 1976, p. 4. Updated September 15, 1978.

It is the usual practice for legislatures to address resolutions (memorials<sup>3</sup>) to the Speaker of the House, the Vice President (in his role as President of the Senate) or occasionally to the President Pro Tempore of the Senate, or the Clerk of the House and Secretary of the Senate. Some States send copies of the memorials to the chairmen of the House and Senate Judiciary Committees. In most cases, in addition to the officers or committee chairmen listed above, State legislatures also send copies of their memorials to the State's congressional delegation.

It is the practice of the House to print a short statement summarizing each memorial and petition in the Congressional Record listed under the headings "Memorials" and "Petitions."

Receipt of these communications is also noted in the official House Journal. The actual memorials are then forwarded to the committees having jurisdiction over the subject addressed by the communications. Memorials requesting a constitutional conven-

<sup>2</sup> Petitions and Memorials—Article V refers to "applications" of State legislatures for a convention. The First Amendment, among other things, establishes the right of the people "to petition the government for a redress of grievances." Over the years, two terms describing communications to Congress have come into use. The term "memorial" encompasses all communications from State legislatures and generally refers to opposition from individual and organizations to particular legislation or governmental practices under the purview of Congress. "Petitions" express support from individuals or organizations for legislation not yet considered, or legislation pending. All requests of legislatures for a constitutional convention are classified as "memorials."

tion or constitutional amendments are referred to the Judiciary Committee.

In the Senate, the texts of petitions and memorials are printed in the Record under the heading "Petitions." The actual communications are referred to the committee of jurisdiction, again with constitutionally related memorials referred to the Judiciary Committee.

There are numerous impediments to accurately tracking memorials requesting a constitutional convention. Since some legislatures address the memorials to officers other than the Speaker and the Vice President (President of the Senate), a major problem results because the Congressional Record Index currently indexes the receipt of memorials under the headings "Speaker of the House" and "Vice President." If copies of the resolutions are not forwarded to these officers, receipt of the memorials is never officially noted in the Journals, or in the Record.

The requirement in the House and the procedure in the Senate that Committees forward their records to the National Archives at the end of each Congress also contributes to the problem of accurate record keeping. State legislative campaigns memorializing Congress for a convention relating to a specific subject often span many Congresses. Since individual memorials do not become significant in a constitutional sense until they are aggregated and approach the necessary two-thirds of the States, the early memorials of legislatures may be misplaced or buried among hundreds of other petitions and memorials in the committee's official records at the Archives.

Thus the only efficacious method of tracking these memorials over time is through the use of the Congressional Record Indexes. Experiences encountered in tracking the specific issue of State applications for a constitutional convention concerning a deficit spending amendment show that this method is not without its pitfalls.

Using the Congressional Record Indexes, copies of nineteen States' applications for a constitutional convention relating to a budget deficit amendment are found. Some States have submitted more than one memorial on the subject. The Senate Judiciary Committee has one memorial on file from a State that had not been noted in the Record. References to six State memorials merely requesting that Congress report such an amendment to the States for consideration were also found in this research.

In conducting this search it was also learned that the applications of two States which had been noted in the Record had been inadvertently sent to Congress, having passed only one House of the State legislature. These resolutions should not be counted even though notice of their receipt was printed in the Congressional Record.

One additional State legislature has passed a resolution, but it was vetoed by the governor. This resolution was not sent to the Congress.

On February 8, 1979, Senator Harry F. Byrd inserted into the Congressional Record (pp. 2108-2116) copies of twenty-two States' applications for a convention relating to this matter. Although many of these applications have already appeared in the Record, a number have not. On February 21, 1979, (pp. 2929-2931) Congressman Harold L. Volkmer inserted copies of eight States' applications which had previously not been noted in the House section of the Record.

These actions may not necessarily meet the Constitutional requirement that the States make "application" for a convention. In his remarks, Congressman Volkmer said



"It is not necessary that the resolutions be noted anywhere as there is no procedure to apply to the situation. The fact that resolution passed the State legislatures is enough."

Others have argued that in order to meet the constitutional requirement that the States must make application to Congress for a convention, merely passing a resolution is not enough. They believe that copies of the applications must be sent to Congress because it would be unreasonable to believe that the Congress must examine the session laws of the fifty States each year to identify the few applications for a convention pursuant to Article V.

Some may argue that Senator Byrd's and Congressman Volkmer's insertion of copies of the States' resolutions in the Record does not meet the requirement that the States make application for a convention, because the applications were not sent to Congress by the States. The resolutions placed in the Record by these Members were sent to the National Taxpayers Union and provided to Senator Byrd and Congressman Volkmer by that organization.

In a telephone survey of the Secretary of States of those States which had apparently passed resolutions which had not been received by the Congress which was conducted in May of 1978, it was learned that five States believed that copies of the resolution had been sent, and one State had not sent a copy to Congress. In no case was a State official able to say unequivocally that a resolution had been sent, only that if the resolution directed that a copy be sent, that one presumably would have been sent.

Since the completion of the survey, other States have passed resolutions which have not yet been received by Congress, and two of the States surveyed in 1978, have sent copies of their resolutions to the Congress.

Set out in Table 2 below are comparisons among the National Taxpayers Union and Senate Judiciary Committee lists, and the list of applications which have been noted in the House side of the Congressional Record requesting a convention.

Table 3 summarizes a telephone survey of State legislative reference agencies, legislative clerks, and Secretaries of State of the States which have passed such resolutions which were never officially noted by the Congress.

Table 4 lists those States which have memorialized Congress to request that a deficit spending amendment be submitted to the States for their consideration, but not asking that a constitutional convention be convened for that purpose.

TABLE 2.—States Which Have Passed Resolutions Requesting a Constitutional Convention Relating to Deficit Spending

#### National Taxpayers Union List

Alabama, Arizona, Arkansas<sup>7</sup>, Colorado, Delaware, Florida, Georgia, Idaho<sup>7</sup>, Iowa<sup>7,2</sup>, Kansas, Louisiana, Maryland, Mississippi, Nebraska, New Mexico, Nevada<sup>5</sup>, North Carolina<sup>7</sup>, North Dakota, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota<sup>7</sup>, Tennessee, Texas, Utah<sup>7</sup>, Virginia, and Wyoming.

#### Senate Judiciary Committee List

Alabama, Arizona, Arkansas<sup>1</sup>, Colorado, Delaware, Florida<sup>2</sup>, Georgia, Idaho<sup>20</sup>, Iowa<sup>2</sup>, Indiana<sup>2</sup>, Kansas, Louisiana, Maryland, Mississippi<sup>4</sup>, Nebraska, New Mexico<sup>2</sup>, Nevada<sup>2</sup>, North Carolina<sup>7</sup>, North Dakota<sup>2</sup>, Oklahoma, Oregon<sup>2</sup>, Pennsylvania<sup>2</sup>, South Carolina, South Dakota<sup>10</sup>, Tennessee, Texas<sup>6</sup>, Utah<sup>2</sup>, Virginia, Wyoming.

#### Applications Appearing in the House Side of the Congressional Record

Alabama<sup>8</sup>, Arizona, Arkansas<sup>1</sup>, Colorado, Delaware, Florida, Georgia, Idaho, Iowa<sup>2,9</sup>, Indiana<sup>2</sup>, Kansas, Louisiana, Maryland<sup>8</sup>, Mississippi, Nebraska<sup>2,4</sup>, New Mexico<sup>10</sup>, Nevada<sup>2</sup>, North Carolina<sup>10</sup>, North Dakota<sup>2</sup>, Oklahoma, Oregon<sup>2</sup>, Pennsylvania<sup>2</sup>, South Carolina, South Dakota<sup>7,10</sup>, Tennessee, Texas, Utah<sup>2</sup>, Virginia, Wyoming.

<sup>1</sup> Arkansas' application was inadvertently sent to Congress because it had passed only one House of the Legislature. Thus, although notice of receipt has been printed in the Record, this application should not be counted for the purposes of calling a convention. A resolution calling for a convention passed in 1979, but it has not yet been received by Congress.

<sup>2</sup> These States have passed resolutions requesting a constitutional convention relating to deficit spending, but notice of receipt of these applications has not been printed in the Congressional Record.

<sup>3</sup> Indiana's 1976 application which was noted in the Record was inadvertently sent to Congress because it had only passed one House of the legislature, but a 1957 application is still pending. The National Taxpayers Union does not count Indiana.

<sup>4</sup> Nebraska's application was never noted in the Record, but the Senate Judiciary Committee has a copy of the application in the Committee's files.

<sup>5</sup> The National Taxpayers Union records Nevada as a State legislature which has requested a convention, although the governor vetoed the resolution. This application was never sent to Congress because of the veto.

<sup>6</sup> Texas's 1977 application was never noted in the Record. Notice of receipt of an application was noted by the House on Jan. 15, 1979, as well as a memorial reaffirming the legislature's earlier call for an amendment.

<sup>7</sup> Applications passed in 1979.

<sup>8</sup> Resolution noted in the Senate side of the Record, but not the House side.

<sup>9</sup> Iowa's application does not become effective until July 1, 1980, although it was passed in 1979.

<sup>10</sup> Resolution noted in the House side of the Record, but not the Senate side.

TABLE 3.—Status of State Requests for a Constitutional Convention for an Amendment Relating to Deficit Spending

	Total
1. Constitutional Convention Applications Officially Noted in the Congressional Record or on File with the Senate Judiciary Committee.....	22 <sup>1</sup>
States:	

Alabama<sup>2</sup>, Arizona, Colorado, Delaware, Florida<sup>4</sup>, Georgia, Indiana<sup>2</sup>, Idaho<sup>4</sup>, Kansas, Louisiana, Maryland<sup>2</sup>, Mississippi, Nebraska<sup>2</sup>, New Mexico<sup>4</sup>, North Carolina<sup>2</sup>, Oklahoma, South Carolina, South Dakota<sup>4</sup>, Tennessee, Texas<sup>4</sup>, Virginia, Wyoming.

<sup>1</sup> Arkansas inadvertently sent to Congress an application which had only passed one House of the legislature. On January 17, 1979, the legislature passed such a resolution, but it has not yet been sent to Congress.

<sup>2</sup> Indiana's 1976 memorial which was noted in the Record was inadvertently sent for the same reason, but a 1957 memorial is still pending.

<sup>3</sup> The House does not have record of receipt of memorials from this State.

<sup>4</sup> The Senate does not have record of receipt of memorials from this State.

TABLE 3A.—Summary of Telephone Survey of States Which Have Passed Constitutional Convention Applications Which Are Not Noted in the Congressional Record or on File With the Senate Judiciary Committee

Applications passed by the States and presumably sent, 5 (according to a May 1978 telephone survey).

States:

New Mexico,<sup>1</sup> North Dakota, Oregon, Pennsylvania, Texas.<sup>2</sup>

Applications passed by States and presumably not sent, 1.

States: Florida.<sup>3</sup>

Applications passed by States in 1979 not yet received by Congress, 4.

Arkansas, Idaho, Iowa, South Dakota.

<sup>1</sup> An application from New Mexico was received on February 27, 1979, by the House.

<sup>2</sup> An application from Texas was received on January 15, 1979, as well as a memorial "reaffirming" the legislature's previous application.

<sup>3</sup> An application from the State of Florida was received by the House on February 22, 1979. A copy of the resolution has not been received by CRS to determine whether this is a new resolution or a copy of Florida's 1976 resolution which was not sent to Congress.

TABLE 4.—States Requesting a Deficit Spending Amendment But Not Requesting a Constitutional Convention—5<sup>4</sup>

States:

California, Illinois, Kentucky, Nevada,<sup>2</sup> New Hampshire.

<sup>4</sup> Idaho and North Carolina previously passed resolutions asking for an amendment and not a convention. Applications for a convention were passed by these States in 1979.

<sup>5</sup> A resolution requesting a convention was passed by the Nevada legislature in 1977, but was vetoed by the Governor.

In summary, Table 2 shows that the Senate has records showing that seventeen States have memorialized Congress for a constitutional convention relating to deficit spending. The House records eighteen such applications. The National Taxpayers Union lists 28 States.

Thus, although at least twenty-eight (twenty-nine if Nevada's vetoed resolution is included) States have passed resolutions applying to Congress for a Constitutional convention to consider an amendment in this area, only a maximum of twenty-two applications have been officially noted by the Congress, if both Houses records are considered together.

DAVID C. HUCKABEE.

FEBRUARY 28, 1979.●

#### TOLLESTON MIDDLE SCHOOL BAND

#### HON. ADAM BENJAMIN, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. BENJAMIN. Mr. Speaker, it is my privilege today to salute the outstanding accomplishments of the Tolleston Middle School Band of Gary, Ind., and its exceptional director, Willie Horne.

An evening of tribute is being held on Friday, March 9, in honor of this 280-member band—most often and appropriately referred to as the "award-win-

ning Tolleston Band." However, the almost innumerable awards and achievements of this organization make even this illustrious title seem an understatement.

Besides an evening dedicated to a salute to this outstanding organization, the proceeds from the dinner Friday evening will help finance a trip to California's Disneyland on July 4 where the band will participate in a special Independence Day musical extravaganza.

Over the past 3 years, the Tolleston Middle School Band has been awarded first place in every competition in which it was entered—and these accomplishments do not broach the recognition achieved by the band as representatives and ambassadors of good will for their school and community.

The band's honors include first place awards in 1976, 1977, and 1978 in the annual marching band contest at Tennessee State University as well as top placement in local Independence Day parades in Whiting, Munster, and LaPorte.

In addition, the Tolleston marchers have represented their community in an exemplary manner in numerous non-competitive events to include: The Bud Biliken parade in Chicago, the Gladiolas Festival parade in Muncie, and the Senior Little League World Series in Gary. Their talents were also roundly received at the Black Expo parade in Indianapolis and the Urban League parade in Chicago.

While praises for the members of the Tolleston band cannot be too great, commendation is also appropriate for the hardworking parents of these students and, of course, their leader, Willie Horne.

A graduate of Roosevelt High School in Gary, Willie is a noted trumpeter in his own right. He manifested his talents with this instrument while earning his bachelor of arts degree at Lincoln University and later at the Vandercook School of Music in Chicago where he earned his master's in music education.

Willie also served as trumpeter with the Fifth Army Band—another musical outfit of distinction.

I invite my colleagues to join me today in a salute to the exemplary record of the Tolleston Middle School Band and its talented leader, Willie Horne. I also pay respectful tribute to the hard work and dedication of the Tolleston Band Parents Organization through whose efforts these students' musical abilities are allowed to flourish.

The band's record is only one facet of the exemplary achievements and high academic standards in one of the First District's finest educational facilities and where my brother, Samuel A. Benjamin, has the privilege to participate in the educational process of some of our finest young people.

Finally, I applaud the purpose of the tribute dinner on Friday night and look forward to watching as the Tolleston band brings a new round of prestige to the community by representing their school and the First District of Indiana in the festivities in California.●

## UNMET NEED FOR CIVIL DEFENSE

HON. DONALD J. MITCHELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. MITCHELL of New York. Mr. Speaker, one of the most pressing yet unmet needs facing the Nation is for a civil defense program which is responsive to existing threats and adequately prepares us for future challenges.

To respond to these threats and prepare for those challenges I reintroduced legislation on January 15 providing for a comprehensive, 7-year civil defense program. Its cost, \$1.9 billion, represents but a fraction of our estimated total defense expenditures for the period covered—the increase in funding over our present program amounts to approximately one-tenth of 1 percent of our Department of Defense annual budget.

The program I am advancing is one that will give us, for the first time in this nuclear era, the protection we must be assured of as we face our ideological adversaries who lack our commitment for the pursuit of peace. Central to this proposal is the long-overdue attainment of adequacy for a range of programs which have as their principal objective the saving of lives.

Simply put, my goal is to guarantee the survival of a Nation, its people and a way of life sacred to us all.

We have no such guarantee today. It is time we did.

The 7-year plan would concentrate the use of the funds requested for:

- Crisis evacuation;
- Research and development;
- Emergency operating centers;
- Training and education; and
- Management and coordination.

In each one of these critical areas our present civil defense program fails the test of adequacy.

My budget proposal, for the full 7-year plan and with a specific assignment of funds, is appended to these remarks.

This program was not developed by me; rather, it emerged over an extended period of time after protracted consultation with experts who have earned respect and a national reputation for their work in civil defense. It is a product of serious, well-intentioned people who share a concern about our present, have learned from lessons of the past, and are determined to prepare us to live in peace.

We are in trouble. The Soviets have an excellent civil defense system. We do not. Neither nation had an adequate program in the sixties. But for more than a decade the Soviets have been spending over \$1 billion a year on civil defense. We have averaged less than \$100 million. They have a three-track program: Individual protection, community shelters and population evacuation. We have only one: community shelters; and it is in disarray in spite of the dedicated and dogged efforts of many professional and amateur civil defense leaders.

Why is this a problem? Because it destroys the strategic balance. The best hope for peace, we are told, is the maintenance of the strategic balance. There are varying estimates on the effect of an all-out nuclear war. If the Soviets have time to put their civil defense program into operation—3 or 4 days prior to the holocaust—the results would be far more destructive to the United States (over 100 million dead) than the Soviet Union (5 to 20 million killed).

Most experts agree we enjoy "rough equivalence" with the Soviets in weaponry. (From our perspective it appears to get rougher each year.) But if Soviet weapons have a far greater destructive effect on us than our weapons do on them, it is as though they had far more weapons. This makes a mockery of the strategic balance. It does not exist.

Once the balance of terror is gone the Soviets have an awesome edge in any confrontation, whether it be at the bargaining table, an act of adventurism in Europe or Africa, or in an all-out nuclear war.

That is the bad news. The good news is it is not too late to do something about it. A relatively inexpensive remedy is to develop a civil defense system of our own. Some of our defense leaders suggest the way to compensate for Soviet superiority (they no longer claim it does not exist) is to "retarget" our weapons. "Retargeting" would supposedly rebalance the equation. It makes more sense to me to achieve the balance through civil defense—the potential saving of American lives rather than the potential destruction of Soviet citizens.

Part of the program's funds would be spent to complete our "5-year in-place shelter program" which we started 14 years ago and abandoned in the 1960's. Another substantial portion would go for a program to disperse our population in time of crisis. Most of the remainder of the appropriation would be spent on an educational program to do away with the many myths associated with a nuclear attack and to develop a positive attitude toward survival.

Dr. Conrad Chester of the Oak Ridge National Laboratory makes additional recommendations: First, we must have a recognition, at the highest levels of Government, that in the event of nuclear war survival of the United States is desirable and possible; second, the American people must be exposed to all facets of nuclear war and to its survival potential, and that this education process should take place in the schools; and third, Government funded, financed, or insured new construction should be modified to provide fallout and blast protection.

We must begin today to rebalance the strategic equation. How do you deter an attack unless you can convince an enemy that you will win the war that he is starting? I find it doubtful that anyone aware of the strategic imbalance believes we would fire any nuclear weapon if it meant the destruction of our society. Without a civil defense system, that is precisely what it means.



## FISCAL YEAR 1980-86 CIVIL DEFENSE PROGRAM

[In millions of dollars]

	1980	1981	1982	1983	1984	1985	1986		1980	1981	1982	1983	1984	1985	1986
Warning and detection	20.0	22.0	23.0	23.0	25.0	29.0	29.0	Shelters	23.9	44.0	71.0	96.0	95.0	148.0	118.0
Warning and communications systems	10.0	10.0	10.0	10.0	10.0	12.0	12.0	Survey	6.0	12.0	17.0	15.0	10.0	10.0	10.0
Radiological defense	10.0	12.0	13.0	13.0	15.0	17.0	17.0	NCP planning	16.0	26.0	41.0	56.0	56.0	56.0	56.0
Emergency operations	16.2	22.0	40.0	40.0	48.0	66.0	74.0	In place protection	(6.0)	(6.0)	(6.0)	(6.0)	(6.0)	(6.0)	(6.0)
Training and education	5.0	5.5	9.0	9.0	11.0	16.0	20.0	Crisis evacuation	(10.0)	(20.0)	(35.0)	(50.0)	(50.0)	(50.0)	(50.0)
Emergency information	2.3	3.0	7.0	7.0	8.0	13.0	2.3	Shelter marketing	1.0	1.0	1.5	1.0	.5	.5	.5
Systems development	2.5	2.3	2.8	2.3	2.3	2.3	2.3	Shelter stocking	.1	4.0	6.0	15.0	20.0	5.0	35.0
Broadcast station protection program	3.2	4.5	8.2	8.0	9.0	14.0	17.0	DIDS	.1	.2	.3	.4	.5	.5	.5
Red Cross	.5	.2	1.0	.2	.2	1.2	1.2	Expedient shelter planning	0	.1	.5	.9	.3	.3	.3
Citizen training instructions	.5	.5	1.0	.5	.5	1.5	1.5	FRG improvement	.6	.6	.6	.6	.6	.6	.6
Shelter management training	.5	2.0	5.0	7.0	10.0	8.0	8.0	Vent kits	.1	.1	4.1	7.1	7.1	30.1	15.1
Test and exercises, EOS	2.0	4.0	6.0	6.0	7.0	10.0	10.0	Emergency operating centers	3.0	15.0	28.0	39.0	40.0	50.0	62.0
Financial assistance	36.8	36.9	38.1	39.3	39.7	40.5	40.9	EOCs	2.0	8.0	20.0	30.0	30.0	50.0	50.0
Management (P. & S.)	35.0	35.0	35.6	36.2	36.4	36.8	37.0	Supporting materials	1.0	7.0	8.0	9.0	10.0	10.0	12.0
Maintenance and services	1.8	1.9	2.5	3.1	3.3	3.7	3.9	Research and development	14.0	16.0	17.0	18.0	17.0	20.0	21.0
Management	24.1	24.1	25.9	27.7	28.3	29.5	30.1	Total	138.0	180.0	243.0	283.0	293.0	393.0	375.0
Personnel services	17.9	17.9	18.5	19.1	19.3	19.7	19.9								
Travel	1.0	1.0	1.6	2.2	2.4	2.8	3.0								
Administrative and housekeeping	5.2	5.2	5.8	6.4	6.6	7.0	7.2								

## L. C. "PAPPY" SAMMONS: "THE LOBSTER KING"

## HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. JONES of Tennessee. Mr. Speaker, today it is my pleasure to insert an article from the Memphis Press Scimitar into the CONGRESSIONAL RECORD concerning a fine gentleman from Memphis, Tenn., Mr. L. C. "Pappy" Sammons, known as "The Lobster King"—and rightly so. My family and I have enjoyed wonderful meals at his establishment, The Lobster Shack, many times. "Pappy" will celebrate his 100th birthday on April 26 of this year and today I want to share with my colleagues by the following article this gentleman's colorful life.

The article follows:

## PAPPY KEEPS ON COOKIN' AFTER NEARLY A CENTURY

(By Clark Porteous)

Lehman Clark "Pappy" Sammons, a one-time circus cook, learned to cook 88 years ago at the old John Gaston Hotel.

An international survey made 15 years ago showed Sammons to be the oldest active chef at that time. And "Pappy," as he is affectionately known, is still cooking.

Sammons, a slim, tall man, remains an impressive figure, looming even larger than his 6-foot frame with the aid of the tall chef caps he frequently wears. His brown hair has only recently begun to gray, and his health, until recently, has been excellent.

Sammons also known as "The Lobster King" and the "Mayor of Overton Square," lately has been plagued by phlebitis, and grudgingly says, "I'm beginning to fail."

But he doesn't act like it. He is mentally alert and has a remarkable memory—even for things that happened decades ago. His walk remains sprightly; and he still does most of the cooking for customers at his Lobster Shack.

Sammons was born in Dancyville, Tenn., near Brownsville, in 1879.

Both his grandfathers, John Clark Sammons and William Neely, were killed fighting for the Confederacy in the bloody battle of Shiloh.

His father, John Clark Sammons Jr., moved the family to Memphis in 1890, when "Pappy" was 11.

"We came to live with an uncle who drove a mule car," Sammons said. In those days, streetcars were pulled by mules.

"We lived in a little old house at 740 Union, where Chip Barwick Chevrolet is located now," he said. "We paid \$6 a month house rent, and there were six of us."

Sammons said his grandmother got him a job at the elegant John Gaston Hotel, as a dishwasher. He was only 11 at the time, and total schooling amounted to 30 days, accumulated during two summers.

Sammons was apprenticed to John Gaston, and shortly began his long career drying dishes. "They cut a whiskey barrel in half, putting hot water and lye soap, which we made ourselves, in the water to wash dishes," he recalled. "The other half of the barrel was to rinse the dishes. I was the dish dryer."

Sammons worked his way up at the hotel. He calls John Gaston, for whom a city hospital, a park and a community center were named, "one of the greatest men I ever knew."

Despite his limited formal education Sammons speaks intelligently and says he got his education listening to others—such as Gaston—talk. Being in the restaurant business all his life, Sammons says he has met the best people and learned from them.

"All I know that's good about cooking, I learned at the Gaston," Sammons said. "Mr. Gaston brought fine chefs from France, Germany and Switzerland. There has never been a place like that. It served the greatest food Memphis ever had."

"We didn't know what a lobster was, but oysters were a big deal," Sammons said. "We served quail, bear meat steaks, wild turkey and deer. A specialty was Les Squabs, which were young pigeons served under glass—a forerunner of pheasant under glass."

"People no longer eat squabs," he said. "They could, but people just change."

Sammons worked his way up from dish dryer to bus boy, to waiting on tables and finally became a cook. Then, after 16 years at the John Gaston, he "graduated" and became a chef.

At 27, he left Gaston's and went to Floyd's, another fine, old-time restaurant. He worked for several other places and had his own hamburger stand at Calhoun and Front before the lure of adventure grabbed him.

Sammons sold his hamburger stand in 1910, and spent two seasons with Ringling Bros. Circus before it merged with Barnum & Bailey. That was the only time he has worked away from Memphis.

"I cooked for the circus employees," Sammons said. "I cooked on the train. I went all over the United States, but never saw a thing—just the train and the circus."

Sammons quit the circus and opened his restaurant across from Union Station in 1912. He used to feed the travelers, including show people who came to Memphis by train

to play the Orpheum. Pappy says he recalls such stars as a young Milton Berle, Francis X. Bushman, Weber and Fields, Jack Benny and many others.

But Sammons remembered Sophie Tucker, the last of the "red hot mamas," in particular because of the lobsters. It was Miss Tucker who kept asking Sammons to serve lobsters, and he decided to try.

Sammons said when he first put lobsters on the menu of his restaurant, he only sold a few out of each order from New England. But Pappy kept pushing lobsters—selling them at \$1.50 each, an expensive delicacy in the early 1920s—and now, hundreds of thousands of lobsters later, Pappy serves two lobsters for \$15.

"I don't make 25 cents on them," he said, explaining that he has to pay \$5.75 a pound plus freight from Boston. Sammons says you can make your prices too high and lose customers.

Lobsters are Pappy's trademark now. He said the boiled crustaceans draw customers, and he makes money on other items such as wines and mixed drinks.

Sammons left the Calhoun location and operated a restaurant in the Gilmore Apartments at Madison and McLean for a while, but was forced to leave when the owner's son complained of fumes from the restaurant going into the apartments.

"I didn't know what to do," Sammons said. "But I located two little houses on Madison. I went to see Carroll Seabrook (now 90), who was chief of police, to ask about opening a restaurant in the house. He told me I had better see Mr. Crump." That was E. H. Crump, the city's political boss.

Sammons said Crump gave him the go-ahead, and, in 1946, he opened a 400-seat restaurant in what was later to become Overton Square.

He took Jimmy Mounce in as a partner, and Jimmy later ran another restaurant, Pappy & Jimmy's at Poplar and Hollywood, as a partner. Mounce has since left the restaurant business.

Business boomed at Pappy's Lobster Shack, 2100 Madison, and the neighborhood had never seen anything like it. There were many residences in the area at the time, and some neighbors went to Crump, complaining of bootlegging and loud jukebox music. Pappy said, however, that he didn't have a jukebox, and there was no bootlegging.

"Mr. Crump told the protester that he had known me a long time, and that I had always run first-class places," Sammons said. "He told them that I could stay as long as I ran the place on a high plane. But Mr. Crump said if I did not, he would close me up. I never had any more trouble of that kind."

Pappy is also known as a collector—of almost anything. But fire struck the restaura-

rant 16 years ago, and destroyed most of Sammons' collection of antiques and mementos.

Among his most prized possessions is a battered old Stetson hat, with Bing Crosby's name in it. In Memphis for a golf tournament, Crosby left the hat behind after visiting the restaurant with Red Grange, Dizzy Dean and Ben Hogan.

Jack Nicklaus, Mae West, Tommy and Jimmy Dorsey and many others have eaten with Pappy.

Sammons also has a saxophone which survived the fire. It was given to him by W. C. Handy, the man regarded as the father of the blues. The composer was known as a trumpet rather than a sax player.

Sammons is married to the former Mamie Langley, and he won't tell her age. He has a daughter, Mrs. Margaret Huntzicker, and two sons, Dr. Lehman Clark Sammons Jr., a Frayser physician; and George Sammons of the Sammons-Pennington Co., a wholesaler in pinball machines and jukeboxes. ●

## JAPAN LOVE AFFAIR WITH CHINA TRADE TURNS SOUR

**HON. LARRY McDONALD**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. McDONALD. Mr. Speaker, last week in a sudden move Communist China suspended billions of dollars worth of contracts with Japan. Japan, up till now, has been the example used as to why the United States ought to rush headlong into greater trade with Communist China. However, when the country you are trading with suddenly has no money to pay, the "vast market" everyone talks about suddenly disappears. It is now apparent to all that Communist China has just so much money and a very limited amount of goods to export. Much of the limited foreign exchange it earns has to be used to buy food to feed its citizens. The only way in which the gap can be covered is for the American Government, read U.S. taxpayer, to lend them the money at very favorable rates with which to make purchases in this country. This I will oppose. For those who may wish to learn from Japan's experience, I commend the article from the Washington Star of March 4, 1979:

### JAPAN LOVE AFFAIR WITH CHINA TRADE TURNS SOUR

(By Frank Iwama)

TOKYO.—What begins as a highly promising marriage of convenience and profitability between Japanese business and Chinese modernization has suddenly fallen on bad times. Many Japanese businessmen have even begun to wonder aloud whether the marriage has a chance to survive.

In a surprise move last week, China informed Japanese plant equipment manufacturers that all contracts signed since mid-December last year have been frozen, pending agreement on settlement terms. The Chinese action buttresses doubts held by Japanese and Western businessmen about Peking's ability to pay the astronomical costs of its "four modernizations" program.

In identical, terse telegrams to eight major

Japanese trading firms, Peking authorities simply stated that because the issue of payment method was not yet settled, the "contracts are not in effect."

Of the estimated total \$7 billion worth of modern industrial equipment ordered from the West by the Chinese since last year for the modernization program, \$3.7 billion worth was contracted for from Japan. Affected by the Chinese suspension action are: a \$1.1 billion contract for blast furnaces, oxygen converters and related equipment for the Paoshan steel complex near Shanghai and \$1 billion worth of mainly petrochemical plants.

Also included in the contracts are such items as an ethylene plant, an acrylic acid ester plant and a butadiene rubber plant.

While the Japanese have been worried about China's ability to pay for its suddenly increased purchases, the move suspending the contracts nevertheless came as a distinct shock. The major problem that remains still unsolved, despite the signing of contracts right and left, is the mode of settlement.

Negotiations on this have been under way for some time, but reached a stalemate on the issue of which currency-base to use. Peking insists on the dollar and Japan on the yen.

The Japanese want to use the yen because the cost of using eurodollars for credits to China is prohibitive. Currently, interest in eurodollar loans is about 11 percent.

The euphoria over the opening of what seemed to be a vast, virgin market for Japanese goods has now collapsed. Japanese businessmen are having second thoughts about the China boom where, until recently, they had been cutting margins to the bone to get the contracts.

Typical of them is Kazuo Iwata, president of Toshiba Company, a major electric manufacturer, who says: "Until the issue of settlements is cleared up, signing of contracts won't mean a thing. We will be just groping in the dark on the future of this market."

Under the circumstances, depending on how the Chinese resolve the issue, their credibility as reliable trading partners is in doubt here. Japanese government officials take the position that the situation may only be temporary, however.

Says a foreign office official: "Up to now, the Chinese have used the cash on delivery system in trade with Japan. Currently they are believed to have about \$2 billion in reserves. Now suddenly, they discover themselves with commitments far beyond their ability to pay, so they are now taking time out to review the situation." The official saw no indication of any major shift in Chinese policy.

Private Japanese business and economists are not so sure. Pointing to several articles appearing recently in official Chinese journals, economic critic and economist Kunihiro Takano says: "There appears to be strong pressures now within Peking political circles to shift priorities from heavy industry more to agriculture for a more balanced economic construction."

Takano and other economists think that a moderation in the modernization program, with greater emphasis on agriculture, is in the offing.

Suspension of contracts is not the only shock to the Japanese. Two weeks ago, an official Chinese oil delegation, in Tokyo to discuss an agreement for exploration of Chinese offshore oil, suddenly packed up and went home. Puzzled oil circles here surmise that Vice Premier Teng Hsiao-ping may have been offered better terms by U.S. oil firms during his trip to the United States.

In pre-boom 1977, Japan-China trade amounted to \$3.49 billion with Japan enjoying a surplus of \$390 million. Japan sold steel, industrial machinery, synthetic textiles, chemicals and construction equipment. China exported crude oil, coal, cotton textiles, and foodstuffs.

Last year the two-way trade soared to \$5 billion with Japan recording a surplus of \$1 billion. The increase in Japanese exports was mainly in industrial plants and equipment and construction materials and equipment. On the Chinese side the increase was mainly in crude oil.

Yasuo Oki, public relations chief of Mitsubishi Corporation, Japan's largest trading house, says: "The Chinese just don't have anything else to sell to us. If they keep increasing their purchases of industrial plants, the Japanese surplus is just going to keep on growing. I think the Chinese now realize this."

Whatever the truth, dealing with China is not easy and last week's events leave the Japanese with no illusions.

A basic trade agreement signed last fall calls for the exchange of \$20 billion in 8 years (1978-1985). Japanese business enthusiastically cheered when Teng Hsiao-ping announced last November that the trade agreement would be revised to raise the total amount, but without stating a specific figure.

The Japanese now don't see how this is possible. ●

## REPRESENTATIVE HYDE SPEAKS OUT ON UNITED STATES-CHINA POLICY

**HON. GERALD B. H. SOLOMON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. SOLOMON. Mr. Speaker, recently our distinguished colleague, Representative HENRY HYDE, returned from a tour of Asian nations, including Taiwan. With a vote pending in this House on the United States-Taiwan Relations Act, his observations of the mood in Taiwan and of our relations with both Chinas are particularly timely. I include his observations, recorded in a Chicago Tribune article entitled "How Carter Has 'Abnormalized' Our Relations With China," in the RECORD for the benefit of my colleagues.

The text follows:

### HOW CARTER HAS "ABNORMALIZED" OUR RELATIONS WITH CHINA

(By Representative HENRY J. HYDE)

"You sold us out too cheaply," exclaimed a member of Taiwan's National Assembly, as we sat across a long table in Taipei's opulent Grand Hotel a few days ago. "If the basis for your 'new realism' is the Shanghai Communiqué, then when you switched your embassy from Taipei to Peking, why didn't you transfer your governmental liaison from Peking to Taipei? At least give us as much as you gave the Communists in 1972," he said.

Our delegation of six congressmen was on the last leg of an Asian tour last week that included South Korea, Thailand, Malaysia [where we interviewed both land and boat refugees in their camps], and Burma [where we toured poppy fields near the opium refineries in the northern mountains and observed the Burmese army effectively use heli-



copters in its not always successful effort to diminish the flow of narcotics from this region].

We flew into Taipei as the first official American visitors since Dec. 27, when the State Department delegation, led by Deputy Secretary Warren Christopher, was greeted by smashed car windows and riotous egg pelting. That same State Department, understandably, had urged us not to visit Taiwan so soon, but as members of Congress, we felt that our reception would be less tumultuous than the one given representatives of the Carter administration. Events proved us correct.

A few salient facts: Taiwan's population is 17 million. Its economy is thriving; both per capita income and gross national product are growing markedly as Taiwan changes from an agricultural to an industrial economy. The United States has investments of about \$4.5 billion in Taiwan and the value of our trade in 1977 was \$7.4 billion. [Compare this with the \$2 billion in trade we had with the U.S.S.R. the same year.]

"How will Red China pay you for all your increased trade?" my Taiwanese legislative friend asked. "She has only two assets—oil and slave labor—and the Red Chinese will need their own oil if they are serious about industrializing. That leaves one billion slave laborers." He smiled. "Do you want your AFL-CIO to compete with them?"

My own misgivings about the administration's pledges to sell defensive weaponry to Taiwan were deepened by learning, as we prepared to return to Washington and the opening of Congress, that the State Department announced a "one-year moratorium on new defensive arms contracts with Taiwan is being imposed at the request of China during Washington-Peking normalization negotiations." The lateness in announcing this disturbing concession makes one wonder what other delayed-action deals were reached with the Chinese Communists.

President Carter, that implacable foe of secret diplomacy, finally conceded on Jan. 17 that he had tried and failed to obtain a public commitment that China would not use force against Taiwan. This must be evaluated in the context of China's consistent policy of "liberating" Taiwan.

Looming in the background is the fact that Taiwan has all it needs—technology and materials—to become a major nuclear power. Soon six nuclear power plants will be operative. Though Taiwan is a signatory to the Nuclear Non-Proliferation Treaty, we can expect her to treat that document with the same respect we have treated our mutual defense treaty.

President Carter has exhibited adroitness in his invitation to Nixon for a White House dinner Jan. 29 honoring Vice Premier Teng Hsiao-Ping. It matters not whether a Republican administration would have abandoned Taiwan so unceremoniously because Nixon's presence, however unfairly, will put a bipartisan gloss on the whole affair.

When I heard Vice President Mondale in a recent television interview pronounce: "We have a more secure world because of this development," I couldn't help thinking that 30 years ago the dominant political analysts told us that Mao's Communists were mere agrarian reformers.

The faces I saw in the refugee camps of Asia were a vivid reminder that the struggle against Communist slavery must go forward. Normalization of our relations with China was inevitable. But on what terms? As the leader of the free world, the trumpet we sound these days is more than uncertain—it has the faint sound of tin! ●

## TRAFFICKING IN HANDGUNS DESERVES ATTENTION

HON. ROBERT MCCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. McCLOREY. Mr. Speaker, the absence of some legislation to control the trafficking in handguns—particularly the so-called Saturday Night Special—reflects upon the good faith of this administration. It can be recalled that President Carter when a candidate for the Presidency announced a realistic and moderate program affecting the trafficking in and marketing of handguns. It is my recollection that the President's position was similar to that which I have maintained; namely, that it should be directed toward the criminal misuse of handguns and would not impinge on the rights of law-abiding citizens to acquire or possess handguns for their personal use or protection.

Mr. Speaker, an article appeared recently in the Washington Post authored by Nelson T. Shields III, which deals with this subject—and which presents a large number of statistics upon which some handgun legislation might well be based. I am pleased to attach for inclusion in the Record at this point Mr. Shield's article:

### THE HANDGUN WAR

(By Nelson T. Shields III)

According to the Department of Defense, 56,962 Americans died in the Vietnam War. Our nation says "Thank God that's over." And, "Never again." But few Americans realize that during those same years of bloodshed in Vietnam more Americans were murdered here "at home" by handguns. And that is handguns—not hunting rifles. And, murders—not accidents.

Over the last decade America's handgun war has escalated, fueled by expanded handgun production and an insatiable demand for these deadly weapons. The resulting handgun body count also mounts, adding to the roll of handgun-dead Americans from all walks of life, from all races and ethnic backgrounds, from all ages—even children.

The year 1978 was no exception. Hundreds of thousands of Americans were killed, wounded or threatened with handguns. The domestic arsenal of concealable handguns topped the 50 million mark. It was the 10th anniversary of the handgun murder of Robert F. Kennedy. The mayor of San Francisco was slain by handgun. And, in 1978 President Carter's handgun-control bill—drawn from a campaign promise—was quietly buried at the White House.

And what about the American people? One would think that, with the rush to cut taxes and cut government spending, the support for national handgun control would diminish. Not so. Two national polls—the Harris Survey and the Cambridge Reports—indicated that popular support for intelligent handgun control was at an all-time high.

The findings of the Cambridge poll were particularly striking because they covered a variety of approaches to addressing the handgun problem. The poll showed that:

88 percent favor a waiting period before a handgun can be purchased to allow for a criminal-records check.

81 percent favor the strengthening of rules for becoming a commercial handgun dealer.

85 percent favor a crackdown in illegal handgun sales.

82 percent favor requiring prospective handgun purchasers to get a permit for a license to purchase a handgun; 71 percent of handgun owners favor the same.

84 percent favor requiring the registration of all handguns at time of purchase or transfer; 74 percent of all handgun owners favor the same.

79 percent favor requiring a license to carry a handgun outside of one's house or place of business; 62 percent of handgun owners favor the same.

70 percent favor the banning of the future manufacture and sale of small, cheap, low-quality handguns.

Despite popular support for handgun control, the killings go on, and corrective legislation gets buried as well.

The new year's headlines already capture our handgun madness:

"Woman Shot to Death—Boyfriend Surrenders"

"Supermarket Owner Is Killed in Robbery"

"Elgin Shooting Fatal for Six-Year-Old Girl"

These headlines especially affect me since my son was once one of them. Nick was the last victim—by handgun—in the San Francisco "Zebra" killings. Yet his headline is now forgotten as are the tens of thousands of other headlines about handgun murders and shootings.

We are living in a society of uncontrolled handguns, whose users can strike at any place and any time. Shoot-outs with the intensity of that of the fight at the O.K. Corral happen on buses, on street corners, in homes, at work, even at schools. Shoot-outs occur over traffic accidents, a parking place, a few dollars or a telephone bill. Handguns seem to have become the quickest way to settle an argument.

There are extremes in the debate on what to do. Some say that the ideal situation would be to ban all civilian possession of handguns by stopping their production and confiscating all those currently in existence. After my son's death, I was one of those. But, under our democratic system and with the competing interests in our nation, that is not politically realistic, practical or enforceable. The American people do not want and would not support such a law.

Then there are those gun zealots who not only want no new law, but seek to repeal even existing handgun-control laws as well. That is insanity.

There is a middle road that is fair to law-abiding handgun owners and the majority of us who are not handgun owners. It seeks to bring some 20th-century responsibility and accountability to a weapon with a frontier tradition. And most of it is drawn from common sense.

Doesn't it make sense that we stop the production of a handgun that has no use in sport, but is a favorite in crime—the so-called Saturday Night Special? Doesn't it make sense that a would-be purchaser of handguns be checked out to be sure he doesn't have a criminal record, a history of mental illness, or is under-age? Doesn't it make sense that those who deal in or own handguns be responsible for the proper care, use and disposition of those weapons?

Doesn't it make sense that the Department of Justice—the nation's law-enforcement agency—administer handgun laws and recommend to the Congress any additional controls? Doesn't it make sense that we limit the number of handguns a person can buy at one time? Doesn't it make sense that we have mechanisms to trace handguns used in crime and to identify the illegal sources of those weapons for the criminal?

None of these controls would deny anyone's perceived right to purchase or own a handgun. None of these controls would stop the hunter or sportsman from enjoying his recreation. These controls would not lead to a totalitarian state or a communist government.

But these controls would place some 20th-century responsibility on handgun ownership and handgun commerce, and would treat the handgun as the deadly weapon it is. Most important of all, they would reduce the number of handgun deaths and needless suffering. ●

#### COUNT CASIMIR PULASKI

#### HON. JOHN G. FARY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. FARY. Mr. Speaker, distinguished colleagues, Pulaski Day is celebrated in October by Americans and Polish-Americans throughout the United States because Count Pulaski fought heroically for American Independence. However, it is appropriate to remember him on his birthday, March 4, because we are reminded of the fact that he began his fight for independence on his native land, Poland, before joining the Continental Army in this country.

Together with his father and brothers, Casimir Pulaski formed the Confederation of Bar, a rebellion against the partitioning of Poland by Russia, Prussia, and Austria, that came close to causing Russia's withdrawal from Polish territory but, unfortunately, did not succeed. Pulaski made a name for himself by occupying the monastery of Chestochowa for the confederation. The capture of the monastery was important strategically and also helped keep the morale of the Poles high because it housed the miraculous Black Madonna, a painting of the Virgin Mary, who is considered the patron and Queen of Poland.

When the confederation failed, Pulaski fled to France. There, a small colony of Polish political emigrants waited, hoping to return to a free Poland. Like other political activists and adventurers of the time, Pulaski was not content to simply wait in exile. Benjamin Franklin and Silas Deane, whom he met in Paris, helped the young count come to America. Upon arriving, George Washington recommended that he command the Continental cavalry. Subsequently, Congress made him a general and chief of the cavalry.

Pulaski's valiant leadership at Brandywine and Warren Tavern earned for him the title Father of the American Cavalry. In 1778, he formed the Pulaski legion, a mixed corps which he led using the tactics of guerrilla warfare. He and his men, among whom there were many similarly exiled and adventurous Poles, defended Charleston, S.C., against a threatened siege.

However, Pulaski was wounded during the battle and taken aboard the U.S. brig *Wasp* for treatment. The doctors were not able to extract the bullet that caused his death 2 days later, on Octo-

ber 11, 1779. His death prevented Pulaski from fulfilling the dream of generations of Polish political exiles: To return to Poland in the event of an uprising and to fight for the independence of their native land. ●

#### A CLOSER LOOK AT THE ADMINISTRATION'S SELLOUT OF THE REPUBLIC OF CHINA

#### HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. ASHBROOK. Mr. Speaker, press treatment of our recent betrayal of our friend and ally, the Republic of China on Taiwan, gives understandable emphasis to the administration's abrogation of the Mutual Defense Treaty of 1954. Little attention has been directed to the fact that the administration has placed a cloud over all the other treaties and agreements with our friends in free China. Diplomatic arrangements we have negotiated over the years with ROC covered such areas as customs, aviation, claims, atomic energy, extraterritoriality, finance, investment guarantees, narcotic drugs, trade and commerce, visas, taxation and others. To say there is only one China Government and that is in Peking, starts a chain of capricious actions that boggle the mind.

Recently, Owen Bradford Butler, a representative of the National Association of Manufacturers and a prominent Ohio businessman from Morrow, Ohio, returned from Taiwan with interesting and informative views regarding the administration's reversal of our China policy. His criticism of the proposed private sector institute, for instance, provides additional ammunition to shoot down this ill-advised proposal.

I insert at this point the report of Mr. Butler and a listing of the treaties and agreements which we recently scuttled with our wartime ally, the Republic of China.

The material follows:

OWEN BRADFORD BUTLER,  
Morrow, Ohio, February 2, 1979.

This is to report on my visit to the Republic of China on Taiwan and to offer recommendations growing out of that visit.

Much has been said about the decision to cancel our defense treaty with Taiwan. Little has been said about the other treaties which have been in existence between the U.S. and the Republic of China, a list of which is attached. They cover such issues as Customs, Aviation, Claims, Atomic Energy, Extraterritoriality, Finance, Investment Guarantees, Narcotic Drugs, Trade and Commerce, Visas, and Taxation, to name a few. All of these treaties are now in limbo, because they are treaties between two governments, one of which no longer recognizes the existence of the other.

Substituting contracts between a nonprofit private sector "American Institute" and a corporation representing "The People of Taiwan" for these treaties will simply not work to protect American business interests in Taiwan where we have over a half-billion dollars invested and two-way trade in the range of 7 to 8 billion dollars. The members

of the American Chamber of Commerce, who ought to be the most knowledgeable on this subject, are absolutely convinced that this is an unsatisfactory solution. They offer these reasons:

1. The system has worked for the Japanese because the U.S. has provided both military protection and diplomatic channels for resolving problems. Even so, it has been a cumbersome and inefficient relationship with many problems solved by unofficial government-to-government relations. Many members of the American Chamber of Commerce report that the Japanese do not believe the system will even work for Japan now that the U.S. is abandoning Taiwan.

2. The Japanese society is disposed to negotiate the solution to problems rather than litigate them. No one believes that the "private sector institute" will be workable in the litigious U.S. society. No one can write a law comprehensive enough to assure that these contracts will be valid, because there are no precedents. Business relations between the two countries will be clouded for decades while the courts try to settle the legitimacy of one question after another.

To understand this concern, it must be recognized that the proposed "Institute" provides that all relations be with the "People of Taiwan" and that the existence of a government of the people of Taiwan (other than the People's Republic of China) be ignored. This gives rise to legal conundrums, like the one regarding tariffs. The Republic of China has had tariff agreements with the U.S. based on "most favored nation" status. This status is supposed to be continued in the private contracts, but the People's Republic of China doesn't have "most favored nation" status. If Taiwan is a province of the People's Republic of China, can a private contract with the people of this province confer upon them the right to tariff privileges which are denied to their country?

Another important question: The People's Republic of China asserts itself to be the government of all China, including Taiwan. It clearly, therefore, can assert its right to levy taxes on the citizens of this province. If it does so and these citizens refuse to pay (which they obviously would, since they do not recognize Peking as their government), can the Peking government then come into the U.S. and attach the assets of these businesses in order to collect their "legitimate" delinquent taxes? With this kind of uncertainty existing, can any Taiwanese business afford to maintain any assets, including bank balances, in the U.S.? Is it possible for Taiwanese businesses which are so closely associated with our country to operate without any assets over here? There is a similar question of whether the People's Republic can levy taxes on American businesses operating on Taiwan, and come into American courts to sue the parent for delinquent taxes.

The Republic of China has to date refused to accept this "private sector solution" to the future of commercial relations with our country because of the reasons outlined above and because of their feeling that voluntarily signing such an agreement would be a form of admission by themselves that they are not a legitimate government, even of Taiwan. They believe this admission could encourage the Peking government to attempt control of imports and exports to and from Taiwan, and eventually to strangle them economically unless they agreed to "reunification." Given the recent example of the way in which the Vietnamese Communists "reunified" the South Vietnamese, and the way the Chinese Communist surrogates "liberated" Cambodia, the Taiwanese are not likely to take steps that will voluntarily lead them into such a union.

The government on Taiwan is determined not to sign new agreements with



the U.S. unless they recognize some form of government-to-government relations, at the very least a type of government-to-government relation which previously existed between the U.S. and the People's Republic of China. The pressures being brought to bear on the government of Taiwan are severe, and it is possible that they will capitulate. Even if they do, the American business community on Taiwan is absolutely convinced that a continuation of government-to-government relations is required if we are to have a strong "network of treaties" of the type required for a healthy international business climate.

For these reasons, I oppose the "private sector" solution, and urge continued "government-to-government" liaison relationships with the Republic of China on Taiwan.

O. B. BUTLER.

#### TREATIES IN FORCE CHINA

##### Agricultural commodities

Agricultural commodities agreement, with exchange of notes. Signed at Taipei April 27, 1962; entered into force April 27, 1962. 13 UST 461; TIAS 5010; 436 UNTS 25.

Amendments: May 25, 1962 (13 UST 1264; TIAS 5074; 459 UNTS 328).

June 9, 1962 (13 UST 1264; TIAS 5074; 459 UNTS 333).

Agricultural commodities agreement, with exchange of notes. Signed at Taipei August 31, 1962; entered into force August 31, 1962. 13 UST 1930; TIAS 5151; 460 UNTS 247.

Amendments: January 15, 1963 (14 UST 131; TIAS 5282; 473 UNTS 380).

June 3, 1964 (15 UST 667; TIAS 5588; 526 UNTS 330).

Agricultural commodities agreement, with exchange of notes. Signed at Taipei November 19, 1962; entered into force November 19, 1962. 13 UST 2528; TIAS 5219; 459 UNTS 263.

Amendments: January 24, 1963 (14 UST 139; TIAS 5285; 473 UNTS 372).

Agricultural commodities agreement, with exchange of notes. Signed at Taipei June 3, 1963; entered into force June 3, 1964. 15 UST 678; TIAS 5589; 526 UNTS 257.

Agricultural commodities agreement with exchange of notes. Signed at Taipei December 31, 1964; entered into force December 31, 1964. 15 UST 2272; TIAS 5717; 532 UNTS 29.

Amendment: February 11, 1966 (17 UST 64; TIAS 5959; 579 UNTS 294).

Agricultural commodities agreement with exchange of notes. Signed at Taipei December 31, 1964; entered into force December 31, 1964. 15 UST 2295; TIAS 5718; 532 UNTS 59.

Amendment: February 11, 1966 (17 UST 59; TIAS 5958; 579 UNTS 303).

Agricultural commodities agreement with related agreement and exchange of notes. Signed at Taipei December 12, 1967; entered into force December 12, 1967. 18 UST 3015; TIAS 6395; 701 UNTS 213.

Related amendments: January 14, 1971 (22 UST 299; TIAS 7062; 792 UNTS 43).

April 12, 1972 (23 UST 299; TIAS 7311).

##### Atomic energy

Agreement providing for a grant for the acquisition of nuclear research and training equipment and materials. Exchange of notes at Washington October 16 and December 2, 1959; entered into force December 2, 1959; 10 UST 2023; TIAS 4371; 361 UNTS 115.

Agreement for cooperation concerning civil uses of atomic energy. Signed at Washington April 4, 1972; entered into force June 22, 1972. 23 UST 945; TIAS 7364.

Extension and amendments: March 15, 1974 (26 UST 913; TIAS 7834).

##### Aviation

Air transport agreement and exchange of notes. Signed at Nanking December 20, 1946; entered into force December 20, 1946. 61 Stat. 2799; TIAS 1609; 6 Bevans 787; 22 UNTS 87.

Extension and amendment: October 22, 1969 (20 UST 2985; TIAS 6773; 726 UNTS 320).

##### Claims

Agreement relating to claims resulting from activities of United States military forces in China. Exchange of notes at Nanking October 13, 1947 and March 17, 1948; entered into force March 17, 1948. 62 Stat. 2116; TIAS 1776; 6 Bevans 823; 76 UNTS 157.

Consuls (See Extraterritoriality).  
Copyright (See Appendix).

##### Customs

Arrangement relating to reciprocal free-entry privileges for consular officers or articles imported for their personal use during official residence. Exchange of notes at Washington September 29 and December 16, 1930; entered into force December 16, 1930. 6 Bevans 727.

Defense (See also Mutual Security).

Agreement relating to the presence of United States armed forces in China. Exchange of notes at Nanking August 29 and September 3, 1947; entered into force September 3, 1947. 61 Stat. 3755; TIAS 1715; 6 Bevans 800; 9 UNTS 91.

Agreement relating to the furnishing of certain military material to China for the defense of Taiwan. Exchange of notes at Taipei January 30 and February 9, 1951; entered into force February 9, 1951. 2 UST 1499; TIAS 2293; 132 UNTS 273.

Agreement relating to the assistance furnished by China to the United States Military Assistance Advisory Group under the agreement of January 30 and February 9, 1951. Exchange of notes at Taipei October 23 and November 1, 1952; entered into force November 1, 1952. 3 UST 5166; TIAS 2712; 184 UNTS 348.

Agreement providing for the disposition of equipment and materials furnished by the United States under the agreement of January 30 and February 9, 1951. Exchange of notes at Taipei April 3, 1956; entered into force April 3, 1956. 7 UST 893; TIAS 3571; 268 UNTS 315.

Amendment: June 3, 1954 (15 UST 1383; TIAS 5607; 530 UNTS 355).

Agreement to facilitate construction of defense facilities as provided in agreements of January 30 and February 9, 1951, and October 23 and November 1, 1952. Exchange of notes at Taipei November 21, 1956; entered into force April 3, 1956. 7 UST 3411; TIAS 3713; 265 UNTS 241.

Mutual defense treaty. Signed at Washington December 2, 1954; entered into force March 3, 1955; and exchange of notes at Washington December 10, 1954. 6 UST 433; TIAS 3178; 248 UNTS 213.

Agreement relating to the construction of a scatter wave radio facility on Taiwan. Exchange of notes at Taipei August 6, 1958; entered into force August 6, 1958. 13 UST 2436; TIAS 5175; 462 UNTS 3.

Understanding relating to a communications facility in the vicinity of Kaohsiung. Exchange of notes at Taipei April 15, 1960; entered into force April 15, 1960. 13 UST 2155; TIAS 5176; 462 UNTS 19.

Agreement relating to the construction of a scatter wave control facility in the vicinity of Yangmingshan. Exchange of notes at Taipei February 28, 1962; entered into force February 28, 1962. 13 UST 2158; TIAS 5177; 462 UNTS 25.

Agreement relating to the status of United States armed forces in China. Signed at Taipei August 31, 1965; entered into force April 12, 1966. 17 UST 373; TIAS 5986; 572 UNTS 3.

Agreement relating to the deposit by China of ten percent of the value of grant military assistance and excess defense articles furnished by the United States. Exchange of notes at Taipei April 18, 1972; entered into force April 18, 1972; effective February 7, 1972. 23 UST 635; TIAS 7325.

Agreement relating to the furnishing of federal catalog data and cataloging services to the Republic of China. Exchange of letters at Taipei October 7, 1975 and January 12, 1976; entered into force January 12, 1976. TIAS

##### Economic and technical cooperation

Agreement concerning the United States relief assistance to the Chinese people, and exchange of notes. Signed at Nanking October 27, 1947; entered into force October 27, 1947. 61 Stat. 3374; TIAS 1674; 6 Bevans 802; 12 UNTS 11.

Economic aid agreement, exchange of notes, and exchange of aid memoirs. Signed at Nanking July 3, 1948 (aide memoir dated July 27 and 28, 1948); entered into force July 3, 1948. 62 Stat. 2945; TIAS 1837; 17 UNTS 119 and 45 UNTS 326; 6 Bevans 827.

Amendments: March 26 and 31, 1949 (63 Stat. 2425; TIAS 1923; 6 Bevans 851; 76 UNTS 245). January 21 and 31, 1950 (5 UST 2154; TIAS 3077; 235 UNTS 354). August 11, 1965 (16 UST 1650; TIAS 5888; 573 UNTS 291).

Agreement establishing a joint commission on rural reconstruction in China. Exchange of notes at Nanking August 5, 1948; entered into force August 5, 1948. 62 Stat. 3139; TIAS 1848; 6 Bevans 841; 82 UNTS 109.

Extension: June 27, 1949 (63 Stat. 2702; TIAS 1975; 6 Bevans 853; 82 UNTS 126).

Agreement concerning disposition of the New Taiwan dollars generated as a consequence of economic assistance furnished to China. Exchange of notes at Taipei April 9, 1965; entered into force July 1, 1965. 16 UST 583; TIAS 5782; 546 UNTS 81.

##### Extension and amendments:

February 2, 1968 (19 UST 4629; TIAS 6451; 697 UNTS 321).

June 30, 1970. (21 UST 1478; TIAS 6906; 753 UNTS 397).

June 30, 1975 (26 UST 2692; TIAS 8184).

Agreement on technological advancement in connection with water resources, land utilization and various fields of irrigated agriculture. Signed at Taipei May 12, 1972; entered into force May 12, 1972. 23 UST 1135; TIAS 7374.

##### Education

Agreement for financing certain educational and cultural exchange programs. Signed at Taipei April 23, 1964; entered into force April 23, 1964. 15 UST 408; TIAS 5572; 524 UNTS 141.

##### Extraterritoriality

Treaty for the relinquishment of extraterritorial rights in China and the regulation of related matters, and accompanying exchange of notes. Signed at Washington January 11, 1943; entered into force May 20, 1943. 57 Stat. 787; TS 984; 6 Bevans 739; 10 UNTS 261.

##### Finance

Agreement regarding the ownership and use of local currency repayments made by China to the Development Loan Fund. Exchange of notes at Taipei December 24, 1958; entered into force December 24, 1958. 10 UST 16; TIAS 4162; 340 UNTS 251.

##### Fisheries

Agreement concerning fisheries off the coasts of the United States, with annexes and agreed minutes. Signed at Washington September 15, 1976; entered into force February 28, 1977. TIAS 8529.

##### Health and sanitation

Agreement relating to the establishment and operation in Taipei of a United States Navy Medical Research Unit. Exchanges of notes at Taipei March 30, April 26, and October 14, 1955; entered into force October 14, 1955. 7 UST 173; TIAS 3493; 268 UNTS 165.

Extension and amendment: December 27, 1956 (7 UST 3453; TIAS 3720; 268 UNTS 177). October 14, 1975.

*Investment guaranties*

Agreement relating to guaranties for projects in Taiwan proposed by nationals of the United States. Exchange of notes at Taipei June 25, 1952; entered into force June 25, 1952. 3 UST 4846; TIAS 2657; 136 UNTS 229. Amendment: December 30, 1963 (14 UST 2222; TIAS 5509; 505 UNTS 308).

*Language and area studies school*

Agreement concerning the status of the American Embassy School of Chinese Language and Area Studies at Taichung and its personnel and of Chinese Embassy personnel studying in the Washington area. Exchange of notes at Taipei July 15 and August 22, 1969; entered into force August 22, 1969. 20 UST 2856; TIAS 6759; 723 UNTS 209.

*Lend-lease*

Preliminary agreement regarding principles applying to mutual aid in the prosecution of the war against aggression. Signed at Washington June 2, 1942; entered into force June 2, 1942. 56 Stat. 1494; EAS 251; 6 Bevans 735; 14 UNTS 343.

Agreement under section 3 (c) of the Lend-Lease Act. Signed at Washington June 28, 1946; entered into force June 28, 1946. 61 Stat. 3895; TIAS 1746; 6 Bevans 758; 34 UNTS 121.

Agreement on the disposition of lend-lease supplies in inventory or procurement in the United States. Signed at Washington June 14, 1946; operative September 2, 1945. 60 Stat. 1760; TIAS 1533; 6 Bevans 753; 4 UNTS 253.

*Maritime matters*

Agreement relating to the loan of small naval craft to China. Exchange of notes at Taipei May 14, 1954; entered into force May 14, 1954. 5 UST 892; TIAS 2979; 231 UNTS 165.

*Extensions and amendments:*

March 22 and 31, 1955 (6 UST 750; TIAS 3215; 251 UNTS 399).

June 18, 1955 (6 UST 2973; TIAS 3346; 265 UNTS 406).

May 16, 1957 (8 UST 787; TIAS 3837; 284 UNTS 380).

October 12, 1960 (11 UST 2233; TIAS 4597; 393 UNTS 320).

August 15, 1962 (13 UST 1924; TIAS 5150; 460 UNTS 237).

February 23, 1965 (16 UST 126; TIAS 5771; 542 UNTS 361).

December 16, 1970 and January 14, 1971 (22 UST 2; TIAS 7037; 776 UNTS 334).

Agreement for the loan of a destroyer to China. Exchange of notes at Taipei February 7, 1959; entered into force February 7, 1959. 10 UST 177; TIAS 4180; 340 UNTS 225.

Agreement for the loan of small craft to China. Exchange of notes at Taipei July 8, 1959; entered into force July 8, 1959. 10 UST 1306; TIAS 4274; 354 UNTS 47.

Agreement relating to the transfer of the USS Geronimo to the Navy of China. Exchange of notes at Taipei, December 12 and 16, 1968; entered into force December 16, 1968. 19 UST 7858; TIAS 6623; 714 UNTS 25.

*Mutual security*

Agreement relating to assurances required by the Mutual Security Act of 1951. Exchange of notes at Taipei December 29, 1951 and January 2, 1952; entered into force January 2, 1952. 3 UST 4543; TIAS 2604; 181 UNTS 161.

*Narcotics drugs*

Arrangement for the direct exchange of certain information regarding the traffic in narcotic drugs. Exchanges of notes at Nanking March 12, June 21, July 28, and August 30, 1947; entered into force August 30, 1947. 6 Bevans 797.

*Pacific settlement of disputes*

Treaty looking to the advancement of the cause of general peace. Signed at Washington September 15, 1914; entered into force October 22, 1915. Exchange of notes signed May 11

and 19, 1916. 39 Stat. 1642; TB 619 and 619-A; 6 Bevans 711.

Treaty of arbitration. Signed at Washington June 27, 1930; entered into force December 15, 1932. 47 Stat. 2213; TS 857; 6 Bevans 724; 140 LNTS 183.

*Postal matters*

Agreement for the exchange of international money orders. Signed at Taipei October 8 and at Washington November 14, 1957; operative October 1, 1957. 9 UST 223; TIAS 3995; 304 UNTS 241.

Parcel post convention. Signed at Peking May 29, 1916, and at Washington July 11, 1916; entered into force August 1, 1916. 39 Stat. 1665; Post Office Department print.

Agreement for exchange of insured parcel post and regulations of execution. Signed at Taipei July 30 and at Washington August 19, 1957; entered into force November 1, 1957. 8 UST 2031; TIAS 3941; 300 UNTS 61.

*Relief supplies and packages*

Agreement relating to duty-free entry of relief goods and relief packages and to the defrayment of transportation charges on such shipments. Exchange of notes at Nanking November 5 and 18, 1948; entered into force November 18, 1948. 3 UST 5462; TIAS 2749; 198 UNTS 287.

Amendments: October 20 and December 12, 1952 (3 UST 5462; TIAS 2749; 198 UNTS 294); July 12 and October 26, 1954 (5 UST 2930; TIAS 3151; 237 UNTS 337).

*Scientific cooperation*

Agreement relating to cooperation in science and technology. Exchange of notes at Taipei January 23, 1969; entered into force January 23, 1969. 20 UST 374; TIAS 6639; 714 UNTS 139.

Extension: January 21, 1975 (26 UST 107; TIAS 8013).

*Surplus property*

Agreement relating to the sale of United States excess property in Taiwan by the Armed Forces of the United States, and memorandum of understanding. Signed at Taipei July 22, 1969; entered into force July 22, 1969. 10 UST 1643; TIAS 4312; 357 UNTS 293.

*Taxation*

Agreement for the relief from double taxation on earnings from operation of ships and aircraft. Exchange of notes at Taipei February 8 and 26, 1972; entered into force February 26, 1972. 23 UST 129; TIAS 7282; 829 UNTS 287.

*Trade and commerce*

Treaty of friendship, commerce, and navigation with accompanying protocol. Signed at Nanking November 4, 1946; entered into force November 30, 1948. 63 Stat. 1299; TIAS 1871; 6 Bevans 761; 25 UNTS 69.

Agreement relating to trade in textiles with letter dated April 10, 1974. Exchange of letters at Washington April 11, 1974; entered into force April 11, 1974. 25 UST 720; TIAS 7821.

Agreement relating to the export of non-rubber footwear from the Republic of China, with annexes, agreed minutes, and related notes. Exchange of notes at Washington June 14, 1977; entered into force June 14, 1977; effective June 28, 1977. TIAS.

Interim agreement relating to trade in cotton, wool and man-made fiber textiles and textile products, with annexes. Exchange of notes at Washington December 16, 1977; entered into force December 16, 1977. TIAS.

*Visas*

Agreement prescribing nonimmigrant visa fees and validity of nonimmigrant visas. Exchange of notes at Taipei December 20, 1955 and February 20, 1956; entered into force

<sup>1</sup>Exchange of letters dated April 11, 1974 terminated January 1, 1975. Letter dated April 10, 1974 remains in force.

February 20, 1956; operative April 1, 1956. 7 UST 585; TIAS 3539; 275 UNTS 73.

Amendments: July 11, October 17 and December 7, 1956 (18 UST 3167; TIAS 6410; 697 UNTS 256).

May 8, June 9 and 15, 1970 (21 UST 2213; TIAS 6972; 776 UNTS 334). ●

## PUBLIC FINANCING OF CONGRESSIONAL CAMPAIGNS

## HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. DERWINSKI. Mr. Speaker, a major bill that faces this Congress is H.R. 1, which is one of the measures that the Speaker is determined to bring to the floor for a vote.

However, at the grassroots level, this proposal has less than overwhelming support. As an example, I wish to insert an article by Walter H. Lysen, editor of the Southwest Messenger Press, serving Cook County, Ill., who in his analysis of H.R. 1, comes down firmly against it. The article appeared in the March 1 edition of that publication.

ALL POINTS SOUTHWEST

(By Walter H. Lysen)

Like most Americans, you probably consider yourself a reasonable person. So perhaps you would agree it only fair, now that Congress has received a handsome pay raise, more money for office allowances, postal patron mailings, staff salaries, recreation and travel expenses, that taxpayers finally be given a break. Silly you.

You see, certain congressmen—thankfully not all—are going after something much bigger. They are pushing for passage of H.R. 1, a bill which would mandate public financing of their own congressional campaigns. If that bill becomes law, it will be tantamount to offering Housemembers job insurance at taxpayers' expense—a kind of giant Incumbents Protection Bill.

Stripped of its niceties, public financing legitimizes coercion, for it permits the federal government to force an individual to contribute to a candidate whom he or she may not support. Clearly, that is unfair. But public financing also suffers from two other fundamental flaws. Both the explanations of why it is needed and how it would work are false. Consider why.

At first glance, the argument for public financing seems as pure as newly-fallen snow. We are warned that we must pass it immediately, or witness the total contamination of our electoral process by the flood of campaign contributions which are coming from sinister and selfish special interests groups.

Sorry, but the latest official figures of financial activities through November 27, 1978, from the Federal Election Commission prove precisely the opposite. During the 1978 Congressional campaigns, a total of \$198.5 million was spent on all races. Of that total, more than \$130 million, or about two-thirds, was donated by individual Americans, mostly in the form of small contributions of less than \$100. That's a very healthy sign.

In contrast, all business and labor political action groups combined gave \$32 million in contributions, or just 16 percent. A participation of 16 percent can hardly be called excessive or corrupting.

On paper, public financing at least seems plausible. Candidates who could certify they had raised \$1,000 in private contributions



could receive matching public funds of up to \$60,000. In exchange for accepting taxpayers' money, each candidate would have to agree on a spending limit of \$195,000. And no candidate could spend more than \$25,000 of personal funds.

But, in reality, this so-called reform could quickly degenerate into a political nightmare. How? Let us count just a few of the ways.

First, because of several perfectly legal loopholes, public financing would undoubtedly lead to more, not less spending on political campaigns. For example, any time one candidate in a district wants to spend more than \$25,000 of personal funds, which is his or her Constitutional right, or raise more than \$75,000 from any legal source, then the spending ceiling for all other candidates accepting public funds is removed. The taxpayers could be stuck with unbelievable costs.

Second, contrary to the will of the people, public financing will result in more bureaucracy. Fifteen presidential candidates who took advantage of the presidential public financing law in the 1976 campaign generated 12 million pages of information for the Federal Election Commission. Can anyone even conceive what the legal and paperwork burden would be for approximately 870 House candidates and 200 Senate candidates?

Third, public financing would, in theory, make it easier for challengers to compete. But in reality, the law would permanently lock in the tremendous advantage already enjoyed by incumbents. In 1978, 95 percent of all House incumbents running were re-elected.

That was no accident. Even before a campaign begins, an incumbent is busy increasing his name recognition through such tax-supported "nonpolitical" activities as mass mailings, press releases, press conferences and newsletters, all of which are worth about \$1 million over the course of a two-year term. Starting out this far ahead, an incumbent has everything to gain by locking an unknown challenger into a spending limitation when the campaign begins.

I do not believe Americans are ready to relinquish control of their elections to a federal bureaucracy, the Federal Election Commission. If that is not true, then why have only 27 percent of all federal taxpayers agreed to support political campaigns for the presidency through the income tax checkoff system?

People intuitively understand that ultimate control of the political process must remain in their own hands at the local level. We can be thankful the wise words of Thomas Jefferson have not gone unheeded:

"That government is the strongest of which every man feels himself a part." ●

#### INVESTMENT TAX CREDIT FOR POULTRY HOUSES

**HON. THOMAS B. EVANS, JR.**

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 1979*

● Mr. EVANS of Delaware. Mr. Speaker, I am today introducing a technical amendment to section 314 of the Revenue Act of 1978 as it relates to certain agricultural or horticultural structures. This legislation will clarify what Congress thought was its clear intent in making available the investment tax credit for chicken houses and greenhouses during the last Congress.

In the Revenue Act of 1978, the Congress passed legislation sponsored by me and other Members of Congress extend-

ing the investment tax credit to chicken houses and greenhouses. That legislation clearly states that the credit would be available for all taxable years after August 15, 1971, the date when the investment tax credit was reenacted. However, because section 6511 of the Internal Revenue Code limits refunds for credits to 3 years after the tax return is filed, many taxpayers are finding that they are only eligible for the tax credit for expenditures made after 1976.

A notable exception to this situation, however, are those taxpayers who challenged the IRS in disallowing the investment credit for chicken houses in years prior to 1976. In these cases, the taxpayers' tax year is considered "open" and they are therefore eligible to apply for the credit. This has created an inequitable situation since taxpayers who abided by the IRS interpretation of the law and did not claim the credit cannot receive any pre-1976 benefits, but taxpayers who fought the IRS during those years, are in fact, entitled to the credit.

My legislation would simply give all taxpayers the right to claim the tax credit for any taxable years after August 15, 1971. My proposal corrects a conflict created by the Congress, straightens out the currently inequitable tax treatment for chicken houses and greenhouses, and makes it very clear to the IRS tax collectors that Congress meant what it said in 1978. ●

#### CONGRATULATIONS TO DODD BYRON SLAWSON

**HON. ROBERT A. YOUNG**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 1979*

● Mr. YOUNG of Missouri. Mr. Speaker, I would like to take this opportunity to congratulate one of the most successful husbands and fathers in St. Louis, Mr. Dodd Byron Slawson, who will be celebrating his 80th birthday this March with family and friends at the Sands Hotel.

In these days of honorary degrees and special awards, we seldom take the time to pay tribute to those men and women who have succeeded in the most difficult tasks of being good parents and spouses. With his nine children, 25 grandchildren, and nine great-grandchildren, Dodd Slawson has all the qualifications for an honorary degree in parenthood. And he was an exceptional husband to his wife Ann, who died on January 4, 1977, after 59 years of marriage.

A retired member of Pipefitters Local 562, Dodd Slawson was born and lived his entire life in the St. Louis area. His children are: Richard H. Slawson; Irene A. Young, wife of U.S. Representative ROBERT A. YOUNG of St. Louis County; John A. Slawson, who served his country in the U.S. Marine Corps and was killed at Iwo Jima; Elizabeth Wilhelm; Norman G. Slawson; Delores Hickey, wife of Mis-

souri State Representative Patrick Hickey, who is also president of Local 562; Marianne Priesmeyer; Doris Slawson; and Judith O'Connor, a member of the Missouri Legislature who has received many awards for service to the State and her community.

Mr. Speaker, I am sure that my colleagues in the House will join me in congratulating Dodd Slawson on the occasion of his 80th birthday. ●

#### DEATH RATE FROM STROKE

**HON. CHARLES E. GRASSLEY**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 1979*

● Mr. GRASSLEY. Mr. Speaker, I would like to share with my colleagues a sentence excerpted from a letter, dated February 16, 1979, which I received.

I believe that the major reason for the decline in stroke death rate (in the United States) has been the activities of the unpaid volunteers of the American Heart Association.

The person who made this statement is Dr. Adrian M. Ostfeld, M.D., who also submitted testimony for recent hearings in Washington.

Too often in our preoccupation with Government's duties and responsibilities for service to the people of this country, we in Congress forget or overlook the contributions made by volunteer/private organizations. Today's typical citizen derives most of his personal meaning and identity from his private involvements, family, friends, and a great deal of voluntary associations.

Recently the House Select Committee on Aging held well-publicized hearings on "Treatment of High Blood Pressure in America." As informative and helpful as this hearing was, nothing so meaningfully dramatic was derived as the following statement of service by the American Heart Association, made by one of this country's leading epidemiologists, Dr. Adrian M. Ostfeld, M.D., and Anna M. R. Lauder, professor of epidemiology and public health at Yale University. I am making his statement and findings a part of the high blood pressure hearing and share them with you today.

TESTIMONY OF ADRIAN M. OSTFELD, M.D.

Beginning in 1974, the death rate from stroke in the U.S. began to decline at the rate of about 4 percent per year. The major reason for the rapid recent decline in stroke death rates is most plausibly related to the activities of the American Heart Association (AHA). Between 1970 and 1978, the American Heart Association through its affiliates (state organizations) and local chapters provided extensive public education about prevention of stroke through treatment of high blood pressure. The mass media and brief nontechnical pamphlets were the methods of the public education campaign. During the same time 14,000,000 Americans had their blood pressures taken by unpaid volunteers of the Heart Association throughout the country. People whose blood pressures were taken were told what the pressure was, what that level of blood pressure meant and what to do about it. In the period from July 1, 1976 to June

30, 1977 alone, Heart Association volunteers nationwide screened 3,000,000 people for high blood pressure.

Of the 14,000,000 Americans who had their pressures taken by AHA, 4,000,000 were hypertensive. These persons were referred to sources of medical care for high blood pressure. If we assume that only one third of those persons referred for treatment eventually had their high blood pressure treated successfully, we may assume that some 70-80,000 persons who would otherwise have died of a stroke have remained alive because of lowered blood pressure.

The U.S. Vital Statistics show that, in the years 1974 through 1976, about 90,000 Americans who would otherwise have died from stroke, have avoided that fatal outcome.

It is reasonable to believe that the efforts of a voluntary health association, The American Heart Association, have been a major factor in preventing stroke death in the last 5 years.

The purpose of the inquiry was to find out why the death rate from stroke has been dropping in the United States since about 1950. Examination of data from U.S. Vital Statistics and other sources revealed the following.

From 1950 to about 1973, the death rate from stroke fell very slowly at the rate of about 1% per year. The reasons for this decline are not related to better treatment of stroke or its main cause high blood pressure but are caused by:

1. Better methods of diagnosis resulting in fewer incorrect diagnosis of death from stroke;

2. Technical reasons related to the methods of calculating death rates from stroke; and

3. The extensive South to North migration of Blacks during much of this period resulting in slightly lower blood pressures of many Blacks\* and therefore reduced likelihood of a death from stroke.

Beginning in 1974 the death rate from stroke began to decline at the rate of about 4% per year. While the immediate cause of this marked improvement is good treatment of high blood pressure, the question arises as to why so many Americans suddenly began to have so much better control of their high blood pressure. Several alternative explanations for this phenomenon were studied.

The major reason for the rapid recent decline in stroke death rates is most plausibly related to the activities of the American Heart Association (AHA). Between 1970 and 1978, the American Heart Association through its affiliates (state organizations) and local chapters provided extensive public education about prevention of stroke through treatment of high blood pressure. The mass media and brief nontechnical pamphlets were the methods of the public education campaign. During the same time 14,000,000 Americans had their blood pressures taken by unpaid volunteers of the Heart Association throughout the country. People whose blood pressures were taken were told what the pressure was, what that level of blood pressure meant and what to do about it. In the period from July 1, 1976 to June 30, 1977 alone, Heart Association volunteers nationwide screened 3,000,000 people for high blood pressure.

Of the 14,000,000 Americans who had their pressures taken by AMA, 4,000,000 were hypertensive. These persons were referred to sources of medical care for high blood pressure. If we assume that only one third of those persons referred for treatment eventually had their high blood pressure treated

\*The reasons why Southern Blacks had slightly higher blood pressures than Northern Blacks during this period are not clear.

successfully, we may assume that some 70-80,000 persons who would otherwise have died of a stroke have remained alive because of lowered blood pressure.

The U.S. Vital Statistics show that, in the years 1974 through 1976, about 90,000 Americans who would otherwise have died from stroke, have avoided that fatal outcome.

It is reasonable to believe that the efforts of a voluntary health association, The American Heart Association, have been a major factor in preventing stroke death in the last 5 years.●

#### DIANE ASHBY WINS VFW VOICE OF DEMOCRACY SCHOLARSHIP PROGRAM

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. LUJAN. Mr. Speaker, Diane Elizabeth Ashby of Albuquerque, N. Mex., is this year's winner of the 1978-79 Veterans of Foreign Wars Voice of Democracy scholarship program. I wish to have the text of her winning speech printed at this time:

The one word that explains the America I grew up in, the America of History and the America I care for is "imperfection".

The imperfection: a country that lets me worship as I choose when a state religion would be much more sensible and perfect.

The imperfection: a country that lets a peanut farmer or a rail splitter become President when a rich influential statesman would be much wiser and perfect.

The imperfection: a country who's very soul begins "We the People" instead of "We the men, or we the white, or we the rich," which would make a much more consistent government and would be perfect. The examples go on and on.

I care for America because America is home, a home in which I have pride because she has given me reason to be proud. It is not the love of ownership, but the deeper pride of accomplishment.

I care for my country because she stands for peace for herself and the world, but can defend her principles in war.

It is a country that not only gives freedom to her own people, but advocates these freedoms for all people.

It is a country that has come from the Blacks being slaves to Blacks being Senators. A country whose motto is "In God we trust".

And in God's trust she has taught me to love her. I have learned to love her for what she is and for her imperfections. I have learned to understand and to believe her doctrines and to make these my own. Hers and mine—the same, yet separate. Her doctrines allow me to believe as my soul dictates and allow my fellowman this same basic freedom. She is a wise parent that steers us in the right direction, then gives us our heads to reach for our own stars, stars whose heights it is our freedom to set.

To be America's child means you can stand tall and proud whether your star has made you a famous brain surgeon, a trial lawyer or a migrant worker. America is proud of all her children, just another one of her imperfections.

America set us free the minute we were born, and through our freedom she is free. She told us in our youth to look to the heart, not the skin—to learn this lesson, not the reverse one taught by our elders. In our

adolescence she understands our need for protest; she knows that with time we will sow our wild oats. She also knows that even in our wildest protest there is a lesson that can be learned. In our middle age she sits patiently while we struggle thru the seven year itch, knowing we will discover home is best and we will return to her waiting open arms. And in our old age she will let us rest and reminisce. She will stand satisfied at the full life she gave us, while always bringing new Americans along her path.

America is the mother of a nation of united individuals, individual in our thoughts, beliefs, goals and ideals. Whether you live in New Mexico, Maine or Alaska we all come together in one important feeling—our love of the imperfect America, the imperfection that makes her home.

America has not only survived in her imperfection, she has flourished. She stands tall as a symbol and an inspiration for "huddled masses yearning to be free".

America in her imperfection is America the strong, America the free, America the beautiful, the America I care for.●

#### THE NEW YORK CITY SPIRIT

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. WEISS. Mr. Speaker, last year Congress approved a program of Federal loan guarantees for New York City which represented a milestone on the city's road to full economic recovery and budget stability. The Federal Government continues to play a crucial role in helping New York remain solvent and maintain essential services.

I would like to point out to my colleagues that the people of New York City are simultaneously making sacrifices which will also further the city's recovery.

One excellent example of voluntary efforts by New Yorkers to improve their city's fiscal situation involves a recent prepayment of real estate taxes by the residents of seven housing cooperatives, one of which is located in my congressional district.

These buildings—which contain some 4,500 apartment units with more than 16,000 residents—paid a total of \$900,000 in city real estate taxes 6 months prior to the legal deadline. By forwarding this considerable sum to the city at an early date, the residents enabled the municipal government to avoid some borrowing which, in turn, would have necessitated payment by the city of interest rates.

Under a city law, each of the cooperatives and their residents became eligible for an 8-percent discount in real estate taxes because of the prepayment. But as a substantial gift to their city, the residents very generously waived the discount, making their payment to the city in full.

In order to make the prepayment possible, the cooperators paid their July rents in January—not an easy action in these days of tight family budgets and high inflation rates.

The seven cooperatives involved in this most commendable demonstration of



support for New York City are East River Houses, Hillman Houses, Amalgamated Houses, Seward Park, Morningside Heights Houses, Bronx Amalgamated and, in my district, International Ladies' Garment Workers Union (ILGWU) Co-operative Houses.

This is the fourth consecutive year that the ILGWU cooperative under the able presidency of David Smith has pre-paid real estate taxes to the city, and each year the residents have agreed to forego the 8-percent discount. ILGWU's dedication to New York has now apparently inspired other cooperatives to make similar gifts to the city.

I think my colleagues will agree that this is a fine example of New Yorkers' love for their city and their determination to help it survive and prosper, even at the cost of considerable personal sacrifices.●

#### MARYLAND FINALIST, VOICE OF DEMOCRACY CONTEST

#### HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mrs. HOLT. Mr. Speaker, tonight at the Veterans of Foreign Wars annual congressional dinner, we will be meeting the winning contestants from each State, who have participated in the annual Voice of Democracy contest, sponsored by the Veterans of Foreign Wars of the United States and its ladies auxiliary.

I am pleased and proud that the finalist from Maryland is my young constituent, Miss Clelia Patrizio of Crofton, and I would like to insert her winning speech in the RECORD, because of her pride in being an American:

#### SPEECH BY CLELIA PATRIZIO

America—land of the free, home of the brave. What is the true meaning of those few simple words?

They seem to aptly describe the spirit upon which this country was founded. Even before Americans were considered to be Americans, those who lived in the New World were known for their courage, fortitude, and strength of character. A nation of Yanks, so different from their British cousins in so many ways. The new nation was—and still is—a nation unlike any other in the entire world.

America means progress, in any facet of life. No other nation has set so many precedents in the area of science and technology. From the light bulb to skylab, from the radio to interstellar communications—the entire world has been enriched because of Americans like Thomas Edison and Albert Einstein.

The pioneers of yesterday, such as Lewis and Clark, and the thousands of others who have remained nameless through the course of history, tracking through uncharted and dangerous country to seek out both a new home and a new life, resemble the pioneers of today—men and women who venture forth unafraid into the vast, empty void of space to explore new territories and develop new and more advanced technologies.

America is curious. We have never closed our minds to anything which might add to the betterment of our society. We have an unending interest in other nations of the world. We give help where it is needed, and we unashamedly ask for help when we need it.

America has welcomed with open arms anyone who had the desire to reap the benefits of a rich and fertile land—if one was willing to work hard, and to give as well as to receive, he had no trouble fitting into the fast-paced American society. Idealistically, every man's past is forgotten. He accepts the chance to start anew, and, if he proves himself, he can be proud to call himself an American.

Although the United States as a nation is fairly young, we too have a distinct and unique heritage. Where, among nations of the world, can one find some of the arts and music literature that have originated in our own American society? Folk music, square dancing, jazz—these are only a few of the items which constitute America's heritage. Where else in the world can one find such a large variety of traditions and customs and still find that the people are united under a common law and live as one common people? Where else in the world can we find a people with two backgrounds, that of the Old Country and that of the New—our America.

Our country, like other nations of the world, has had more than her share of problems and crises to overcome. Some have taken longer than others to solve. Some problems have not yet been solved. What is unique about our country is that each and every individual has that common goal to fight for—freedom, in the fullest sense of the word. And every small bit that the American donates of himself towards that goal is never denied; it is willingly accepted, and accepted with thanks.

I am proud to call myself an American. I am proud to know that I can legitimately take part in a society which has accomplished so much in so little time. I am, hopefully, a leader of tomorrow, but I am also a young American of today, and I carry that knowledge in my heart and soul. I am made constantly aware of my country's problems, and I do not ignore those problems, because they are as much a part of my America as are the advantages. I will start now looking for solutions to those problems, because I know that my help will not be rejected. Because of that, because I am an American, I walk with pride—and when my country calls, with God's help, I will answer.●

#### HOW BUSINESS INTERACTS WITH THE HEALTH CARE SYSTEM

#### HON. JAMES T. BROYHILL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. BROYHILL. Mr. Speaker, today, I am having included in the RECORD the first of a five-part series of summaries of the National Chamber of Commerce's Health/Action reports. Report No. 1 is entitled, "How Business Interacts with the Health Care System":

#### HOW BUSINESS INTERACTS WITH THE HEALTH CARE SYSTEM

There is no single cause for the current health cost problem, although some factors contribute more heavily than others. For this reason, there is no "quick fix." Rather a number of different but related recommendations are made in the action plans of the strategy reports. Each has a common theme of cooperation—between labor and management, between business and the health industry, and between public and private sector activities.

Generally, most health authorities agree that improvements in the health care system will include a combination of voluntary initiatives and complementary regulation to compensate for action not taken success-

fully by the private sector. Because of its leverage of purchasing power, business is in a unique position to be a catalyst for ensuring that the improvements are mostly private in nature.

Specifically, below are some key steps business can take to improve America's health care system:

Review your company's health situation. Determine how much you are spending on health care. Include items such as claims filed by dependents of employees, number and types of claims, paid sick leave, and occupational health services.

Assess your community's health care situation. Information can be obtained from your local health planning agency on the number of health providers (hospitals, doctors, nursing homes) in your area. They should also be able to tell you how utilization rates in your community compare to those in other communities. Problems should surface and help to determine priority areas.

Design cost-effective health benefits programs. Most employers provide employees and their dependents with adequate hospital coverage, but this is recognized as the most expensive form of health care. Many services can be provided in a doctor's office. Health insurance policies should cover more of the cost of such services. These policies should also pay for a second opinion on surgery to determine the need for such treatment. Appropriate cost-sharing—deductibles, co-insurance—can also discourage overutilization of health services. Self-insurance for health care may also be appropriate for your firm. For smaller businesses, a cooperative effort among similar-size firms may be desirable to obtain more favorable rates for health coverage from insurance companies.

Stimulate competition in the health care system. Consider offering health maintenance organizations as an option to conventional health insurance. (In many cases, this may be required by federal law.) Giving employees a choice among health care providers should stimulate the creation of further choices, thereby instilling more competition and lowering prices in the health care marketplace.

Help promote healthful lifestyles among employees and their dependents. This includes providing physical fitness programs, such as nutritional information and other programs which highlight the negative effects that too much eating, drinking, and smoking and too little exercise can have. Some of the effects of this action can be less absenteeism, increased productivity and morale, and eventually, lower insurance premiums—in addition to better health.

Improve health planning and regulation. Health planning can either help or hinder the development of a more competitive health care system. Accordingly, business involvement with local health planning groups, such as Health Systems Agencies and hospital boards and study groups, is necessary to ensure that decisions made by these organizations reflect sound management principles. Local success in these efforts can contribute to nationwide improvement and obviate the need for continued government intervention into our essentially private health care system.●

#### THE QUESTION OF EXPULSION

#### HON. BILL NELSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. NELSON. Mr. Speaker, I feel it necessary to state for the RECORD why I am voting in favor of sending the question of Congressman CHARLES DICGS' expulsion from the House of Representa-

tives to the Standards of Official Conduct Committee for formal review.

First, I believe it important, given the gravity of the situation, that the committee process be given an opportunity to work in the House instead of a summary judgment being made after only 1 hour of debate. Both the Democrats and Republicans on the Standards of Official Conduct Committee have started the usual preliminary investigation prior to formal committee hearings, and a vote today to expel Congressman Diggs would preempt that process and would not permit the normal procedures of the committee system to operate.

Second, the House has been given assurances by the chairman, Congressman CHARLES BENNETT, of Jacksonville, that his committee, comprised of six Democrats, and six Republicans, will report out a resolution on this question shortly and bring it to the floor for discussion and decision by the full House.

Thus, I am persuaded that my vote on the question of Mr. Diggs' expulsion would be more informed and intelligent at a time in the near future when the committee has conducted its thorough investigation and hearings.

Personally, I find it abhorrent that Mr. Diggs, after being convicted of fraud by a jury of his peers, would continue to arrogantly insist that he be permitted to exercise the right of voting as a Member of Congress. Nevertheless, I also feel the House should work its will through the normal committee process, and not render a summary judgment. I, therefore, urge that Mr. BENNETT and the Standards of Official Conduct Committee act with all deliberate speed in bringing forth its recommendation to the full House. ●

#### FLORIDA LEGISLATURE MEMORIAL FOR A BALANCED FEDERAL BUDGET

**HON. CHARLES E. BENNETT**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. BENNETT. Mr. Speaker, for several years, I have introduced legislation concerning a balanced Federal budget. My current bill (H.J. Res. 11) provides for a constitutional amendment to require that, except in time of war or economic emergency declared by the Congress, expenditures of the Government may not exceed the revenues of the Government during any fiscal year.

I have been encouraged by the growing call for such a constitutional amendment, as evidenced by the fact that 25 State legislatures have passed resolutions calling for the passage of such an amendment.

In 1976, the legislature in my home State of Florida passed a memorial asking Congress to call a convention for the sole and exclusive purpose of proposing an amendment to the Constitution to require a balanced Federal budget. I do not believe that this memorial has ever been brought to the attention of the House and, therefore, I respectfully request that

the memorial be printed in the CONGRESSIONAL RECORD as follows:

A memorial to the Congress of the United States making application to the Congress to call a convention for the sole and exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions thereto

Whereas, it is estimated, as of August, 1975, that the federal debt at the end of the 1975 fiscal year will be \$558.637 billion, and

Whereas, the fiscal year deficit for 1976 will be the largest in our history, between \$70 and \$80 billion, and

Whereas, the growing debt is a major contributor to inflation, lagging economic investment, excessive interest rates, and the resulting unemployment, and

Whereas, the economic welfare of the United States and its citizens depends on a stable dollar and sound economy, and

Whereas, the National Conference of State Legislatures passed Resolution No. 11 at its Annual Business Meeting on October 10, 1975, urging the Congress to take prompt and affirmative action to limit federal spending, and

Whereas, there is provision in Article V of the Constitution of the United States for amending the Constitution by the Congress, on the application of the legislatures of two-thirds of the several states, calling a convention for proposing amendments which shall be valid to all intents and purposes when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress, now, therefore,

Be it Resolved by the Legislature of the State of Florida:

That the Legislature of the State of Florida does hereby make application to the Congress of the United States pursuant to Article V of the Constitution of the United States to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto.

Be it further resolved that a copy of this memorial be transmitted to the presiding officers of the Senate and the House of Representatives of Congress, the members of the Congressional delegation from the State of Florida and to the presiding officers of each house of the several state legislatures. ●

#### JASON CARLTON DEMILLE WINS NEW YORK VOICE OF DEMOCRACY CONTEST

**HON. GERALD B. H. SOLOMON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. SOLOMON. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its Ladies Auxiliary conduct a Voice of Democracy contest. This year more than 250,000 secondary school students throughout the Nation participated in the contest, competing for five national scholarships. The contest theme this year was "Why I Care About America."

I am delighted to announce that this year's New York State winner of the Voice of Democracy contest is a resident of the 29th Congressional District, Jason Carleton DeMille of Burnt Hills. Jason is a senior at Burnt Hills-Ballston Lake High School, and will pursue a pre-law

course at Brigham Young University after graduation.

I am including a text of Jason DeMille's winning speech in the RECORD at this point, and wish him well in the national competition now underway in Washington.

#### SPEECH OF JASON DEMILLE

"The world has set its face hopefully on our Democracy and, oh, my fellow citizens, each one of you carries on your shoulders the burden of doing well for the sake of your own country and of seeing that the nation does well for the sake of mankind." Theodore Roosevelt knew the destiny of America was to be the abode of liberty, and the only way to insure that destiny was through responsible and responsible citizens. God gave us patriots who, like Roosevelt, inspired courageous men to follow their leadership. Together they forged a nation conceived in liberty with freedom for all. That freedom is why I care about America!

Caring for America is more than supporting the Constitution, voting in elections, and paying taxes. Too often we equate Americanism with the number of cars, or televisions, or the growth in the Dow Jones Average. To care about America is to be fully committed to her cause. This commitment is the basis on which Americanism should be measured: That is, by the integrity of her citizens, their voluntary service and high personal principles, and by their loyalty. I can show I care about America by supporting and defending her high ideals, by educating myself sufficiently to know how to fulfill my responsibilities, and by keeping well informed so I can express a valid opinion. I must commit myself to my country's ideals so I will be ready and willing to defend her in times of national distress, whether the foe be inflation or an aggressive nation. I will be part of the solution—not the problem! The words "I can, I will, I did" are motivating forces in my life for apathy and indifference will not be a part of me as they have no place in an American.

As an American I am morally obligated to be an honest, forthright citizen: That means being honest with my fellow man, honest in payment of taxes, honest in obeying, honoring, and sustaining the law, and honest with myself. I owe it to my country to be chaste, virtuous, benevolent, and patient with those around me. Of paramount importance is the virtue of being kind and considerate to all men, and especially to my family, for strong families are the backbone of a strong nation. I can truly serve America by using my time wisely, not just in pursuit of gain or pleasure for myself, but to help others—for service to others is service to America. I can show I care about America by living my life so well that men will be better for having known me, for every man owes it to his country to leave it better than he found it. I will, therefore, commit myself to serving my God and my country because a commitment to serve is the highest expression of caring.

"Nothing is more certainly written in the book of fate than that this people shall be free." How much is my liberty worth? How much is any man's liberty worth? I care about America because everything that I do or will do is a result of liberty. Without liberty I could do nothing. Liberty is truly a pearl of great price. I care about America because I know with assurity that her government is the best on this earth and because of this, no other nation has ever enjoyed the growth and prosperity which has blessed America. This wealth is evidenced from the beneficence of our free institutions and free enterprise. The thing which has made America great is what her citizens have done with their freedom of choice. Thanks to my Creator and concerned forefathers, I am able to live my life in freedom.

Freedom is real and must continue! I will



preserve our freedoms by carrying my share of the burden because the American ideal is worth fighting for. Americanism is not extinct—nor are the principles of liberty on which it is built. America still remains the world's home and hope of freedom. I love America for she is my own—my native land. God bless America and may God bless Americans! ●

#### ETHNIC DISCRIMINATION

### HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. RINALDO. Mr. Speaker, in the past, ethnic groups were often powerless to speak out when they were victimized by discrimination or when they sought to change the way they were treated in our society.

Over the last two or three decades, we have seen some remarkable changes in our society as these cultural groups have gained respect and political power. Yet, it would be naive to believe that ethnic discrimination has been abolished from public and private life in America. We know it is still there and is often practiced in more subtle forms through media exploitation, television stereotypes, and jokes aimed against various ethnic groups.

But thanks to the courage of publishers like Ace Alagna of the Italian-Tribune in New Jersey, Italian-Americans have found a voice and a conscience. They are no longer helpless to resist these unfair stereotypes and acts of discrimination.

Ace Alagna has eloquently and forthrightly spoken out against false and unfair impressions of Italian-Americans as conveyed in some films and on some television programs. He has helped to focus attention on a problem that has confronted ethnics in this country for too long. I am speaking about the vicious, contemptible and cruel methods often employed to degrade members of ethnic and minority groups.

Ace Alagna and his newspaper, the Italian-Tribune, have not been intimidated by the power of some television producers who fashion these false images of Italian-Americans.

It also is equally noteworthy that Ace Alagna has promoted Italian-American cultural pride through the pages of the Italian-Tribune. The affairs of Italian-American organizations; births, weddings, business promotions, graduations, and awards to Italian-Americans are covered by Ace Alagna's newspaper. It has served as a mirror of the real Italian-American community—law abiding, patriotic, energetic, creative and progressive.

Hundreds of charities, large and small, have been assisted by Ace Alagna. The humanitarianism of this publisher has been demonstrated on many occasions, including assistance to the families whose homes and villages were wiped out by the earthquakes in northern Italy.

Ace Alagna practices a special kind of journalism that is aimed at the higher instincts of his readers. His journalistic

ethics are based on truth and compassion for people. He seeks to encourage whatever is good and just in society and in people, and rejects what is false, sordid, and corrupt.

We need his voice in New Jersey and in the Italian-American community to remind us that the real story of Italian-Americans is found in the positive achievements that millions of them have contributed to America and to their own communities. ●

### SEAN MACBRIDE—NOBEL PEACE PRIZE WINNER AND INTERNATIONAL STATESMAN TO ADDRESS AD HOC CONGRESSIONAL COMMITTEE FOR IRISH AFFAIRS

### HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. BIAGGI. Mr. Speaker, as chairman of the 115 member Ad Hoc Congressional Committee for Irish Affairs I am pleased to announce that the Honorable Sean MacBride, 1974 Nobel Peace Prize winner, will address a special meeting of the ad hoc congressional committee on Thursday morning at 11:30 in room 2168.

It is especially valuable to us that we are able to have a man whose work on behalf of world peace spans several decades address us about the ad hoc committee's own efforts to advance peace in Ireland; namely, our sponsorship of the Congressional Irish Peace Forum beginning the week of May 14. Sean MacBride was an original founder of Amnesty International and his work as chairman of its International Executive Committee between 1961-74 earned him the Nobel Peace Prize. Mr. MacBride also won the 1977 Lenin Peace Prize and in 1978 was awarded the American Medal of Justice. He is also a former Cabinet Minister and member of the Parliament of Ireland. Finally he was one of the sponsors or signatories to the following international treaties: Convention for European Economic Cooperation, Statute of the Council of Europe, Geneva Convention for Protection of War Criminals, and the European Convention of Human Rights.

Sean MacBride is certainly one of Ireland's and the world's most important statesmen. The ad hoc committee is honored to have him address us. I wish to provide my colleagues with the benefit of reading a recent analysis which Mr. MacBride made about Ireland in 1978 as printed in the Hibernian Digest. It is gratifying to note his observation that sectarian-based violence is decreasing and also interesting to note his view that there is a "growing disenchantment" with the British presence in Northern Ireland:

ANALYSIS BY SEAN MACBRIDE

1978

(Thousands of dead, injured and imprisoned have marked the North's decade of strife. Sean MacBride, Nobel and Lenin Peace Prize winner, former IRA leader, international diplomat and Human Rights activist, assesses the hopes which survive more than 10 years of violence and political stalemate.)

An objective assessment of the extent to which progress has, or has not, been made in finding an acceptable solution to the problems in Northern Ireland is not easy. Violence has not abated. It has changed in nature; the parties to the conflict now seem to be limited to the IRA and the British forces, including the RUC. Sectarian killings as such have virtually ceased—this does represent some considerable progress. But violence and counter-violence continued unabated. An important, but hardly noticed development, took place recently when the SDLP took up the demand for the withdrawal of forces from Northern Ireland. However, much the SDLP and the IRA may resent each other's existence, the decision of the Annual Conference of the SDLP, calling for a withdrawal of British forces, has brought the SDLP much closer to the demands made by the IRA. This change in policy had no doubt been brought about by pressure from the nationalist population.

Currently, the Ulster Loyalist groups have become more interested in the twin objective of securing the withdrawal of British forces and government from Ireland, and in the possibility of setting up an independent 'Ulster State'. This view is not shared by the Unionist politicians who fear that this might ultimately lead to some form of federation between Dublin and Belfast, or the setting up of a loose federation of the four provinces of Ireland.

Certainly, the Ulster Unionist group is less monolithic than it was. One has the impression that constant contacts take place between the paramilitaries on both sides, and that there is a clearer understanding of their respective policies. These changes have taken place largely because of a growing realization that neither side can win, and that ultimately, Catholic and Protestant, Unionist and Republicans, will have to live amicably together.

The UDA has a committee to draw up plans for an independent Ulster, and a phased withdrawal of British forces. Glenn Barr, Andy Tyrle, Paddy Devlin and David Rowlands are actively involved in this planning.

At times one could imagine that Roy Mason is working in close collaboration with the Provos. With clockwork regularity, he informs the British public that, at last, they "have overcome the IRA and see the light at the end of the tunnel." Within usually a matter of days, IRA guerrilla activities develop with renewed vigour, as if to disprove Mason's wishful thinking. This, of course, is coincidental, but it does disclose the British Government's poor judgment and erroneous assessment.

There is no indication that the IRA has lost its capacity to create damages and destruction. Probably out of desperation, British forces seem to have become more trigger-happy than they were, and as a result have shot a number of innocent civilians. But the IRA, while going for "soft targets", seems at last to have realised that innocent civilians should not become casualties of irresponsible and indiscriminate bombings.

The present political situation in Britain also contributes considerably to the confusion. On the one hand, for so-called tactical reasons, the British Government has increased the representation from the six counties in the British Parliament. This is, surely, a clear indication that the British Government contemplates the prolonged continuance of direct British rule of the six counties. This is a step which will inevitably exacerbate the tension between the nationalists and the British forces. The pressure on the British Government to give additional representation to "Ulster" at Westminster must have been very considerable. Obviously, the giving of additional seats to conservative MPs, who would vote against the Labour Government in Britain, was disadvantageous electorally and politically to the British Labour Party. Indeed, many members of the British Labour Party opposed this measure

on the twin grounds that it would prolong direct rule on the one hand, and that it would weaken the Labour Party representation at Westminster. These steps do not seem to indicate that the British Government has as yet understood that they too are fighting a battle which they cannot win.

The actions of the British Government in increasing the six counties' representation in Westminster is a far more damaging assertion of Britain's intention to continue to assert her sovereignty in the six counties than anything that has happened so far. It is a provocative indication that Britain will continue to exercise her domination over the northeastern part of Ireland. In terms of real politics, it is far more indicative of British policy in regard to Ireland than the Ireland Act of 1949. Yet this very deliberate reinforcement of Britain's claim to rule the six counties has gone nearly unnoticed by our politicians and by our press.

To summarise, it would appear that there has been a reduction of sectarian tensions in the six counties, accompanied by a growing disenchantment with British presence and policies. On the other hand, for whatever reasons, Britain has gone a step further in the process of annexing the six counties into the United Kingdom. The main drawback from the point of view of Ireland, North and South, is that the "Irish Question" will once more become a political football in the British Political Party games.

In this situation, it is important that those who wish for a greater degree of emancipation from British domination should define, more carefully than they have, the cause of dissension between the nationalists and unionists (or, if you wish to label them denominationally, between Catholics and Protestants) in our island. Fear, imagined or well-founded, that minority rights are not adequately protected has undoubtedly been one of the main divisive factors. Certainly, there has been some basis for these fears. Instead of constantly arguing that these fears are without foundation, could we not turn our attention to the provision of mechanisms that would ensure effective protection of the minorities, North and South?

We have available to us ready-made mechanisms that could effectively provide remedies in regard to any infringement of minority rights: the European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950. This instrument forms part of our international constitutional law, which has been accepted by Dublin, Belfast and London. It has worked well, and rendered signal service in the struggle for the protection of human rights in Western Europe. Under it, any individual can lodge a complaint if his rights have been infringed, and have the matter investigated by the European Commission on Human Rights, and ultimately, by the European Court of Human Rights. It is the only piece of judicial mechanism whose jurisdiction extends to the whole of Ireland and to Britain as well. So far, its use in regard to Irish matters has been limited to the curbing of illegal detention, or ill-treatment of prisoners. There is no reason, however, why it should not be availed of in regard to infringement of minority rights, North and South. If it is considered that the rights covered by the Convention are not adequate to protect the rights of minorities in the North or in the South, an additional Protocol to the Convention could cover such further rights as might be deemed necessary. Such an additional Protocol, receiving the support of Dublin, Belfast and London, would secure ready acceptance by the Council of Europe. If the judicial mechanisms provided by the Convention are too rigid or cumbersome, an Ad Hoc Minorities Commission could be set up within the framework of the Convention and the Council of Europe. Such a Commission could be given the specific task of ensuring the ef-

fective protection of minority rights in any part of Ireland.

This would be a comparatively easy way of ensuring the full protection under international law of the rights of the Protestant minority in the Republic, and of the Catholic minority in the six counties. It would go a long way towards the elimination of some of the fears that bedevil the relationship between nationalists and Unionists in Ireland. It is often a simple ready-made solution which is the most effective one. ●

#### ANOTHER ANTI-INFLATION CIRCUS

### HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. McDONALD. Mr. Speaker, Prof. Hans Sennholz, chairman of the Department of Economics at Grove City College, Pa., is a master at simplifying the subject our press tries to make so complex—inflation. In a recent article he pointed out very succinctly how neither the President of the United States nor the Congress is empowered to repeal the basic laws of economics. For those who have forgotten the law of supply and demand, this article that appeared in the Freeman magazine for March 1979, will be particularly instructive. The item follows:

#### ANOTHER ANTI-INFLATION CIRCUS (By Hans F. Sennholz)

Every U.S. President from the time of Franklin D. Roosevelt has been an "inflation fighter." Some denounced inflation as "public enemy number one," others even declared war on inflation.

And yet, since the first declaration of war by FDR, the American dollar has lost 80 per cent of its purchasing power and is losing more every day. Inflation is winning all the battles.

For almost 50 years of the anti-inflation war the U.S. government has pointed at several culpable parties. American business, especially big business, has taken the brunt of the blame. One President even used four-letter words to describe the greed of businessmen who raise prices. Some have taken potshots at physicians, attorneys, and other professionals, or pointed at labor unions. All presidents like to flail at speculators who hedge against the U.S. dollar by buying gold and harder currencies. And all have damned foreign governments for ruining the dollar.

Recent proposals in the battle against inflation call for restrictions on the production and consumption of energy and programs to spur U.S. exports, limit imports, sell additional amounts of gold, and encourage West Germany and Japan to buy more from the United States.

If it were not for the ominous effects of inflation on our lives and our society, the anti-inflation war would be a proper subject for the circus. The clown pompously announces he will demonstrate his skill, but lo and behold, always accomplishes the very opposite. The President formally announces another anti-inflation program, but lo and behold, the inflation gets worse.

The clown's method of fun is deliberate. He labors to violate a simple natural law. For instance, he seeks to defy the law of gravity by valiantly supporting an object that wants to fall down. He generates laughter, because young children know the futility of his efforts.

For economists familiar with economic laws, the Presidential anti-inflation programs

are equally hilarious because they aim to violate inexorable economic laws. Like the Danish King Canute who ordered the rising tide to come no further, the President of the United States is commanding economic laws to yield.

For example, all governmental efforts to restrict imports and promote exports tend to reduce the supply of available goods. Every freshman economist who is familiar with the law of supply and demand, knows that this policy must raise goods prices and thus depreciate the currency.

The administration proposes a Congressional energy package to reduce the importation of foreign oil and gas "in order to bolster the dollar." But such a reduction will cause energy prices to rise and the U.S. dollar to depreciate. The world seems to know this, as it continues to dump U.S. dollars on the world money markets. Every time the President speaks of energy and his programs, the dollar falls to a new low.

The U.S. government is selling gold to strengthen the dollar. It offers foreign bankers and governments the opportunity to exchange dollars for gold, which strengthens the international role of gold and weakens that of the dollar. The dollar price of gold may temporarily fall one dollar or two, but the world-wide distribution of gold tends to bolster its importance.

The President lashes out at individuals—especially at foreigners or those Americans who are not expected to vote for his reelection—for causing the inflation through greed. He becomes a judge, and draws applause from those always ready to think evil of their fellowmen. An economist watching this is reminded of the scriptural question, "Why beholdest thou the mote that is in thy brother's eye but considerest not the beam that is in thy own eye?" He may also remember the circus scene in which a clown turns on the water sprinkler, thoroughly soaking another clown, and then, with great indignation, assails him for being so wet.

Economists frequently wonder about the mentality of politicians. Does the President really believe that God invested him or his administration with special powers? Does popular acclaim and high office mislead him to believe in such powers? Or is he aware of his limitations, but merely acting the role of an omnipotent leader because the people would like him to be omnipotent? Is the economic ignorance really his own or merely a reflection of the ignorance of the electorate? Does a legislator actually believe that he and his colleagues, in Congress assembled and by majority vote, can negate economic law? For that matter, did King Canute's entourage, which shouted the King's order in unison, really believe that the rising tide would come no further?

Ours is an age of inflation because most people believe in the desirability of more money and credit, which is the very essence of inflation. Motivated by this belief, they bestowed the monopolistic right to issue money on their government and urged it to be free and easy with the issue. Governments greatly enjoy the use of this power because it affords an important source of revenue. Weak administrations, especially, readily yield to the temptation and create massive quantities of money in order to finance their spending programs. Billion dollar expenditures may generate millions of votes.

Issuing new money inescapably produces undesirable effects. Prices rise as recipients of the new money buy more goods and services. Each unit of money depreciates as more units are emitted. People on fixed incomes and savers see their purchasing power reduced, so they complain about the inflation. The government that is busily emitting massive quantities of new money rushes to the rescue: "By order of the President, the Congress, the courts and the police, all prices stop!" The order is given to millions of indi-



viduals exchanging goods and services in countless voluntary transactions.

As long as the order agrees with the value judgments of the trading parties, they will continue to exchange as before. But if the order should differ from their judgments, they will react. The seller who is ordered to exchange at a stop price that is lower than his own value judgment, ceases to exchange. In his judgment he would suffer a loss which he can avoid through inaction. The physician whose fee is officially fixed below the rate that causes him to render his service, will reduce his efforts. Thus, shortages inevitably result wherever government fixes prices below those people would set in free exchanges.

At first, the U.S. government resorts to inflation in order to cover its deficits. When rising prices subsequently hurt millions of people and cause them to voice their frustrations, the very administration that indulges in the spending spree is quick to point its finger of blame at some innocent bystander. It may impose wage and price controls, which control people and cause their productive efforts to decline. Lower output in turn causes the value of goods and services to rise and that of money to fall.

The U.S. government alone is conducting the inflation and making it worse with "anti-inflation programs." An administration that really disapproved of inflation would just stop inflating the currency.●

#### COTTON, INC. EXECUTIVE SHOULD STEP ASIDE

#### HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. FINDLEY. Mr. Speaker, the following editorial from the February 1979 issue of the magazine, *Progressive Farmer*, points to a serious situation involving the cotton program. The editorial calls attention to allegations of conflicts of interest against J. Dukes Wooters, Jr., president of Cotton, Inc. I quite agree with *Progressive Farmer* that Cotton, Inc.'s top official should take a voluntary leave of absence until this matter is cleared up. The faith and trust of America's cotton producers deserves no less if the future of this and perhaps other similar checkoff programs are not to come under a cloud.

The text of the editorial follows:

#### COTTON CHECKOFF MUST BE ABOVE SUSPICION

For many years, the cotton industry has been exceptionally well served by strong, able leaders. Dedicated and self-sacrificing, they have put their shoulders to the wheel when cotton's road was rough and rocky. They have shaped a research and promotion thrust for cotton that has been universally admired and partially imitated by other commodity groups using grower checkoff programs.

Results have been impressive.

Research paved the way for a number of significant improvements in cotton products. Technical assistance to textile mills has paid off by reversing the trend towards more synthetic fiber and less cotton in consumer goods.

Aggressive advertising and promotion campaigns have boosted buyer awareness of cotton's good traits in its new, improved products. This is quite a change from just a few seasons back when one would have been hard pressed to purchase certain garments containing much, if any, cotton. There has also been strictly agricultural research of immense value to growers in their efforts to increase yields and lower costs.

But all this progress may well have been put in jeopardy by charges of illegal activities by the nongrower president of Cotton Incorporated. He is accused of serving as a consultant to an individual cotton production company for extra compensation to offset a sizable salary cut ordered by Congress. Moreover, according to news reports, Cotton Incorporated Board of Directors in a Dallas meeting on Nov. 6, 1978, retroactively approved the arrangement.

The matter is now being investigated by legal authorities. The charges, if substantiated, represent a serious conflict of interest and the exceptionally poor judgment by Cotton's Incorporated's president.

Since the research and promotion program started, the Cotton Board has supervised the spending of about \$140 million. It has contracted with Cotton Incorporated to conduct the actual work of research and promotion. The funds used to finance the research and promotion program are obtained from a producer checkoff system. But each individual grower has the legal right to ask for and to receive a full or partial refund of his checkoff funds. So, in the end, growers control the purse strings. They collectively "fund or refund" the program. The checkoff system will collapse if growers lose confidence in the good judgment and integrity of the program's management.

We have no way of knowing how seriously growers are concerned by the allegations of conflict of interests and other charges against Cotton Incorporated's top official. Moreover, we are in no position to judge whether the allegations are true or false. But we are vitally concerned about the possible effects of the publicity given the situation. (Ordinarily we would say to withhold judgment until the investigation is concluded. However, such an investigation may not be concluded for several months.)

The situation carries so great a potential for injury to the cotton industry that the official in question should voluntarily take a leave of absence until the matter is settled. Meanwhile, the Cotton Board and Cotton Incorporated should seriously consider whether the widespread publicity given the incident has not already destroyed the future effectiveness of anyone involved in the alleged scandal.

Over the years, *Progressive Farmer* has supported the self-help concept of producer-funded research and promotion for cotton. We have urged the Cotton Board and the directors of Cotton Incorporated to exercise sound, stringent control over the entire system.

We reaffirm that position. The cotton checkoff program is so important that it must always be above suspicion. This program, and indeed all other such checkoff programs, will live or die on a basis of the producer's unquestioned trust. No individual or group of individuals should ever be allowed to blight this trust. The faith of producers should never be compromised.●

#### MAINE "VOICE OF DEMOCRACY" CONTEST WINNER

#### HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mrs. SNOWE. Mr. Speaker, every year the Veterans of Foreign Wars and its ladies auxiliary conduct a Voice of Democracy contest. This year more than 250,000 secondary school student participated in the contest competing for the five national scholarships which are awarded as top prizes.

The theme of this year's contest was "Why I Care About America," and I am pleased that one of my constituents, Julie Elizabeth Hopkins of East Millinocket, Maine was chosen as the State winner. Julia is a junior at Schenck High School. She is interested in drama and plans a career in journalism or special education.

Her essay is notable for its touch with reality. It acknowledges our flaws, but finds in them the very substance on which our country was founded. This honesty along with optimism for the future and faith in our founding principles expressed by our young people signals a bright future for America.

I am glad to have this opportunity to congratulate Julie and to bring her essay to the attention of my colleagues.

#### ESSAY OF JULIE ELIZABETH HOPKINS

Each year the Veterans of Foreign Wars comes up with a theme for the Voice of Democracy Contest that literally reeks of patriotism. And in accordance to the theme, we write our heart-rending essays that make our elders swell with pride and sing "God Bless America." The essays are filled with examples of our love, loyalty, and dedication to our country. We always come to the conclusion that although America has faults, her good points outweigh her bad ones. Thus, the patriotic theme has created a Frankenstein essay to persuade others of our undying love for our country.

Don't mistake me; I care about America as much as anyone else. But the lack of honesty, objectivity, and sincerity the theme tends to summon leaves little room for true reality. It is the realness of America and her people I care about, not here glorious battles, laws, and landmarks. They are things to be proud of but the life of the people is what I care about. It's a live beauty to be talked about and praised. But what is the real element behind America's beauty? It stems from more than pride.

Many of us think of America as a land of majestic mountains, forests, rushing rivers, blue oceans, and golden bridges. Yet, we have failed to notice the dirt and stink of New York slums or the poverty an arm's length away. No, many of us go around blind to the pain and ugliness of America. But when we miss this, we're also missing a very important fact; the very pain and despair we turn away from is, in its essence the very substance which founded this country. It's a respect for the individual's right to live, his right to try to make a good life for himself and his family. The American does not give up. He never has in the past as an outcast of European societies and he never will because of the common problems of life which tie him securely to his fellow Americans. To me, this is American beauty. It isn't the trees or mountains or oceans. It's the bond between us, the bond which unites us as one. Indeed, this bond I name America.

This bond is real. It's a reality we all experience. That's why I care. Without this bond, America is the same as any other country, a land which grows in wealth and power but declines in unity and individual hope and progress. America's strength is sustained by her faith in the laws which created her. For faith in what we believe to be right, to be the truth, can be the greatest power of all.

I again say it is the life of the people I care about, the essence of a great people. Our America is a people of wealth, of poverty, of hope, of despair. Yet, she has an ever-lasting bond of unity and equality which separates her from the rest of the world. And despite the chronically patriotic themes we write about, the true power of America is forever present in our words, actions, and lives. We are the beauty of

America, and we are real. That's why I care about America. ●

## INFLATION AND AGRICULTURE

### HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. MYERS of Indiana. Mr. Speaker, it appears that the farmers are leaving Washington and returning home. Although the tactics used during their month-long protest were not appreciated by most of us, we cannot deny that our Nation's farmers have a legitimate complaint.

If there is one sector of our economy in which inflation has the greatest impact, it is agriculture. Since farmers are both producers and consumers, they are affected by every action taken by Congress or the executive regarding inflation.

One solution which is often discussed is Federal controls on wages and prices. History, however, shows that this is not a viable solution. These Government controls only inhibit the ability of our free market system to cure inflation on its own.

To underscore this point, I call to the attention of my colleagues a perceptive article written by Richard L. Kohls, dean of Agriculture at Purdue University. Dean Kohls articulately discusses inflation, wage and price controls, and agriculture.

I insert the article "Inflation is the Issue," from the Purdue Agriculture Reports, volume 7, number 4, at this point in the RECORD and commend it to my colleagues:

Inflation! Inflation! It is finally reaching the consciousness of the Washington establishment that farmers, businessmen, steelworkers, teachers, consumers—almost everyone views this economic cancer as a major urgent problem.

Increasingly, price and wage controls are discussed as a solution to the problem. Unfortunately, such a solution has never cured inflation, but it has a good record of weakening those necessary ingredients that can reduce inflation—vigorous market competition, increased efficiency and productivity and sane government policies to prevent the creation of extra money. Surely no group has a greater stake in the outcome of this national dilemma than farmers and the food industry.

Governments, both at state and national levels, are historically slow to view the problem of inflation as being serious, even though it may be the common citizens' prime concern. The flow of monies into state and federal treasuries is wonderfully indexed to rising prices and "cheaper" money. The income tax and sales tax are the mainsprings of government income. Both of these have a marvelous way of benefiting from inflationary pressure.

Now that the upward march of the price level is top news, the release of various price indexes is scanned closely to spot who is the latest culprit in fueling the inflationary engine. "Beef prices rose sharply this month—it obviously is the culprit." "Auto prices shot ahead this month—they are the cause." Each price increase is sorted out for special treatment. In this continuous search for a scapegoat, little attention is paid to those prices which may decline, as their impact is overwhelmed by the general upward trend.

More often now, the possibility of price and

wage controls is discussed. A recent public opinion poll indicated that a slight majority favored the instigation of price controls as a way to control inflation. However, public officials, including the President, proclaim that they are not in favor of such action.

There is a famous quotation in essence that says "Methinks he protests too much," implying a great degree of talking one way but actually planning to act in another. While officials deny loudly that they will impose rigid controls, we are told that some wage and price guidelines will be announced. It is also a good bet that detailed planning for some form of price control is busily underway in the bureaucratic bowels of various government agencies.

Agriculture offers a wonderful case study in viewing the behavior of the pricing system. Short run increases and decreases in the prices of individual items are necessary if the proper production and consumption decisions are to be made. The recent cattle price situation was a good case in point. A preceding period of heavy supplies brought beef prices down below profit levels for producers. In response, cattle herds were cut back and consumers started to bid higher for the reduced supplies. If profits return to the beef industry, supplies again will be increased and consumers will not have to pay as much to receive their share. Changing individual prices have jobs of direction and allocation to perform in a market economy. We must have price fluctuations among different products and items if the machinery of efficiency and changing market tastes is to be kept functional.

Inflation is not the result of fluctuations in prices of commodities. Rather, it is a general dumping of monies into the system, so that fluctuations take place at continually higher levels. The inflationary problem is not solved by seeking out scapegoats of individual products, profit mongers, wicked middlemen, etc. The real culprits of increasing money supplies, structural rigidities, and world economic practices are not easy or painless problems to solve.

The instigation of price controls or freezes however, deals with the results of the disease, not the causes. The historic record of our past attempts at government price controls is dismal. Ask any farmer or consumer who experienced the price control periods of the past. Have them recount their stories of subsidies. Under-the-counter deals, ration coupons, waiting lines for scarce items, and gluts of unwanted products. Unfortunately, rigid price controls stifle effective competition and efficiency development and take the pressure off government to get its own spending under control. Price controls do have one positive result—they greatly increase the number of government employees needed to write additional rules and directives and police the market system!

Farmers and the food industry whose effectiveness depends upon a fluid and dynamic system of prices and markets must be out in front, insisting that we really deal with inflation as such—not merely with price changes. They must insist that their governments face the issue squarely and not pass the buck. ●

## COUNCIL FOR INTERNATIONAL URBAN LIAISON: INTERGOVERNMENTAL RELATIONS IN WEST GERMANY

### HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. REUSS. Mr. Speaker, the Council for International Urban Liaison, founded in 1976, performs a valuable service in promoting the transfer of innovative ap-

proaches to the amelioration of common urban problems. Recently, in one of the Council's widely circulated newsletters, Urban Innovation Abroad, Manfred Rommel, Lord Mayor of Stuttgart and president of the German League of Cities, described the unusual role accorded German local government organizations in the federal legislative process. I commend Lord Mayor Rommel's article to my colleagues:

## INTERGOVERNMENTAL RELATIONS IN GERMANY (By Manfred Rommel)

When Mayor Rommel made a reference to the role of German local government organizations in federal decision-making during a recent talk before the urban legislative roundtable in Washington our ears perked up. We thought our readers would benefit from an insight into the way German local government makes its influence felt in the decision-making of the Federal Republic. It seems that the three principal local government associations in Germany have a far more direct impact on the process of Federal policymaking than is the case in this country. Mayor Rommel, who presides over the DST and the working group of three key associations, graciously agreed to acquaint UIA readers with his perspective on the intergovernmental relations in the Federal Republic. While the process of local government policy participation at the federal level has not gone far enough in his view, the associations have the legal right to participate in the drafting of federal legislation affecting local concerns, which is certainly more than they enjoy in most countries. Our guest author, son of the legendary general, is a prominent figure of the opposition CDU in his own right and has been on the German national scene since his 1974 victory over the SPD incumbent in the Stuttgart mayoralty race. You will note that he speaks his mind.

Local government and local government associations in Germany are still short of the position to which they are entitled as guardians of democratic institutions despite the frequent lip service that is paid them by the leading exponents of national government. They do not share in national revenues in a manner that does justice to the part they play in economic policy and in job creation and their legal rights and functions are constantly being threatened and circumscribed by legislation and red tape.

Under these conditions it behooves our three principal local government associations, representing respectively the cities, towns, and counties, to work in a dual direction: to perform services needed by the membership and to make the voice of local government heard by state and federal agencies as well as the general public. While the membership functions do not pose any political or constitutional problems that require mention in the present context, our advocacy rule within the legislative limits of state and federal decision-making requires considerable attention.

Against the background of the continued erosion of local self-government, the three principal local government associations have joined forces in the "Big Three" national federation of local government associations under the chairmanship of the DSST . . . in order to give our concerns greater emphasis by concerted action. As a result of these efforts we have achieved the guaranteed right to participate in the formulation of legislative and administrative decisions at the federal level. This statutory consulting function is embodied in the "Joint Rules of Procedure of the Federal Ministries" and in the "Procedural Rules of the German Bundestag," the federal parliament. Briefly stated these rules require that all draft legislation affecting the interests of local authorities be drafted in consultation with the



earliest possible moment with the principal local government associations at the federal level. This allows us to have an input, pursuant to the local self-government clause enshrined in Article 28 of our Constitution, already at the preparatory stage of legislative initiatives. In exercising this function we do not consider ourselves as lobbyists or para-legal auxiliaries, but as full-fledged participants in the shaping of the political will taking into consideration the special needs and conditions of our communities. We search for solutions that are prudent, realistic and in accord with the interests of local jurisdictions and their inhabitants.

Beyond this, our principal local government associations share in the policymaking of numerous federal bodies or are required to be consulted in federal decision-making over a wide range of communal concerns. This function, regulated by law or procedure, is exercised, for example, with the federal government's Financial Planning Council, the Economic Initiatives Council, the Council for Countercyclical Initiatives, the Federal Advisory Council on Land Use, the Urban Development Council, The Coordinating Committee for Highway Planning, the Advisory Committee on Research and Technology, the Joint Commission for Educational Planning, the Federal Youth Board, the German Sports Conference, etc. Participation by our key local government associations in these councils and committees insures an application of the principles of countervailing influence to make the effect of local government views—of those touched in their daily lives by the decisions of the higher levels of government—felt in the process of policy formulation.

The recognition has gradually sunk in that our local government associations are not merely advocates of the parochial interests of their member organizations, but that we constitute an indispensable link between central and local decision makers. Our federal government is even slowly coming around to the view that local government cooperation is helpful in meeting the growing need for counter-cyclical action as in the case of public investments in turn our local government associations offer the federal government levers for quick, uncomplicated and politically neutral participation of those affected by its urban and regional policy decisions.

From the foregoing it seems safe to infer that the status of the principal local government associations is guaranteed and protected within the arena of intergovernmental relations. But this is the case only on first sight. A flood of laws and regulations requiring local level enforcement and implementation continues to restrict and even to jeopardize the role of local selfgovernment as the "third pillar of the state." The number of tasks imposed centrally on local government keeps growing while the scope for decision-making from below is constantly being narrowed. It is not sufficient to compensate this disequilibrium by allowing greater room for consultation. The current trend toward greater central decision-making strikes against the kind of feedback from below that does not threaten the functional independence of local jurisdictions. The functional reform desired by local government is long in coming.

The task of self-government in the modern state goes beyond defending one's turf against incursions by the state and of laboring in residual areas not yet claimed by higher jurisdictions. The reciprocal responsibility of all levels of political actions calls for substituting a functionally-appropriate interdependence for isolated and autonomous actions by the three tiers of government. Local self-government reaches its highest form and function in meeting citizen interests in the realization of social goals legislated by the community at large. A local government reform, therefore, should result

in an increase rather than in reduction of the tasks assigned local jurisdictions.

To realize this objective our local government associations view themselves not only as advocates for their members but as their tools that serve to weave the densely-stitched web of intergovernmental relations into a proper pattern. In our relations with central government we need to maintain independence, objectively and reserve, we must not shirk confrontation where necessary. The goal will be gained if we avoid complacency and engage in the critical self-analysis that helps advance our cause. ●

#### ADVERSE FUNDING DECISION WILL AFFECT SUPPLY OF ENGINEERS

HON. THOMAS A. DASCHLE

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. DASCHLE. Mr. Speaker, I would like to address my colleagues' attention to what I feel was not only a grave injustice but also a serious mistake that will adversely affect the supply of engineers to our Nation's mining and mineral industries. The following statement was presented before the House Subcommittee on Interior Appropriations by Richard A. Schleusener, Ph.D., president of the South Dakota School of Mines and Technology, Rapid City, S. Dak., on February 26, 1979, regarding the schools exclusion from funding as a mineral resource and research institute:

STATEMENT BY RICHARD A. SCHLEUSENER

#### SPECIFIC APPROPRIATION REQUEST

The appropriations for the Mineral Resources Research Institute of the Office of Surface Mining of the Department of the Interior be increased by \$270,000 to provide funding for the South Dakota School of Mines and Technology as the 23rd institute.

#### STATEMENT

We are here to give testimony on a matter that is a serious problem for us, and one which we believe is detrimental to the best interests of the United States. Our problem concerns the implementation of the Surface Mining Control and Reclamation Act of 1977.

We thank the Committee for the support which you have given to provide funding for all states qualified under the Act. Last year, funding was provided for an initial 20 Mineral Resources Research Institutes (MRRI). Thirty-seven were determined to be qualified under the Act. As one of the states not funded, we are here to request that your committee provide \$270,000 to fund our institute as the 23rd Mineral Resources Research Institute.

My statement will cover four parts:

1. Procedures used in implementation of the Act.
2. The role of our institution in solving our nation's mining and mineral problems.
3. The potentially disastrous consequences and unjust results of the present implementation of the Act.
4. My recommendation and request.

#### PROCEDURES USED

The procedures used in implementing the Act involved an initial selection of 37 state institutes as "qualified", but because of "funding limitations", only 20 were funded through an unannounced and obscure selection process. Only two weeks later the list was expanded by adding two more institutes without reference to funding limitations. These procedures were both confusing and unjust.

#### ROLE OF THE SOUTH DAKOTA SCHOOL OF MINES AND TECHNOLOGY IN SOLVING OUR NATION'S MINING AND MINERAL PROBLEMS

Let me describe how the South Dakota School of Mines and Technology has served in solving our nation's mining and mineral problems. We have been in existence since 1885, some two years before South Dakota became a state. We historically have provided education and training needed to support the mining and mineral industry of the Black Hills, the adjacent area, and indeed the world. We are at the center of the vast development of the Northern Great Plains coal fields. The Department of Interior has reported that these fields contain over 60 percent of the surface minable coal in the United States. We are the mining and mineral engineering institution located most closely to this vital new production area. In addition, there are significant new developments of uranium mining in western South Dakota.

We have been a major producer of graduates trained for positions in the mining and mineral industry. For example, the most recently published information (1977) shows that our institution was second only to the Colorado School of Mines in the number of mining and metallurgical seniors enrolled in the United States.<sup>1,2</sup> Our students enjoy starting salaries upon graduation that are above the nation's average and our students are employed in all 50 states and 44 foreign countries. Our graduates are vitally involved with the growing coal and mineral industries of our region. For example, our graduates fill 35 of 104 positions of leadership in the companies developing resources in the Gillette, Wyoming area.<sup>3</sup>

We have had in the past, and we continue to receive, commitments of substantial resources from the state of South Dakota for our mineral industries program. This support has continued, during good times and bad, for nearly a century.

In addition, our research program is expanding. Recently our department of mining engineering, at the request of the South Dakota Department of Health, has assumed a leadership role of developing training programs to meet the requirements of the Federal Mine Safety and Health Act of 1977.

With this background, I believe you can understand that when we found out that we were not designated as a funded institute we were shocked and deeply disturbed. Now, five months later, we are still disturbed by the injustice of the selection process. We are unable to understand that funding to expand an already existing program was denied to our school which is:

1. The school located closest to the largest new mining production area in the nation, and
2. Recognized as a leader in mineral related education and research,
3. Second in the nation in the number of students completing studies in mining and metallurgical engineering, and
4. Committed to continue a program of developing mineral resources.

#### CONSEQUENCES AND UNJUST RESULTS OF THE PRESENT IMPLEMENTATION OF THE ACT

Recent events point to the strongly adverse effects that denial of funding will have on our institution. The actions taken have potentially disastrous effects on our students, our faculty, our reputation, and our research program.

<sup>1</sup> Mining Engineering, Published by the Society of Mining Engineers of AIME, p. 39, January 1977.

<sup>2</sup> Journal of Metals, Published by Met. Soc. of AIME, p. 27, April 1977.

<sup>3</sup> Private communication dated February 14, 1979 to Dr. Richard J. Gowen from P. E. Schild of Wyodak Resources Development Corp., Gillette, Wyoming.

## EFFECTS ON OUR STUDENTS

The denial of funding means that we will have a probable decrease in our ability to continue to attract the brightest students to our program.

## EFFECTS ON OUR FACULTY

Schools that have received funding under the Act have already begun to approach our faculty to leave our campus and go to their programs. One faculty member has received an offer for 24 percent increase in salary. Such an offer, combined with the attraction of guaranteed support for students and research, represents a problem that will be increasingly difficult to solve unless we are funded so we can provide the same opportunities.

## EFFECTS ON OUR REPUTATION

As a minimum, we are left to try to explain why the Department of Interior in a supposedly "merit selection", found that our program was not suitable for funding, particularly, when only two weeks after the initial announcement of 20 institutes, funding was extended to cover the 21st and 22nd institutes.

## EFFECTS ON OUR RESEARCH PROGRAM

The Department of Interior has interpreted the wording of the Act to restrict qualified but non-funded institutes, such as ours, from competing for special research funds provided under the Act. Our verbal appeals to have this decision modified to allow all eligible institutions to compete for the research funds provided have been denied. A major portion of our research effort in mining and minerals engineering is directly applicable to the areas to be funded under the Act. Yet, under current rules, we are being denied even the opportunity to compete for such funding.

Even worse, these adverse effects are to extend even further. We understand there will be a reduction of the research funds to be made available for future research outside of the framework of the Mineral Resources Research Institutes.

Thus even in the area of research, as an unfunded institute we apparently are to be denied the opportunity to bring our proven expertise to help solve our nation's problems in mining and minerals engineering. The injustice of the situation is sufficient to warrant your corrective action; but, in addition to the injustice, it clearly is in the best interest of the nation to provide for competition for such research funding by any qualified institution.

In summary, the South Dakota School of Mines and Technology has been treated in a grossly unjust manner. The results of this injustice have a real potential of causing us to lose excellence we have striven to create even before the Act was conceived, of causing us to lose our students and faculty, and to be prohibited from doing research with the Office of Surface Mining. It is difficult to believe that the Congress intended for these adverse effects to occur.

Finally, the State of South Dakota has provided significant support for education and training in mineral engineering during the time period that adverse economic effects led a number of other institutions to discontinue their programs. With this background it is indeed ironic that our institution is being deprived the opportunity to participate in the current program as a funded mineral resources research institute.

## RECOMMENDATION AND REQUEST

I request that the appropriation for the Mineral Resources Research Institutes of the Office of Surface Mining of the Department of Interior be increased by \$270,000 to provide funding for the South Dakota School of Mines and Technology as the 23rd institute. In fairness to the institutes who are already funded and presently developing programs, I ask for additional funds rather than simply reallocating the available funds as was done

in the recent addition of Alabama and Michigan as funded institutes.

I thank the members of the South Dakota Congressional Delegation for their assistance in matters related to this testimony, and I thank the members of the committee for this opportunity to testify.

## DIRECT ELECTION OF THE PRESIDENT AND VICE PRESIDENT

## HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. McCLORY. Mr. Speaker, today, I am introducing a joint resolution proposing an amendment to the Constitution of the United States to provide for direct popular election of the President and Vice President, a reform which I consider urgently required and long overdue. It is designed to replace political chance with popular choice.

Senate Joint Resolution 1, the Senate version of the direct election amendment, was not referred to committee but is being held at the desk in the other body and could be called up for debate and vote in the very near future. So the time is ripe for our Judiciary Committee, on which I serve as ranking member, to consider this proposal seriously and in depth for the first time since the first session of the 91st Congress. It was 10 years ago that my colleagues and I on the Judiciary Committee participated in an extensive series of hearings which examined over 50 joint resolutions reforming our present method of electing the President and Vice President. With only six Members in opposition, the committee reported a direct election amendment to the House and it was passed by the House in September 1969 by a vote of 339 to 70. Action in the other body was blocked, unfortunately, when efforts to impose cloture failed.

Adoption of the direct election reform will eliminate a number of problems inherent in the present system, not least that of the "faithless" electors, members of the electoral college who do not cast their votes in accordance with the results of the popular vote in his State. Only a small minority of States require by law that electors vote for candidates of their party. Most legal authorities are of the opinion that even these laws are not enforceable, since the constitutional requirement that electors vote by secret ballot at least implies that they are free agents.

In 1960, in 1968, and once again in 1976, an elector cast his ballot against instructions. Carrying this independence to an extreme, it is not inconceivable that, in a future election, a bloc of third-party electors could ignore pledges made before the election and negotiate with major party candidates, thereby becoming an extra-constitutional balance of power.

This situation very nearly arose in 1968. A shift from Richard Nixon to Senator Humphrey of only 42,000 popular votes in three States would have denied Nixon his electoral college majority and given Governor Wallace, with his 46 electoral votes, the balance of power. In an

interview published before the election, the Governor made it clear that if that should occur, then he or his electors would get together with another candidate or his electors and make a deal for the support of the Wallace bloc in the electoral college.

If, for lack of a 270-vote majority for any candidate in the electoral college, the Presidential election is thrown into the House of Representatives, another unwelcome possibility presents itself. Since each State gets one vote, determined by a poll of its Representatives, in an extreme instance the votes of 59 Members of the House from 26 States with a population of 38,400,000 could outvote the other 376 Members from 24 States with a combined population of 179,659,000. One may imagine the strains which any result even approaching this would impose on our national unity and political order.

The winner has actually received less than 50 percent of the popular vote in 14 Presidential elections. On 11 occasions, the candidate receiving a plurality of the popular vote also obtained an electoral college majority. More striking, however, are the other three elections, which gave us "minority" Presidents—a Presidential victor who nevertheless received a lesser number of popular votes than his closest opponent.

In 1824, the House of Representatives elected John Quincy Adams as President, although Andrew Jackson has received more electoral votes and enjoyed a popular plurality of approximately 37,000 votes. In 1876, Samuel J. Tilden received 260,000 more popular votes than Rutherford B. Hayes but, after a congressional electoral commission decided the results in several contested States, it was Hayes who emerged the victor by one electoral vote. The third example of the election of a "minority President" occurred in 1888, when the incumbent, Grover Cleveland, recorded a 100,000-vote plurality over his closest opponent, Benjamin Harrison, but the latter became President by a margin of 65 votes in the electoral college.

In our time, the electoral college system has had some very close calls. In 1948, a shift of less than 38,000 votes in three States would have given Governor Dewey an electoral vote majority despite President Truman's popular vote majority of over 2 million votes. In 1976, a shift of only 9,245 popular votes in Ohio and Hawaii would have given President Ford an electoral college majority to defeat Carter, although the Georgia Governor enjoyed a nationwide popular vote plurality of 1.7 million.

The joint resolution which I introduce today will insure that the electoral outcome reflects the results of the popular vote. It would eliminate the problems of the faithless electors, election by a minority in the House, and the winner who receives fewer popular votes than his closest opponent. A positive advantage of the elimination of the electoral college barricade, which discourages voter participation in one-party States, will almost certainly be a pronounced increase in the number of persons going to the polls.

This joint resolution provides a 35



percent plurality of the popular vote will be sufficient to elect the President and Vice President. If no ticket receives 35 percent it provides for a runoff election between the two sets of front runners. Although the House endorsed a 40 percent figure in passing the direct election joint resolution in the 91st Congress, I supported the lower figure for reasons which, I believe, remain valid today. A requirement for an absolute majority for an election will draw in third parties as "spoilers" forcing a runoff. But a lower ceiling will, in the opinion of experts who have considered the matter, discourage splinter parties and therefore strengthen the two-party system. If it seeks to win, the third party obviously must secure 35 percent of the vote. If it is to place in the runoff, a third party must keep both major parties from reaching 35 percent while simultaneously defeating one of the major parties, an extremely difficult undertaking. Experts who have studied this issue suggest that adopting the 35 percent figure in lieu of 40 percent would reduce the possibility of a runoff election from one in a hundred to one in a thousand.

Mr. Speaker, the need for electoral college reform and the adoption of direct election procedures is clear for all to see. Our democratic form of government requires it. The stability of our institutions in an uneasy world compels it. We must act, and act now. ●

#### INADEQUACY OF FUEL ASSISTANCE PROGRAM

**HON. JAMES M. SHANNON**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. SHANNON. Mr. Speaker, every winter low-income families suffer because they are unable to pay their home heating bills. In times of escalating fuel, food and medical costs, it is understandable that low-income households are struggling to survive. To prevent this unnecessary hardship, Congress authorized a Fuel Crisis Intervention Program in 1976 which was designed to assist low-income households with excessive fuel costs in the winter. Each year this program has provided \$200 million for winter-related disaster assistance.

The President has proposed a permanent fuel assistance program. I applaud the President's initiative to establish a permanent fuel assistance program, but not at the inadequate funding levels he has proposed. The President's proposed permanent program provides for one-fifth of the funds that were available under the program authorized by Congress.

I urge my colleagues to support a permanent program that will prevent the sort of tragic event that follows from ever happening again:

#### THE SCREAMS OF JOSE ROMAN

The screams of Jose Roman—"my wife and my babies, my wife and my babies"—ought to reverberate from his fire-gutted Dorchester apartment to Beacon Hill and then to Washington. It will be too late for Roman and his wife. They have lost four of

their five children. But if heard in the corridors of power, Jose Roman's cry will not have been totally in vain.

The fire that killed the four children, ranging in age from 41 days to six years, was caused by the explosion of a space heater. The heater, according to a neighbor in the triple-decker house was being employed because the Romans could no longer afford to pay for oil heat.

They could not pay for the oil heat because, in part, it is government policy to allow the price to rise. The policy is intended for reasons of national security to force the conservation of energy. But the nation is composed of its people, and this policy, by its very structure, weighs most heavily on the poorest of those people. That structure must be radically changed to meet the needs of the poor. The alterations won't be cheap, they won't necessarily be efficient. All they will be is humane.

While the state government dawdles around with legislation to restore the state's emergency welfare assistance, and while the federal government ties its comparable programs up in bureaucratic knots, the poor have been scrimping, the poor have been shivering, the poor have been dying.

The federal case is a classic. By all accounts, at least \$2 billion and maybe \$4 billion are needed annually to assure the poor those basics of modern life, heat and light. Well, the feds have come up with only \$200 million and the budget watchers have made even that difficult to get.

Only those with documented "emergencies" are eligible. In some cases, that requires shut-off notices. Well, in Massachusetts the utilities have been pressured and/or required not to issue such notices in the dead of winter—and with good reason. And the fuel oil dealers mostly little fellows who need their money now, don't issue shut-off notices. They just get back in their trucks and drive on.

In Washington they apparently don't understand how it works, in New England we do.

The provision of subsistence levels of electricity for the poor can be met at the state level through some sort of "life line" rate system enacted by the Department of Public Utilities. But subsidies for fuel oil are clearly going to require a national solution.

The fuel oil subsidy can be given any name anyone wants to attach to it, but ultimately it is going to have to be akin to food stamps—something like "fuel stamps". It's said that in Washington they don't like the sound of that because it sounds opened-ended and expensive. True. But is surely sounds less horrifying than Jose Roman's screams in the Dorchester night. ●

#### SALT OFFERS SOVIET RESTRAINT

**HON. ROBERT J. LAGOMARSINO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. LAGOMARSINO. Mr. Speaker, I question the advisability of the Carter administration's treatment of SALT II as an absolute end in itself without seeing the treaty within a global context. Therefore, I would like to share with my colleagues the following editorial which appeared in the Oxnard Press-Courier on February 21, 1979.

#### SALT OFFERS SOVIET RESTRAINT

On no single foreign policy issue is the Carter administration more profoundly mistaken than in its stubborn refusal to utilize negotiations for the Strategic Arms Limita-

tion Talks to restrain the Soviet Union's global ambitions. Clearly, if Soviet designs on Europe, Africa, the Persian Gulf and elsewhere are realized, no conceivable arms agreement could restore the balance of power that alone guarantees the peace.

No one, including those Republican senators who formally proposed that the SALT negotiations be made conditional on Soviet good behavior, is suggesting that the arms talks be held hostage to every ripple in East-West relations. That kind of linkage would wreck the SALT process overnight.

But in a broader, strategic sense, it is both irresponsible and unrealistic to isolate the SALT negotiations from the larger geopolitical context in which they occur. It is foolish and dangerous for the Carter administration to insist otherwise.

When Washington eschews linkage, it grants the Soviets an apparent immunity from the consequences of their aggressive moves around the world. Every time President Carter and Secretary of State Cyrus Vance proclaim the SALT process as an end in itself and one exempt from every other strategic and political consideration, they encourage the Soviets to press the advantages Moscow has already achieved in Africa, around the periphery of the Persian Gulf, in Southeast Asia, and along NATO's front from the Arctic Circle to the Dardanelles.

The destabilizing effects of these Soviet gains are not, however, lost on the Senate which must ratify or reject the SALT II treaty. The steady erosion of Senate support for SALT in recent years represents linkage in its starkest form.

The administration's rejection of linkage is rooted in an increasingly untenable view of SALT as the guarantor of the U.S.-Soviet balance of power. Had the negotiations produced different results, that might have been so. But the known terms of the all-but-completed SALT II treaty suggest that it will neither establish nor maintain a military balance.

There are ample grounds for believing that, in many respects SALT II more nearly suits Soviet purposes than those of the United States. The prospective treaty and its "temporary" three-year protocol would permit the Soviets to widen their lead in strategic forces while inhibiting the development of those American weapons that could narrow the gap during the critical period of the early to mid-1980s.

The Carter administration itself acknowledges that, with or without SALT II, American security and the defense of allies in Western Europe and Japan will require steady increases in defense spending.

SALT may not be strictly speaking, a favor the U.S. grants the Russians, but even more certain it is no indulgence of the United States by the Kremlin.

At this late date, Washington has little to lose and much to gain by informing the Soviets that the SALT process cannot survive a sustained Soviet challenge to the precarious East-West equilibrium that now exists. ●

#### THE UNEMPLOYED ARE DESPERATE TO WORK

**HON. AUGUSTUS F. HAWKINS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. HAWKINS. Mr. Speaker, the massive snowstorm which struck Washington, D.C., caused a great deal of discomfort, but it also taught us that those who face severe long-term unemployment are willing and eager to work. As the follow-

ing article from the Washington Post of February 22 indicates, hundreds of unemployed persons responded to a call for help by the Washington Metro Transit System by appearing at 6:30 in the morning to help clear snow from subway tracks, for a dreary job paying \$5 an hour. The individual stories of absolute desperation and desire for a job which are shown in this article are literally repeated millions of times, across this country. This lesson should be taken to heart by those who shape Federal economic policy, and particularly by those who would tell us that our economy is at a "full" employment level.

The article follows:

CHAOS BROKE OUT, JOB SEEKER FOUND  
(By Juan Williams)

Two days ago, Metro recruited day laborers to dig out the subway system. Many more persons showed up than Metro was able to hire, and angry incidents of vandalism resulted. This is an account of what happened by some of those who sought work.

Sam Zachary got the word from Robert Jones who saw it flash across the bottom of his television screen Monday night. Metro was paying \$5 an hour for workers to shovel snow from train tracks.

"Five bucks," Jones recalls, thinking to himself, "Five bucks an hour. I can relate to that. Even GS-3s don't make \$5 by the hour."

By 5:30 a.m. Tuesday, Jones and Zachary were outside Metro headquarters at 600 Fifth St. NW, after walking from Southeast Washington to sign up for work. Jones, 21, who is unemployed and does "whatever I can, whenever I can" to make money, and Zachary, an unemployed piano player, found about 200 persons already knocking on the glass doors of the Metro building.

By 6:30 a.m., about 600 persons were waiting for jobs. When the first bus arrived to pick up workers, the crowd stampeded the bus, battling for a ride to a job.

"The police had them standing back," said Quenton Jones, an unemployed 18-year-old in the crowd. "They had pulled out some loudspeakers and told everyone to get in line. But as soon as that first bus came, chaos broke out. It was wild, man. Everybody, girls and old men, running, swinging and pushing to get on that bus."

"People talk about black people being lazy and looking for welfare," said Richard Calhoun, an unemployed father of six who said he has been trying to find work as a laborer. "That's the first thing they holler. You should have seen all them people down there, most of them young black men. They would have killed you to get on that bus, you hear what I'm saying? Those people were out there before the sun came up, looking to bend their back and work. . . ."

Seven buses arrived at Metro headquarters to take workers to Metro maintenance headquarters in Silver Spring. Some buses had to drive away with their doors open because people were hanging from the door, refusing to let go and lose a chance to work.

There were similar scenes at six other stops where workers were being collected. At the Eastern Market Metro stop at Seventh Street and Pennsylvania Avenue SE, a crowd estimated at 500 began pounding on closed doors of parked buses. The crowd then began jeering bus drivers who were surrounded by job seekers and threatened to overturn a full bus. A bus window was broken.

The buses escaped by accelerating their engines and driving slowly through the crowd. The angry crowds milled for a short time and then some people began looting a nearby liquor store.

At the Metro station at Minnesota Avenue and Grant Road NE, about 250 persons ripped down a fence when full buses drove away.

When buses arrived at the Metro maintenance headquarters on Georgia Avenue in Silver Spring, there was more fighting as about 1,000 persons, who had arrived by bus and foot, tried to sign up for 500 jobs.

"Things got disorderly when we told them we got to chop this off, we've got enough people," said Ralph Smith, Metros' general maintenance director. "We said we'd take a few more, and that started some people griping. They said they'd been on the road since early that morning for several hours and they were ticked off that they didn't get anything after all that effort."

Small fistfights broke out among persons trying to get to the front of the line. Some of the disappointed workers fought with Metro employees. A second-floor wall was kicked in. An adding machine and two typewriters were stolen, and one man was arrested for larceny.

"When they told them they didn't have any more jobs," said Robert Jones, who got a job, "they got rowdy. They figured they had been wronged, so they were going to do what they wanted. They started fighting, stealing anything they could—typewriters, shovels, you name it. They were going crazy. Some of them were running through the building yelling."

"You know I can understand it," he said. "Nobody came up there to go home without the bucks. They didn't want to have been up early, gone out in that snow and been fighting to get on the bus and then still get nothing."

"They didn't even have a way to get home. The buses weren't taking them back. See, they were right there. It wasn't like an application where they say they'll call you. Those folks could see that job, they could smell it. They wanted it bad," he said.

Jones and Zachary received shovels and jobs and were asked to return to work for Metro yesterday. They shoveled for 12 hours Tuesday and yesterday were among 150 workers asked back.

The looting and vandalism involving the frustrated job seekers at Metro buildings followed a survey last November by Louis Harris and Associates that indicated that joblessness among blacks is reaching a crisis point.

"What emerges is a clear-cut finding that jobs surely must be viewed as one area where blacks feel most frustrated, most left out in the cold and where black desperation bids fair to erupt into front-line trouble in the near-term future," the Harris study said. ●

RALPH VOELKER ARIZONA'S VOICE  
OF DEMOCRACY WINNER

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. UDALL. Mr. Speaker, this year, as in years past, the Veterans of Foreign Wars has conducted the "Voice of Democracy" contest among the Nation's high school students.

Over 250,000 students wrote on the theme "Why I Care About America," and I am proud to say that the winning speech in Arizona came from a resident of the 2d Congressional District, Ralph M. Voelker, of Tucson, who attends Santa Rita High School, reminds all of us what it means to live in America,

what it means to care for America. It is a fine speech by an obviously outstanding young man, and I am pleased to be able to share it with my colleagues.

VOICE OF DEMOCRACY SCHOLARSHIP PROGRAM—ARIZONA WINNER—RALPH MARVIN VOELKER

In 1968 I was only 7 years old. But it was at this time that I started thinking about why I care for America.

What was so important about my seventh year realization? It came from a great disappointment.

In 1968 I was old enough to understand the Olympics. But not quite enough to understand why the American athletes didn't win all of the gold medals. As far as I was concerned, they should.

But then my father sat down and explained to me how hard these medals were to win and how proud I should be that the Americans should win such a large percentage. And I was proud.

I really have to thank my father for that talk, because that pride has stuck with me and that pride has sent me on a journey. One I know will never be completed. One I started when I was only seven years old. My goals; to see every corner I possibly can of this country which those American athletes and everyone in this country so proudly represent. A country that 200 years ago was laughed at because of the freedoms given the people. Laughed at because these freedoms would never work.

But they have worked, and worked in such a way that now lets us laugh at those who thought freedom would never work. But we haven't laughed, for the United States really hasn't had time. Why? Because the United States has been trying to better the rest of the world with our technical knowledge and more importantly our freedom.

This word freedom keeps popping up, and before I go any further I think I should explain to you what freedom means to me. Freedom is being able to stand up for what you feel is right without having to worry that you've stepped on someone's toes.

But none of these things mentioned explain why I as an individual care about America. To answer this question I have to return back to the journey I have begun. I've been to places so beautiful that I'm left spellbound, staring off into the distance.

I have seen the mighty bald eagle, soaring high above, showing the world why it was chosen as a symbol of the United States. And once again a pride builds within me and I feel a strength of America within me. A strength that I know shall never leave me. A strength which urges me to go farther and see more of this, the greatest country the earth shall ever know. Greater than the Roman Empire, more tantalizing than the Greeks of Athens. Stronger than any other empire the earth has ever known.

Because the strength of America grows in the face of danger and my pride grows with every moment of this strength and my journey will continue, even when this speech is just a memory within the midst of my mind, and this strength will never end. For America will never end. And that is just one reason out of the countless millions of why I care for America. And I do care for America. ●

BUY AMERICAN ACT OF 1979

HON. EUGENE V. ATKINSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. ATKINSON. Mr. Speaker, today I am introducing legislation that will up-



date and reform the Buy American Act. This legislation, the Buy American Act of 1979, will bring present law more closely in line with the realities of Government procurement today and more closely in line with the realities of international trade relationships, competition, and negotiations.

The changes I propose in the Buy American Act—changes that were introduced in the Senate by the distinguished Senator from Pennsylvania, Mr. HEINZ—will assure continued fair treatment for American businesses competing for Government contracts against foreign competitors. And it will extend that protection to more products and to State and local procurement with Federal funds. At the same time, the Buy American Act of 1979 will eliminate the direct numerical preference given American products that has caused our trading partners so much consternation, while replacing that preference with a new formula reflecting the true cost to the treasury of foreign purchases.

Briefly, Mr. Speaker, the Buy American Act of 1979 would accomplish the following: First, it would extend protection to State and local procurement when those Government entities make purchases involving more than 50 percent Federal funding; second, it would extend protection to subcontracts which form 10 percent or more of a product's cost; third, it would require the computation of lost tax revenues, higher unemployment compensation, and other "hidden" costs of buying foreign goods, and require the Administrator for Federal Procurement Policy to weigh these hidden costs when making procurement decisions; fourth, the Buy American Act of 1979 brings to Government procurement protection against dumping, export subsidies, and other forms of unfair trade practices; fifth, the act strengthens present Buy American statutes by requiring that an item be 75 percent by value domestically produced before it can be called a domestic article; finally, this new legislation extends Buy American coverage to Amtrak, Conrail and similar procurement entities not now covered.

Mr. Speaker, Buy American legislation is good for domestic industry and jobs. Buy American legislation, properly drafted and implemented, is consistent with fair trade. Buy American legislation, based on true cost to the Government instead of percentage preferences, should contribute to a spirit of cooperation among trading partners.

With the expected prompt conclusion of multilateral trade negotiations and an increased general awareness of the importance of trade matters, all of us must fully understand the importance of Government procurement decisions when those decisions involve choices between domestic and foreign products. I urge my colleagues to study the Buy American Act of 1979 and then to support this improved and updated version of a policy that has served our country and citizens well.●

## SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1979

● Mr. WOLFF. Mr. Speaker, tomorrow the House is scheduled to vote on House Resolution 13, to reestablish the Select Committee on Narcotics Abuse and Control for the 96th Congress. In our efforts to cut costs and keep a lid on inflation and Government expenditures, it would indeed be tragic to let this select committee die before it has been able to fulfill its mandate. There are also those in this body who would kill it blindly in their efforts to do away with all select committees.

The problem of drug abuse is eating away at the very fibers of our society. It is a problem on which the Congress cannot turn its back.

I would now like to insert in the Record two letters, one from President Carter and the other from DEA Administrator Peter Bensinger which strongly indicate the administration's support for the continuance of the Select Committee on Narcotics Abuse and Control. Finally, I would also like to insert the text of the President's Special Message on Drug Abuse of September 22, 1978.

LETTER FROM PRESIDENT CARTER TO CHAIRMAN WOLFF

THE WHITE HOUSE,  
Washington, October 28, 1978.

HON. LESTER L. WOLFF,  
Chairman, Select Committee on Narcotics Abuse and Control, U.S. House of Representatives, Washington, D.C.

TO CHAIRMAN LESTER WOLFF: With the close of the 95th Congress, I would like to express my personal thanks to you and the other members of the Select Committee on Narcotics Abuse and Control for the valuable contributions you have made to our efforts to deal with the drug problem in the United States.

As you know, we have had some significant successes over the past 2 years:

The heroin purity rate is at its lowest level 4.9 percent, down from 6.6 percent in 1976. Heroin overdose deaths are down 27 percent from 1977 and 73 percent from 1976. In 1977, 1,000 fewer people died from heroin overdoses than in 1976.

Our cooperation with the Mexican Government has brought about a 20-percent decline in the amount of Mexican heroin available in the United States.

Statistics indicate a steady decline in barbiturate and other sedative/hypnotic overdose deaths.

International cooperation has permitted us to work with other governments in seizing huge quantities of marijuana on the high seas.

With our encouragement, the United Nations Fund for Drug Abuse Control has been able to convince other governments to make substantial contributions, thereby reducing our total support to under 50 percent. I know you and other members met with Dr. Bror Rexed, Executive Director of the Fund, when he was in Washington recently. Upon his departure, I issued the attached statement supporting the Fund's efforts. I hope we will be able to work together to ensure an appropriate level of United States' participation in the future.

The work and encouragement of the Select Committee, under your dynamic leadership, was instrumental in helping record these successes. However, we are both well aware that the problem of drug abuse will not disappear and that energetic measures must be continued. I can assure you of this Administration's strong commitment to working with you and your colleagues in our joint effort to reduce drug abuse in our country.

Again, thank you for your assistance.

Sincerely,

JIMMY CARTER.

LETTER FROM DEA ADMINISTRATOR BENSINGER TO CHAIRMAN WOLFF

October 24, 1978.

HON. LESTER L. WOLFF,  
Chairman, Select Committee on Narcotics Abuse and Control, U.S. House of Representatives, Washington, D.C.

DEAR CHAIRMAN WOLFF: Now that the 95th Congress has concluded its work I wish to express my personal thanks to you for your sincere efforts in our behalf. In terms of legislation affecting drug law enforcement, this past session has probably been the single most productive. Much of the legislation achieved had been actively sought during the past three sessions of the Congress.

With the enactment of the Psychotropic Substances Act of 1978 much needed legislation to control the growing problem of PCP and critical legislation needed to seize the monetary profits of drug traffickers was achieved. This will be of great assistance to our efforts in drug law enforcement work.

Although these are but a few of the legislative initiatives enacted, I cannot help feel that your efforts played a major role in getting these most important matters through the House. In addition, I want to thank you for your personal guidance and assistance to me as Administrator of DEA.

I speak for all Drug Enforcement Administration employees in thanking you for all your sincere assistance. I look forward to working as closely with you in the 96th Congress as we have in the past.

Sincerely,

PETER B. BENSINGER,  
Administrator.

STATEMENT BY PRESIDENT CARTER

THE WHITE HOUSE,  
Washington, September 22, 1978.

For over 70 years, the United States of America has supported international measures to control drug abuse. Today, it is more important than ever to continue this support.

This Administration recognizes that drug problems cannot be solved unilaterally, but require concerted action by the world community. Drug abuse is exacting an ever greater toll on the citizens of developed and developing countries. It affects our economies, our societies and—most of all—our culture.

The United Nations Fund for Drug Abuse Control has played a central role in this international effort. Despite limited funds it has been remarkably effective in finding cooperative ways for nations to work together on this international problem. Today I am pleased to announce that the United States will contribute \$3 million to the Fund in 1978. With the contribution, I want to extend my best wishes to Dr. Bror Rexed, the new Executive Director of the Fund.

The United States remains deeply committed to the cause of international drug control. We will continue to support the efforts of the Fund, the United Nations and other governments.

JIMMY CARTER.