

## EXTENSIONS OF REMARKS

DEVELOPMENT OF AN AMERICAN  
FISHING INDUSTRY IN CERTAIN  
UNDERUTILIZED SPECIES

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

• Mr. MURPHY of New York. Mr. Speaker, I am today introducing legislation, along with my colleague from New York, LEO ZEFERETTI, to assist in the development by American fishermen of underutilized fisheries species. The purpose of the Fishery Conservation and Management Act of 1976 is, in part:

... to encourage the development of fisheries which are currently underutilized by United States fishermen. ...

After more than 2 years experience with the act, it is clear that there are a number of technological and institutional impediments to the full employment of the underutilized species and, in some cases, the domestic harvest has actually decreased since the act became effective.

An analysis of the underlying causes for this turn of events shows that the act, as adopted, does not provide a ready mechanism for Americans to avail themselves of the existing foreign technology necessary to exploit these fisheries. Basically, successful harvesting of certain east coast and west coast mollusks and bottomfish requires that the catch be frozen at sea in order to prevent deterioration of quality and concomitant foreclosure from existing foreign markets. The technology to harvest and freeze on the same vessel—a "freezer stern trawler"—has been employed for more than 20 years by every foreign nation that operates a distant water fleet. Americans have never adopted this technology since we do no distant water fishing for mollusks and bottomfish and there has never been an incentive to harvest exclusively for an export market.

It is in the national interest for Americans to begin harvesting these underutilized species as soon as possible. Substantial numbers of jobs will be created both in shipbuilding—about 200 man-years for a 1,000 trawler—and fish harvesting—about 50 jobs per boat—and the balance-of-payments deficit will be significantly reduced. Furthermore, as a practical matter, implementation of foreign fishing programs within the 200-mile limit has resulted in an unacceptable waste of available resources. In the east coast squid fishery, for example, only 36 percent of the available squid was harvested in 1978, resulting in a waste of over 50,000 tons of squid. The protein content of this underutilized resource could meet the U.S. recommended daily allowance of 500,000 people for one year.

The squid fishery does not stand alone in this context, although it is perhaps the most egregious example of this waste, since the species has a very short life cycle and squid unharvested 1 year are not available the next. The current export value of this product alone exceeds \$60 million.

The proposed legislation would authorize the Secretary of the Department in which the National Marine Fisheries Service is located to approve underutilized species development plans. Under such a plan, an American company applicant would have the right to use a foreign-built freezer stern trawler as an interim training/harvesting vessel in certain underutilized fisheries pending the delivery of the applicant's U.S.-built vessel. This will permit Americans to begin harvesting these underutilized species immediately, to benefit from the transfer of foreign technology in the construction and operation of these vessels, and to develop and train a pool of skilled American fishermen and crew. The alternative is continued delay of development of an American fishing industry in these underutilized species and a tragic waste of food resources.

The authority granted the applicant is subject to stringent conditions:

First. As part of the plan, the applicant must construct an American-built vessel to replace the foreign vessel;

Second. The foreign training vessel must be used to train American fishermen for service on the replacement vessel in a program acceptable to the Secretary;

Third. The applicant must meet the severe test of U.S. citizenship for operating in coastwise trade pursuant to section 2 of the 1916 Shipping Act. In the case of a corporation, this means that the president, chairman of the board, and most directors are Americans, and that 75 percent or more of the stock is owned by Americans;

Fourth. Ten percent of the gross revenues from the operation of the training vessel must be applied to the construction of the replacement vessel;

Fifth. The training vessel may operate only in designated underutilized fisheries;

Sixth. The size of each individual applicant's program and the total of all applicants in each fishery are limited.

I believe that enactment of this legislation will take us a long way toward developing an American fishing industry in the underutilized species and realizing the objectives of the Fishery Conservation and Management Act. I hope that that the Subcommittee on Fisheries, Wildlife Conservation, and the Environment, of the Committee on Merchant Marine and Fisheries will consider this legislation in its forthcoming oversight hearings on that act. •

RESOLUTION BY WEST GERMAN  
CHRISTIAN DEMOCRATIC UNION  
AND CHRISTIAN SOCIAL UNION  
HAS IMPORTANT IMPLICATIONS  
FOR SALT

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

• Mr. KEMP. Mr. Speaker, one of the principal concerns I have had as a member of the congressional delegation to the strategic arms limitation talks has been the potential effect of the agreement on U.S. allies. To date, there has been little commentary from U.S. allies other than pro forma statements by leaders of allied governments giving their ritualistic support for a major initiative of an incumbent U.S. Government. In March of this year, however, the opposition parties in the West German Parliament (Bundestag) have sponsored the most comprehensive statement on SALT to emerge from an allied nation to date. The content of the CDU/CSU resolution makes clear the nature of allied concerns, and provides useful information for the Congress concerned not only with the ratification of the agreement, but with the reformulation of U.S. defense policy which will be entailed in the execution of the agreement.

The resolution, citing the ability of the Soviet Union to destroy U.S. land-based ICBM's in a first strike, has emphasized the consequent importance of theater forces to the security of Europe. In particular, uninhibited access of the alliance to military technology crucial to U.S. security in the coming decade, particularly cruise missiles is a major concern of the alliance.

The concerns expressed by the CDU/CSU resolution go to the heart of SALT II. The noncircumvention clause contained in the treaty effectively preclude the transfer of technology for long-range cruise missiles—ground launched cruise missiles and air launched cruise missiles launched from tactical aircraft—the very technology most needed to contain the Soviet threat cited in the CDU/CSU resolution.

The resolution further expresses concern about the mutual and balanced forces reduction (MBFR) negotiations. In light of the bilateral United States-Soviet negotiations on MBFR, the concern expressed in the resolution to "up hold, undeviatingly and unalterably, NATO's jointly agreed negotiating goals" our allies have just cause for concern about U.S. negotiating tactics. In multilateral negotiations, the initiation of bilateral discussions between two of the opposing parties raises the possibility of eroding alliance cohesion. Further, the notion that the reductions in national forces, particularly the Bundeswehr is wisely rejected by the CDU/CSU resolution.

tion, because of the special political and military status it would create for the Federal Republic within the alliance.

Both SALT and MBFR have great potential for splintering the NATO alliance unless considerable care is taken to assure unrestricted military cooperation by the United States with our allies, and to take into account in formulating bilateral and multilateral arms control positions, the long-term security interests of the alliance as a whole.

I include the text of the CDU/CSU resolution in the Record at the conclusion of my remarks:

[Translation, German Bundestag, 8th Electoral Period, Document 8/2638, March 9, 1979]

#### RESOLUTION

Motion by the faction of the Christian Democratic Union/Christian Social Union (CDU/CSU).

For a resolution in regard to deliberations on the inquiry by the CDU/CSU faction—Documents 8/2312, 8/2587—on preserving and consolidating peace through security, arms control, disarmament and the abolition of political causes of tension and on the inquiry by the factions of the Social Democratic Party (SPD) and Free Democratic Party (FDP)—Documents 8/2195, 8/2587—on the policies for peace, for defense and détente and on the status of disarmament and arms-control efforts.

Be it resolved by the Bundestag:

I

As a result of the debate of March 8 and 9, 1979, on the above-mentioned inquiries and the Government's reply, the German Bundestag states that:

1. The supreme goal of the Federal Republic of Germany's security policy is the ensuring of its territorial invulnerability, its external security and its political freedom of action through, on the one hand, sufficient defence capability, and, on the other hand, efforts towards abolishing political causes of tension, towards arms limitation and towards disarmament.

For decades the security and freedom of the Federal Republic of Germany have been based on this country's active membership in the North Atlantic Alliance and in the European Community.

This rootedness in the shared destiny of free peoples and democratic states will continue to be the basis of our security and of our policy of doing away with political causes of tension and armament in Europe, of decreasing military confrontation, and therefore of serving peace in Europe and throughout the world.

2. Our defense necessities and our possibilities of disarmament are to be oriented according to the extent and kind of threat by the Soviet Union with its allies; that is, according to its military potential and the expansive goals of its foreign policy.

It is with increasing concern that we must ascertain what the Soviet Union has been doing during the years of efforts towards East-West détente and during the concomitant negotiations on arms limitation: Instead of subjecting itself to the anticipated degree of military moderation, the Soviet Union has undertaken mass-scale armament, and has evidenced growing readiness to risk direct and indirect intervention throughout the world.

Through its arms policy and its arms-control policy, the Soviet Union is seeking, not a peace-stabilizing military balance, but, instead, military superiority and its projection as political influence.

3. As a result of this offensive Soviet arms policy, we must ascertain with concern that:

Deterrence is being made more difficult be-

cause of the Soviet Union's having achieved approximate parity with the United States on the nuclear-strategic level, and because of the threat that by the mid-1980's the Soviet Union will be capable of destroying, in a first strike, the American land-based Intercontinental Ballistic Missiles (ICBMs);

As a result, all the more importance is attached to the imbalances at the lower levels of deterrence, in particular: the Soviet Union's immense superiority in the sphere of nuclear medium-range weapons, the Soviet preponderance in the tactical nuclear realm, the continually increasing superiority of the Warsaw Pact forces in the conventional sphere.

II

Accordingly, the German Bundestag calls on the Government of the Federal Republic of Germany—

1. In its security policy, to seek, jointly with its allies, a balanced combination of, on the one hand, the requisite defense precautions, and, on the other hand, possible limitation of arms so as to compensate for the existing disequilibrium in the military balance of power;

2. In particular, to see to it—

That the necessary decisions on development, production and stationing of medium-range weapons (for example, Pershing II, Cruise missiles) are taken promptly, so as to maintain the credibility of NATO's deterrence capability in Europe.

That the compensatory reinforcement and modernization of NATO armament anticipated in the Long-Term Defense Program (LTDP) be undertaken without delay.

That a decision be taken as to the production and stationing of the neutron weapons required, in particular, as defense against the Eastern superiority in armor;

3. Within the negotiations on Mutual Balanced Forces Reduction (MBFR)—

To move ahead with negotiations, without the pressure of self-imposed deadlines and without further advance concessions by the West,

In so doing, to uphold, undeviatingly and unadulteratedly, NATO's jointly agreed negotiating goals.

In particular, to oppose any form of fixating the Soviet superiority in the reduction zone as to counter any Soviet claim to a voice as to the strength of the Federal German Armed Forces (Bundeswehr)—with a resultant military and political special status for the Federal Republic of Germany;

4. Vis-a-vis the United States, in view of the American-Soviet Strategic Arms Limitation Talks (SALT), to uphold the following European interests:

(a) The anticipated non-circumvention clause in the 8-Year Treaty must not impede the modernization and supplementation of the weapons necessary to the defense of the NATO area in Europe, or the accordingly necessary cooperation between the U.S. and the European allies.

(b) The treaty arrangements themselves must be balanced, verifiable and unambiguous.

(c) After expiration of the period of validity of the protocol within the SALT II treaty arrangements, all weapons options (for example, Cruise missiles) required for European security must be reopened.

(d) Even before ratification of SALT II, a joint NATO negotiating strategy for the follow-up negotiations\* must be worked out;

5. To call U.S. attention to the significance for European security that is attached

\* Negotiations on measures to deal with the so-called "gray zone" weapons: Soviet medium-range bombers and nuclear rockets, not covered in the proposed SALT II treaty, to which all of Europe, in particular the Federal Republic of Germany, is exposed.

to the invulnerability of the American land-based ICBMs;

6. To reaffirm the principle of shared risks and obligations that is the foundation of the alliance's effectiveness, unity and viability. This principle must not, however, rule out the taking of measures indispensable to the Federal Republic of Germany's security.

Bonn, March 9, 1979.

Dr. Helmut Kohl, Dr. Friedrich Zimmermann and the CDU/CSU faction.●

#### U.S. TRADE WITH CHINA

#### HON. BO GINN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. GINN. Mr. Speaker, with the current intense interest regarding commerce with the People's Republic of China, I would like to take note of a recent article which appeared in the "Growth Rings" publication about my constituent, Mr. C. L. Chang. Mr. Chang, now a resident of Savannah, Ga., fled mainland China in 1961, and I believe this article provides an interesting insight into both his remarkable life and in the activities of the Chinese regarding trade with the United States.

It is 1961. Heavy rains and floods sweep mainland China. Damage to homes and property is extensive, but worse yet are the ruined, inundated crops. Thousands of Chinese flee from famine, at least temporarily abandoning their ancestral homes and villages.

It is night. A cold, heavily overcast gloomy night on the sharp, scrubby side of a mountain overlooking the narrow river which separates China from Hong Kong, the British Crown Colony. Two men, one hardly more than a boy, search for an old, little-used path, a goat trail, that leads to the water below. Tread softly, for stones will clatter down the slope, alerting border guards who watch along this fringe of the Bamboo Curtain. For two nights the boy and the man, an older cousin, have sought out the trail. Twice they have failed, and now hunger, tension and a gut-tightening sense of desperation grow within them. But then, one more turn, through some bushes, and there it is. The river. A few hasty words, an embrace, and the boy slips into the freezing water. It is only a hundred feet across at this point, but it takes excruciatingly long moments to stroke, kick and splash towards the far shore. The downstream current helps, but eventually of course it would wash the young swimmer into the sea.

The boy's name is Baby Dragon. He is the youngest child of a large Shanghai family, and he is slipping across an international border to join his parents in Hong Kong. He is leaving behind many relatives, including the aunt and uncle who cared for him when his parents "crossed over" a year or so before, seeking work and money. The money would be sent back to support their family. Now they are established merchants on this speck of a British island along the Chinese coast, and the boy will join them. He will study, and he too will work to support the family that remains behind. In English his name will be C. L. Chang.

It is 1969. C.L. is a young man now, 20 years old, in America, and traveling to Washington, D.C. There he will merge into the family of an older, married sister, and he will enroll in a university. But Washington proves to be too expensive for a student



who can only work part-time, so he travels on to Nashville, Tenn., where he earns an associate degree in nuclear engineering. At Georgia Tech in Atlanta he completes the four-year curriculum in mechanical engineering, graduating in 1975. He meets another Chinese student, Annie, who is studying mathematics and engineering. In 1977, Annie completes her studies, and she and C.L. are wed.

It is early 1979, C.L. has proven himself to be a versatile, talented engineer. He is working for Georgia-Pacific at the pine plywood complex in Savannah. At night he studies for a masters degree in business administration. He is an industrious, friendly, professionally competent and an exceptionally intelligent young man. But a deep-rooted sorrow plagues him and Annie. Both miss the close daily contact with their relatives, a yearning tracing back to the deep-seated Chinese concept of the family as a focus of all life and affection.

Also in 1979, momentous events are taking place on the world stage. The vice premiere of China, Teng Hsiao-p'ing, has launched "The New Long March," a determined effort to bring some of the blessings of modern technology to the world's most populous nation. Emerging from the shadow of the Cold War and the Cultural Revolution, Teng side-steps touchy diplomatic issues and establishes full diplomatic relations with the United States. He undertakes a well-publicized tour of this country.

Simultaneously, another, virtually unknown, Chinese delegation begins their own tour of the West. They are Chinese engineers, involved with the development of China's miniscule forest products industry, and they are seeking first-hand exposure to the industry and technology of Europe and the United States. The U.S. Trade Commission in Washington, D.C., plots an agenda, and it includes a visit to Southern pine plywood and particleboard operations. Would Georgia-Pacific be interested in demonstrating its technology?

A tour is arranged. Southern Division public relations manager Bill Lovett lays out the basic schedule, coordinating matters with local management at G-P's plywood and particleboard plants near Russellville, S.C. Members of the host's reception group include G-P Senior Vice President H.S. Mersereau, manufactured board group manager John Robinson, plywood group manager Art Stabler, environmental engineer Gerald Tice, and technical services manager Ken Peterson. Local management involved are area plywood manager Joe Gavalas, plywood plant manager Raz Carter, particleboard plant manager Jack Brown, and a number of staff people from the two plants.

But the first G-P employee to greet the Chinese when they alight at the plant complex is C. L. Chang, Yang Yensen, the head of the delegation and general manager of the China National Forestry Equipment Corporation, hesitates, for just an instant, in slight surprise. Greetings are exchanged in Yang's home dialect from Shanghai. "When did you come here," he asks, and the question is laden with unspoken, East-meets-West meaning.

"I told him I left China in 1961," C. L. later explained, "and I didn't have to say anything more. He understood. And that was the last word mentioned concerning my origins."

The plant tours go as smooth as Chinese silk. There are 17 members of the delegation. They clamber over and around and about every inch of the operations. They ask penetrating questions at briefing sessions preceding and following each tour, furiously scribbling notes in Chinese characters that run from right to left across the pages of tiny notebooks. The cut of their clothes is just slightly different. Their cigarettes are slightly shorter and thicker. A few wear caps seen most frequently in newsreels, and all wear black shoes.

They ask, for example, if particleboard can be used to manufacture television cabinets. John Robinson replies, "Yes, it can." And only a day later, during the concluding hours of Vice Premier Teng's visit, the Chinese announce a contract with a major American electronics firm to build the components of literally thousands of television sets for use in China. U.S. assistance in building an orbiting, television relay satellite is also announced. Undoubtedly, the signals will bounce to U.S.-made tubes and transistors housed within Chinese-made television cabinets . . . cabinets possibly made in plants slightly resembling the G-P plant at Russellville.

And through almost all the tours and the almost diplomatically ceremonial dinner which G-P held for its foreign guests that evening in nearby Charleston, C. L. Chang kept a steady, sure-footed flow of translation and conversation going between the two groups. Of course the Chinese had their own translator, and the trade escort officer also spoke Chinese, as did one or two of the delegation's members. But to the G-P people, C. L.'s efforts seemed the best, encompassing a command of not only both languages, but also an astute grasp of the engineering itself and the technical matters being discussed.

His was an amazing performance, a touch of home that quickly dispelled any first-time shyness between the two groups. Mid-way through the tours everyone seemed at ease, and the last vestiges of hesitant inscrutability were completely put to rout that evening at dinner. Business done, the conversation turned to pleasantries about food, sports, local history, life in America . . . and a hundred other matters any tourist unfamiliar with Western ways might ask.

"I think they were well pleased with the results of their visit," C. L. said later. "They were surprised at the way we would answer their questions, without holding anything back . . . and by the real welcome we gave them. They told me about their visit to another manufacturer's plant, where the welcome was not quite as good as ours, nor the information quite as detailed. I enjoyed the contact, but I wish I had more knowledge about them and about us. So I just did the best I could."

C. L.'s performance must have been good enough. For when Yang rose to close the dinner with the traditional final toast, his words were tinged with warmth, pledges of friendship, thanks and future contact. And as he saluted each of the G-P people in turn, a special slight smile crossed the Chinese leader's lips as he raised his glass to C. L. Chang, Baby Dragon, G-P's China Connection. ●

#### PERSONAL EXPLANATION

### HON. DONALD JOSEPH ALBOSTA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. ALBOSTA. Mr. Speaker, I was tied up in an important committee hearing and missed the opportunity to vote in favor of H.R. 3464, the Supplemental Security Income Disability Amendments of 1979. I supported this legislation and am pleased that it passed the House by an overwhelming majority.

H.R. 3464 will allow SSI recipients to enter the work force, knowing that at least some of the basic necessities of life are assured, while they go about developing or relearning the skills which will help them become self-sufficient later on down the line.

In the past, the Federal Government has pulled the rug out from under these people before they have been able to get their feet on the ground in their new jobs. Many of these disabled individuals, afraid to risk the loss of much-needed income and the medical and social services provided under SSI have remained wards of the Government, not by choice but by necessity.

It has been my experience that most severely disabled individuals want to work, if at all possible. Given a little encouragement, they can often become valuable employees. This legislation will help provide that encouragement.

I intend to give my full support to this legislation once it is reported out of conference and comes before the House for a final vote. ●

#### OIL AND GAS LEASING DELAYS

### HON. JIM SANTINI

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. SANTINI. Mr. Speaker, I would like to call to the attention of my colleagues the tremendous problems with delays in oil and gas leasing permits on Federal land revealed in the hearings held in Denver last September in conjunction with the domestic policy review of nonfuel minerals potential of Federal lands. Without belaboring the issue of why the forum available to oil and gas exploration industry has to be a nonfuel mineral policy study, this hearing brought out testimony that one of the major problems facing oil and gas producers is delays in getting access permits to drill and test Federal land. Testimony was received that it took BLM up to 3 years just for BLM to process a permit which finally allowed explorations. This raises costs to the point where exploration is delayed or worse, deferred indefinitely. BLM has a present backlog of 530 oil and gas lease applications covering over 1 million acres in my State of Nevada alone where some exciting new prospects have recently developed. This is to say BLM had 530 permits for oil and gas exploration that had been applied for but not yet issued. Over 3,000 oil and gas applications are backlogged in Montana while BLM and the Forest Service decide their fate. If applications had been promptly processed over the last few years, a few of them might be producing needed oil and gas today. It seems strange that the United States, at this time in our history, seems to be deliberately frustrating those who find and produce our mineral wealth.

I think it is a tragedy that as our people sit in gas lines throughout this country, oil and gas drilling permits sit in line in untold bureaucratic offices without receiving the priority or attention they deserve.

I urge all of my colleagues and their staff to review the testimony made at the hearings of the domestic policy review of nonfuel mineral potential. In recent Mines and Mining Subcommittee hear-

ings, the Secretary of the Interior promised me he would make these publicly available. They offer some real insight into problems facing this country in future supplies of mineral resources.●

### IS BIG REALLY BAD?

**HON. HENRY J. HYDE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. HYDE. Mr. Speaker, in our continuing dialog on the antimerger legislation now pending in the Senate Judiciary Committee and which may come before us, I want to share with my colleagues excerpts from the testimony of Kenneth W. Dam when he appeared before the Senate Judiciary Committee recently.

Mr. Dam, director of the University of Chicago Law School's law and economics programs, offers well-reasoned and important comments on the drastic effect passage of the antimerger bill would have on U.S. trade.

The excerpts, as printed in the May 22 edition of the Wall Street Journal, follow:

#### KENNEDY'S "BIG IS BAD" BILL

(By Kenneth W. Dam)

Defenders of the antitrust law often deny that it equates bigness with badness. But the "big is bad" slogan will become the law of the land if Sen. Edward Kennedy's proposed "Small and Independent Business Protection Act of 1979" passes.

S. 600, or the conglomerate merger bill, as it's also known, would prohibit the merger of U.S. companies with \$2 billion in assets or sales and severely restrict mergers of somewhat smaller companies. The measure is aimed at so-called conglomerate mergers between companies in different lines of business.

Present antitrust already raises some obstacles to such combinations, as well as horizontal and vertical mergers. But under S. 600, no showing of anticompetitive danger would be required to bar mergers involving firms with assets or sales of more than \$2 billion. The proposed law simply assumes that big companies have unfair advantages and that smaller is beautiful.

The Kennedy bill has been attacked on a number of grounds, not least for the implication that size is inherently evil. Serious studies have long since discredited this notion. And if size is an evil, why limit the scope of the bill to mergers; why not simply order the government to bust up any firm that has had the "luck" (skill?) to grow beyond a certain point?

But the really striking fact about the arguments put forth by proponents of measures like S. 600 is that they are out of date. For all one can divine by reading the testimony in favor of the Kennedy bill, we might be living in an economic Fortress America, where neither imports nor exports have any bearing on competition or on the economic well-being of the American people.

That might have been true during the period of American economic hegemony that followed World War II. But now the U.S. is only one of the world's major trading countries. Foreign consumers are no longer dependent on American goods, and here at home the pressure of import competition constitutes a major constraint on price increases and profit margins.

#### DOMINANCE IN AUTO INDUSTRY

Yet business critics continue to talk, for example, about the dominance of four companies in the American automobile industry. A glance down Constitution Avenue should convince any objective observer that all those Volvos, Volkswagens, Renaults, Datsuns and Toyotas cannot be ignored for mere arithmetic convenience. Only one firm makes consumer sewing machines in the U.S., yet well over half of U.S. consumption is imported.

How can Congress hope to make sound policy on the basis of numbers that mask, rather than reveal, the underlying realities?

If U.S. firms are to be prevented from enjoying some of the financial and management advantages achievable by conglomerate merger at the same time that their foreign competitors can reap those advantages, then the U.S. economy will be less productive. Efficiency is especially important in view of the fact that in many countries major industries receive assistance from their governments in the form of guarantees, subsidies or even equity participation. With increasing frequency developing countries, such as Korea, are finding markets in the developed world by these techniques. The ability to diversify risk and to tap broader sources of capital may be crucial to the survival of competing U.S. firms in the 1980s.

Conglomerate merger is one of the principal devices by which weak firms are strengthened and resources flow between industries. Firms facing strong import competition must be strengthened, or resources must be transferred from those firms to industries enjoying greater international comparative advantage.

Conglomerate merger is a more promising device to bring capital and better management policies to revitalize troubled firms than its governmental adjustment assistance, which too often turns out to be burial insurance and which few analysts believe will ever work to turn around weaker firms. And when resources must be transferred out of an industry that is no longer viable, even with better management and adequate finance, conglomerate merger is often a more palatable and efficient technique than is the alternative market process in which the uncompetitive firm simply wastes away, losing key employees and allowing obsolescent plant and equipment to deteriorate.

Conglomerate merger is also an alternative to more interventionist policies followed in other countries. One such alternative is protection. But tariffs and quotas are antithetical in spirit to the antitrust laws and certainly not in the consumer interest. Also at odds with U.S. tradition are forced reorganization of industries, a policy followed in Japan and France, and government mandated production-allocating cartels, such as the European steel cartel.

An even more ominous interventionist alternative is nationalization or, what amounts to nearly the same thing, massive direct subsidization of ailing firms. This policy has been pursued in a number of countries, sometimes dressed up as a socialist policy but often pursued as a straight bailout by more conservative governments.

For example, the British have in the past decade taken over one internationally weak sister after another, under both Labor and Conservative governments. The Heath government's takeover of Rolls-Royce in 1971 set the trend. In 1975 the British decided to make a virtue of necessity by converting most of these ailing firms into subsidiaries of the National Enterprise Board. The NEB is in form a public corporation but the reality is that it is a conduit for massive amounts of public funds into companies that are unable to turn themselves around because

neither new management nor better financial practice seem to follow the infusion of tax money into public sector industrial firms. British Leyland, one of NEB's principal holdings, had a net loss including extraordinary items of about \$77.5 million last year.

#### EXPERIENCE IN ITALY

The same pattern has been followed in Italy. The Italian Industrial Reconstruction Institute (IRI) dominates large sectors of Italian industry, including steel and shipbuilding. Much of the IRI empire dates back to the Fascist period. It was run in the immediate post-war period according to commercial criteria. But in the 1960's IRI was increasingly used to bail out industries in trouble. The most spectacular example was the acquisition of a controlling interest in the giant chemical firm Montedison, which continued thereafter to lose money on a scale which threatened the solvency of the IRI itself. In 1978 Montedison lost nearly \$300 million. Italsider, an Italian state-owned steel company, lost over \$400 million in 1977, the latest year for which figures were available.

The United States has had little experience with direct intervention. The principal example is Lockheed. We were fortunate that the Lockheed experiment was limited to loan guarantees and that it worked out as well as it did. Those who fear that Lockheed is a bad precedent for the future should be reluctant to close off a private sector alternative. We increase the likelihood of future bail-outs if we foreclose conglomerate mergers now.

Another international issue not considered by proponents of the conglomerate merger bill is how it would affect investment decisions. When industries stop growing but are still reasonably profitable, managements naturally consider investments outside the boundaries of the firms as they then exist. Although increased dividends are an alternative, they attract double income taxation and thus may not be in the interest of stockholders.

If many domestic mergers are now to be foreclosed, the incentive for foreign investment will be increased. The tendency will be to drive domestic firms toward becoming multinationals. One need bear no populist grudge against foreign investment or multinationals to deplore rules that bias firms in favor of foreign as opposed to domestic investment. The conglomerate merger bill thus could result in exactly what the critics of multinationals deplore—the exporting of jobs.●

#### VIETNAM VETERAN'S WEEK

**HON. ROBERT F. DRINAN**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1979

● Mr. DRINAN. Mr. Speaker, last week this country honored the people who served in the ranks of the Armed Forces during our involvement in Vietnam. The week beginning May 28 through June 3 marked the first commemoration of Vietnam veterans. For the first time these individuals received the long-overdue recognition that they deserve for their service during that conflict. The concern shown for the special needs of the Vietnam veteran mark what should be only the beginning of a long and concerted effort to recognize these brave men and women. I hope that my colleagues will maintain an active interest in this issue



and promote the involvement of their constituents in an ongoing campaign to aid the Vietnam veteran.

Press attention has sensitized the public's awareness to these problems over the past week, and encouraged efforts to address the special problems facing Vietnam-era veterans. The plight of the Vietnam veteran must continue to be a "current issue" deserving of the public's attention.

The action of this body to establish a new program to provide outpatient, readjustment counseling, and related mental health services for Vietnam-era veterans is one example of positive steps forward.

Of primary importance, we must not forget the personal sacrifices of the young people who were called upon to serve their country during the long and arduous war in Indochina. Let us continue to aid the Vietnam veteran in meaningful and constructive ways. Last week's Vietnam Veteran's Week was a good beginning toward a fuller recognition of this deserving group.●

#### VIETNAM VETERANS

### HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. LEHMAN. Mr. Speaker, I recently met with representatives from various veterans groups in the 13th Congressional District of Florida. Among those in attendance were Vietnam-era veterans. Speaking with these younger veterans separately, I observed that while they share many of the concerns of the veterans of earlier wars, their needs are far greater.

Vietnam is thought of as a war without heroes, a war we want to forget. There were no ticker-tape parades for the soldiers returning from Southeast Asia, but we cannot say that these men and women did less for their country than those who served in the two World Wars or in Korea. They answered the call of their country and did their best under trying political and military conditions. For many, the suffering was great and remains great years after the last American troops left Vietnam.

We have just finished observing Vietnam Veteran's Week. In addition to ceremonies to honor these Americans, the week was marked by passage of legislation to provide outpatient, readjustment counseling, and related mental health services for Vietnam-era veterans. This is an important step in meeting the needs of these neglected veterans, but much more should be done.

I have agreed to cosponsor the Vietnam Veterans Act which will provide special assistance in the areas of education, jobs, housing, and rehabilitation. In most instances, this legislation will only put the Vietnam veterans on equal footing with other veterans. It will also address the unique problems of the Vietnam veterans who have special readjustment problems.

I am hopeful that the attention drawn to these men and women during Vietnam Veteran's Week will result in early and steady progress for this legislation.

We are late in recognizing and expressing our appreciation for their sacrifices. We owe these men and women a debt of gratitude and should resolve to ease the suffering which we helped to create.●

#### TRIBUTE TO GEORGE E. AKERSON, JR.

### HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mrs. HECKLER. Mr. Speaker, one of the great pleasures and privileges of serving a congressional district is the opportunity to meet and work with the outstanding and dedicated leaders of our communities. George E. Akerson, Jr., of Westport, Mass., was such an individual—concerned, civic minded, and respected by his community and his professional colleagues.

George Akerson passed away last month, but his exceptional career as a newspaperman will stand as a lasting tribute to this admired gentleman. I take this moment to share with my colleagues an article from the Westport, Mass., News—an article that expresses so well our strong feelings for this respected individual:

GEORGE EDWARD AKERSON, JR., PUBLISHER AND EDITOR OF THE WESTPORT NEWS

George E. Akerson, Jr., husband of Phyllis (Chadwick) Akerson of 295 Horseneck Road, Westport, died Tuesday, May 1, at St. Luke's Hospital in New Bedford.

The son of the late George E. and the late Harriet (Blake) Akerson, he had lived in Westport for the last ten years.

A newspaper man all his life, he started out in the business as a staff writer for the Boston Herald after his graduation from Harvard in 1939. A five year stint in the Air Force during WW II found him a Lieutenant Colonel with over 10,000 hours in the air, flight time which included bombing raids over Japan and a record setting non-stop flight as pilot of a B-29 from Japan to Washington, a flight for which he was awarded the Distinguished Flying Cross.

After the war, he was promoted to the rank of Brigadier General, and returned to the newspaper world, following in the steps of his father who had served as Press Secretary to President Herbert Hoover. While employed by the Herald Traveler, George Akerson worked his way up from Assistant to the Publisher to Advertising Director to Assistant Publisher and was named President and Publisher of the corporation in 1963. Five years later, in 1968, he was named Chairman of the Board of Directors of the Boston Traveler Corp.

George Akerson retired and moved to Westport in 1975, where he founded the Westport News, and served as its Editor and Publisher, working seven days a week without pay, running the paper as both a hobby to occupy his spare time and as a springboard for young writers and photographers allowing them to get their first experience in journalism "under the gun". George Akerson liked working with young people, teaching them the business through actual experience, and he taught them well, as many have gone on to bigger and better things.

George Akerson insisted The Westport News be mailed free of charge to every home in Westport and Little Compton, as a public service to the community he loved so much. He also insisted The Westport News be run as a completely independent, autonomous paper, uninfluenced by local politicians or advertisers. This hard line approach to running a newspaper gained him respect and admiration throughout the community.

Among other things, George Akerson was known as the local authority on the American Indian, a subject he was asked to speak on frequently by various groups throughout town, and which he did with great joy. He was also known for his collection of limericks, once saying he had every known limerick in the English language in his personal library.

To his employees, he was always more of a friend than a boss, always willing to listen to personal problems with a sympathetic ear. He will be missed very much by all who knew him, but the work he started will be carried on.●

#### TERMINATE DEPARTMENT OF ENERGY

### HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. WHITEHURST. Mr. Speaker, on Tuesday, June 5, I introduced H.R. 4329, a bill to terminate the Department of Energy on January 15, 1982, unless prior to that date the Congress has enacted a law to continue it. My floor statement regarding the bill may be found on page 13329 of the June 5 RECORD.

Today I would like to share with my colleagues an article by Milton Friedman, which appeared in the June 4, 1979, issue of Newsweek. He deals cogently with this issue, and, I believe, provides additional reasons for the termination of this Department. Let me call your attention particularly to his final sentence, which bears repeating here:

It might even occur to someone how much better off we were before we had a Department of Energy.

It certainly has occurred to me, to many of my colleagues, and, I am sure, to a great many other citizens.

I urge prompt and favorable consideration of H.R. 4329; I think its passage, and the ultimate termination of the Department of Energy, would serve our country well.

The article follows:

#### BLAMING THE OBSTETRICIAN (by Milton Friedman)

The explanations of the energy crisis and gasoline shortage that gush forth from government officials, newspaper reporters and TV commentators are tantamount to blaming the obstetrician for the baby.

A rapacious oil industry did not produce the gasoline shortage. Wasteful consumers did not produce the gasoline shortage. Hard winter did not produce the gasoline shortage. Not even Arab sheiks produced the gasoline shortage.

After all, the oil industry has been around for a long time—and has always been rapacious. Consumers have not suddenly become wasteful. We have had hard winters before. Arab sheiks have desired wealth as far back as human memory runs.

## WHY NOW?

The subtle and sophisticated people who fill the newspaper columns and the airwaves with such silly explanations of the gasoline shortage seem never to have asked themselves the obvious question: why is it that for a century and more before 1971, there were no energy crises, no gasoline shortages, no problems about fuel oil—except during World War II?

There is an energy crisis, there are gasoline lines, for one reason and one reason only. Because government has decreed that there shall be. Of course, government has not done so openly. The President never sent a message to Congress asking it to legislate an energy crisis and long gasoline lines. But he who says A must say B. The government, beginning with President Nixon on Aug. 15, 1971, imposed maximum prices on crude oil, gasoline at retail and other petroleum products. And, unfortunately, the quadrupling of crude-oil prices by the OPEC cartel in 1973 prevented those maximum prices from being abolished when all others were. Maximum legal prices for petroleum products—that is the key element common both to World War II and the period since 1971.

Economists may not know much. But we know one thing very well: how to produce surpluses and shortages.

Do you want a surplus? Have the government legislate a minimum price that is above the price that would otherwise prevail. That is what we have done at one time or another to produce surpluses of wheat, of sugar, of butter, of many other commodities, and, most tragically, of teen-age labor. The minimum wage is a legislated price above the price that would otherwise prevail for the labor of many teen-agers. Like every minimum price, it enhances the amount supplied and reduces the amount demanded, and so produces a surplus, in this case of unemployed teen-agers.

Do you want a shortage? Have the government legislate a maximum price that is below the price that would otherwise prevail. That is what New York City and, more recently, other cities have done for rental dwellings, and that is why they all suffer or will soon suffer from housing shortages. That is why there were so many shortages during World War II. That is why there is an energy crisis and a gasoline shortage.

There is one simple way to end the energy crisis and the gasoline shortage tomorrow—and I mean tomorrow and not six months from now, not six years from now. Eliminate all controls on the price of crude oil and other petroleum products. The gasoline lines would melt faster than the snows of winter.

Other misguided policies of government and the monopolistic behavior of the OPEC cartel might keep petroleum products expensive, but they would not produce the disorganization, chaos and confusion that we now confront.

## GAS WOULD COST LESS

And, perhaps surprisingly, this solution would reduce the cost of gasoline to the consumer—the true cost. Prices at the pump might go up a few cents a gallon, but the cost of gasoline today includes the time and gasoline wasted standing in line, and hunting for a gas station with gas, plus the \$10.8 billion annual budget of the Department of Energy, which amounts to around 9 cents per gallon of gasoline.

Why has this simple and foolproof solution not been adopted? So far as I can see, for two basic reasons—one, general, the other, specific. To the despair of every economist, it seems almost impossible for most people other than trained economists to comprehend how a price system works.

Reporters and TV commentators seem especially resistant to the elementary principles they supposedly imbibed in freshman economics. Second, removing price controls would reveal that the emperor is naked—it would show how useless, indeed harmful, are the activities of James Schlesinger and his 20,000 employees. It might even occur to someone how much better off we were before we had a Department of Energy. ●

## A TRIBUTE TO OUR FIGHTING MEN IN VIETNAM

## HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. ASHBROOK. Mr. Speaker, it was a pleasure for me to see the recent publicity given to honoring our Vietnam veterans during Vietnam Veteran's Week. My record, throughout the Vietnam and post-Vietnam eras, shows that I have been aware of the debt we owe to these men. But we owe our former fighting men in Vietnam not only a debt in monetary benefits and jobs, but another, spiritual payment: the accolade given fighters for freedom.

Our men in Vietnam fought for the same cause our soldiers died for in other wars: freedom. In the early 1940's, with Americans firmly united in the war effort, it required great courage to do one's job as a soldier. But we have never asked as much of human beings as we did of our men in the late 1960's, when they did their duty despite confusion, stupidity, and vast numbers of enemy sympathizers at home.

We do not wish to remember war, but we cannot forget heroism. It is not to fix our minds on the blood baths in the Pacific that we have the Iwo Jima Memorial. The purpose is to commemorate bravery in the cause of freedom. It is not the "agony of Vietnam" we should remember, but we certainly should not let the agony allow us to forget the moral triumph of the hundreds of thousands of young Americans who did their duty.

Too many commentaries on our Vietnam veterans seem to be saying, in effect, that we should pay them off in money so we can forget the whole painful episode. This is morally wrong. It is spiritual cowardice. The Vietnam era was catastrophic, but that catastrophe was the fault of those in power, both in Washington and in the New York-based media. It was not the fault of the young men who fought and died for their country. It is our own failures that make the period painful, not their heroism.

Half a million American military personnel stood between 30 million Southeast Asians and Communist enslavement and death. We have seen the millions die and the enslavement proceed since those troops withdrew, so that today only a psychopathic liar—or a psychopathic ideologue—could deny that statement. The army of South Vietnam fought long and hard, but it was the American forces that made the final difference.

In Cambodia alone, from 1 to 3 million people have been murdered by Communists. That means that for each American soldier withdrawn from support or combat duty—and most were in support duty—two to six Cambodians have died.

While our soldiers fought and died for the freedom and the very lives of the Vietnamese, American big media kept insisting that the Vietnamese people loved the Communist invaders. But our fighting men noticed that the streams of refugees streamed southward, away from the Reds. The big media never noticed that their Communist heroes, their so-called people's friends, always have to chase those people down to conquer them, and to build walls around them to keep them once they have been "liberated." This sort of distortion did not fool our troops. They could see that they were defending a whole people from oppression, slavery, and butchery, though we at home gave them precious little credit for it.

Our leaders—not our men in uniform—failed the people of Vietnam, just as they failed their defenders. This is indeed a painful memory for a leadership which failed to lead, just as it should be agonizing to the media which failed to inform. But it does not negate the heroism of our Vietnam fighting men. Nor does it give us any right to "forget about it." ●

## FEDERAL GOVERNMENT'S ROLE IN OUR LIVES

## HON. ANDY IRELAND

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. IRELAND. Mr. Speaker, the attached editorial which was aired on WTVT, Channel 13 in Tampa on April 27 of this year addresses a question which should be of concern to all of us: the increasing role of Federal Government in our lives.

It was extremely well done and I wanted to take a moment to bring it to your attention.

The editorial follows:

WTVT EDITORIAL: UNCLE SAM AS NUTRITIONIST

Should marijuana peddlers now preying on our school children be put out of that business, they may have a whole new field to exploit if some people in Washington have their way. They can lurk around the school grounds pushing candy bars. The Department of Agriculture is working on a proposal to ban the sale of any food it considers insufficiently nutritious in school buildings. School principals would not be thrown in jail for violating the decree, but would lose their school lunch subsidy.

Now, it's a legitimate question, whether to allow junk food and soft drinks in our school buildings. But we think our local school officials are perfectly capable of deciding for themselves what is desirable or not. And if they can't, parents can certainly let them know. We don't need a horde of federal candy inspectors snooping around the hallways.



What's really frightening is that some people in government, including a few in Congress, think the feds ought to tell all of us what to eat. Senator McGovern has talked of giving the Agriculture Secretary authority to regulate the sale of foods of limited nutritional value. Controlling foods and drugs which are outright poisonous is one thing. But telling you what you should have for supper tonight is something else. In the first place, who's to say what's good for you and what's not? Just as an example, many fresh fruits have more sugar than a candy bar. If you don't want Uncle Sam at your dinner table every night, let your Congressman know.●

#### MIDLAND COOPERATIVES SUPPORT INCREASED AGRICULTURE RESEARCH FUNDING

#### HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. OBERSTAR. Mr. Chairman, American farmers are the most efficient in the world. Their increasing rate of efficiency has long far outstripped that of the industrial sector of the U.S. economy. However, the rate of improvement has slowed by 40 percent in the 1970's, just when export markets, so important to our balance of trade, are expanding. Unfortunately, Federal support for the agricultural research, extension and teaching programs of our land grant colleges—a key factor in the farmer's ability to increase efficiency—has been seriously eroded by inflation since 1966. Thus we have been exhausting our stock of basic research knowledge. Our backlog of basic knowledge obtained from agricultural research needs to be replenished if the United States is to retain its leadership in food production and handling.

Both the extension system, which transfers new agricultural technology to farmers, and the research and teaching programs carried out at our land grant institutions which train the scientists who produce new technologies, need greater congressional support.

After careful study of our research needs and serious consideration of the Federal Government's budget capabilities, the Committee for Agricultural Research, Extension and Teaching (CARET) has requested a modest increase of 6 percent plus inflation for essential land grant college agricultural programs—a total of \$64 million. I heartily endorse that investment now for the future welfare of the Nation.

History shows us that such investments pay off at the rate of 30 to 60 percent annually.

I would like to share with my colleagues the following excerpt from the resolutions passed at the recent annual membership meeting of Midland Cooperatives, Minneapolis, Minn. The Midland Cooperatives serve farmers through

local cooperatives in Minnesota, Wisconsin, Iowa, North Dakota, and Michigan.

[From the Midland (Minn.) Cooperator, Apr. 9, 1979]

EXCERPT FROM RESOLUTIONS ADOPTED AT THE ANNUAL MEETING OF MIDLAND COOPERATIVES, INC.

Increases in productivity and growth of agriculture depends on up-to-date technology and education derived most importantly from continued research. It is important that the American farmer continue to lead the world in all aspects of producing food and fiber and that we continue to search for methods of increasing our efficiency for this purpose. We, the assembled delegates at this 53rd Annual Meeting of Midland Cooperatives, Inc., urge the President and Congress to realize the priority needs of agriculture and to maintain full financial support for agricultural research programs.●

#### RADIATION: THREAT TO HEALTH

#### HON. EDWARD P. BEARD

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. BEARD of Rhode Island. Mr. Speaker, recent hearings held by the Subcommittee on Labor Standards of this House have outlined a most serious problem facing the millions of working people who are daily exposed to a variety of forms of radiation, whether from radioactive materials or from electromagnetic sources. In our attempts to reach a definitive basis for the consideration of radiation as an occupational hazard, we found a morass of conflicting opinions, sharply divided segments of the scientific community, no agreement among the many agencies and departments of the Government, serious fragmentation of research efforts, politically motivated approaches to research results, compensation programs totally unrealistic and totally inadequate and few recommendations that could be applied to set us on a clear course toward a legislative remedy.

Unlike any other occupational hazard, radiation effects cannot be seen by X-rays or any other diagnostic tool. It is possible for physicians to diagnose carcinoma, lung diseases, skin effects, and other disabilities caused by specific agents used in the workplace, but not radiation in humans. What is known is that low-level exposure to radiation can cause injury to cell structure, blood composition, bone marrow and other organs but science has not yet been able to pinpoint the specific cause of, say, pancreatic cancer as definitely due to radiation exposure. Despite this, certain standards for exposure to ionizing radiation in the workplace have been established and are supposed to be enforced by the Nuclear Regulatory Agency. I say "supposed to be" because, as we have recently seen in the case of the incident at Three-Mile Island in Pennsylvania, there is already enough evidence to show that many NRC regulations as to safety and health were

not observed there and in other NRC-licensed installations. Testimony at our hearings reveals that there are serious radiation problems not being dealt with properly in the mines and mills that produce and refine uranium ore. Other testimony points to NRC rules and regulations being bent to suit particular situations. Most of the testimony offered by Government departments seems to be designed to protect the current operation of existing nuclear plants and to downgrade the hazards of occupational exposure to radiation. Even the National Cancer Institute bases its view of radiation hazards on an exercise in mathematical probability rather than even considering the extensive researches of responsible, independent scientists into the lives of thousands of workers who have been employed in nuclear reactor plants.

In addition to the hazards of ionizing radiation, there is no question that millions of workers are exposed every day in the workplace to a variety of radiation emanating from devices that make use of microwaves, extremely short radio waves, in such operations as heat-sealing, communication, melting, cooking and military applications. The microwave oven is the best-known instrument using these extremely high frequencies and from the testimony I have heard, the radiation levels set by the Food and Drug Administration are, at best, a guess at what the highest permissible level should be.

The Subcommittee on Labor Standards is not the only panel of the Congress concerned with this problem. There are several other committees, here and in the Senate, dealing with much the same subject and for a very good reason. In order for proper regulation to be established, in order for labor standards to be set, there must be some kind of standards to serve as guides. The present exposure standards for ionizing radiation were set a long time ago and just do not reflect more up-to-date research into this area. I think it is significant that the U.S. Navy, in its nuclear propulsion program, specifies standards for its vessels that are one-tenth the current NRC standards for personnel exposure to radiation. Time and again, medical testimony before the subcommittee, of which I am chairman, has called for the present standard to be reduced 10 times.

Another concern affecting this subject is the wide diversity of research programs, parceled out among some 16 different Government agencies and departments, bringing into question the goal of some of that research. In the recent report issued by the Interagency Task Force on Ionizing Radiation, Secretary Califano was very emphatic in his statement that:

Long-range health effects of exposure to low-level ionizing radiation constitute a serious public health issue. The questions concerning low-level radiation demand a systematic research program that is conducted in an open and credible manner to provide the most accurate information possible to both the public and government.

Secretary Califano put his finger on one aspect of radiation research that leads me to compare the situation to appointing the fox to guard the henhouse. In his testimony before the Senate's Subcommittee on Energy, Nuclear Proliferation and Federal Services, Mr. Califano said:

Most of the radiation research sponsored by the Federal Government . . . has been conducted by the Department of Energy. For example, in FY-1978, DOE supported seventy-eight percent of all of the Federally-funded research on the biological effects of ionizing radiation.

The Secretary said that the creation of an Interagency Radiation Research Committee, to be chaired by the National Institutes of Health, would assure a more effective coordinated effort. In other words, the Secretary was saying that the Department of Energy ought to get out of the health research business.

The Subcommittee on Labor Standards was presented with quite a number of charts and tables, all of them fairly interesting but reflective of the wide divergence of opinion as to the definitive cause-and-effect. One chart, not presented by any witness, came to my attention and it certainly says something to all of us:

TABLE 5\*.—Recent changes in U.S. cancer mortality rates 1972-75, States with greatest upward and downward changes

Area, percent change, and nuclear facility	
Washington (State),	+8.9, Hanford.
Connecticut,	+8.6, Millstone & Haddam Neck.
Tennessee,	+8.1, Oak Ridge.
Rhode Island,	+8.0, Millstone & Haddam Neck.
New Jersey,	+5.7, Oyster Creek (BWR).
South Carolina,	+5.4, Savannah River.
U.S. average,	+3.4.
New York City,	-1.1, 2 PWR (1962, 1973).
Virginia,	-1.1, 2 PWR (1972, 1973).
Maine,	-1.3, 1 PWR (1972).
Hawaii,	-1.5, no nuclear reactor.
New Hampshire,	-2.0, no nuclear reactor.
Montana,	-4.4, no nuclear reactor.
Alaska,	-10.6, no nuclear reactor.

Source: U.S. Monthly Vital Statistics.

There is certainly nothing conclusive about the figures in this chart but that there is something indicative is surely there and I believe Mr. Gene Moss, a health science researcher with the National Institute for Occupational Safety and Health, would agree. Mr. Moss, after his researches into the incidence of illness among present and former workers at the Portsmouth Naval Shipyard in New Hampshire, said that about 6.9-million people are threatened by the effects of radiation. This scientist does not claim to have the answers and says so emphatically. But, he says that something out there is killing people and something must be done about it.

I do not believe there is any acceptable number of cancer deaths due to the fact that we need nuclear power. I do not subscribe to the philosophy of the nuclear-power industry that radiation is a hazard in the same class as fire or electricity. I do not believe that there is any

acceptable mathematical computation that tells us a number of people are going to die of radiation-induced cancer as long as we have standards that are not realistic. Government agencies that are devoted to promoting nuclear power no matter what the consequences and public and industry officials who have resigned themselves to death and disability caused by radiation.

If we can take the recommendations of the Interagency Task Force on Ionizing Radiation at face value, this is what we have a right to expect:

First. That the Federal Government will consolidate existing scientific and medical knowledge in authoritative radiation disease guidelines;

Second. That Federal compensation or benefit programs should adopt and publish clear criteria for deciding radiation exposure claims;

Third. That State compensation programs should be encouraged to adopt standardized radiation claim criteria;

Fourth. That the Federal Government should determine the feasibility of a National Registry of Radiation Workers;

Fifth. That current exposure standards be thoroughly reviewed;

Sixth. That machinery be put in place to collect up-to-date and comprehensive information on radiation sources and the levels of radiation exposure to the general public;

Seventh. That the "bureaucratic turf battles" over who should have a particular responsibility be eliminated;

Eighth. That the National Institutes of Health and other health agencies assume the major role in funding and conducting research into the health effects of radiation;

Ninth. That radiation health research be removed from the Department of Energy;

Tenth. That immediate steps be taken to standardize occupational requirements for medical and dental X-ray operators and that such standards be urged on all States; and

Eleventh. That Federal standards for uranium mining be placed under immediate review for the purpose of reducing radiation exposure in this highly susceptible area, both for workers and for residents of the locale.

Mr. Speaker, most of the recommendations cited above have already been suggested by various sections of the Interagency Task Force on Ionizing Radiation. It is encouraging that a National Radiation Research Committee has already been established, to be chaired by NIH. It is also very encouraging that the Office of Science and Technology Policy has moved to establish an Interagency Task Force on the biological effects of nonionizing electromagnetic radiation (BENER). These and other recommended actions are long overdue and underscore the fact that we can no longer depend on radiation research results of 20 or 30 years ago.

The future course of congressional action in such areas as care, benefits, pensions, compensation, occupational safety and environmental protection will depend considerably on the effectiveness of

research conducted responsibly and properly interpreted. In the course of these hearings, I have heard of independent research thrown out the window after years of work, merely because of pre-judgment or due to a "bureaucratic turf battle," to use Secretary Califano's phrase.

Finally, Mr. Speaker, there is the serious matter of qualified personnel to run the nuclear powerplants of this country as well as the variety of other installations engaged in some activity dealing with the peaceful and military applications of atomic energy. In 1964, at a fuel reprocessing plant in my own State of Rhode Island, the first fatality in private nuclear industry took place when an operator inadvertently created a nuclear excursion, subjecting himself to an enormous dose of radiation. He was dead in 49 hours. We must ask several questions about this. What are the rules and regulations that govern employment in nuclear reactors, processing plants, fuel manufacturing plants? Are records kept of the experience and qualifications of such people? What precautions are taken to reduce the possibility of human error creating a nuclear excursion or any other type of accident that can endanger the lives of thousands of people and even future generations? What of the transient workers who perform some of the high-risk tasks? These are some of the questions—I do not think we have all the answers by a long shot. I do know one thing; I never again want to hear a Government agency official tell me that I would be safer in a nuclear powerplant than in an airliner or crossing the street. This is neither logical nor worthy of consideration, especially when it comes from an otherwise intelligent scientist.●

BILL BRAY

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 4, 1979

● Mrs. HOLT. Mr. Speaker, it is with great sadness that I rise to comment on the death of our former colleague from Indiana, Bill Bray.

When I first arrived in Washington, Bill Bray was beginning his 12th term as Indiana's distinguished Representative from the Sixth District. Though I had the opportunity to serve with him for 2 years only, I quickly learned why Bill was held in such esteem.

He was a hardworking Member, who gave his all to representing the voters of Indiana. He was dedicated to preserving and strengthening the traditional values of our Nation. As the ranking minority member of the Armed Services Committee, he labored unceasingly for a strong and secure America. And above all of this, he was a down-to-Earth, likeable individual.

Bill Bray will be sorely missed. I offer my sincerest condolences to his wife, Esther, and his son, Richard.●

\*From Proceedings of a Second Congressional Seminar on Low-Level Ionizing Radiation, February 10, 1978.



## REGULATION: PROBLEMS AND BENEFITS

## HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington report for Wednesday, June 6, 1979, into the CONGRESSIONAL RECORD:

## REGULATION: PROBLEMS AND BENEFITS

The problems and benefits of federal regulation have become the focus of an increasingly intense debate in Congress.

The concern about regulation has many origins, not the least of which is the rapid growth of the regulatory establishment. One count shows that of 86 regulatory agencies in operation during 1976, and only 18 existed prior to 1930 and only 48 before 1960. Furthermore, the Federal Register has more than quadrupled in size over the past two decades, expanding from 14,479 pages in 1960 to 65,602 pages in 1977. The regulators and their rules are now involved in virtually every segment of society. Their pervasive influence makes many Americans think that government has gotten too big and too intrusive into their lives and their businesses. Another source of concern is the cost of regulation. A recent study of the budgets of 55 regulatory agencies shows a sixfold increase in the past decade, from \$811 million in 1970 to \$4.8 billion in 1979. The estimated cost of compliance with the rules of these agencies has risen from \$79.1 billion two years ago to \$102.7 billion this year. These compliance costs fuel inflation as they are passed through to consumers.

Big government, costs, and inflation are not the only problems of regulation. Delay in regulatory proceedings, and the cumbersome nature of the proceedings themselves, are common targets of complaint. Since a great potential for postponement and paperwork is built into the system, proceedings can be used to halt or disable legitimate undertakings. Lost initiative and less innovation are related problems. Applications and studies can keep new products off the market, just as licenses and permits can keep new firms from entering an industry. Then, too, there is the problem of the uneven impact of regulation. A large organization may be able to swim against the tide of regulation, but an individual citizen may not be able to.

Critics of regulation do not stop here. They cite other reasons why the system should be overhauled. Many critics claim that regulators are inclined to lose their objectivity. At one extreme, regulators may be "captured" by those whom they regulate. At the other extreme, regulators may be too zealous to carry out their mandates in a reasonable way. Trivial efforts and misdirected programs are also obstacles to good regulatory practice. Some agencies may waste their time regulating trivia and may thereby fail to achieve their main objectives. Other agencies may have objectives that are no longer important. Finally, problems are sure to come up where regulations conflict with one another. The most troublesome are cases in which entire regulatory programs have incompatible effects. For example, a program that makes life difficult for small businesses may lead to more concentration in an industry. Such a program may be at odds with anti-trust regulation.

Regulation has its problems, but those problems make up only half the equation. Regulation would not exist if it did not have any benefit at all, so it is the benefit that makes up the other half of the equation. Regulation is nothing more or less than an attempt to cope with the growing complexity

of a society in which the free market is not completely effective, in which there is some injustice, and in which there is some danger.

The benefits of regulation are obvious. One of the most important is to make available a service that would not be widely available without some protection from competition. Utilities and communications are examples where regulation to minimize competition may be beneficial. Another benefit is the confidence that regulation builds in certain sectors of the economy. For example, banking regulations assure savers that their assets are safe, and without them many people would choose not to patronize banks. Yet another benefit is the guarantee that goods will meet minimum standards of acceptability. In this case, warranty regulations and rules on product quality stand out.

There are other areas in which regulation is beneficial. Regulations governing the environment in which we live, the foods we eat, and the medicines we take are key factors in protecting health. One does not need to think long about polluted air and water, impure meat, or untested drugs to realize just how beneficial such regulation can be. Safety is another area where regulation provides protection. Unsafe planes in the air or hazardous appliances in the home are things which regulations prevent. Finally, regulations concerning hiring practices and college admissions are valued by many Americans. These Americans depend on them for an even chance.

Regulation most certainly has its problems. It has its benefits as well, and for each benefit there is a constituency which tries to make sure that regulation continues. The task of government is to see that the problems and benefits of regulation balance out. It is the search for an overall balance—one that is both practical and durable—which lies behind the debate now shaping up in Congress. ●

## POPE JOHN PAUL'S VISIT TO POLAND

## HON. HENRY J. NOWAK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. NOWAK. Mr. Speaker, last October, I had the distinct privilege of being a member of the official U.S. delegation to the investiture in Rome of Poland's Karol Cardinal Wojtyla as Pope John Paul II.

That was a moving and impressive event. I was particularly struck by the aura of this new pontiff—the universality of his appeal, his personality, his exciting presence which reached out to all, and his great faith.

Pope John Paul's visit to his native Poland this week also has been a stirring event, focusing attention on the pontiff's immense potential for stimulating a new era in human and international relations.

This was a most historic occasion, as the first Slavic pope in the history of the church became the first pope to visit a Communist country. The reaction to the pope's visit and his multifaceted messages should have a tremendously beneficial effect on the spirit of the people of Poland, who have not had the freedom we enjoy in this country. Long range, hopefully it also will help raise the level of the freedoms they enjoy.

The massive outpouring of support from his fellow Poles is a tribute to the spiritual strength and strength of character of the Polish people, the vast majority of whom are practicing Catholics in an atheistic state.

The reaction to the pope's visit clearly shows that despite decades of oppression, the desire for freedom in spiritual and civil affairs continues to flourish. Thus, we sincerely hope that this visit will facilitate ways to resolve the many conflicts that exist between the church and secular authorities in Poland. Making Poland's mass media more accessible to religious matters and lifting restrictions on Catholic publications would be a start in the right direction. Important also, we hope Pope John Paul's courageous and forthright statements will help bring about greater civil and religious rights for the vast numbers of disenfranchised peoples in the other Communist-bloc countries.

The advent of Pope John Paul II on the international scene is a source of renewed hope for all advocates of human rights around the globe. Poland's reaction to the new pope should give the Soviet Union and its Communist allies much food for thought and good reason for evaluating their human rights policies. ●

## INFLATION AND RECESSION: TWO ARTICLES ON THEIR CAUSES

## HON. PARREN J. MITCHELL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. MITCHELL of Maryland. Mr. Speaker, I would like to share with my colleagues two enlightening and provocative articles which appeared recently. They both deal with the same dangerously important subject: The current inflation and impending recession.

The first article, by John L. Hess, "What the Press Doesn't Know About Inflation," appeared in the May 14 issue of Inquiry magazine. He complains that the range of "noted economists" usually questioned by journalists for economic analysis, although thought to cover a broad spectrum, is actually very narrow. All have failed miserably to predict accurately upcoming bouts with inflation and recession. The reason, Mr. Hess states, is that they ignore the critical role played by the Federal Reserve's money supply policies in the underwriting of both inflation and recession.

Inflation results from "the expansion of money at a faster rate than that of the production of goods and services." Recessions result from sharp decreases in money growth. The public is groping desperately for a solution to inflation and recession, Mr. Hess says, but policymakers refuse to acknowledge the real cause or impose the necessary solutions: Fight waste and corruption, especially by cutting the military budget; further reduce Government deficits by tax reform; beef up antitrust action and prosecute price rigging; and most important of all, con-

strain the money-creating power of the Federal Reserve and the banks.

The second article, by Nicholas von Hoffman, "Inflation's Winners," appears in the June issue of Harper's. He points out that in an inflationary economy, there are both winners; for example, home buyers who took out a mortgage over 3 years ago—and losers; for example, creditors. However, even those who profit from inflation do not like it, because of the economic and social uncertainty it generates.

Mr. von Hoffman deflates the widely held theory that inflation results from imbalances in our foreign payments and from budgetary deficits. He, too, stresses the part played by money supply. He states:

Balance of payments totals, plus or minus, are very much like a budget deficit or surplus. In themselves they don't mean much. Like deficits, it's the extent to which a negative balance of payments tempts the government to print money to pay the debt that can be inflationary and a matter of concern...

I urge my colleagues to read these two articles and to heed their advice. By heeding the dangerously high growth of money when it began surging 2 years ago, I was able to warn in October 1977, that the Federal Reserve had "again put us on a collision course with disaster."

In a statement released at that time, I said:

I am apprehensive that the course of money growth which the Federal Reserve has been following recently will create a false sense of euphoria for a while as monetary expansion stimulates output. But inevitably inflation will soar, beginning in the latter part of 1978 or early in 1979 and a recession will follow shortly thereafter. We are on a collision path with another 1974-1975 style bout with stagflation.

Most economists and public officials did not agree with my prediction 2 years ago. However—and I say this with a heavy heart—it has proven to be accurate. First we had renewed accelerating inflation, rising in 1978 and soaring in 1979; now we are headed toward recession. I find this situation particularly tragic, because it could have been averted. The inflation from which we are now suffering could have been avoided. The recession which we have begun to enter—and which I fear will be deep and cruel—also could have been avoided. It still can be ameliorated, if the Federal Reserve acts prudently—now—to return us to a policy of moderate, steady money growth.

The articles follow:

#### WHAT THE PRESS DOES NOT KNOW ABOUT INFLATION

(By John L. Hess)

Louis Althazar of Laval University in Quebec has observed that the American media are like the Leaning Tower of Pisa: narrow and slanted. Nowhere is this more evident than in the coverage of inflation.

When a journalist seeks guidance on this question, he turns to an exclusive club of economists employed by a few banks and certified institutions. For balance, he characterizes the Republicans among them as conservatives, and the Democrats—like Arthur Okun, who helped Lyndon Johnson finance the Vietnam War with funny

money—as liberals. But basically, these experts agree with one another to the decimal point. And to a man, they have missed every major turn in the economy in recent decades.

This can be frustrating. In December 1972, the New York Times assigned me to ask four of the most respected authorities to review the outlook for the new year. They were selected by an editor to reflect the full range of economic philosophy, from the liberal Henry Kaufman to the rightist Alan Greenspan.

The breadth of this spectrum is suggested by the fact that Dr. Kaufman was a partner in Salomon Brothers, an investment house then making piles by peddling the tax-exempt bonds of New York City, among others. Its chief was William Simon, who would leave just before that bubble burst, to head the Treasury under President Ford. Alan Greenspan, of course, became Ford's chief economic adviser.

While Simon and Greenspan were in Washington, the national debt soared by more than \$200 billion, a record. Back in civilian life, Simon hired a ghost and perpetrated a best seller called *A Time for Truth*, which says liberal politicians are wrecking the country by deficit spending. This caused me to observe that a time for truth is when the Republicans are out of office. As for Greenspan, when he was pressed on a recent TV panel to explain why Republicans in office didn't practice what they preached, he replied, "The relationship between ideas and action is a distant one."

In December 1972, the relationship between ideas and reality proved to be a distant one. For the setting, keep in mind that the economy was then booming, with a flood of new money pumped in by that hard-money enthusiast Arthur Burns of the Federal Reserve, in good time to help the reelection of Nixon. Things looked good that year: Prices rose only 3.4 percent under compulsory controls.

My four seers were uniformly euphoric. Indeed, I could have saved time by interviewing any one of them and multiplying by four. To my banal opening question, whether the economy in 1973, all rattled off the same happy numbers, within one percentage point, for the gross national product, the Dow-Jones Industrials, interest rates, and unemployment.

"There are no financial restraints on the economy," Dr. Kaufman told me.

"It's very rare that you could be as unqualifiedly bullish as you can now," Greenspan said.

All four looked surprised when, late in each interview, I asked about inflation. All thought that was a European problem.

"In fact," said Albert T. Sommers of the National Conference Board, "the American analyst is comforted by it."

The thought here was that rising prices in Europe would spur American exports. The same reasoning caused the New York Times, exactly five years later to the day, to declare that the crash of the dollar had "been a blessing, not a curse."

Sommers, the dean of American analysts of the business cycle, assured me that the government had that cycle well in hand. "Now it's a science," he told me. By the same token, he said modestly, business forecasting had become "pretty good," and the outlook for 1973 was "very good."

Two months later, Arthur Burns' new money hit the fan. In a monetary panic, Nixon was forced to devalue the dollar and end the last semblance of monetary stabilization. That summer, the United States entered the worst recession since the 1930s.

There is no evidence that the club of economists has learned anything from that experience, nor from the storms that have hit the republic since then. Indeed, they no-

toriously missed each major turn in the economy after 1973, as they had before.

Those in government service failed abysmally. During the dollar-selling panic of early 1978, European bankers were reported by the Times to be angrily describing the United States as "watching with a silly smile on its face." (The Times itself, of course, was foolishly clapping its hands.) Last September, the Wall Street Journal quoted "a senior policy official" in Washington as admitting, "Fundamentally, we've been wrong two years in a row."

Yet today, still, when a journalist seeks guidance on economic policy, he calls upon and cites the same club members who have proved so infallibly wrong in the past.

The same complaint has just been raised by an eminent liberal nonmember, Robert Lekachman, in the *Columbia Journalism Review* (March/April, 1979). He cited a typical analysis by Hobart Rowen in the *Washington Post*, which relied on a range of views from Arthur Okun on the "left" to William J. Felner on the "right," and he noted "how little actually separates" the ideas of these experts.

But Lekachman's article itself scarcely went beyond our Tower of Pisa in its breadth. It urged journalists to pay more attention to the views of such dissenters as John Kenneth Galbraith. And what are these neglected views? That inflation is caused by the rigging of prices and wages by big business and big labor. And what is the cure? Compulsory control of prices and wages.

There isn't all that much difference between Galbraith's diagnosis and that of, say, Arthur Okun. Indeed, Galbraith has expressed sympathy for Okun's weird scheme for granting tax rebates to businesses and employees who do not increase prices and wages beyond set guidelines. It is a measure of the level of economic discourse today that this costly, unfair, unworkable, and inflationary plan should actually be supported by some liberals and proposed to Congress by a floundering administration.

But Galbraith holds that Okun does not go far enough. Mandatory controls are the ticket. Galbraith never tires of recalling the experience of World War II. His view is doubtless colored by nostalgia, for he was our first price administrator. He tends to overlook the fact that he was dismissed under the pressure of businessmen who found him too strict, and he tends to minimize the black market that developed. Especially, I think, he skips the fact that all phases of supply and production were under government regulation and rationing, to aid a popular war effort. Finally, he skips the fact that prices exploded once the war was won.

Let Galbraith and Lekachman be reassured: Compulsory controls will very likely be imposed when the "voluntary" guidelines are clearly shown to have failed. In similar if less urgent circumstances, after all, they were imposed by Nixon—who boldly proclaimed, "We are all Keynesians now." And in the end, as in Britain, controls will work chiefly to force labor to accept a still smaller share of the economic pie. But they will not stop inflation.

Before theories of political economy were replaced by computer jockeys wielding intimidating arrays of more or less phony statistics, the nature of inflation was widely understood: It is the expansion of money at a faster rate than that of the production of goods and services. Distribution of this wealth, or distributive justice, was seen as a separate question, although inflation did cause a transfer of wealth from the weak to the strong, the slow to the quick.

But when dollar inflation became a permanent feature of the world economy during and after World War II—permanent and enormously profitable—a new economic



diagnosis became necessary. We began hearing of "cost-push" inflation, caused mainly by union labor. Even now, though labor has been losing buying power for years, union wages are the chief and most vulnerable target of "antiinflationary" policy and discourse. President Carter says he is "not particularly concerned" that profits rose 26 percent last year; as his advisers see it, high profits are needed for investment to increase productivity to increase profits further. High wages, however, are inflationary.

Our public discourse on inflation might be less befuddled if we measured it with a yardstick other than the Consumer Price Index, which is so constructed that a jump in the price of beef—or oil—can tilt us into "double digit" inflation. And then we can blame the cattlemen, or OPEC. Even the monetarist Wall Street Journal uses this clumsy device. Thus the forecasters in 1972 could consider inflation to be a European problem. It was they, not us, who were experiencing the double digits.

But the United States has been inflating the world money supply at a rapid rate since World War II. Our prices remained relatively stable because we exported the inflation. As long as other countries accepted dollars as a reserve currency and issued their own money in its place, we were getting their goods for IOUs. This was so splendid a deal for us that a theory was created to justify it. For many years, our financial writers were conjuring the threat of a liquidity shortage—not enough dollars—long after the first monetary panics appeared in the 1960s.

It was generally accepted that cheap and easy money was a stimulus to the economy. The computer jockeys developed formulas to express this: So much fiscal stimulation would reduce unemployment by so much. Even after it was discovered that we could have inflation and unemployment too, and the word stagflation had to be coined, this thinking persisted. Indeed, the government's chief effort to combat the 1977-78 run on the dollar was to pressure the sound-money countries to "stimulate" their economies more—in other words, to inflate their own currencies. (The Times was an enthusiastic advocate of this course.) It was moderately successful, for our trading partners, fearful of a general bust, were forced to go along.

Despite the computers, nobody knows how many dollars are now at large in the world. Guesses range in the area of \$600 billion to \$800 billion, but the figures are fairly meaningless in the present state of the art. Some of the "Eurodollars" are now coming home to buy American property, thus adding to a stock of money in the domestic banking system now estimated at three-quarters of a trillion dollars. Against that, bank reserves are put at \$37 billion, and lower reserve requirements have been proposed.

As this monetary volcano heats up, an alarmed public gropes for solutions. The right wing has made some headway in its drive to dismantle social programs and weaken unions. But contrary to what the conventional wisdom holds, a majority of the public has not embraced the rightist philosophy. People want the government to help the poor, to protect the environment, and to provide medical services at prices all can afford. Above all, however, they want inflation brought under control.

And all they hear about inflation slants to the right, like a Tower of Pisa. The liberals are frozen in the sterile debate of the 1930s, when "sound money" meant "let 'em starve" and deficit spending meant "prime the pump." The right, e.g., Bill Simon and Alan Greenspan, has learned to preach sound money while practicing inflation. Where are the sound-money liberals?

A sound-money liberal, if there is such an animal, would end the government deficit by tax reforms, by fighting waste and cor-

ruption, and especially by cutting the military budget. He would beef up antitrust action and the prosecution of price rigging. He would curtail the money-creating power of the Federal Reserve and the banks.

With such a program, we might have a real debate. Without it, we'll have more hot air, and inflation.

#### IF YOU ARE IN DEBT, RELAX

(By Nicholas von Hoffman)

While the buying power of the money in your savings account evaporates—every dollar in it has lost 27 cents in the past five years—you may want to take heart from a certain Mrs. Hepburn, now long in her grave. She would not have been impressed with the repeated assertions of Jimmy Carter and every editorialist in the country that inflation is our common and worst enemy. In 1862 Mrs. Hepburn borrowed \$11,250 in gold and silver U.S. coin from one Henry Griswold. Two years later the lady tried to repay the loan in greenbacks, the paper money the Lincoln Administration was printing in scandalous quantity to pay for the war. Mr. Griswold refused to accept payment because her pulpy legal tender was worth only \$4,500 in gold money.

Inflation was no enemy of Mrs. Hepburn; it was a good friend, for, in effect, it had chopped her debt in half. Henry Griswold didn't see it that way. He sued, and the Supreme Court, in a case famous in the history of American legal economics, ruled that if Mrs. Hepburn had borrowed gold, she would have to repay gold. It was the last time a court decision would go against those benefiting from inflation. A few years later the Court reversed itself: henceforth, if the government had decided to go off on a monetary jag and let more buying power out of the dollar, lenders would have to accept repayment of their loans in debased currency.

*Hepburn v. Griswold* should remind us that inflation has its winners, too, often politically powerful winners. And that fact might account for the faintheartedness of official attacks on the problem of the diminishing dollar. One of the largest categories of winners is home buyers who took out a mortgage more than three years ago. The losers, of course, are the people with savings in thrift associations and the banks that lent the money. As Marshall Kaplan of the Federal Home Loan Bank Board puts it, "In the typical portfolio [total loans] of the savings and loan associations, the typical mortgage has an interest rate of 8 to 8½ percent. That coincides roughly with the rate of inflation. The lender is making no money in terms of real dollars. The borrower is getting a free ride. The borrower is essentially not paying any interest in terms of real dollars." The millions who hold these low mortgages are in effect paying no interest, but they can deduct it from their income tax as though they were. What is more, inflation is also wiping out part of the principal they owe on their loan.

People selling houses can be winners, too. In the past decade, the median price of a house has more than doubled, outstripping the pace of inflation generally. On the other hand, the owners of stocks and bonds have been big losers. That has been especially disappointing to stockholders, who for years thought it a truism that stocks were the best hedge against inflation. In fact, securities have done so poorly that many a stockholder would have done better by his money had he put it in a savings and loan association.

As it happens, there are a lot more homeowners than there are stockholders, so the winners far outnumber the losers. And some of the biggest winners are people most often cited as big losers—older persons on Social Security. Social Security does not just keep pace with inflation; it stays somewhat ahead

of it. Indeed, the income of people more than sixty-five years of age went up 76 percent between 1970 and 1976, while the cost of living rose only 51 percent. Older persons supplementing their Social Security with private pension plans discovered that the latter payments alone didn't keep pace, but when the two income sources are taken together, it turns out older people haven't suffered a decline in their standard of living, as it is measured in buying power. Thus a big bloc of citizens, who vote in large numbers, have little incentive, based on their experience in the '70s, to get worked up over what for them is the nonproblem of inflation.

After a decade of inflation averaging about 7 percent, most American wage earners are making, in real dollars, about what they were in 1970. They're breaking even. Of course, some occupations have done much better than others. For instance, construction workers, a highly organized group whose services have been much in demand, have more than held their own, while increasingly unpopular and politically weakened groups like municipal employees have lagged behind. Even the jobless enjoy a significant measure of automatic protection from inflation. Thirty-five states have cost-of-living escalator clauses in their unemployment compensation formulas.

Not all the winners at this game collect in money. Politicians, as Milton Friedman has pointed out, also are winners. Inflation allows the government to carry on large and expanded activities without collecting additional taxes. The debt arising from the government expenditures that taxes won't pay for is covered by creating fresh new dollars at the Federal Reserve Board. It's that debt or deficit that drives conservatives and a large part of the public up the wall, although deficits aren't necessarily inflationary, something Herbert Hoover found out when he rolled up one of imposing proportions in 1932. (Hoover's deficit represented some 59 percent of the federal budget that year, as opposed to Carter's 1978 deficit of about \$44 billion, or 9 percent of total federal outlays. Hoover got deflation and Carter got inflation, the difference being that under Hoover the total number of extant dollars had been growing catastrophically smaller while the total number under Carter has been getting larger and larger.)

The biggest losers in the game have been rich people who got caught by an inflationary decade with their money in assets that have taken a beating—stocks, bonds, and other sorts of long-term loans like mortgages. So why, then, is there an almost universal call to end the erosion of the dollar and build an economy reminiscent of the Fifties, when the money depreciation figure danced delicately and harmlessly around 2 percent? Part of the furor arises from a mass media whose owners and managers are much more friendly with the creditor than with the debtor class. They fill the air with cries of alarm. The abhorrence of inflation is by no means confined to creditors. Millions of winners in the inflation game—and people who are at least breaking even—make loud noises, too. Unlike the losers, they aren't stirred up enough by inflation to take political action, but they accept the notion that a well-run government doesn't debase its currency.

The reason for this anomaly may be that a lot of inflation's winners don't realize how well off they are. They go to the supermarket each week and are aware that grocery prices are rising. They are less aware that, with the pay raises they've been getting, the mortgage payments for which they once budgeted a third or a quarter of their income are costing them only a sixth or even an eighth of their earnings. In the days of a steady dollar, pay raises were fewer and smaller because they represented an increase in real spending power.

Inflation is not liked, even by people who may profit from it. It adds an uncertainty to a social and economic life that most Americans don't want to see change rapidly or unpredictably. If our inflations were so engineered that everyone knew money would lose, say, 9 percent of its value every twelve months, people could plan for it, take the fact into account, and act accordingly. We blame inflation for robbing us of our peace of mind, and that sense of uncertainty is amplified by a press that reports as high drama the small month-to-month statistical changes. Moreover, uncertain rates of inflation complicate the working lives of business people; calculating future costs and prices is very tricky.

Under the circumstances, it's a brave public figure who'll stand up and say a good word for inflation, as the working person's friend. A few labor-union presidents mumble they're sorry they can't live with the President's wage-price guidelines as they go behind hotel-room conference doors to negotiate big raises that will keep their members abreast of corporate profits; and some economists say they worry over the recessionary dangers of reducing inflation too fast. But you can't find many avowed inflationists who will say they like things as they are. Deflationists are willing to hint publicly that they have no objection to throwing millions of people out of work if it will help their side. Not long ago the Wall Street Journal reported that if business executives "had to choose between continued rapid expansion and a recession, a surprising number say they'd pick a recession." These businessmen understand that ending inflation will take money out of some pockets and put it in others; they know, even if homeowners don't, that it will mean paying interest on the mortgage again.

The pros and cons of inflationary policies have led to disagreements and, sometimes, violent struggles since colonial days; cheap money, or in those days its absence, was at issue in the first armed insurrection against the newly freed and united thirteen states, Shays' Rebellion in Massachusetts in 1786. The farmers in the western part of the state couldn't get enough gold and silver coin—specie, it was called—to pay their taxes and were demanding some kind of paper money.

At various times, various groups have tied their self-interest to cheap or dear money; the farmers of Andrew Jackson's South and West at first were opposed to paper money; they were hard-dollar men who would later switch sides completely. What's so extraordinary about 1979 is the absence of an avowed pro-inflationist political group. The word once had sufficient respectability that, in 1874, Congress could pass a law called "the Inflation Bill." We alone of all of the generations of Americans seem to find no benefit to anybody in devaluing the dollar.

For Americans, a balanced federal budget has become not so much the summum bonum of political economy as a quasi-religious goal. And yet federal budget surpluses have caused no less consternation. In 1836, the Jackson Administration was so disturbed that the government was collecting more than it was spending that it pushed a bill through Congress authorizing the surplus to be lent to the states. But before all the money could be distributed, a financial panic erupted and the plan had to be abandoned. So much for the notion that a solvent, debt-free government guarantees a prosperous nation.

In the 1880s the government income was exceeding its expenses by monumental sums. The Civil War debt was fast vanishing, and a horrified President Cleveland denounced the surplus in terms we now hear regularly used to describe the deficit. He called it an "indefensible extortion, and a culpable betrayal of American fairness and justice. This wrong inflicted upon those who bear the burden of national taxation, like other wrongs, multi-

plies a brood of evil consequences. The public treasury, which should only exist as a conduit conveying the people's tribute to its legitimate objects of expenditures, becomes a hoarding-place for money needlessly withdrawn from trade and the people's use, thus crippling our country's development, preventing investment in productive enterprise, threatening financial disturbance, and inviting schemes of public plunder."

These salubrious economic conditions, as we might judge them, far from leading to an era of prosperity, were followed by terrible industrial violence, appalling agricultural hardship, one of the nation's bitterest recessions, and the meanest political battle since Andrew Jackson stopped the effete Easterners in control of the Second Bank of the United States from issuing paper money. This time it was the Easterners who'd become the hard-money, gold-standard men, while the farmers of the South and West had become cheap-money inflationists marching behind the Great Commoner, William Jennings Bryan, who wanted to increase the money supply. Conditions were exactly the reverse of today's. Creditors had it all over borrowers as prices dropped in the post-Civil War decades, until by 1888 farmers were paying off their mortgages with dollars whose purchasing power had doubled in twenty years.

Then the years between 1897 and 1914 saw the largest peacetime inflation in American history until our own, but the reason wasn't government action. They struck gold in South Africa, Colorado, and Alaska. Even without resort to printing paper money, the supply of currency rose so steeply that prices went up 50 percent, producing a different set of winners and losers—although in that period times were so good nobody was crying.

Some modern economists (though none of the Milton Friedman stamp) desert the traditional American view that inflation is caused by printing too many dollars. They blame it on everything from unusually severe winter storms to the price of imported commodities—sometimes copper and bauxite, but just now oil. In recent months we have been told that importing so much oil causes an adverse balance of payments, and that this is weakening the purchasing power of the dollar as expressed in yen, Deutsche marks, and Swiss francs. Balance-of-payments totals, plus or minus, are very much like a budget deficit or surplus. In themselves they don't mean much. The figures are a little hard to reconstruct, but it appears to me that from the time of the American Revolution until 1914, the United States never enjoyed a favorable balance of payments, and that span of time covers a lot of prosperous years as well as some very bad ones. Like deficits, it's the extent to which a negative balance of payments tempts the government to print money to pay the debt that can be inflationary and a matter of concern to players of the money game.

Whether constitutionally mandated balanced budgets would produce zero inflation is questionable. Right now there are many pressures on the government other than the modest Carter-era deficits to encourage excessively enthusiastic greenback production—so many, in fact, that the fight seems next to hopeless. Some reasonable people propose striking a balance between winners and losers even as inflation continues to munch at the silken threads of our dollar bills.

The palliative is called indexing. Much of the economy would be indexed or put on a cost-of-living escalator, so that when prices go up, so would salaries and much of everything else. Twenty-one states already have legislation, for instance, permitting variable-rate mortgages; as inflation drives up interest rates, one's mortgage interest pay-

ments go up accordingly. In this way the long-term lender, inflation's biggest loser, gets protection. Contracts of various kinds, even Social Security, already are indexed, and there's no reason a lot more things can't be.

Even so, it is impossible to work out a system of universal inflation protection via indexing. Some people invariably will get more help than others. The struggle over who would get indexation protection would undoubtedly leave the politically powerless with a very short dollar.

Those who can protect themselves or even profit from inflation are those who are first to grab the greenbacks as they come off the government printing presses. New bucks, like pre-Steinern chorus girls, only begin to lose their value after they've been around for a while, when the injection of new money has worked its way through the economy and bid the price level up because more dollars are chasing the same amount of merchandise.

As it happens, those who get first crack at the new money are borrowers of large sums of money and firms in such a dominant industry position that they can administer prices and can therefore raise them in anticipation of more inflation rather than in reaction to it. Put another way, since inflation is a backdoor tax hike engineered by national legislators who would rather depreciate money than raise the withholding bite, the same interests and groups that can slide around and avoid paying real taxes will find ways to avoid the covert taxation brought about by inflation. Under any system and any set of policies there will be winners and losers, but in a democracy with decent respect for social justice you don't decide who they will be by operating a blackjack game in which the house always wins. ●

## ACTION REAUTHORIZATION

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. MILLER of California. Mr. Speaker, I would like to share with my colleagues two articles which appeared in the Washington Post concerning domestic volunteer service programs. Both articles speak to the exhaustive set of hearings held by the Select Education Subcommittee in April.

During this 6-day set of hearings criminal allegations were raised and charges of ineffective management were made. As a subcommittee member who sat through the entire 6 days, including one 14-hour session, I can emphatically say that not one piece of evidence was introduced to substantiate the charges against the Agency and local sponsors of volunteers. The hearings did demonstrate that the Agency has effectively carried out its congressional mandate.

The articles follow:

#### ACTION BATTLES

(By Colman McCarthy)

Lighting fires under a boiling pot and singing war chants as the bodies are brought in for cooking, some right-wing cannibals in Congress are intent on feasting on ACTION. This is the federal agency for voluntary service, directed by Sam Brown—or mis-directed, if you believe the jungle cries of Rep. John Ashbrook of Ohio and Rep. Robert Michel of Illinois.



This pair, which does its best to link American conservatism with bombast and bluster in free-association word tests, was offended by Brown the day Jimmy Carter appointed him to ACTION. To Ashbrook and Michel, the Brown appointment meant that his record of the 1960s—the anti-war marches, the turmoil of the barricades—was suddenly legitimized.

It wasn't long before attacks against Brown became routine, whether particular ACTION programs were "riddled with abuses" or that Brown himself was a reckless lefty "out to change social structures."

The attacks were little more than right-wing ranting. Rather than being the seething radical that fit the biases of Ashbrook and Michel, Brown came to the federal government after earning a solid reputation in state government as the elected treasurer of Colorado.

Within the Carter administration, he has run his programs. Peace Corps, VISTA, Foster Grandparents, and others—well enough to have one of the few agencies to win the President's approval for a substantial budget increase this year.

Brown, with a manner of frankness that many take as brazenness unbecoming a bureaucrat, has provided a target for any number of Washington journalists eager to kiss him off as a loser in the town's power plays. Rowland Evans and Robert Novak, as clairvoyant as blind men in a midnight fog, wrote in February 1978 that "Brown has lost his battle with the White House to keep the Peace Corps in his ACTION agency." Last week, Jimmy Carter told Congress that "the Peace Corps should remain with ACTION."

To John Ashbrook, the higher question is whether Brown should remain with ACTION. A few days ago, the Ohio congressman came forward with accusations that Brown had "devised a scheme" that had "the elements of criminal conspiracy, fraud and unlawful use of appropriated funds."

A series of VISTA grants totalling \$4 million appeared to Ashbrook to be rigged—Sam Brown tapping the federal mother lode for his revolutionary friends out in the field. This broke the law, said Ashbrook, and he for one was going to expose the scheming Brown.

The House subcommittee on education held several days of hearings on the Ashbrook claims, including one session that ran on for 14 hours. If ever a politician was given enough time to nail a bureaucrat, it was now. But to date, Ashbrook has produced nothing.

The subcommittee chairman, Paul Simon of Illinois and one of the fairest men in Congress, says with some irritation that, "There is a total lack of substantiation of Mr. Ashbrook's charges." If anything, said Simon, the evidence suggests that Brown "has gone out of his way not only to do what is legally required but beyond that to avoid even the appearance of impropriety."

Another committee member, George Miller (D-Calif.), agreed. Not only did he see no "substantiation of any hard evidence of any illegality [or] any unethical conduct," but he also believed that apologies to Brown were in order. This sentiment was echoed by Joseph L. Rauh, the lawyer for some of the witnesses put through a fruitless grilling in committee hearings.

Told by some that he has become a nuisance and by others that he is an embarrassment to the committee, Ashbrook is pressing on for more hearings. Brown and his colleagues, he still insists, "clearly did things" to waste taxpayers' money.

With few others perceiving this clarity, Ashbrook's concern about the waste of the public's money ought to be directed to computing the other financial wastes: his own. How much of ACTION's money, in salaries,

has been wasted during the agency's defense of itself? How much of the subcommittee's budget has been squandered in giving Ashbrook his air time? What about the expenses of the witnesses summoned from across the country to answer the pointless charges?

Where, in Ashbrook's fury, are the answers to these questions?

#### PANEL FINDS NO EVIDENCE AGAINST ACTION

Congressional investigators have found no evidence to support charges of wrongdoing in Action, a federal volunteer service program, according to a report made public yesterday.

The House Education and Labor Committee reported on complaints about the policies of Action—an umbrella agency for the Peace Corps and two domestic programs—and its controversial director, former antiwar activist Sam Brown.

In a rebuff to Brown, the House voted May 10 to take the Peace Corps away from Action and give it to a proposed new umbrella agency for foreign aid and overseas programs.

Action, now operating under a \$120 million budget, also oversees Volunteers in Service to America called Vista, and the national older Americans volunteer program.

The report said an investigation by three committee members found no evidence to support allegations that Brown and Margery Tabankin conspired to divide up control of Vista's national grant funds, had lobbied illegally or made fraudulent statements.

The report said Reps. Augustus Hawkins and George Miller, both California Democrats, and Edward Stack (D-Fla.) had checked out allegations by Rep. John Ashbrook (R-Ohio) of possible criminal violations by Action leaders.

In a separate report, they said Ashbrook had pictured "a deliberate effort on the part of Brown and Tabankin to misdirect federal funds into the hands of their friends and political cronies."

In a rebuttal, Ashbrook denied he had charged any law violations, and said he had merely suggested that "circumstances surrounding the grants give the appearance of and suggest the possibility of fraud and deceit."

The report did not mention the House vote to remove the Peace Corps from Action.

Apparently to head off more rebuffs, President Carter recently issued an executive order stripping Brown of all control over the Peace Corps while keeping it technically within his agency.

As a result of Carter's order, a Senate committee last week recommended that the Senate keep the Peace Corps in Action.●

#### LEONARD HALL

#### HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. RHODES. Mr. Speaker, one of our former colleagues, and a man who was a force in American politics for half a century, Len Hall, has passed away.

Len served 14 years in the House, representing part of Long Island, N.Y. He was Republican National Chairman in 1953, and managed the second campaign of Dwight D. Eisenhower for President. I knew Len Hall as a tireless campaigner, a man of strong beliefs, great energy who was at home among all kinds of people. He was outgoing, astute, and energetic, a

man who reflected the qualities of leadership.

He served with distinction in the House from 1938 to 1952. I share the gratitude of many Republicans for his 50 years of service to our party organizations. I extend my condolences to his wife Gladys and his family.●

#### THE INTERPLAY OF SCIENCE AND TECHNOLOGY

#### HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. BROWN of California. Mr. Speaker, as the Congress grapples with budgets and proposals to increase productivity and innovation, it is important to consider how science and technology work. I have frequently been amazed at the lack of realization, even among scientists, of the essential need to consider science and technology as one whole.

The Saturday Review published an excellent article on this subject by Isaac Asimov on the occasion of Einstein's birthday centennial and Edison's light bulb centennial. I highly commend this article, and the points the author makes, to my friends and colleagues in and out of Congress.

The article follows:

[From the Saturday Review, June 9, 1979]

PURE AND IMPURE: THE INTERPLAY OF SCIENCE AND TECHNOLOGY

(By Isaac Asimov)

It is easy to divide a human being into mind and body and to attach far greater importance and reverence to the mind. Similarly, the products of the human mind can be divided into two classes: those that serve to elevate the mind and those that serve to comfort the body. The former are the "liberal arts," the latter, the "mechanical arts."

The liberal arts are those suitable for free men who are in a position to profit from the labors of others in such a way that they are not compelled to work themselves. The liberal arts deal with "pure knowledge" and are highly thought of, as all things pure must be.

The mechanical arts, which serve agriculture, commerce, and industry, are necessary, too; but as long as slaves, serfs, peasants, and others of low degree know such things, educated gentlemen of leisure can do without them.

Among the liberal arts are some aspects of science. Surely the kinds of studies that have always characterized science—the complex influences that govern the motions of the heavenly bodies, for instance, and that control the properties of mathematical figures and even of the universe itself—are pure enough. As history progressed, though, science developed a low habit of becoming applicable to the work of the world and, as a result, those whose field of mental endeavor lies in the liberal arts (minus science) tend to look down on scientists today as being in altogether too great a danger of dirtying their hands.

Scientists, in response, tend to ape this Greek-inherited snobbishness. They divide science into two parts; one deals only with the difficult, the abstruse, the elegant, the fundamental—in other words, "pure science,"

a truly liberal art. The other type of science is any branch that goes slumming and becomes associated with such mechanical arts as medicine, agriculture, and industry—clearly a form of impure science. "Impure" is a rather pejorative adjective. It is more common to talk of "basic science" and "applied science." On the other hand, differentiation by adjective alone may not seem enough. The same noun applied to both makes the higher suspect and lends the lower too much credit. There has thus been a tendency to call applied science "technology."

We can therefore speak of "science" and "technology," and we know very well which is the loftier, nobler, more aristocratic, and (in a whisper) the purer of the two. Yet the division is man-made and arbitrary and has no meaning in reality. The advance of knowledge of the physical universe rests on science and technology; neither can flourish without the other.

Technology is, indeed, the older of the two. Long before any human being could possibly have become interested in vague speculations about the universe, the hominid precursors of modern human beings were chipping rocks in order to get a sharp edge, and technology was born. Further advances, by hit and miss, trial and error, and even by hard thought, were slow, of course, in the absence of some understanding of basic principles that would guide the technologists in the direction of the possible and inspire them with a grasp of the potential.

Science, as distinct from technology, can be traced back as far as the ancient Greeks, who advanced beautiful and intricate speculations. The speculations perhaps tended to become more beautiful, certainly more intricate, but there was no way in which they could have become more in accord with reality. The Greeks, alas, spun their speculations out of deductions based on what they guessed to be principles, and they sharply limited any temptation to indulge in a comparison of their conclusions with the world about them.

It was only when scientists began to observe the real world and to manipulate it that "experimental science" arose. This was in the 16th century, and the most able practitioner was the Italian scientist, Galileo Galilei, who began work toward the end of that century. Thus began the Scientific Revolution.

In the 18th century, when enough scientists recognized their responsibility toward the mechanical arts, we had the Industrial Revolution; it reshaped human life.

Such is the psychological set of our minds towards a separation of science into pure and impure, basic and applied, useless and useful, intellectual and industrial, that even today it is difficult for people to grasp the frequent and necessary interplay between them.

Consider the first great technologist of the modern era, the Scottish engineer, James Watt. Though he did not invent the steam engine, he developed the first one with a condensing chamber and was the first to devise attachments that converted the back-and-forth motion of a piston into the turning of a wheel. He also invented the first automatic feedback devices that controlled the engine's output of steam. In short, beginning in 1769, he developed the first truly practical and versatile mechanism for turning inanimate heat into work and thus started the Industrial Revolution. But was Watt a mere tinkerer? Was he a technologist and nothing more?

At the time there lived a Scottish chemist, Joseph Black, who, in his scientific studies of heat in 1764, measured the quantity of heat it takes to boil water. As heat energy pours into water, he found, its temperature goes up rapidly. As water begins to boil, however, vast quantities of heat are absorbed without further rise in temperature.

The heat goes entirely into the conversion of liquid to vapor, a phenomenon known as "the latent heat of evaporation." The result is that steam contains far more energy than does hot water at exactly the same temperature.

Watt, who knew Black, learned of this latent heat and familiarized himself with the principle involved. That principle guided him in his improvements of the already existing steam engines. Black, in turn, impressed with the exciting application of his discovery, lent Watt a large sum of money to support him in his work. The Industrial Revolution, then, was the product of a fusion of science and technology.

Nor is the flow of knowledge entirely in the direction from science toward technology. While many people (even nonscientists) can now recognize that scientific research and discovery, however pure and abstract they may seem, may turn out to have some impure and practical application, few (even among scientists) seem to recognize that, if anything, the flow is stronger in the other direction. Science would stop dead without an input from technology.

In 1581, Galileo, then 17 years old, discovered the principle of the pendulum. In the 1590s, he went on to study the behavior of falling bodies and was greatly hampered by his lack of any device to measure small intervals of time accurately. The first good timepiece was not developed until 1656, when the Dutch scientist, Christian Huygens, applied Galileo's principle of the pendulum to construct what we would today call a "grandfather's clock." The principle of the pendulum, by itself, would have done little to advance science. The application of the pendulum principle and the technological development of timepieces made it possible for scientists to make the kind of observations they could never have made before.

In similar fashion, astronomy could not possibly have progressed much past Copernicus without technology. The crucial key to astronomical advance began with spectacle-makers, mere artisans who ground lenses, and with an idle apprentice boy, who, in 1608, played with those lenses—and discovered the principle of the telescope. Galileo built such a telescope and turned it on the heavens. No greater revolution in knowledge has ever occurred in so short a time as the second it took him to turn his telescope on the moon and discover mountains there. In brief, the history of modern science is the history of the development, through technology, of the instruments that are its tools.

Yet tools do not represent the only influence of technology. The products of technology offer a field for renewed speculation. For instance, although Watt had greatly increased the efficiency of the steam engine, it still remained very inefficient. Up to 95 percent of the heat energy of the burning fuel was wasted and was not converted into useful work. A French physicist, Nicolas Carnot, applied himself to this problem. Involving himself with something as technological as the steam engine, he began to consider the flow of heat from a hot body to a cold body and ended up founding the science of thermodynamics (from the Greek for "heat-movement").

Nor is it true that science and technology interacted only in the past. The year 1979 is, by coincidence, a significant year for two great men who seem to typify the very epitome of the purest of science on the one hand and the most practical of technology on the other—Albert Einstein, the greatest scientist since Newton, and Thomas Alva Edison, the greatest inventor since anybody. This year marks the centennial of Einstein's birth. It is also the centennial of Edison's greatest invention, the electric light. How

did the work of each man invade the field of the other?

Surely, the theory of relativity, which Einstein originated, is as pure an example of science as one can imagine. The very word "practical" seems a blasphemy when applied to it. Yet the theory of relativity describes the behavior of objects moving at sizable fractions of the speed of light as nothing else can. Subatomic particles move at such speeds, and they cannot be studied properly without a consideration of their "relativistic motions." This means that modern particle accelerators can't exist without taking into account Einstein's theory, and all our present uses of the products of these accelerators would go by the board. We would not have radioisotopes, for instance, for use in medicine, in industry, in chemical analysis—and, of course, we would not have them as tools in advancing research into pure science, either.

Out of the theory of relativity, moreover, came deductions that interrelated matter and energy in a definite way (the famous  $E=mc^2$ ). Until Einstein gave us this equation, matter and energy had been thought to be independent and unconnected entities. Guided by the theory, we came to see more meaning in energy aspects of research in subatomic particles, and in the end, the nuclear bomb was invented and nuclear-power stations were made possible.

Einstein worked outside the field of relativity, too. In 1917, he pointed out that if a molecule is at a high-energy level (a concept made possible by the purely scientific quantum theory, which had its origin in 1900) and if it is struck by a photon (a unit of radiation energy) of just the proper frequency, the molecule drops to lower energy. It does this because it gives up some of its energy in the form of a photon of the precise frequency and moving in the precise direction as the original photon.

Thirty-six years later, in 1953, Charles Hard Towns made use of Einstein's theoretical reasoning to invent the "maser" that could amplify a short-wave radio ("microwave") beam of photons into a much stronger beam. In 1960, Theodore Harold Maiman extended the principle to the still shorter-wave photons of visible light and devised the first "laser." The laser has infinite applications, from eye surgery to possible use as a war weapon.

And Edison?

The net result of his inventions was to spread the use of electricity the world over; to increase greatly the facilities for the generation and transmission of electricity; to make more important any device that would make that generation and transmission more efficient and economical. In short, Edison made the pure-science study of the flow and behavior of the electric current an important field of study.

Charles Proteus Steinmetz was certainly a technologist. He worked for General Electric and had two hundred patents in his name. Yet he also worked out, in complete mathematical detail, the intricacies of alternating-current circuitry, a towering achievement in pure science. Similar work was done by Oliver Heaviside.

As for Edison himself, his own work on the electric light unwittingly led him in the direction of purity. After he had developed the electric light, he labored for years to improve its efficiency and, in particular, to make the glowing filament last longer before breaking. As was usual for him, he tried everything he could think of. One of his hit-and-miss efforts was to seal a metal wire into the evacuated electric light bulb near, but not touching, the filament. The two were separated by a small gap of vacuum.

Edison then turned on the electric current to see if the presence of the metal wire would somehow preserve the life of the glow-



ing filament. It didn't, and Edison abandoned the approach. However, he noticed that an electric current flowed from the filament to the wire across that vacuum gap. Nothing in Edison's vast practical knowledge of electricity explained this flow of current, but he observed it, wrote it up in his notebooks, and patented it. The phenomenon was called the "Edison effect," and it was Edison's only discovery in pure science—but it arose directly out of his technology.

Did this seemingly casual observation lead to anything? Well, it indicated that an electric current has, associated with it, a flow of matter of a particularly subtle sort—matter that was eventually shown to be electrons, the first subatomic particles to be recognized. Once this was discovered, methods were found to modify and amplify the electron flow in vacuum and, in this way, to control the behavior of an electric current with far greater delicacy than the flipping of switches could. Out of the Edison effect came the huge field of electronics.

There are other examples. A technological search for methods to eliminate static in radiotelephony served as the basis for the development of radio astronomy and the discovery of such phenomena as quasars, pulsars, and the big bang.

The technological development of the transistor brought on an improved way of manipulating and controlling electric currents, and has led to the computerization and automation of society. Computers have become essential tools in both technology and science. A computer was even necessary for the solution of one of the most famous problems in pure mathematics—the four-color problem.

The technological development of a liquid-fuel rocket has led to something as purely astronomical as the mapping, in detail, of Mars and of experiments with its soil.

The fact is that science and technology are one.

Just as there is only one species of human being on earth, and all divisions into races, cultures, and nations are but man-made ways of obscuring that fundamental truth, so there is only one scientific endeavor on earth—the pursuit of knowledge and understanding—and all divisions into disciplines and levels of purity are but man-made ways of obscuring that fundamental truth.●

#### RADIATION: ONE MASTERED CARCINOGEN AMONG THE PHANTOMS

**HON. JOHN W. WYDLER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. WYDLER. Mr. Speaker, the Nation seems to be working itself into a frenzy over radiation. One demagog follows another to proclaim some fear that ignores scientific evidence. The media fans public fears with eerie extravaganzas on radiation mysteries from Three Mile Island and nuclear weapon tests in past decades.

All of this is perhaps understandable if the prime purpose is to sell printed copy or television time. It is perhaps even understandable, although regrettable, for politicians to exploit the radiation fear. However, I believe my colleagues in the Congress agree that our responsibility is to look beyond this current national mania and recognize the fact about

radiation. Only with the real facts in mind can we act wisely on the related public health issues that come before us.

We are concerned with carcinogens, the cancer causing agents. The Congress is called upon to consider carcinogenicity from both radiation and chemicals. It is worth examining where we stand in our knowledge of each type of agent.

We know vastly more about radiation. So complete is the knowledge that major new findings are not expected. In fact, the days of easily productive research on radiation effects are past.

The current research question is, paradoxically, whether the unobservable small effects of low-level radiation really do or do not exist. The effects are so small that members of an interagency Government study were not convinced that they can be identified, even if a sample the size of the national population is studied. Thus, the question of low-level radiation effects has been reduced to a question of what is truly zero, rather than a question about a real danger.

How have we achieved previous successes in understanding radiation effects? An easy answer is ample research budgets over a period of time. True, atomic energy developments have supported this necessary associated research. But modest scientists in this arena also concede that the mechanisms for carcinogenicity of radiation are simple to understand compared to carcinogenicity of various modern chemicals.

These scientists explain that there is nothing subtle about the effects of radiation on living cells. Effects are completely predictable. Radiation that happens to go through a cell of a living being simply disturbs atoms in its path in a well-understood fashion. In what has become almost a tiresome repetition, researchers find this always to be the cell-altering process, regardless of the type of radiation and the nature of the living cell. Scientists understand it so well that they have learned to control these destructive radiation effects to provide beneficial uses through radiation therapy.

Ignorance, rather than knowledge, is the case for the chemical carcinogens. We live in a world requiring frequent contact with many thousands of potentially carcinogenic chemicals. Far from predictable in their effects, the various chemicals seek different parts of the body and even different parts of the cells. Damage to the cells occurs in a myriad of different ways. Our knowledge of the chemical carcinogens is so deplorably limited that the capabilities for causing cancer are quantitatively known for a scant dozen or so of these chemicals. Chemicals are truly the "phantom" carcinogens in our technological society. We do not even know which ones present the most serious threats.

But vastly dissimilar understandings of effects is not the end of the difference between radiation and chemicals. All radiations can readily be measured by basically only two different types of radiation meters, which by now are familiar to the public and easily obtained. In

contrast, no standard detection equipment is applicable for a variety of chemicals. Broad-range detectors of potentially carcinogenic chemicals are in a primitive state. Thus, in comparison with radiation, chemical carcinogens are virtually undetectable, as well as unidentifiable.

Mr. Speaker, the effects of radiation are well established, and it is virtually uncontested that any effects from low-level radiation are minimal.

If there are any areas in which the Congress has sufficiently reliable information with which to act responsibly, surely radiation effects is one. Radiation is involved in serious matters in our society, including the healing arts and various forms of energy. Carefully drafted legislation has been, and will be, required on these issues. Our deliberations on the issue of radiation effects should not be clouded by demagoguery.●

#### GAS PUMPS ON HILL

**HON. ROMANO L. MAZZOLI**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. MAZZOLI. Mr. Speaker, I was disturbed to read in the Washington Post this morning a story describing a special service on Capitol Hill which provides gasoline at cheap prices and unlimited quantities to certain officers and employees of the Congress.

I have today sent a letter to you, Mr. Speaker, concerning the situation. I insert the Post article and my letter in the RECORD at this point:

[From the Washington Post, June 6, 1979]

GAS PUMPS OF HILL CATER TO WHEELS

(By Bill Peterson)

Psst. There is a place where gas still sells for 67 cents a gallon. It is conveniently located. The service is good. And there are no lines.

The only trouble is that the station has only two pumps. And they are reserved for a few bigwigs.

House Speaker Thomas P. (Tip) O'Neill Jr. (D-Mass.), Majority Leader Jim Wright Jr. (D-Tex.) and Minority Leader John J. Rhodes (R-Ariz.) fill up their Lincoln Continental limousines there. So do Senate Majority Leader Robert C. Byrd (D-W. Va.) and Minority Leader Howard H. Baker Jr. (R-Tenn.).

Senate Majority Whip Alan Cranston (D-Calif.) uses the pumps to fill up his government-owned Mercury, as does Minority Whip Ted Stevens (R-Alaska).

Hardly anyone has even heard of the rest of the folks who use the pumps. George M. White, the architect of the Capitol, for example, has his government-paid chauffeur (salary \$22,548) fill up the government-owned Oldsmobile that ferries him back and forth to his home in Georgetown. Edmund L. Henshaw Jr., the clerk of the House, has a Mercury limo and a Ford station wagon signed out to him. Both use the same exclusive pumps.

The powers that be like to keep the pumps very hush-hush. Even regular, everyday senators are not allowed to use them.

When a photographer showed up yesterday

to take a picture of the pumps, he was told he needed permission to do so from the Capitol architect. When he called the architect's office, he was told he had to have permission of the Senate Rules Committee. When he called the Senate Rules Committee, he was told no dice.

"I don't have authority to grant that kind of request. That's not public territory," said William M. Cochran, staff director of the Senate Rules Committee. "That's part of the internal working area of the Senate."

Rules Committee Chairman Sen. Claiborne Pell (D-R.I.) later granted permission. But when a photographer arrived on the scene he was again prohibited from taking any pictures.

The pumps are near the entrance to an underground Senate garage at the intersection of Louisiana and New Jersey Avenues NW. That's about three good stone's throws from the Capitol.

The garage is one of these cozy, well-kept structures that Congress has built for itself and its staff. The public pays upwards of \$3.80 a day to park in similar digs. Members of Congress and their staff park free.

The station has two aging pumps. One sells unleaded gasoline to the U.S. Senate, the other sells unleaded Amoco gasoline to the architect's office. In addition to the limos, the pumps provide gasoline to the U.S. Capitol Police, maintenance vehicles and shuttle vans.

Each year bids are opened to suppliers on the gas contracts, according to Elliott Carroll, executive assistant to the architect. The winning bids went for 67 cents last year. That remains the price charged at the pumps. By contrast, service stations in the Washington area charged up to 90 cents per gallon in May, according to the American Automobile Association.

The low prices, however aren't a break for any of the pumps' users. The government picks up the whole tab regardless of the price.

The elite station's biggest customer last year apparently was Speaker O'Neill. He spent a total of \$1,720 for gas and oil there during 1978. His limo cost taxpayers a total of \$27,256 for the year. In addition to the cost of gas and oil, \$22,548 went for his chauffeur's salary, \$2,450 for leasing the car, and \$538 for tires and chauffeur's uniforms.

Majority Leader Wright spent \$26,971 to run his Lincoln Continental, with \$1,435 of that going for gasoline. Minority Leader Rhodes spent \$26,480, with \$1,340 of that for gasoline.

The most controversial autos, however, are those used by employees of Congress. When Rep. Adam Benjamin Jr., chairman of the subcommittee on legislative branch appropriations, questioned Capitol Architect White on his need for a car and driver, White replied with a three-page letter relating that the architect office has had these benefits for these past 10 years.

Besides, he said, others in his office use the car, and he desperately needs it and his driver for meetings of the D.C. Zoning Commission, of which he is a member. The meetings, he said, are often held "in various parts of the District."

"It has been my practice to use my personally owned automobile for evening meetings and for office use on Saturday and holidays," he added.

When House Sergeant-at-Arms Kenneth B. Harding was questioned about the same matter, he replied, "This vehicle is considered an essential tool of the office. A police radio is installed to help me provide more effective service."

He noted that he does not have a government-paid chauffeur and that "all expenses for operation of the car are and have been

borne by me personally." Harding's leased Mercury cost taxpayer's \$1,900 last year.

At least one congressman, Rep. Lee H. Hamilton (D-Ind.), was unimpressed with the responses. "I don't think any employee of the Congress should have a chauffeured car," he said in a letter to Benjamin. "If there is anything I can do to help bring such practices to an end, please let me know."

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., June 6, 1979.

HON. THOMAS P. O'NEILL,  
Speaker of the House, U.S. House of Representatives, Washington, D.C.

DEAR TIP: I share your concern—and that of our Colleagues in the Congress—over reports that employees of the Congress are obtaining low-priced, easily-accessible gasoline in a pump located on Capitol Hill. The *Washington Post* article of this morning was my first notice of the existence of this special arrangement.

The public is, to say the least, outraged and skeptical about the shortage of gasoline in this country.

Many believe that once gasoline prices reach a dollar or so a gallon, gasoline will—magically—become plentiful. This confirms to them that the gasoline crisis is an oil company/government conspiracy.

We Members of Congress are all having a devil of a time trying to answer our constituents' questions and trying to get to the bottom of this crisis.

Now, to add insult to injury, the public reads that certain officials and employees of the Congress are able to obtain gasoline when and in the quantities they wish, at a very modest cost, and with little or no hassle.

A persuasive argument can be made that you and others if the Congressional leadership—who represent the Legislative Branch in an official capacity—should be guaranteed quick access to gasoline for official representational duties.

However, I can see absolutely no justification for providing this same access to other officials and employees of the Congress.

Accordingly, I wish to register my objection to the continuance of this privilege.

And, I would appreciate receiving a list of all those individuals and groups entitled to use this gasoline service.

I understand that our distinguished Colleague, Representative Adam Benjamin, has already begun inquiries to get to the bottom of this matter. I commend these efforts. And, I join other of my Colleagues in the Congress in offering to do anything I can to help to end this abuse.

Expedient action to terminate those privileges to all but a limited number of high-ranking officials of the Congress would be in the public interest.

All best wishes and warmest regards.

Sincerely,

ROMANO L. MAZZOLI,  
Member of Congress. ●

#### PERSONAL EXPLANATION

HON. ELIZABETH HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Ms. HOLTZMAN. Mr. Speaker, I was unable to be present for the following vote because of official business. If I had been present, I would have voted as indicated:

On June 6, 1979: Rollcall 183, "yes." ●

#### WEST TEXAS OPINIONS

HON. RICHARD C. WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. WHITE. Mr. Speaker, as a U.S. Representative, I make continuing efforts to know and understand the thinking of my constituency on the various problems, questions, and proposals facing our country, as do most of my colleagues in the House of Representatives. Recently, I sent a most comprehensive questionnaire to my constituents in the 16th District of Texas, and I want to share the results with my colleagues. Following is a newsletter I have sent to the media of my district which details these results:

WEEKLY NEWSLETTER, JUNE 4, 1979

FELLOW WEST TEXANS: Eighty-four percent of the people of West Texas favor institution of a liberal alien work visa program with 14 percent opposed to the idea and two percent undecided.

At the same time, 70 percent would penalize employers for knowingly hiring illegal aliens while 26 percent are against this notion and four percent neutral.

These facts were established by over 5,000 responses to my annual questionnaire to the people of the 16th District of Texas.

The alien work visa proposal gained the highest favorable percentage on 22 "yes" and "no" questions posed in the questionnaire.

The second highest vote getter was a proposal to amend the Constitution to require a balanced federal budget with 81 percent indicating approval, 15 percent indicating disapproval and four percent offering no opinion.

I was most gratified to note the high percentage of agreement on these two questions since they have clearly been established as my two major legislative thrusts of the present Congress.

The most evenly split decision was on President Carter's proposal to cut some \$600 million from various programs under social security with 47 percent nodding yes and 46 percent no, leaving seven percent undecided. In a companion social security question, only 34 percent favored federal workers being included in the program with 53 percent against, and 13 percent disinterested.

On the Administration's hospital cost containment proposal which calls for mandatory revenue controls if hospitals are not able to keep increases to 9.7 percent or less in 1979, the verdict was: yes, 64 percent; no, 27 percent; no opinion, nine percent.

Fifty-three percent said they do not want federal revenue sharing continued with states, and surprisingly even more, 55 percent, said revenue sharing for local governments ought to be discontinued. On these two questions, 39 and 37 percent voted continuation, and each recorded eight percent no opinion.

Minimum wage increases did not fare well with the people of West Texas with 64 percent voting to delay or rollback scheduled increases, 33 percent approving the increases, and three percent abstaining.

Higher guarantees for farm commodities were nixed by 65 percent with 26 percent agreeing and nine percent not voting.

Is the fuel shortage real? Fifty-five percent of the residents of the 16th District don't think so; 41 percent do, and four percent are undecided. In two related questions, 63 percent turned thumbs down on restricted weekend gasoline sales with 34 percent okaying



the idea and three percent with no opinion; and, surprisingly enough in wide-open West Texas, 59 percent voted to keep the 55-mile-per-hour speed limit while 39 percent said repeal it and two percent had no opinion.

Should we pay \$2.60 per thousand cubic feet of natural gas to Mexico even though domestic gas is selling for less than \$2 and imported Canadian gas goes for \$2.16? Forty-nine percent said yes, 44 percent no and seven percent undecided.

The Three Mile Island incident apparently did not dissuade West Texans from endorsing nuclear power development as 67 percent approved continued funding for the Clinch River nuclear breeder reactor project which is designed to extend our uranium resources for electrical power. Only 22 percent said no and 11 percent were indifferent.

A 68 percent majority disapproved the U.S. providing \$5 billion in military grants and loans to Israel and Egypt as a means of implementing the Middle East Treaty while only 27 percent okayed the deal with five percent abstaining. These figures were exactly reversed on the proposal that the U.S. sell military hardware to friendly nations.

On two other foreign relations subjects, 50 percent favored withdrawal of U.S. troops from Korea, 42 percent said keep them there and eight percent had no opinion; and 51 percent said give favored nation trade status to Mainland China with 35 percent opposing this question and 14 percent having no opinion.

Would West Texans favor the movable MX intercontinental nuclear missile shuttled from place to place to make them vulnerable to Soviet attack—even if one of the sites were in their part of the country? yes, 75 percent, no, 16 percent, no opinion, nine percent.

On the question of creating a cabinet level Department of Education, only 36 percent approved with 53 percent opposing and 11 percent remaining neutral.

If it is determined necessary to return to a selective service system or various options, 16 percent of White's constituents would register and classify young men, 21 percent would include women, only six percent would favor conscription into the reserve forces, 20 percent would go for peace time draft, while a very comfortable plurality of 37 percent—and this is surprising—would approve of some form of national service for all young people.

The SALT II treaty proposals did not fare well with only five percent lending strong support and eight percent saying they generally support it. Conversely, 48 percent want to see more protection for the U.S. in SALT II, 19 percent are strongly opposed and 20 percent offered no opinion.

On the question of national health insurance, West Texans indicated their distaste for more federal bureaucracy. Thirty percent said such a plan should be through private premiums only, a like number voted for a combination private-federal effort, only nine percent okayed payroll taxes, 16 percent indicated approval of direct federal funding, and 15 percent said any such plan ought to be earnings based.

The questionnaire concluded that it is imperative that federal spending be reduced, and it then offered 17 areas where such cuts could take place. Ranked in an order determined by first place votes, the results were: social services and welfare, 29 percent; regulatory agencies, 20 percent; international affairs, 19 percent (and this could very well be 23 percent since most of the four percent who penciled in a first choice under "other" indicated foreign aid); housing and urban development, five percent; science and space and national defense, four percent each; labor programs, three percent; education, income security and public works, two percent each; and agriculture, energy,

health, resources-environment, transportation, and veterans affairs, one percent each.

The response to my latest questionnaire will be most helpful as I make my legislative decisions during the 96th Congress.

Sincerely, your Congressman,

RICHARD C. WHITE.●

#### ALTERNATE LIQUID FUELS TECHNOLOGIES

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. WYDLER. Mr. Speaker, I am pleased that today we are beginning what should be an in-depth look at alternative liquid fuel technologies. We have a serious fossil energy problem in this country and I think that anyone who buys gasoline understands by now that it is primarily a liquid fuels problem. We are producing only a little over one-half of our crude oil needs and our proven reserves have declined each year since 1970. However, we have certain other fossil energy sources which are not supply limited. Coal in this country should last hundreds of years at today's level of usage. Oil shale is another huge resource. Enhanced oil techniques, if perfected, could permit us to extract the two-thirds of an oil field that we typically leave in the ground.

To be blunt, the Government's track record in the development of substitutes for petroleum products is quite spotty. During the 94th and 95th Congresses we greatly increased funding for coal liquids but have been faced with a series of larger plants which have not performed as we had hoped. Several projects including Coalcon and Synthoil have been canceled before they were even completed. There have been relatively few successes in DOE's enhanced oil recovery program and we have been told for 50 years that shale oil as a large energy source is just around the corner. The time has come for a disciplined research program with commercial synthetic oil as an end result. This will only be achieved through detailed program and project management plans, careful adherence to milestones, and vigorous congressional oversight.

Everyone realizes the time to act is now. Establishing a meaningful program of research, development, demonstration, and incentives for production of petroleum substitutes was a major element in minority energy strategy last year. A broad interest in producing gasoline through indirect liquefaction is developing among our colleagues. There are even hints that the administration is beginning to realize that bigger and better bureaucracies and regulations cannot produce a drop more of oil or oil substitutes; it has set a mid-1980's goal for and established a 60-day study period to reassess the direction of DOE's coal research program. Let us seize this opportunity to at long last bring some sense to DOE's alternative liquid fuels technologies programs.●

#### HONORING OUR BEAVER VALLEY LABOR HISTORY SOCIETY

HON. EUGENE V. ATKINSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. ATKINSON. Mr. Speaker, it is an unfortunate reality that the historical recognition of the American worker's contribution to this country's growth has never been equal to the magnitude of that contribution. In a sense, the workers have been forgotten by the general historical community. This has been the case for many years. But now, there is a growing concern for the part played by the American worker in the history of this Nation. I feel that such a movement has been a long time coming, and I support it wholeheartedly.

One organization, the Beaver Valley Labor History Society, is dedicated to elevating the awareness of the worker's role in American history. The work of the society has met with international notice. Historians in France and Great Britain have expressed a strong interest in the work of the society, as have historians within this country.

In order to stimulate interest and support for the efforts of the Beaver Valley Labor History Society, a letter from an historian from the University of Pittsburgh, David Montgomery, was forwarded to my office by the society.

At this point, Mr. Speaker, I refer my colleagues to the letter that was sent to Mr. Anthony L. Francschini of the Beaver Valley Labor History Society on April 30, 1979. The text follows:

UNIVERSITY OF PITTSBURGH,  
DEPARTMENT OF HISTORY,  
April 30, 1979.

MR. ANTHONY L. FRANCCHINI,  
Beaver Valley Labor History Society,  
Aliquippa, Pa.

DEAR MR. FRANCCHINI: Two weeks ago, when I was in Rome for a historical conference sponsored by the Basso Foundation of Italy, I spoke, among other things, about some of the important work now going on in the history of American workers. I described the Beaver Valley Labor History Society, and found the European historians who were there intensely interested in learning more about your group. Two of the people present were editors of the British History Workshop Journal. They asked me if I would write an account of the work in Aliquippa for their journal.

I would like to write a short informative piece for them (3 to 4 pages long), and I could do that simply by getting the information from the March, 1979 issue of the Beaver Valley Labor History Journal. There is plenty of the information there. But there are two problems with that approach. First, the British readers are especially interested in knowing how your society got started. Their main interest, after all, is in promoting similar work in their own country. Second, I want to be certain that whatever I say is accurate.

Would you be willing to help me write such an article? I can think of two ways this might be done. You may think of another, better way. One would be for you, or someone in your Society, to send me a short account of how the Society got started. The other would be for me to write a story based on the first issue of your journal and show it to you, or someone your Society selects,

so that you could suggest corrections and additions.

There are two other projects in which working people are putting together their own local histories, to my knowledge. One is in the Liverpool area of England, and it is sponsored by the Workers' Education Bureau there. The other is in the coal-steel region of Le Creusot, France where an important oral history museum of the region's economy, helped by government money and the cooperation of the two major labor federations, CGT and CFDT. The Beaver Valley Labor History Society has similar interests to these two projects, but it seems to rest much more on the initiatives of its own members. Your programs and your journal impressed the Europeans to whom I spoke as an important example for future work in their own countries.

Please let me know what you think of the idea of my writing this piece for the History Workshop Journal and how we might cooperate to make it the best possible.

Sincerely yours,

DAVID MONTGOMERY.●

## REAGAN SPEAKS OUT ON DRAFT

### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. PAUL. Mr. Speaker, because I believe the draft is a bad idea militarily, as well as morally, constitutionally, economically, and politically, I was heartened to see the excellent statement by Ronald Reagan in his Citizens for the Republic Newsletter. As the Governor points out, the draft is no way to build a top-notch military reserve.

The statement follows:

#### DRAFT WON'T BUILD A SPIRITED RESERVE

Restore the draft? Some members of Congress, joined by opponents of the volunteer army, are pushing for either a limited draft or standby registration of all 18-year-olds.

The volunteer army opponents argue that the concept isn't working. They routinely cite instances of months in which recruiting fell to 90 per cent of projects (never mentioning the months in which it has gone over 100 per cent).

In fact, the volunteer army ended 1978 some 2,000 members over strength, due to the fact that more soldiers stayed in than had been predicted. When a volunteer organization's dropout rate declines, it must be doing something right.

A more serious worry is the state of the reserves and the National Guard. Most units are below strength and many are at 50 per cent of normal or less. Advocates of a limited draft claim that, after a brief tour of active duty, the draftees will go into the reserves, bringing them up to strength.

Instituting the draft for this purpose, however, would be an admission by the government—and the Carter Administration—that the reserves have not been made attractive enough to young men and women to stand on their own. Yet, if the volunteer army itself can be made attractive, why can't the reserves?

Some argue for standby registration, claiming that this would greatly speed mobilization in time of emergency. One defense manpower analyst I talked with said that registration would perhaps reduce mobilization time slightly, from 110 to 90 days—at great cost.

Why not put those millions of dollars into program improvements and promotion to make the reserves more attractive to volun-

teers? The politicians in Washington may be forgetting that they are dealing not with statistics but people.

#### ALIEN IDEA

These days, the word "registration" to young people is code for "draft," an idea that evokes painful memories of Vietnam for many and an idea that has always seemed alien in a democratic society during peacetime.

When the nation does not face a specific threat (as distinguished from the fact that we live in a world of risks) does it have a legitimate claim to the mandatory service of its young people for the military or any other purpose? Underneath the surface of those dry statistics about military manpower and mobilization requirements is a set of deep philosophical, moral and ethical questions.

While it is true that effective mobilization in time of emergency rests on our ability first to field an effective active army, then call up trained reserves and then build a citizen-conscript army, we don't need to do the latter now in order to get the former two.

Why is it that this nation of innovators has to fall back on the old concept of a wartime draft or registration, instead of coming up with new ways to bring motivated young Americans into the reserves?

Skills training, challenges, adventure and pay incentives—all in the right mixture—if properly communicated ought to go a lot further than computers and draft boards in building a spirited military reserve.●

## JOSEPH FRANCIS THORNING

### HON. LINDY BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mrs. BOGGS. Mr. Speaker, I would like to ask my colleagues to join me in extending our best wishes to the Reverend Dr. Joseph Francis Thorning who has recently celebrated a very special occasion, his 83d birthday.

For many years I have known and respected Father Thorning. It has been a privilege to observe and admire his inspiring lifelong dedication to Christianity, to religious ecumenism, and to works of diplomacy throughout the Americas. I would like to share with you the following tribute to Father Thorning, which appeared as an editorial in the April 25 issue of the *Frederick* (Md.) news:

#### EL PADRE'S MEMOIRS

Former Secretary of State Henry Kissinger in jest said his memoirs—now in the making—started with "In the beginning" and end with "and on the seventh day," a bon mot to some of his lesser critics who felt he thought he was the Almighty.

The whole world is waiting for Mister K's memoirs.

Perhaps a smaller part of the world is waiting for the memoirs of a man whose scholarship and genius in international relations, particularly with the Americas, is most noteworthy today on the occasion of his 83rd birthday.

The Rev. Dr. Joseph Francis Thorning, widely known for his ministries and contributions to United States diplomacy as "El Padre de las Americas," is pastor-emeritus of one of Frederick County's most historic churches, Saint Joseph's-on-Carrollton Manor.

Among many credits (his curriculum vitae

would read like a catalogue of accomplishments since he began his distinguished career in 1910 at Marquette Academy) is his authorship of two definitive works—*Miranda: World Citizen*, the biography of Francisco de Miranda, the precursor of Latin American freedom, and *Religious Liberty in Transition*, regarded by competent scholars here and abroad as "the premier scholarly work for the ecumenical movement"—predating even John XXIII's Vatican II and written with approval of the Holy See in 1931.

A signed copy, updated in Father Thorning's own handwriting, is one of this column's prized library treasures.

Dr. Thorning, well known in Frederick as he "jogs" and "jawbones" about the community, is the "adopted" patron-son of Dr. Henry Eigelsbach, Betty and family, from where he is—he vows—writing his memoirs.

But he keeps so active, however, filling pulpits, encouraging young people (he led the cheering section for Miss Frederick runner-up Barbara Lee Baetz) and making visitations that we can only hope that he does not put off this major work which would be so valuable to the twin cause of peace and ecumenism, for truly, in studying this man's life there unfolds from the record a story of a man years ahead of the history of our time.

Briefly, the young Jesuit priest, in several writings in the early 1930s (after study tours abroad) warned of the unholy "Triple Alliance," of madmen named Adolph Hitler and Benito Mussolini, and admonishing the worldwide readership of *America*, a Catholic publication, that:

"While the bulk of responsible opinion in the Reich has supported the financial reforms of Chancellor (Heinrich) Brüning and the conciliatory policy of Foreign Minister Curtius, the recent elections served notice on the world that Germany can no longer be kept in the role of a subject nation."

He went even further, warning that Hitler was a dangerous man, and that the world would be resigned "to see a new German military machine rise, phoenix-like, from the ashes of defeat and despair."

"Dr. Brüning," he wrote in a personal note to this column in answer to a question, "was chancellor of the Weimar Republic, 28 months—longer than any German chancellor in the interval between World War I and World War II."

"(He) might have saved the German people and the peoples of the globe millions of deaths, crippling wounds, innumerable diseases for which we are all paying in taxes, and they, far worse, in daily, hourly suffering, anguish, agony and deaths everywhere."

"If the allied powers had made the concessions they later made to the Count Franz von Papen scaling down reparations, 'A Knight of Saint Gregory the Great,' Dr. Chancellor Brüning would have saved us all."

In a 1928 series in *America* he wrote on the need for simultaneous disarmament of nations, questioning if arms or words can prevent wars. He called on the "outlawry of war."

A similar writing by the Jesuit in *The Commonwealth*, November 1934, stated that the real power in Russia and a force to be dealt with by the world was a man then not so high on the "red menace" ladder—Josef Stalin.

Relating "What I Saw in Russia," Fr. Thorning concluded: "... the Russian people, terrorized and panic-stricken by the flashing planes and gleaming guns, would continue to submit for many years to the dictates of Stalin and his successors."

Similarly, after study missions in Japan, he warned in 1940 of the coming attempt of world conquest and told of the Japanese



bulldup and aiming of its war machine toward Pearl Harbor and the United States.

Fr. Thorning joined with the great writers of his day in warning, as did one correspondent of the *Times* in London in 1934: "What happens in Berlin and Vienna, happens six months later in London."

And as to what happens on this side of the Atlantic, he wrote: "We should not forget that what happens in London, sooner or later is very apt to happen in New York."

What happened is that power lusts where Godlessness begins, and he saw this—and he reported it, and in his great work, "Religious Liberty . . ." Dr. Thorning tells us that ecumenism is the way.

Happy Birthday, El Padre Thorning. The world awaits the gift of your memoirs. ●

## BUCHWALD SAYS IT ALL

### HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. MICHEL. Mr. Speaker, there are times when words are superfluous. So I will simply insert into the RECORD Art Buchwald's column of May 31, 1979, in the *Washington Post* which says it all concerning the Carter administration and energy:

#### SHIP OF STATE: TITANIC TROUBLES

(By Art Buchwald)

Capt. Jimmy Carter, formerly of the U.S. Nuclear Submarine Command, was standing on the bridge of the Ship of State staring through his binoculars. "Hard rudder right," he said.

The helmsman said, "It won't go to the right, sir."

The captain said, "All right then, hard rudder left."

The helmsman said, "It won't go hard rudder left, either, sir. What should I do?"

The captain said, "Let's drift until I talk to the crew." The captain grabbed the speaker. "Now hear this. This is your captain speaking. We are heading into rocky waters and I want all congressional chief petty officers topside immediately."

A surly band of CPO's came topside. "Gentlemen, I need your help. I can't steer this ship alone."

"Where are we heading, Captain?" one of them wanted to know.

"I'm not sure, but I'd like to stay on course."

"If you don't know where we're going, how can we help you stay on course?"

"Well, for a start I would like assurance that we have enough fuel to stay afloat."

"How much do we have now?"

"Lt. Schlesinger, how much fuel do we have?"

"I have no idea, sir. I keep getting different reports every hour. All I know is we're going to have to conserve as much as possible."

"Then I guess we better start rationing it," the captain said.

One of the congressional leaders replied, "How?"

"Lt. Schlesinger, do we have a plan?"

"Yes, sir. Here it is."

The chiefs looked it over, "We don't like this plan."

The captain said, "All right, We'll come up with another one. Lt. Schlesinger, do we have another plan?"

"Yes sir. Here's a new plan."

The chiefs studied. "This is worse than the other plan," one of them said.

"Then you people come up with a plan!"

"We don't know anything about conservation," one of them said.

"See here," Capt. Carter said grimly. "I'm in charge and you people must think about the good of the ship. We have to work together or we'll go on the rocks."

Ensign Hamilton Jordan came on the bridge. "Sir, we're taking on water."

The captain got on the phone, "Lt. Blumenthal, you're in charge of damage control. How much water are we taking on?"

"Well, I thought it would be 7 percent, but apparently we screwed up. We'll be lucky if it doesn't go to 10."

"What happened to our plan to reduce the bilge in our tanks?"

"We thought we could keep the boilers from overheating but we were wrong."

"You're a big help, Blumenthal." Thank you, sir."

Capt. Carter hung up and said, "If we can only get through the Panama Canal we'll be alright."

Chief Tip O'Neill said, "I'm having trouble getting the crew to agree to go through the canal."

"Why?"

"The petty officers are being very petty."

"How can I command the Ship of State when no one wants to follow my orders?"

"Why don't you abandon ship?" Chief Kennedy suggested.

"You would like that, wouldn't you, Kennedy? It sounds like mutiny to me."

"No sir, I'll support you as long as you're captain, but any time you want me to take over the wheel just let me know."

The helmsman said, "Captain, we seem to be drifting out to sea. Do you want to set a new course?"

"That's a good idea," the captain replied, "Which way is the wind blowing?"

"Port" someone shouted.

"Starboard," somebody else said.

"Fore," another voice offered.

"Aft," was the last reply.

"Good," said the captain, "Stand by your stations until I come up with another plan." ●

## FIGHT THE DRAFT

### HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. MIKVA. Mr. Speaker, sometime in the coming days we will be voting on the defense authorization bill for the fiscal year 1980 which includes the establishment of a system of selective service registration. The bill also calls for the President to submit a plan concerning the feasibility of the resumption of the military draft.

I am opposed to any proposal for resuming any form of the draft during peacetime. Such action contradicts the basic values of a democratic society. It would be a massive invasion of the freedom of millions of young Americans.

Recently, an article by Mr. Paul Katz appeared in the *Daily Northwestern*. Mr. Katz is a freshman at Northwestern University and is a member of the Progressive Students Coalition. I would like to share Mr. Katz's article with all my colleagues so that they may benefit from this young man's insight. He eloquently refutes claims that the draft is necessary for the national security while reminding us that a large standing Army is

more likely to lead us into war than to promote continued peace.

The article follows:

#### DON'T FORGET VIETNAM: FIGHT THE DRAFT

(By Paul Katz)

As everybody should know by now, there are nine bills before Congress that could reinstate draft registration beginning October 1, 1979.

The purposes of these bills, according to their sponsors, are to increase the preparedness of the United States in case of an emergency; to aid a falling volunteer army and according to Sen. Robert Morgan to demonstrate to "the potential enemies of the United States that we still retain our resolve to fully bear arms should this be the decision of the Congress and the President."

The supporters of reinstating draft registration claim that the Selective Service is not in the working condition that it should be. Rep. John Bennett believes "our mobilization is in a state of disarray."

Figures show that the armed forces have failed to meet their enlistment quotas. The Air Force met only 95 percent of its quota, the Army 93 percent, the Marines 86 percent and the Navy 85 percent. What these figures fail to show is that reenlistments have increased. So the size of the armed forces has remained at 2.1 million persons.

Other supporters say that a result of the volunteer force, the U.S. army reserves have declined to the lowest point in 20 years. According to Sen. Morgan, the individual ready reserve has declined from 900,000 in 1972 to 150,000 today. It must be remembered though that the U.S. was involved in the Vietnam War in 1972, so of course our reserve strength would be high.

The purpose of the individual ready reserve is to provide personnel to fill up the active army in the event of a national emergency. Sen. Morgan claims that a "stand-by draft" would be "essential to ensure that the necessary personnel can quickly be called up and trained."

He says that presently it would take five to seven months before the first induction would occur. Proponents of the draft legislation believe that such a delay added to the amount of time necessary for training would spell defeat for America. There is only one question: who is Congress planning to fight?

Presently we are at peace. There is no direct threat to American security anywhere in the world. Why then is Congress so intent upon reinstating the draft registration and induction? Some people say that you cannot anticipate when a war will occur. So we are better off to be prepared just in case, they say.

In fact, the opposite is true. Wars do not suddenly occur for no reason. Conditions that lead to war tend to be conspicuous years before an actual conflict develops.

Even in the "surprise attack" on Pearl Harbor, it was obvious by the late 1930s that Japan was heading toward potential conflict with the United States. That is why the Selective Service was reactivated in 1938.

This brings us to the next argument in favor of the draft. Advocates say that the very act of registration is a sign to our enemies that we are prepared to defend ourselves. According to them, the draft would act as a deterrent to hostilities. However, this is not the case.

There are also provisions in some bills that will make registration a permanent part of American life by "not allowing the President to suspend registration for more than 90 days in any one year."

Another provision in two of the bills is to move the Selective Service from an independent agency to part of the Department of Defense. Not only would this create an extremely militaristic environment but it would give the department too much power

to hold a standing army in peacetime or induct bodies at will.

A large standing army is simply something that should not be tolerated in peacetime. It is against every idea of liberty and freedom upon which this country was founded. In fact, one of the grievances set forth in the Declaration of Independence was, "He has kept among us, in times of peace, standing armies..."

A standing army is detrimental to world peace. It is precisely because we had the draft and a standing army in the late fifties and early sixties that the government was able to become involved in Vietnam. If the men were not available to fight, the government would never have been able to involve the U.S. in a war where 50,000 men died for no reason.

Should the government again be allowed to have a standing army, it would be very easy for it to get involved in overseas problems such as Southern Yemen (where President Carter has already sent military advisers).

The reinstitution of the draft and any steps leading to it, such as registration, are an unnecessary abridgement of personal freedom. The United States is at peace. War hawks in Congress, though, seem to think that we need drastic measures to insure that we can mobilize quickly. The same hawks also point to a recent Harris survey showing 66 percent of Americans polled favor military registration and 31 percent oppose it.

Rep. Paul McCloskey (R-Calif.) has even gone so far as to say that:

"Duty, honor, country, and a sense of obligation to serve the nation and mankind are very much a part of the ethic of today's youth."

The Congressman makes a good point in saying that duty and honor are very much a part of the ethic of today's youth. It is for precisely these reasons that we oppose reinstatement of the draft registration.

Vietnam is over. We are a new generation. The lessons of Vietnam must never be forgotten, but the times are different and the issue is the reinstatement of an unnecessary and restrictive draft. Apparently some congressmen have not kept abreast of the times nor of the youth's feeling. It's time we let them know how we feel.●

#### PERSONAL EXPLANATION

### HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. MAZZOLI. Mr. Speaker, I was necessarily absent from the House on Thursday, May 31, 1979. Had I been present, I would have voted "nay" on rollcall No. 176, an amendment to H.R. 2575 which sought to prohibit the use of funds for research, development, testing, and evaluation of the MX missile system; "nay" on rollcall No. 117, an amendment to H.R. 2575 which sought to prohibit the Secretary of Defense from proceeding with development of the MPS basing mode for the MX missile under certain circumstances; "aye" on rollcall No. 178, final passage of H.R. 2575, the Department of Defense supplemental authorization bill, for fiscal year 1979.●

#### AMERICAN SCHOLARS INVITE SOVIETS TO CENSOR OUR TEXTBOOKS

### HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. ASHBROOK. Mr. Speaker, I have just learned of a federally funded education program which throws into sharper clarity than ever the moral basis of our détente with the Soviet Union: Indifference to the truth.

With grants from the International Communications Agency, the National Endowment for the Humanities, and several private sources, a professor at Indiana University is directing the American side of a joint United States-Soviet textbook review project. Academics from both countries are reviewing grade-school history and geography textbooks in search of "ideological distortions" in our portrayals of Soviet society, and their portrayals of America.

According to an article in the January-February issue of American Education, Professor Howard Mehlinger hopes that:

If we can bring about corrections in the textbooks where they are called for, we will be taking at least a small step toward improving relationships between the two countries.

Whether or not Professor Mehlinger has grasped the fact, the Soviet conclusions of this or any such study are preordained. The Soviet deputy minister of education, M. I. Zhuravlyeva, wrote a year ago about Soviet textbooks that:

Each may see with his own eyes that these books are full of the spirit of peace, cooperation, and respect for the history and culture of other peoples.

Here are some of the statements about American history which appear in Comrade Zhuravlyeva's "peaceful and cooperative" textbooks:

"... the new American Constitution and the constitutions of the states were openly directed against the popular masses."

American frontiersmen waged "monstrous bacteriological warfare" against American Indians.

Northern generals in the Civil War were "secret supporters of the Southerners," and the war itself was "a bitter class struggle, a bourgeois revolution."

The organizers of this project are apparently blind to the fact that the very phrase, "Soviet scholar" is a contradiction in terms. There is no such thing as freedom of academic inquiry in Soviet "scholarship": Research, teaching, and publishing are all state monopolies in which everyone's work is minutely inspected for deviations from the official line. The job of a Soviet historian is to torture his field of study to find "class struggle" as the mystical explanation of every event he examines—not to pursue the truth wherever it may lead. The only honest history behind the Iron Curtain is that published in "samizdat," circulated furtively among tiny bands of dissidents.

It will be interesting to see the revisions in American textbooks that pass muster

with the pseudo-scholars of Moscow. What will these new texts say about the Gulag labor camps, the KGB, the forced psychiatric treatment of dissidents? What will they say about the Stalin-Hitler Pact, which carved up Poland and launched the Second World War? What will they say about the destruction of the "kulak" peasants, the exaltation of pseudo-science in the Lysenko episode, the Soviet occupation of Eastern Europe, the continuing suppression of religious minorities? I hope Professor Mehlinger will make public any such revised textbook drafts, so we can all see just how far some American intellectuals are willing to prostitute themselves for the sake of détente.

I am sure that American textbooks can be revised so as to make them palatable to Soviet critics, and I am equally sure that such revised textbooks would not be worth the paper they were printed on. As a price of "improving relationships," the Soviets demand our moral acquiescence to tyranny. Even if that price were the only one we had to pay, it would be too high.●

#### AMERICA: A TRADITION OF CARING

### HON. GUNN McKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. McKAY. Mr. Speaker, each year the Veterans of Foreign Wars conducts its distinguished Voice of Democracy Contest wherein some 250,000 high school students compete for scholarship awards. This program serves the vital purpose of stirring our young people to contemplation about our Nation's purposes and principles, and about the responsibilities of citizenship in our democracy.

The winner this year in Utah's First District is Todd Mikesell of Morgan, Utah, who does a fine job, I believe, in describing the compassion which has historically been a component of our national character.

I commend his essay to the attention of my colleagues:

VOICE OF DEMOCRACY ESSAY BY TODD MIKESSELL

As long as there have been ideas, purposes and beliefs, there have been reasons for concern and reasons to care. And what better purpose for caring could there be than, America?

From the time when America was first discovered, people have cared. The Founding Fathers cared enough to fight for Independence, granting a Free America to all citizens. What better start could this country have had? An America that could produce men of high caliber to assemble documents of great importance. These documents, the Constitution and the Bill of Rights, granted Americans rights and freedoms. These men cared a great deal.

In 1861, the Union split, and brother went against brother. The subject of "Cares" followed suit. The North cared to restore the Union and exterminate human slavery in the South. On the other hand, the South cared about hanging on to slavery as a way of life and cared even more about violations on its states rights.



One man in particular was sorrowed at the reality of the divided Cares. He was Abraham Lincoln. While residing in Illinois, as a lawyer Lincoln expounded on the pestilence of secession. "A house divided against itself cannot stand. I believe this government cannot endure half slave and half free."

Abraham Lincoln, after being elected to the Presidency of the United States, cared enough to pursue the means of restoring the separated nation to its original state of being. The United States of America!

I care about America because of men and women like these. They laid the foundation for future growth, and superiority of this Nation among other nations. Another reason I care is that of men giving their lives that this nation may continue to be free and prosper. We should recognize this as a respect for patriotism.

I care about America for some of the freedom that I participate in. The freedom of Religion. To worship how, when, or what I may. The Pilgrims came to America to seek religious freedom. The freedom of speech, Freedom of the Press, and many others along with rights are good reasons to care about America.

I care because America can offer me everything I need to be successful. Education. I can go anywhere in the United States to gain an education, and can practice any vocation anywhere, and that shows me that America wants her citizens to gain knowledge. America also encourages trade with foreign countries, to offer friendship as a Nation.

America has offered her hand in friendship many times. She thinks about others before herself. World War I, World War II, Camp David are all landmarks in assistance to other nations. America could have sat back, but no, she is a power. A power of hope, courage, respect, and knowledge to many nations, and to me. I Care About America because America itself cares. And I am a part of that along with many others. ●

#### NORTHERN TIER PIPELINE GETS A BOOST FROM CENEX

### HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, June 6, 1979

● Mr. OBERSTAR. Mr. Speaker, consumers, and particularly farmers, in the Midwest received some good news last week with the announcement that CENEX, a farm supply cooperative, would participate financially in the Northern Tier oil pipeline project.

The CENEX decision is a major boost for the pipeline which is badly needed in my home State of Minnesota and throughout the upper Midwest region.

Industrial users, farmers, homeowners, the general public throughout the upper Midwest are faced with drastically reduced supplies of Canadian oil right now, followed by an absolute cutoff in 1982.

We urgently need Alaskan crude as a replacement.

Farmers in our region are already experiencing difficulty in obtaining essential fuel supplies. Without a pipeline, the situation will only worsen.

CENEX, serving 500,000 farm families, operates two refineries and will be the only partner in the Northern Tier project which will be both a shipper and a receiver.

The pipeline will extend 1,568 miles from Puget Sound in Washington across five States to Clearbrook, Minn., where it would connect with an existing pipeline system moving oil to Chicago. It would move 709,000 barrels daily initially and 933,000 barrels at full capacity.

I would like to share with my colleagues an article from the Duluth News-Tribune of June 1, 1979, reporting the CENEX announcement:

#### CO-OP BACKS OIL PIPELINE (By Harold Higgins)

ST. PAUL.—CENEX, a farm supply cooperative with a half-million members from Wisconsin to the Pacific Northwest, has invested in the Northern Tier pipeline project and committed itself to buying a large share of the oil carried by the pipeline.

CENEX and Northern Tier officials declined to reveal details of the investment, which was approved Thursday by the co-op's board of directors.

But a reliable source estimated the investment at more than \$2 million and said CENEX agreed to purchase 10 to 15 percent of the oil that will flow through the pipeline.

For two reasons, the farm cooperative's participation in the project is of major significance for the pipeline that would stretch from Port Angeles, Wash., across Idaho, Montana and North Dakota to Clearbrook, Minn. At Clearbrook, the pipeline would link up with existing pipelines, including the Lakehead conduit that serves the refineries at Superior and Wrenshall.

First, CENEX will be the only owner of the Northern Tier pipeline that also will be a shipper and receiver of crude. The other investors, who have put up about \$16 million thus far, the Burlington Northern, U.S. Steel, Westinghouse, Western Crude Oil, Mapco, Willwaukee Land Co., Curran Oil Co. and Butler Associates of Tulsa.

Second, the farm cooperative's participation in the \$1.6 billion project may cement agricultural support for the Northern Tier route. That is important in an era when farmers are hesitant to let pipelines and powerlines cross their fields. ●

#### NEED TO HELP WELFARE RECIPIENTS GET AN EDUCATION

### HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, June 6, 1979

● Mr. SEIBERLING. Mr. Speaker, today I am introducing legislation to amend a provision in the Food Stamp Act which has made it difficult for welfare recipients to obtain an education. My bill will amend the Food Stamp Act to provide that no educational financial assistance received by AFDC recipients shall be considered as income for the purposes of determining their food stamp benefit.

Presently, the Food Stamp Act requires that, except for amounts paid for mandatory tuition and fees, educational aid in the form of loans, grants, scholarships, and fellowships must be counted as income in determining eligibility and benefit amounts under the food stamp program. Specifically, the act does not allow income deductions for the costs of books, supplies or instructional material and equipment, even if required by

the school. For AFDC recipients who are going to school so they can qualify for jobs that will get their family off of welfare, any reduction in food stamps is a serious hardship.

In my district, a young welfare recipient with two children is near completion of her college degree which she hopes will help her get a job to support her family without any help from welfare. However, because she received an educational grant which exceeds her mandatory tuition payment, her family has experienced a reduction of \$20 per month in food stamp benefits. This practically forces her to choose between completing her education and feeding herself and her children.

Mr. Speaker, I would like to insert in the Record following these remarks a copy of an article from the Akron Beacon Journal which explains the problem my bill seeks to correct.

#### The article follows:

#### REDTAPE STUDENT FINDS WELFARE A TRAP (By Peggy Rader)

The welfare system punishes people who try to escape it, according to a welfare mother and college student, Len Keller.

Ms. Keller, 28, has been on welfare five years and has almost reached her goal of a college degree. But the Summit County Welfare Department recently ruled that her college grant money in excess of tuition costs counts as income and her food stamp allotment has been cut from \$115 to \$95 a month as a result.

"By counting that extra money as income, they (the welfare department) are telling me to use my school money to raise my children and put food on the table," Ms. Keller said.

"Well, I can't do that because the grant money can be spent only on school related expenses. Nobody can feed two kids and an adult on \$95 a month. Of course, if I dropped out of school, my food stamp allocation would go back to \$115. The message I'm getting is that if I want to eat, I can drop out."

Ms. Keller lives in Goodyear Heights with two sons, David, 11, and Christian, seven. She went on welfare in 1974 when her husband of seven years left her, she said. She had to quit school at 16 to marry and was left with a divorce and no skills for working outside the home.

The food stamp cutback came last month when food stamp regulations were changed. The grants total \$1,862 a year and tuition is \$1,023. The difference of \$839 is considered income for Ms. Keller although grant restrictions require a job. The court-ordered support payments of \$20 a week never came, she said.

"The way the system is set up, it basically encourages you to stay in welfare," Ms. Keller said. "Not only is there no incentive to get out, the system actually puts up obstacles at every corner to keep you stuck right where you are. It's maddening, a bizarre trap."

Dave Richards, head of public education at the Summit County Welfare Department and a former social worker there, said that Ms. Keller is not alone in her problems with the welfare system.

Just by looking at the system's rules and regulations, it isn't evident that obstacles exist, but my experience has been that people have found it very, very difficult to get out of the system," Richards said.

"It appears not to be a very helpful system to anyone trying to escape it," he said. "Women who try to get a better education find a lot of stress with finances, child care, transportation, school work. Nobody in the system

really sits down and talks to people in this position and tries to alleviate the problem."

Other welfare department employees said that besides the problem of grant money being counted as income, welfare mothers working on a college degree are now also faced with ineligibility for day care for their preschool children.

"The law and the regulations are in place," Richards said. "No one is saying it's fair, or even right, but we have to carry them out."

Ms. Keller took a high school equivalency test and received a diploma within months of going on welfare. She began attending the University of Akron the same year with the help of an Ohio Instructional Grant and a Basic Educational Opportunity Grant.

"The money I had left over, I've always needed to buy books and supplies, about \$75 a quarter, gas and oil for the car (she transferred to Kent State University last fall), which is about \$130 a quarter, and lunches on campus," Ms. Keller said.

Her Aid to Dependent Children (ADC) benefits are \$235 a month. Rent, which includes heat, is \$175 a month. Utilities are about \$40 a month.

"That leaves about \$20 a month for soap and detergents, clothing, car repairs, laundry and the kids' school supplies. I just don't have any extra money for more food. We have the bare minimum of furniture—table and chairs, a couch, beds. That's it."

Ms. Keller said that when her food stamp cutback was being figured, her grant income was prorated over a 12-month period although the benefits can be used only during the nine-month school year. "That's just one little stupidity inside a big one," she said.

She said university officials have tried to figure out some way to help her, but are afraid that any financial aid would be used against her in cutting her welfare benefits even further.

"If they gave me more money, the welfare department would just figure a way to get it," she said.

"I know some people's reaction is that I should have gotten any job I could and support my kids that way."

"I didn't see any point in trying to support my kids on minimum wage jobs. That kind of life is unstable and deadend. It would have been an eternal rut that we would have been stuck in forever," she said.

"Just because I'm on welfare doesn't mean I have to settle for anything. If you're going to make an effort, you should make it your best. With a good education as a foundation, I can progress. I can find a job that pays enough that I don't have to be ashamed of the clothes I send my kids to school in."

Ms. Keller is a senior majoring in archaeology. She has a 3.3 grade average of a possible 4.0. She knows of several jobs, both in and out of the Akron area, for people with her training in lab techniques and analysis.

Changes in eligibility requirements in January now make college students' children ineligible for enrollment in welfare-funded day care programs.

Ms. Keller is looking for other women in her position and has appealed the reduction in her food stamp allocation. A hearing date is to be set, but several people at the welfare department have said the hearing will change nothing. ●

**STATE SENATOR PAUL MATIA  
SPEAKS OUT AGAINST JUDICIAL  
TYRANNY**

**HON. JOHN M. ASHBROOK**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. ASHBROOK. Mr. Speaker, State Senator Paul Matia, one of the outstand-

ing legislators in Columbus, recently wrote an excellent article which appeared in the prestigious publication, *Buckeye Battleline*. In his usual perceptive manner, the Cleveland legislator continued his crusade for judicial reform and cited the dangers of the "new ruling elite disturbingly similar to the royal governors our forefathers ousted many years ago."

Senator Matia hits the nail right on the head. His article is must reading for every American who is concerned about creeping Federal judicial power grabs by Federal district judges such as Ohio's own infamous Judge Battisti. Senator Matia places before us the challenge of bringing some sense of restraint on the runaway judiciary. I am pleased to have been a sponsor of the legislation he urges as a reform.

The *Buckeye Battleline* is a publication of the United Conservatives of Ohio, affiliate of the American Conservative Union, long a leader in the propeople battles which have been waged over the past decade and a half against liberal intrusions into our homes, schools, and businesses. Senator Matia is to be commended for his forthright, excellent treatise on this important subject, and I include his statement at this point in my remarks:

**SENATOR MATIA SAYS "STOP JUDICIAL TYRANNY"**

(By State Senator Paul R. Matia)

Now that we have celebrated the bicentennial of our nation's independence, and as we approach the 200th anniversary of the adoption of our Constitution, many thoughtful Americans are becoming increasingly concerned over what appears to be the emergence of a new ruling elite disturbingly similar to the royal governors our forefathers ousted so many years ago—namely, federal judges. Growing numbers of Americans—lawyers, state judges, and laymen—are realizing that the only solution to the increasing abuses of power by federal judges may be to impose upon them the same fate that befell the royal governors 200 years ago—ouster.

In the good old days when judges weren't competing with each other for the "Power Grab of the Month" Award, judges used to exercise what was known as judicial restraint. Judges voluntarily restrained themselves from becoming involved in every question presented to them and from filling every so-called vacuum in the law. After all, if a legislative body—the duly elected representatives of the people—has chosen not to act in a particular area of the law, it is a perfectly plausible explanation that such legislative body, responding to the wishes of the people as it perceives them, has consciously determined that it does not WANT a law dealing with that subject. Why, then, should a judge take it upon himself to act when the legislature has chosen not to?

In recent years federal judges have intruded into every aspect of government, business, and private life. They are running mental hospitals, prisons and public schools. They are costing taxpayers hundreds of millions of dollars in unnecessary expenses for school buses, salaries, fees for so-called "experts", lawyers fees, etc. They have denied parents their right to determine where their children will attend school; they have interfered with the power of school administrators and teachers to maintain order and discipline in the schools; they have even seized entire school systems and deprived the voters of their control over their own schools. One particularly flagrant excuse for a federal judge has even had the temerity to suggest that he has power to impose a tax without a vote of the people!

The most obvious example of dictatorial judicial tactics, of course, is the manner in which the Cleveland school "desegregation" case has been handled by Federal Judge Frank Battisti. Neutral state laws have been superseded, elected public officials have been stripped of their authority, and the school board members, the superintendent, and other parties have been badgered, ridiculed and bullied into submission from the bench. This particular federal judge has a history of behaving in this manner; during the infamous apportionment case in 1971-72, the rights of every citizen in Ohio were violated in the successful effort to impose a blatantly partisan apportionment of the state legislature. And how did the federal appellate process work? Well, the appeal was heard by three judges: the judge who handed down the decision being appealed (imagine), a judge whose son was elected under the apportionment plan being challenged, and a third judge who wasn't able to attend the oral argument. Is it any surprise that the appellate panel found nothing wrong with the original decision?

Many responsible citizens believe it's time for the people to take action to end these abuses. Since the judges apparently will not exercise restraint either over themselves or (through the appellate process) over their fellow judges, it is time to let the voters step in by ending the lifetime tenure of federal judges. Unfortunately, this requires an amendment to the U.S. Constitution, a difficult procedure at best, but there seems to be no alternative with a reasonable prospect of success. One of the most frequently discussed proposals (often referred to as the merit system) would require the President to appoint federal judges from a list of names of qualified individuals submitted to him by a nonpartisan commission. Each appointee would then serve for an initial term of perhaps four, five or six years, after which his or her name would be submitted to the voters with the question, "Should Judge B be retained in office for another term?" If a majority voted "no," Judge B would be ousted from office and a new judge appointed.

Of course, if Congress would exercise the power it has to limit the authority and jurisdiction of the federal courts, constitutional restrictions on judicial tenure might not be necessary. But since Congress does not accurately represent the will of the people, due to gerrymandered districts, excessive power of committee chairmen, and undue influence of special interest groups, it is perfectly clear that no relief will come from Congress.

It is, therefore, necessary for the people, acting through their state legislatures, to demand a halt to federal judges' abuse of power.

The people have been patient long enough. Judges like Battisti can no longer be tolerated. The time for action is now. ●

#### **STUDENT SOCIAL SECURITY BENEFITS**

**HON. JAMES H. SCHEUER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. SCHEUER. Mr. Speaker, one of the proposals made by the administration is to phase out the student benefit in the social security program for persons age 18 to 21. I am pleased to include in the CONGRESSIONAL RECORD a persuasive statement in opposition to the administration proposal. It was written by Dr.



Jean T. D. Bandler, the daughter of Senator Paul Douglas who was an expert on social security himself. I urge that it be carefully considered by my colleagues.

**STUDY GROUP ON SOCIAL SECURITY FOR FAMILIES, CHILDREN AND YOUTH**

Attached is fact sheet number 3, the Threat to Student Social Security Benefits, prepared by Dr. Jean T. D. Bandler, to give background material to those concerned with the Administration's proposal to repeal the provision of present law that continues social security benefits for young people through their college years. It is proposed that this policy be phased out over a four year period.

These are the young people (currently about 800,000) who are being enabled by social security to continue their education either in college or other post-secondary institution because the parent that supported them has died, become disabled or retired. It continues for these students, through the age of 21, the children's benefits paid as one of the social security entitlements earned by the working parent through contributions paid by himself and his employer during his working years. This arrangement constitutes a compact between workers and their government with implicit promises which cannot be lightly abrogated.

Arguments for the amputation of this particular social security entitlement have been put forward by the Administration, the General Accounting Office and some Senators on two grounds. First it is argued that those young people who need help to continue their education can apply for a means-tested Basic Educational Opportunity grant. This shows a lack of understanding of the difference and interaction between a program based on need and one based on what is, in effect, a deferred return on earnings. Like wages, the latter is a "resource" that determines whether "need" exists. If the amount of the social security family grant and any other income is lower than the BEOG family standard, the usual determination of BEOG eligibility is applied to the student social security beneficiary. If social security (and any other income) is high enough, no BEOG is required. Thus no duplication occurs.

This argument of "over-lapping" or "duplication" could be equally well misapplied to almost all social security benefits. Dependent mothers and children could be required to turn to AFDC, the elderly retired and the disabled could be told to seek Supplementary Security Income on a means test basis. But a primary purpose of social security, since its inception in 1935, has always been to minimize the need for public assistance, consistently unpopular with recipient and tax-payer alike. Benefits based on earnings and contributions promote a sense of dignity and independence for young students which has already been recognized in the Civil Services Retirement, Railroad Retirement and veterans program. Why should this group of federal insurance beneficiaries be treated differently?

The second argument put forward is that it is a "fringe benefit" only recently added to the Act and not central to its primary purpose, usually described as protection for the aged and disabled. (In actual fact survivor's benefits were added in 1939, long before benefits for the disabled.) But the whole history of the social security program has been one of gradual enlargement of the program in terms of beneficiaries and scope of benefits. At each stage, however, adequate future financing has been assured through changes in the contribution rate and wage base. To the young social security beneficiary approaching his 18th year, the continuation of his benefit so that he can finish his education is no more a "fringe benefit" than that of the elderly retiree liv-

ing out his later years in the dignity and security of his promised income.

The question of discontinuing benefits for these students does not appear to be immediately before the House Ways and Means Committee. However, several members of the Senate Finance Committee have indicated their intention to add such a provision to any measure such as that for disability benefits currently pending in the House (HR 2054) if it reaches the Senate. Social security measures, since they involve a tax, must originate in the House but can be amended in the Senate. Thus this must be regarded as an immediate issue.

ELIZABETH WICKENDEN,

Director.

Board of advisors: Hon. Justine Wise Poller, Chairman; Richard Boone of The Field Foundation; Wilbur J. Cohen, University of Michigan School of Education and former Secretary of HEW; Mrs. Helen Gahagan Douglas; Dr. James Dumpson, Assistant Director, New York Community Trust and former Commissioner, N.Y.C. Human Resources Administration; Mrs. Marian Wright Edelman, Director, Children's Defense Fund; M. Carl Holman, President, National Urban Coalition; Dr. Robert J. Kibbee, Chancellor, City University of New York; Dr. Charles I. Schottland, former President of Brandeis University and former Social Security Commissioner; and Edwin F. Watson, Executive Director, Child Welfare League of America.

The study group on social security for Families, Children and Youth has been established to focus attention on those aspects of the social security system which particularly affect families, children, students, young workers, low paid workers and members of minorities. Elizabeth Wickenden is its Director and Dr. Jean T.D. Bandler is Research Associate.

**THE THREAT TO STUDENT SOCIAL SECURITY BENEFITS**

(By Jean T. D. Bandler, DSW  
Research Associate)

The Carter Administration proposes that Congress phase-out over a four year period social security benefits to post-secondary students ages 18-21. Currently, more than 800,000 post-secondary students receive these benefits, the average benefit is \$170 a month, and the total benefit cost is \$1.6 billion a year. In order to reduce social security, the Administration recommends that students needing financial aid should apply for income-tested educational grants, instead of receiving social security on the basis of a parent's entitlement. To date, however, the Administration has not recommended any increase in the funding of these educational aid programs to meet the potential demand thus created.

**PURPOSE OF THE SOCIAL SECURITY STUDENT BENEFIT**

The student benefit continues the traditional social security protection of the child when a wage-earning parent can no longer work and support the family. Established by Congress in 1965 as an extension of the benefits to children under age 18 of retired, disabled or deceased workers, the student benefit assures regular income when parents cannot earn and the child is not expected to be fully self-supporting. The student benefit provides income security to insure against the loss of earnings caused by death, disability or retirement and to encourage the completion of education.

**WHAT ARE THE STUDENT BENEFIT CRITERIA?**

To be entitled for a social security benefit, (OASDI), a student must be the child of an insured retired, disabled, or deceased worker. In addition, the student must be between

the ages of 18 through 21 (benefits continue through the school term of the 21st birthday), study full time at an accredited education institution, be unmarried, and for a full benefit earn less than \$3,240 a year with reduced benefits for higher earnings.

**WHO IS INVOLVED?**

In the 13 years of the student benefit program, over 5½ million students have received benefits. In 1978, over one million students got benefits during the year and 817,506 students currently are receiving benefits.<sup>1</sup>

**WHERE DO THE STUDENTS GO TO SCHOOL?**

Students must attend an accredited institution on a full time basis. Although some students are still in high school, four-fifths of the beneficiaries attend post-secondary schools and would be affected by the proposed benefit termination. In the student group: 21 percent attend high school; 5 percent attend technical, vocational school; 2 percent attend business, secretarial school; 18 percent attend 2 year college; 51 percent attend 4 year college; and 3 percent attend graduate school.<sup>2</sup>

Although nearly all of the high school students receiving social security benefits attend public school (95 percent), post-secondary student beneficiaries attend both public and private institutions; 71 percent of the college students receiving social security attend public colleges and 29 percent attend private ones; 54 percent of the noncollege, post-secondary students attend public vocational, technical, business, or secretarial schools and 46 percent attend private ones.

**WHY IS THERE A LOSS OF PARENTAL SUPPORT?**

For the majority of students entitlement is due to the death of a working parent. A second, and growing group, are children of wage-earners who become disabled. An analysis of student beneficiaries in 1978<sup>3</sup> shows that: 60 percent were children of deceased workers; 21 percent were children of disabled workers; and 19 percent were children of retired workers.

**THE SOCIAL SECURITY BENEFITS**

The amount of the student benefit is related to the parent's entitled benefit amount, which in turn is based on the past earnings level. (The parent's benefit, or primary benefit, replaces a portion of past earnings, with low earners receiving a larger wage-replacement than high earners. The earnings level, it should be noted, is also the basis for the past social security taxes paid by the worker and the employer.) Children of retired and disabled beneficiaries receive 50 percent of the parental benefit and children of deceased workers receive 75 percent, a higher percentage since the parent is dead and therefore not receiving the parental benefit. Total family benefits are limited by a statutory maximum, ranging from 150 percent to 188 percent of the parent's primary benefit. (To maintain the benefit-wage replacement principle, families of low earners receive a smaller family maximum than families of high earners, because the primary benefit is already heavily weighted for low earners.) All benefits are automatically up-dated to reflect cost-of-living increases.

**HOW MUCH IS A STUDENT BENEFIT?**

The regular monthly benefits are paid on a year-round basis; they are predictable amounts that permit planning and budgeting. In 1977, the median range of student benefits was \$125-\$166 a month.<sup>4</sup> In 1978, the average monthly student benefit was \$170. By basis of entitlement, the average monthly benefit was:<sup>5</sup>

- \$200 for children of deceased workers;
- \$158 for children of retired workers; and
- \$113 for children of disabled workers.

Footnotes at end of article.

## FAMILY CHARACTERISTICS OF STUDENT BENEFICIARIES

Based on the loss of parental support due to death, disability or retirement, student benefits are not conditioned on income or assets, need or poverty. Although benefits go to all income level families, they are a vital financial protection for low-income families, minority students, and students from low educational and occupational backgrounds.

## HELP TO LOW-INCOME FAMILIES

The majority of social security students come from low-income families and the student benefit is a crucial component of family income.<sup>2</sup>

For college students receiving social security, the median family income is less than 71 percent of the national median for all families with full-time college students. Without the student benefit, family income of the beneficiary group falls to less than 56 percent of the national median.

For non-college post-secondary students receiving social security, the median family income is 54 percent of median income for all families with similar ages of students; without the student benefit, family income falls to 43 percent of the national median.

THE PERCENTAGE OF COLLEGE STUDENTS RECEIVING SOCIAL SECURITY BY FAMILY INCOME:<sup>3</sup>

29 percent of the students had family income under \$6,000;

53 percent of the students had family income under \$8,000;

71 percent of the students had family income under \$15,000; and

84 percent of the students had family income under \$20,000.

## HELP TO MINORITY STUDENTS

The social security student entitlement reaches a disproportionately high number of minority children whose working parents have died, retired or become disabled. The percentage of minority student beneficiaries, particularly children of disabled workers, has increased rapidly in the past years going from 11 percent in 1928 to 15 percent in 1970 to 22 percent in 1976.

In 1976, 20 percent of these students were Black, compared to 11.5 percent in the general population.<sup>4</sup> Black college students were also more heavily represented in the college beneficiary group than in the general college population; 15 percent of the social security students in college were Black, compared to 11 percent in the general college population.<sup>5</sup> The student benefit program clearly has helped many minority students to continue their education.

## HELP TO STUDENTS FROM FAMILIES WITH LOWER EDUCATIONAL AND OCCUPATIONAL LEVELS

The social security student benefits also are a significant help for students to attain higher educational and occupational levels than their parents. College students receiving social security benefits are more likely to have fathers with limited educational and occupational skills than are students in the general college population.

In terms of educational level, 20 percent of the college student social security population had fathers with an eighth grade education or less, compared to only 11 percent of the general college student population. 35 percent of the college student social security population had fathers with less than a high school diploma compared with 22 percent of the general college population.

In terms of occupational level, 48 percent of the college student security population had fathers with "blue collar" occupations (craft, foremen, operators, laborers) compared to 20 percent of the general college student population. 14 percent of the college social security students had fathers with "low-white collar" jobs (sales, clerical) compared to over 26 percent of the general college pop-

ulation. Only 31 percent of the college student social security population had fathers from "high white collar" occupations (professional, technical, managers, proprietors) compared to 48 percent of the general college student population. (Children of farmers were equally represented in both groups at 6 percent.)<sup>6</sup>

## STUDENT BENEFITS ARE A COMMON FEATURE OF SOCIAL SECURITY PROGRAMS

The social security student benefit is not an idiosyncratic feature, unique to the United States. Most industrial countries cover student benefits in their social security programs, often with more generous age criteria than here. These nations include Australia, Austria, Belgium, Canada, Finland, Germany, Ireland, Italy, Netherlands, and New Zealand. Although one nation has a lower age limit and 3 have a limit of 21 years for 6 countries the upper age limit is higher than in the United States with student benefits usually continuing until 25 years of age.<sup>7</sup>

## OTHER SOURCES OF AID FOR STUDENT SOCIAL SECURITY BENEFICIARIES

Because of low family income, most students receiving social security student benefits can expect little, if any, parental aid in meeting educational costs. To help finance education, these students must supplement social security benefits with work and the means-tested educational grants, loans, and work-study programs.

Limited family financial help. More students receiving social security get no financial help from their families than students in the general college group. (33 percent of college social security freshmen had no parental or kin contributions, compared to 28 percent of the non-beneficiary freshmen.) Significantly, those social security students with family financial help received smaller amounts of aid than other college students. (42 percent of the freshmen with social security benefits got less than \$1,000 a year from families, while only 28 percent of the general freshman group had this little.)<sup>8</sup>

Work. Social security students show a strong work attachment. In addition to 17 percent enrolled in work-study, 57 percent of the college social security freshmen worked part-time and 7 percent worked full-time for a total of 81 percent employed. (The comparative percentages for the general freshman group were lower: 11 percent work-study, 49 percent part-time, 6 percent full-time, for a total of 66 percent employed.)<sup>9</sup>

Educational aid programs. There are several federally-financed educational grant, loan, and work-study programs that supplement family income to meet a portion of educational costs on a means-test basis. These programs have income and asset tests to determine eligibility and the amount of aid; all sources of family income, including social security benefits, are counted. Because of low income, social security beneficiaries require financial supplementation from more sources and of larger amounts than other college students.<sup>10</sup>

Basic Educational Opportunity Grant (BEOG). These Basic Grants are designed to help needy students and low benefit social security students are heavily represented in the BEOG population. 35 percent of the college social security beneficiaries received supplementary Basic Grants compared to 19 percent of the general college population. The percentage of large Basic Grants for social security students was twice that of other students with 14 percent of the beneficiaries receiving Basic Grants of \$1,000 or more, compared with 7 percent of the general college population.<sup>11</sup>

By law, BEOG eligibility and grant size are determined by family income and assets. The Basic Grant must be the lower of either one-half of educational costs or the BEOG for-

mula which is \$1800 minus the assumed family contribution. Since educational costs are generally over \$3600 a year, most grants are based on the BEOG formula. The formula assumes that 10.5 percent of discretionary family income (total income from all sources, minus a family subsistence allowance based on the poverty lines, federal taxes, and unusual expenses) and 5 percent of all assets (home, savings, stocks, bonds, etc.) over \$17,000 will be available for educational expenses. This assumed family contribution is then deducted from the maximum BEOG grant to determine the grant amount. A family at the poverty level (\$6,700 for a family of 4) usually qualifies for the maximum grant of \$1800; a family of 4 with income of \$25,000 and minimal assets will probably qualify for a BEOG of \$200.

However, for several years, the actual grants have been lower than the computed grant. The BEOG program is funded through closed ended appropriations and to insure that fixed funds are spread to all eligible students, all grants are cut by a reduction schedule. Currently, there is a 10 percent cut in grants, so that in the 1978-79 academic year the actual BEOG maximum is \$1600 rather than \$1800.

In an effort to ensure accurate, honest income data, the BEOG application is technical and the process is complex, delayed, and often uncertain.

National Direct Student Loan (NDSL), Guaranteed Student Loan (GSL) 12 percent of the freshmen social security beneficiaries receive federal National Direct Student Loans;<sup>12</sup> at 3 percent, these loans are given through the colleges, cover a portion of educational costs, and are for students demonstrating clear financial need.

In addition 10 percent of the freshmen social security beneficiaries receive Guaranteed Student Loans; these are bank loans, at 7 percent interest. (Generally, these loans are for families with incomes under \$25,000 annually.) Borrowing cannot exceed the lesser of either one-half school costs or \$2,500.

Work-Study Programs. 17 percent of the freshman social security students were in the work-study programs of part-time employment in a college or public service institution. Eligibility is based on need, payment is usually at or below minimum wage.

## STUDENT SOCIAL SECURITY PROGRAM AND EDUCATIONAL AID PROGRAMS

A comparison of the student social security program with the educational aid programs indicates different and complementary purposes rather than conflicting, competing ones.

Educational aid programs—grants, loans, and work-study—supplement low family income to make up a part of the deficit in meeting educational costs during the school year. Like other means-tested programs, the educational aid programs count all family income, including social security benefits, to determine eligibility and amount of aid. Annual reapplication is necessary, and frequently a complex and uncertain process.

By contrast, the student benefit is an insurance program which all workers covered—and taxed—by social security provide for their children so that in the event of retirement, disability or death, there will be predictable benefits for the child to continue education. The benefits are based on past parental earnings, not on a portion of school costs; they are paid for the full year, not the academic year, and are considered a part of family income, not an educational grant. The absence of a means-test is essential for a program that covers all workers. A universal program avoids the dilemmas of disqualifying families who are just above an income maximum, who have special financial needs, or who are faced with unpredictable expenses.

Footnotes at end of article.



The elimination of the student social security benefit would greatly increase the demand on educational aid programs and would substantially raise their costs. However, the Administration has not recommended any increase in funding for BEOG or other student aid programs. Indeed, the budget calls for level funding of most educational aid programs and reduced funding of the Direct Loans.

Eliminating the student benefit would critically slash incomes of vulnerable families in poverty, marginal families, and struggling middle-class families. Their deficits in meeting educational costs would soar and for many students the only alternative is delayed, interrupted or terminated education. The elimination of the social security student benefit would seriously jeopardize equivalent benefits in other programs such as Civil Service, Veterans Dependent Benefits, and Railroad Retirement, Disability and Survivors Insurance. Ending the student benefit would break the social compact between government and citizens, unilaterally cancelling the commitment to younger children who—as orphans or as children of disabled or retired parents—had expected to be entitled to post-secondary student benefits. It would destroy the insurance protection for children that all parents who are currently working and paying taxes thought was provided in the event of parental retirement, disability, or death.

## FOOTNOTES

<sup>1</sup> Social Security Administration, "Student Beneficiaries in Current Payment Status", 1976-78.

<sup>2</sup> Philip Springer, "Characteristics of Student OASDI Beneficiaries in 1973: An Overview", *Social Security Bulletin*, November 1976.

<sup>3</sup> General Accounting Office, "Information on Social Security Beneficiaries", February 1979.

<sup>4</sup> Barbara A. Lingg, "Notes and Brief Reports. Social Security Benefits for Students, 1965-75", *Social Security Bulletin*, November 1976.

<sup>5</sup> Social Security Administration, "Benefits Awarded and in Current Payment, 1976", to be published in *Social Security Bulletin*, Annual Statistical Supplement, 1976.

<sup>6</sup> Robert I. K. Hastings, "Student OASDI Beneficiaries: Program Utilization and Educational Aspirations", *SSB*, September 1978.

<sup>7</sup> Social Security Administration, *Social Security Throughout the World*, 1977, Research Report No. 50.

## GUNS TO ULSTER

## HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. WOLFF. Mr. Speaker, the recent licensing of a shipment of guns to the "official" police force in Northern Ireland by the State Department, in conjunction with the British Government, impels me to voice my displeasure at the continuing failure of our Government and the Government of England to address this issue of human rights in Northern Ireland. Neglect exercised by both Governments because of a narrow scope of vision cannot erase or dispel the problem. The source of conflict in Northern Ireland must be attributed to economic and social conditions which have generated the violence and pervading sense of hope-

lessness that have perpetuated the strife in Northern Ireland.

Although the strife is usually perceived as a sectarian conflict, the real source of the conflict is more universal: the fight of the "haves" against the "have-nots." Only by addressing the economic and social conditions that spawned the conflict can there be a lasting resolution. No government of Northern Ireland can be legitimate nor a police force effective when perceived as an arm of the British Government supporting only the majority without regard to the minority's position. Violence and arms will not ease the strife. Only when a representative self-government gains power, that is willing to tackle the difficult problems that lie ahead, can peace occur. Our country must do all that is possible to achieve this goal, for the advancement of human rights in Northern Ireland and the rest of the world, and to achieve a better quality of life for the citizens of a beleaguered Northern Ireland.

I submit this editorial, which appeared in the Washington Post, which raises provocative questions asking whether our State Department's present course of action is aimed at acquiescing to the British's position of benign neglect, or whether their policy is aiming for a real solution to the conflict in Northern Ireland:

[From the Washington Post, June 5, 1979]

## EDITORIAL

Fresh reports of the State Department's licensing of an earlier shipment of guns to the police in Northern Ireland raise a nice question. The guns were sent through a friendly British government to a duly constituted uniformed police force—the Royal Ulster Constabulary (RUC)—fighting terrorists. Yet the RUC, though not exclusively sectarian, is still widely perceived as an instrument of the Protestant majority. It has acted against Protestant terrorists but its chief adversaries have been terrorists from the Catholic minority. It has recently been indicted by a commission of the British government itself for mistreating terrorist suspects. Should those 3,000 .357 magnum handguns and 500 .223 automatic rifles have been licensed for sale?

House Speaker Thomas P. O'Neill thinks not. He said the other day that many Irish Americans regard the RUC as an instrument of repression wielded by the British through their Protestant surrogates, and that selling arms legally to the RUC would undermine the successful effort he and others have made to induce Irish Americans to stop running guns illegally to the terrorists of the Irish Republican Army. The new British government responded with prompt and predictable outrage at what it obviously took to be politically motivated interference in a dead serious internal affair. The State Department, as usual, backed the British, stating "our people thought the licensing was all right. There is a government of Northern Ireland. This is for the police force in Northern Ireland."

But of course there is not, in the usual sense, "a government of Northern Ireland." Britain suspended self-rule in Ulster and now rules directly. The British can fairly claim that it is an old IRA tactic to combat the RUC, by propaganda as by bullets. The RUC has indeed a thankless task in its anti-terrorist mission, and its losses—120 men in 10 years—are to be mourned. Questioning the sale of guns to the RUC is a political act.

But selling the guns is a political act, too. The answer if there is one, lies in a British initiative aimed at restoring self-government to Ulster. Until that happens, questions will and should be raised about the American government's support of a British policy that does not yet seem fully committed to that goal. ●

## NUCLEAR ENERGY SAFEST AVAILABLE

## HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. PAUL. Mr. Speaker, the May 21 issue of Research Reports, a weekly publication of the American Institute for Economic Research in Great Barrington, Mass., puts the Three Mile Island accident in perspective.

Far from proving the dangers of nuclear energy—as the zany contend—the accident showed this form of power generation to be the safest available.

Research Reports is a consistent and articulate voice of the free market. Its editors realize that a strong and free economy needs abundant energy. That is why nuclear power must not be crippled by those who would return us to an economic stone age.

I would like to call this excellent article to my colleagues' attention:

## THREE MILE ISLAND IN PERSPECTIVE

Foes of nuclear power have seized the Three Mile Island nuclear incident as the basis for a full-scale attack on nuclear power in this country. Yet, in the end the multi-layered safety system for the nuclear reactor at Three Mile Island worked effectively. All electric power generation entails risks, and the risks of nuclear power generation compare favorably with the risks of alternative power sources. Because abundant, cost-effective energy is essential to further economic advancement, Americans probably will accept a larger role for nuclear power eventually. By becoming well-informed now, responsible citizens might help the Nation avoid costly, mistaken energy policies.

Beginning on March 28, 1979 a series of five separate mechanical and human failures led to a shutdown of a nuclear-powered electrical generating plant located on Three Mile Island near Harrisburg, Pennsylvania. For several days the news media were filled with alarming warnings: first, of potential large explosions within the plant; then, of a "China syndrome" core meltdown; and finally, of dangerous releases of cancer-causing or genetic-mutation-causing radiation. Ultimately, all of these warnings proved to be sensationalist and overblown. The plant's multiple safety features functioned effectively, and the reactor was safely shut down. No one was killed. No one was injured. No one was seriously contaminated. Thus, the industry's record of more than 20 years of nuclear electrical generation without a single loss of life as a result of a nuclear accident was preserved.<sup>1</sup>

<sup>1</sup> Many of the descriptions in this article are based on comments in *Access to Energy*, Vol. 6, No. 9, published by Dr. Petr Beckmann, Box 2298, Boulder, Co. 80306. We highly recommend that our Members subscribe to "Access to Energy." Its articles are both sound and readable. The subscription rate is \$12 for 12 monthly issues.

The Three Mile Island incident should not be taken lightly. There probably were bodily dangers to personnel operating within the plant during the crisis and potentially dangerous releases of radiation from the plant also were remotely possible. Moreover, the incident revealed a number of previously undetected design shortcomings and deficiencies in personnel training methods, which certainly need to be modified in the future. These problems notwithstanding, the incident at Three Mile Island was an acid test of nuclear reactor safety under extremely adverse conditions. The results vindicated the safety mechanisms. Even with multiple human errors, redundant reactor safety features, particularly the much-criticized emergency core cooling system (ECCS) and the reactor containment vessel functioned as planned. In spite of a highly improbable chain of failures, disaster was avoided with several lines of defense still in reserve. In the light of such evidence, the Three Mile Island experience should encourage, rather than discourage, a much-needed expansion of nuclear-powered electrical generating facilities in America.

These encouraging aspects of Three Mile Island largely have been obscured by the publicity given to the anti-nuclear hysteria of those long awaiting a much prophesized cataclysmic nuclear failure. That Three Mile Island was less of a "disaster" than many common tragedies such as a collapse of an offshore oil-platform that killed eight persons did not seem to matter to the anti-nuke forces or to the popular press. In the wake of Three Mile Island, a reported 65,000 individuals marched on Washington, D.C. to protest nuclear power, and the news media gave it extensive coverage. Congress approved a 6-month moratorium on construction permits for nuclear reactors and a ban on the operation of new reactors until the Federal Government develops a plan to deal with nuclear accidents. A number of operating reactors were shut down, at immense cost to the public, for a variety of seemingly minute technical reasons. Virtually thousands of articles, editorials and other media messages appeared across the country condemning further use of nuclear reactors for generating electricity.

These reactions, particularly of Congressmen, must be discouraging to anyone even slightly familiar with the weight of scientific evidence, including economic evidence, supporting expansion of nuclear capabilities. Such reactions reflect a most remarkable aspect of the nuclear power controversy, namely, that the risks of nuclear electrical generation almost always are considered in isolation. Seldom are the risks of nuclear power compared to the well-documented risks of generating electricity by other means, such as coal, oil, water, solar devices, or the wind.

Science does not suggest that nuclear power is perfectly safe. There simply is no such thing as 100-percent safe energy conversion on a large scale. Asking for absolutely safe energy is somewhat akin to asking for incombustible fuel. Sound assessment of the risks and benefits of nuclear power must involve comparisons of the risks and benefits of nuclear power to the risks and benefits of alternative power sources.

#### THE RADIATION CONTROVERSY

The radiation risk is an example. On May 4, 1979 the *New York Times* awarded the center of the front page to a two-column article headed, "Califano Now Says a Cancer Death From Nuclear Accident Is Possible." Imagine the fear and anti-nuclear sentiment that this technically accurate article might arouse in scientifically unsophisticated readers. However, in perspective the statistics cited were far from bone-chilling.

According to the May 18 issue of *Science* magazine, "a person standing at the north gate of the Three Mile Island nuclear plant for 24 hours a day for 3 weeks following the

accident might have received at the most 0.09 rem of additional whole-body radiation." (A rem is a standard measure of biological absorption of radiation). As the data in the accompanying table reveal, 0.09 rem is a minute amount of radiation exposure—a small fraction of the average background radiation to which we all are continuously exposed. Nonetheless, based on scientific studies which suggest that even minuscule levels of radiation are slightly harmful to humans, Mr. Califano had warrant for his conclusion that from 1 to 10 additional cancer deaths due to the Three Mile Island radiation release were possible among the two million persons living near that nuclear plant.<sup>2</sup> What may escape notice is that, in a

#### Average levels of radiation exposure

Cosmic radiation (sea level) . . . . .	.026 rem/yr.
Cosmic radiation (Denver, Colorado) . . . . .	.050 rem/yr.
Soil . . . . .	.010 rem/yr.
Air . . . . .	.005 rem/yr.
Food . . . . .	.025 rem/yr.
Coast to coast jet flight . . . . .	.005 rem
Chest X-ray . . . . .	.050 rem
Avg. aggregate for U.S. citizens . . . . .	.250 rem/yr.

Source: "The Health Hazards of Not Going Nuclear," Dr. Petr Beckmann, Golem Press, Boulder, Co.

But, still anti-nuclear activists repeat the simplistic slogan that even one cancer death caused by radiation is one too many. Moreover, this idealistic view seems to have wide public appeal, regardless of the fact that it ignores the risks of other forms of electrical power generation.

In "The Radiation Controversy," Dr. Ralph E. Lapp, a nuclear physicist, points out that since the early 1920's the effects of radiation on humans have been exhaustively studied and, with the exception of those from very low level radiation exposures, have been accurately quantified.<sup>3</sup> However, similar exhaustive studies have not been carried out for other suspected carcinogenic agents, such as various types of chemical fumes and other air pollutants. In particular, pollutants emitted in huge quantities by oil-fired and coal-fired generating plants have not been studied fully. Some experts believe that when and if such studies are conducted, the results will show that the risk of contracting cancer from the air pollution of fossil fuel-fired plants markedly exceed the risk of contracting cancer from the radiation emissions of nuclear power plants.

Those who condemn nuclear power because of the radiation danger seem not to consider that thousands of persons already die each year in the process of producing energy. These deaths occur from coal mining accidents, refinery fires, natural gas explosions, fuel transportation accidents, drilling accidents, and industrial diseases and accidents associated with the production of power generating equipment. Should not the risks of nuclear accidents be compared with such risks? Is the mere possibility of death from radiation worse than actual death caused by other things?

<sup>2</sup> The effects of low-level radiation are the subject of scientific controversy. Many scientists believe that recent studies overestimate the risks of low-level radiation. However, even worst-case estimates indicate that the risks of low-level radiation are very small. Population of two million persons, approximately 325,000 cancer deaths would be expected in normal circumstances. Thus, the increased risk of possible cancer deaths from the Three Mile Island radiation release in the worst case possible is so small to be statistically insignificant; measurement inaccuracies alone could account for differences of 10 in 325,000 cancer deaths.

<sup>3</sup> "The Radiation Controversy," Dr. Ralph E. Lapp, The Reddy Communications Company, Greenwich, Ct. 06830, 1979, \$2.75.

#### TIME, PRECIOUS TIME

The Harrisburg incident revealed another important aspect of nuclear-reactor safety. Although an estimated 60 percent of the rods holding the uranium fuel sustained some damage from excess heat, the uranium fuel pellets themselves did not begin to melt. Even if a meltdown had occurred, the concrete building housing the reactor probably would have contained the radiation. That is its designed purpose. Yet, were significant amounts of radiation somehow to escape the containment building, the danger would have increased slowly over a number of days. During that period there would have been time to implement a number of countermeasures. Had all such measures failed, the surrounding population still would have had time to evacuate the area. No other large-scale power generating system has such a long warning time before a major disaster occurs. How much warning time is there before a dam collapses? How much warning time is there when an oil refinery erupts into flames or when gas explodes? How many deaths would occur instantly if an LNG tanker explodes in a major harbor? The advantage of the relative slow rate at which danger increases in a nuclear power accident is given little attention.

The popular news media also often report uncritically anti-nuclear shibboleths concerning problems not peculiar to nuclear power generation. For instance, the nuclear waste disposal problem gets much news coverage. If all of the U.S. power capacity were nuclear, the total amount of wastes generated per person per year would be a piece of matter the size of one aspirin tablet. This could be disposed of easily and safely deep in the earth. In contrast, the amount of wastes presently generated per person per year by coal-fired plants is 320 pounds of ash and other poisons, of which as much as 10 percent is spewed into the atmosphere. While nuclear wastes remain radioactive for centuries, poisons leached from coal ash, including selenium, mercury, and vanadium, remain highly toxic forever.

These and other types of comparisons should be made before this country abandons its nuclear option.

#### CHOICES FOR THE FUTURE

Most assuredly, the giant advances in material well-being achieved by the industrialized Western countries during the past 200 years would have been impossible had man not applied external energy sources to his advantage. During the hundred years following the Civil War, supplementary energy sources multiplied one million times in the United States. Obviously, the Nation must develop and utilize the most cost-effective, reliable sources of energy to optimize economic progress. Marked reductions in production and use would be reflected in depressed economic activity, massive unemployment, and widespread social unrest.

Perhaps the leaders of the anti-nuke forces are satisfied with their economic scale of living and have no desire to improve it, but we doubt that most Americans hold the same view. As the energy shortage intensifies, Americans almost surely will accept a greater use of nuclear power. By learning now to discriminate between sound scientific arguments and emotional claptrap, responsible citizens can help to reduce or to avoid the pain of severe energy deprivation. ●

#### AFTER THE CHINA HONEYMOON

#### HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. LAGOMARSINO. Mr. Speaker, the following editorial, which appeared



in the June 4 edition of the Washington Star, is appropriately entitled "After the China Honeymoon."

It details many of the disappointing results of the heralded "normalization" of relations with the People's Republic of China. Many of the predictions that my colleagues and I made during the debate on the Taiwan legislation are, unfortunately for us, proving to be true.

I commend the article to my colleagues:

#### AFTER THE CHINA HONEYMOON

Granted that some of the early euphoria was sure to wear off. Still, the state of things between this country and the People's Republic of China seems rather a letdown.

The trade negotiations that were supposed to open up an era of mutual enrichment have run into the hard facts of Chinese poverty and American protectionism. So much so that normalization fans who used to bring out the economic arguments first are now saying that, after all, the important element in the relationship is political. As for the political side, the man whose leadership we were counting on seems to be in serious trouble with his power base.

The logic of these developments was there all along, as inescapable as the idea that you can't ignore 900 million people. The Chinese have many wants and little to bargain with in fulfilling them. Among the few products they might hope to sell in the United States, the most promising—textiles—pose particularly acute threats to American industry and American jobs.

No maneuvering by Juanita Kreps and Robert Strauss or their Chinese counterparts over the size of textile import quotas could get past China's lack of money to pay for expensive American technology. Nothing they could do could keep Congress from rejecting a treaty that would allow enough Chinese goods into the country to take sizable markets away from American business and cause sizable numbers of American workers to find themselves out of work.

The trade negotiations took place in a political setting marked by reverses for Deng Xiaoping. As the give-and-take of discussion made clearer the limits of China's immediate resources for modernization, the ambitious plans for new industry identified with the vice premier were modified or scrapped. Weeks before the treaty was signed, there had been a crackdown on the small amount of free speech Peking's Democracy Wall had come to mean. And rumblings from the provinces reminded Mr. Deng and the world that the ousting of the ultra-Maoist Gang of Four had left in bureaucratic power many people more in tune with the Cultural Revolution's ultra-Maoist communism than with free speech, industrialization, incentive pay and Deng Xiaoping.

The Soviet factor is still around, of course, to motivate Sino-American collaboration as it has motivated Chinese efforts to discipline the Vietnamese. But this too has its dangers for the United States. A Vietnam (As in: "Cambodia may prove to be Vietnam's Vietnam.") does not have to be a small country. The PRC, casting about for help against its great neighbor to the west, could involve this country in more than admitting the existence of 900 million people. ●

#### SCIENCE-FICTION WEAPONS?

### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. PAUL. Mr. Speaker, instead of disarming, under the guise of SALT treaties; and spending billions defending wealthy allies like Japan and West Germany; and maintaining a mass army to fight the wars of the past; we ought to be investing more money in the capital-intensive, high-technology weapons our system excels in.

We can never match the Warsaw Pact's hordes, nor should we try. We should instead make use of the superiority of our free system over the Communist one.

Instead of negotiating away our advantages, we should be emphasizing them, with the cruise missile, ABM systems, and laser defense weapons.

The latter, far from being science-fiction weapons, are reality, as a recent article in Business Week showed. I would like to bring it to my colleagues' attention.

The article follows:

[From the Business Week, June 4, 1979]

#### CAN LASERS BE THE ULTIMATE DEFENSE?

The unbeatable defensive weapon is a favorite fantasy of many Pentagon strategists. So swiftly and accurately would it strike that it could shoot down anything and everything an enemy might hurl at the U.S. through the air or from space. It even has a nickname: war-stopper.

Now something very close to that ultimate defensive weapon is rapidly moving from fantasy to reality, and there is a perceptible sense of cautious elation in the hallways near the office of Ruth M. Davis, the Defense Dept.'s deputy under secretary for research and advanced technology and overseer of the Pentagon's work on high-energy lasers. High-powered lasers may not quite fill the bill of war-stopper, but Pentagon strategists do see the promise of an effective defense against a full-scale missile strike and hence an end to the politics of terror that have dominated international affairs for two decades.

"We are well beyond the breakthrough stage" with laser systems, declares Davis. Throughout the defense establishment, the question is no longer whether beams of high-energy coherent light can effectively parry missiles but how soon engineering can make such systems practical. The Pentagon now hopes to have a prototype system ready for shakedown testing by 1982. "The only problem now," says a former high-ranking Defense official, "is one of economics, of cost-effectiveness."

#### ZAP!

Speed is the laser's big appeal. Its beam shoots out at the speed of light, or nearly 200,000 mi. per second. Fired at a missile or bomber 10 mi. away that was streaking at twice the speed of sound, a laser would zap the thin metal skin of the target before it could move more than 1 in. Furthermore, with computer-steered mirrors, a laser can be fired at target after target in a twinkling. Davis terms a laser's rate of fire "a thousand times faster than any weapon we have now."

Speed, however, is not enough. To qualify as a defense system, a laser must be equipped with controls that not only direct the power-packed photons of light to the target but also keep them on target until it is destroyed,

confirm the kill, and then identify and acquire the next target.

Tests last year at San Juan Capistrano, Calif., proved that the laser qualifies on all counts. A prototype system—built for the Navy and the Defense Advanced Research Projects Agency by TRW Inc., with a Hughes Aircraft Co. aiming-tracking subsystem—took on antitank missiles traveling at 450 mph and brought down every one. The number of kills has been cited as four out of four in some industry circles, but a top Pentagon source tells Business Week that there were many more kills—"an astounding number."

#### MILESTONE

Those tests were an eye-popper for laser backers and doubters alike. Earlier, drone aircraft had been knocked down with lasers, but those targets were comparatively big and slow. The much faster antitank missiles are only 4 ft. long and 6 in. across. William J. Perry, Under Secretary of Defense for research engineering, hails the Capistrano demonstration as "a significant milestone" in the development of laser weapons. Adds Davis: "It changed the minds of a lot of people" who had been objecting to the steadily rising cost of laser projects.

The Pentagon has spent \$1.3 billion on high-powered lasers over the past 11 years. A like amount has been invested by roughly two dozen companies and universities, including such leading defense contractors as Hughes, TRW, McDonnell Douglas, Raytheon, Northrop, Lockheed, United Technologies, General Electric, Rockwell International, and Avco. Pentagon intelligence officers estimate that the Soviets have spent more than \$5 billion on their laser programs.

One of the toughest engineering problems has been contriving power packages small enough to be carried in aircraft and satellites. The Pentagon's Davis says that "great strides" have been made recently, to the point where lasers now can be flown in airliner-size planes. Even smaller power plants, though, will mean that much more "ammunition" can be carried to sustain longer periods of fire.

#### THIN AIR HELPS

Efforts to shrink the size of laser systems and design improved aiming and tracking systems for long-range killing efficiency will account for much of the \$210 million that the Pentagon wants in fiscal 1980. That represents a 10 percent increase over this year's budget, but it is still a paltry sum by defense-budget standards, so getting congressional approval is not likely to be an obstacle. Says the military assistant to a ranking member of the House Armed Services Committee: "We'll continue to go along with high-energy laser funding. We're cautiously optimistic about the prospects of the laser becoming a weapon."

The Air Force is getting the biggest share of laser funds, because lasers are most effective in the near-vacuum of space and the thin air of the upper atmosphere. Denser air disperses the beam, just as fog scatters the light from a car's headlights, and rapidly weakens the laser's power. This problem is especially acute for the Navy, which would like to use lasers to help defend its carriers against missile attacks.

To get lasers into this air, the Air Force has converted a Boeing KC-135 tanker plane for use as an airborne laboratory and installed a United Technologies Corp. laser. The results of its tests are highly classified, but they have apparently helped make a believer of Lieutenant General Thomas P. Stafford, the service's deputy chief of staff for research and development. He is now optimistic about deploying a space-defense laser system by the mid-1980s. The Defense Dept.'s Davis seems particularly attracted to the idea of putting

lasers on mountaintops, where the bulkiness of a power source would not matter. "The densest part of the atmosphere," she notes, "is the first 1,000 ft."

#### PARTICLE BEAMS

To sidestep the problem posed by "dirty" air near sea level, some Defense and industry leaders believe that another type of energy beam—the particle beam, which transmits thermal energy in much the fashion of a lightning bolt—may be the way to go. Recent revelations, principally in *Aviation Week & Space Technology* magazine, of what could be intense Soviet research on particle beams have aroused fears in Congress and some defense circles that the Russians are well on their way to a foolproof defense against missiles.

Top Pentagon sources doubt this, and a study by Massachusetts Institute of Technology points to seemingly insurmountable difficulties with such weapons, but the U.S. is nonetheless stepping up its particle-beam research. Defense researchers note that particle beams, which require huge power generators, might be suited for use by the Navy and one day could team with lasers to give the U.S. an impenetrable one-two defensive punch.●

#### SURVIVOR BENEFIT PLAN FOR MILITARY PERSONNEL

### HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. BOB WILSON. Mr. Speaker, I would like to call to the attention of my congressional colleagues two items from the June 4 issue of *Navy Times* relative to the survivor benefit plan for military personnel.

A recently submitted private actuarial review of the SBP cost figures clearly illustrates the serious problems in the plan and the reasons for increasingly low participation, particularly by the enlisted force. The time for action on SBP is now and I hope that needed reforms will be enacted before the adjournment of the first session.

The article follows:

#### SBP MAKING CASH AT EXPENSE OF RETIREES (By Andy Plattner)

WASHINGTON.—A private actuarial firm has confirmed that there are major problems in the military's Survivor Benefit Plan.

At the same time, Sen. Sam Nunn (D-Ga.), who was provided with the new figures by the Defense Department, said he expects to hold hearings on efforts to improve the plan in "the next several weeks."

In February, DoD sent Nunn a lengthy report on SBP. That report showed that instead of sharing the costs of the program with military retirees, the government was actually making money. DoD, however, said these figures should be validated by a private actuary.

The validation of those figures shows the government profiting at the expense of retirees far more than first thought.

The original February report showed that at present participation rates, between now and the year 2000 the government would take in \$89 million more in charges than it will pay in SBP benefits. The revised figures just sent to Nunn estimate the government's "profit" during this period will be almost \$3.5 billion.

This means, unless the program is changed,

the government will profit from a program it originally intended to partially fund.

When Congress established SBP in 1972, it intended it to be almost identical to the plan for federal civilian workers. The government would pay about 40 percent of the cost of the benefits and the retiree would pay about 60 percent through reductions in his or her retired check.

However, according to the DoD report, the typical enlisted member now is paying about 125 percent of the cost of providing his widow with benefits. The typical officer's cost of SBP is about 76 percent.

But, the report said, without changes, the typical enlisted retiree in 1987 will pay almost 2½ times what his widow's benefits will be and the typical officer retiring then will pay about 110 percent of the benefits.

These increased costs are mostly the result of increases in Social Security benefits and the relationship they have to SBP.

When a widow receiving SBP reaches age 62 and becomes eligible for Social Security benefits that are a result of her dead husband's military service, her SBP benefits are reduced by that amount regardless of whether she actually receives the Social Security benefits. In many cases, that reduction can entirely wipe out the SBP payment, or at least reduce it substantially.

The DoD report said this offset, as the reduction is called, is the SBP feature that draws the most complaints.

And, sources say, participation rates are going down among people retiring from the military. They say that the rate for 1978 retirees may fall below 50 percent for the first time (enlisted retiree rates have been below 50 percent for some time). Those figures are not publicly available yet.

Although the House twice has passed bills to reduce the Social Security offset, the Senate has not acted. Last year, it ordered DoD to produce the study because of a wide variety of cost estimates on the reduction. It also ordered DoD to make recommendations on suggested changes to improve the program but DoD failed to make any.

This failure was criticized by many congressional officials and association officials. DoD sources say they would like to support the offset reduction but are prohibited from doing so by the White House.

Nunn originally had promised to hold hearings in late February or early March but because of problems with the DoD study and other issues before the committee, those hearings have not been held.

In a speech inserted in the Congressional Record, Nunn said the work done by his subcommittee of the Senate Armed Services Committee last year "indicated some serious inequities in the present system."

He said, "Several outside organizations and experts have been very critical of the DoD study. Rather than again requesting DoD to provide the needed analysis, the committee staff and the Congressional Budget Office are now reviewing the various issues and proposals for changes to the military Survivor Benefit Plan."

"That analysis is not yet completed but my purpose in speaking out today is to assure my colleagues that we are continuing to work on these proposals and that I do expect it will be possible to hold hearings in the next several weeks."

#### HERE WE GO AGAIN

Unless Congress acts swiftly, two important bills will die in this session.

One is the Defense Officer Personnel Management Act. Without DOPMA, the Navy and the Air Force will have to ask Congress again for officer grade relief or suffer promotion delays and possible demotions.

The other is legislation to improve survivor benefits. Without the SBP changes, many retired members will continue to pay

more into SBP than their survivors ever will get out of it.

The Senate Armed Services Committee is where both bills are stuck and it plans no early hearings on either.

Often, when we criticize Congress for not doing enough for military people, congressmen remind us of the generous benefits they have voted in the past.

Here, we think, is a good place for the lawmakers to show their concern for service people. Neither DOPMA nor the SBP changes are of major importance to the nation as a whole. But to the members and dependents affected, they are of major importance.

It also may be important to service morale that the Congress gives some evidence that the military does not have the lowest priority in legislative matters.●

#### THE UNDERUTILIZED SPECIES DEVELOPMENT ACT OF 1979

### HON. LEO C. ZEFERETTI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. ZEFERETTI. Mr. Speaker, in 1976 this body passed the Fishery Conservation and Management Act. I am proud that I was a strong supporter of that important and comprehensive legislation.

In the last 2 years since implementation of the FCMA however, we have seen little growth and expansion of the American commercial fishing fleet. This is particularly true on the east coast. Ports such as Baltimore and New York have experienced little, if any, new commercial fishing business.

It is clear to me that specific and immediate action is necessary to induce American businesses to invest and develop the commercial fishing industry to take advantage of the world demand for several abundant species that are located off our shores. I refer specifically to the underutilized species, identified as such by the National Marine and Fisheries Service. In the Mid-Atlantic Fishery Conservation Zone there are six such species—two types of squid (loliigo and illex), mackerel, butterfish, silver hake (whiting), and red hake. American fishermen are not now harvesting this fish to any significant degree. As a consequence, the United States is losing jobs, export dollars, and the opportunity to develop an industry with almost unlimited growth potential.

Today, on behalf of myself and Chairman JOHN MURPHY, I am introducing legislation which will solve many of the inhibiting factors that have heretofore prevented American business from entering the export market in which there is such a high demand for the species mentioned above. "The Underutilized Species Development Act of 1979" is being proposed to enable American business interests to carry out one of the purposes of the Fishery Conservation and Management Act of 1976—"to encourage the development of fisheries which are currently underutilized by United States fishermen."

Before the FCMA became law, literally hundreds of large freezer/catcher stern



trawlers operated freely off our coasts. They harvested not only what we now call "underutilized species," but they also fished for species in demand on the American market—flounder, cod, haddock, and so forth.

During the last 2 years, enforcement of the FCMA has prevented foreign fishermen from harvesting fish for which there is high U.S. demand and harvesting capacity. This is as it should be. But foreign vessels have been allowed to catch the "underutilized species", which last year in the North Atlantic fisheries amounted to more than 180,000 tons.

Why are not Americans harvesting these species? There are several reasons:

First. We do not have the proper equipment. In order to harvest squid and other deep swimming species, it requires stern trawlers of more than 200 feet long. No such vessels exist in the United States today. The last ones that were built were the Seafreeze Atlantic and the Seafreeze Pacific in the mid-1960's. They were an operational disaster.

Second. We do not have experienced crews. Fishing with offshore freezer stern trawlers requires not only special expertise, but a special commitment to the sea. Ships of this class stay at sea for more than 30 days. This is much different than the average American trawler that stays out for 3 to 6 days.

Third. We do not have the shoreside facilities to support fleets of offshore freezer stern trawlers. A significant amount of freezer warehousing and other special equipment is needed to make operating such a fleet viable.

It is my belief, Mr. Speaker, that the legislation Mr. MURPHY and myself are introducing today will go a long way in solving these problems. With careful administration and proper monitoring, the "Underutilized Species Development Act of 1979" will allow the United States to develop a commercial fishing fleet of equal status with the major fleets of the world. It will mean a significant number of jobs in our fishing, maritime, and shipbuilding industries. It will mean more food for our people and those of the world. It will mean a large decrease in our balance of trade deficit. Most importantly it will mean that American ships crewed by American fishermen and sailors will be harvesting the bounty of our seas, as we have never done before.

For all of these reasons, and others that will be discussed in the weeks ahead, I hope all of my colleagues will support the legislation introduced today. ●

#### INDEXING THE TAX BRACKETS TO ACCOUNT FOR INFLATION

**HON. TOBY ROTH**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. ROTH. Mr. Speaker, I am pleased to support H.R. 365, the proposal of my distinguished colleague, Mr. GRADISON. For too long, Americans have been ravaged by inflation. This bill does

something about the problem; it does not merely decry our inflationary spiral.

H.R. 365 would index the personal exemption, the zero bracket amount (formerly the standard deduction), for the rate of inflation. Effective January 1980, the bill would automatically adjust the individual income tax rates for a trial 4-year period to stop taxpayers from being pushed into higher tax brackets solely because of inflation.

#### OVERBURDENED TAXPAYERS

What so many people do not understand is that our progressive personal income tax system was designed for a world of stable prices. We levy taxes on dollar amounts with no real concern about the purchasing power of those dollars. Whenever the economy experiences inflation, it is the Federal Government that reaps the benefit at the expense of our already overburdened taxpayers.

This creeping taxation is unlegislated, unvoted, and unsigned. It can be stopped if we take the necessary steps to index the tax structure. For too long, the Federal Government has been taking advantage of the American taxpayer. It is time to leave the hard-earned dollars of American taxpayers alone. This money should never have been taken from him in the first place.

There is substantial precedent for this action. On the outgo side of the budget, we automatically adjust food stamps, social security supplemental income, and even civil service and congressional purchasing power; the time has come to bring the American taxpayer under the same standard.

In the decade 1965-75, the cumulative effects of inflation and all the legislated tax cuts left taxpayers worse off than they would have been if we had merely indexed the system. Without indexing, the well-meaning tax cuts passed by Congress do nothing more than offset the tax increases caused by inflation. A year or so after these so-called cuts go into effect, taxpayers again fall behind due to inflation's unrelenting impact.

I believe that indexing the tax brackets offers a positive approach to our inflationary problem. As our neighbors in Canada discovered after they began indexing in 1974, this approach slows down the growth of government and provides a strong incentive to invest in order to promote long-term economic growth.

I urge my colleagues to strike a blow for the American taxpayer and support the proposal to index the tax brackets. ●

#### HEW DISTORTS LAW TO CONTROL INDEPENDENT COLLEGES

**HON. WILLIAM F. GOODLING**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. GOODLING. Mr. Speaker, imagine what would happen if the Department of Agriculture tried to classify supermarkets as Federal grantees, subject

to detailed Federal regulation, on the grounds that some of their customers use food stamps to buy groceries. That is precisely the kind of logic that is being used by the Department of Health, Education, and Welfare in its effort to bring independent colleges under its jurisdiction.

Grove City College is a small, private liberal-arts institution in western Pennsylvania. It prides itself on its independence from the Federal Government, and has made considerable sacrifices to preserve that independence. Grove City has never received, or even applied for, a dime of assistance from Washington.

Enter HEW, with an order for Grove City to sign forms indicating compliance with the title IX regulations against sex discrimination. HEW claims that, since some of Grove City's students are receiving Federal aid as individuals, the college as a whole is a "recipient institution" subject to HEW regulation.

This HEW interpretation is a classic instance of a bureaucracy's impulse to expand its turf far beyond the boundaries of common sense or congressional intent. It flies in the face of the entire legislative history of title IX, as well as the conventional legal definition of the word "receive."

The legal encyclopedia "Corpus Juris Secundum," volume 72, page 643, defines the word "receive" with reference to "a change of possession, as when one parts with the control of a thing and another takes and accepts it." It is obvious that students, not the colleges they choose to attend, are the recipients of Federal grants and loans. All the colleges do is to certify that the students have, in fact, matriculated.

As my colleague Mr. ASHBROOK pointed out a year ago, HEW obtained a written opinion from the Department of Justice on September 23, 1977, which stated that the term "Federal financial assistance" as used in section 504 of the Rehabilitation Act of 1973 in the same context as it is used in title IX "does not include programs of insurance or guarantee." The opinion, signed by Assistant Attorney General John M. Harmon, specified that:

Neither title VI nor title IX, the two models for section 504, prohibit discrimination in programs receiving Federal aid through insurance or guarantee. Indeed, each expressly excludes such programs. Albeit in an elliptical way.

As Mr. ASHBROOK concluded—

Legislation by regulation is not consistent with our constitutional structure, or with a scheme of representative democracy, or with good government. The administration of title IX is a textbook example of legislation by regulation. The result is an unprecedented and dangerous Federal intrusion into education at all levels.

Grove City has no objection to equal treatment for male and female students; it was practicing nondiscrimination before HEW was created. But it strenuously objects to being placed under the HEW umbrella. Grove City is determined to stay out of the bureaucratic quagmire which several years ago forced Columbia University to produce a written affirmative action program which ran to

some 316 pages and weighed 3½ pounds. At Georgetown University the cost of meeting Federal requirements rose from \$16 per student in 1965 to \$356 per student a decade later. As former Yale University president Kingman Brewster put it, HEW seems to operate on a philosophy of "now that I have bought the buff, I have the right to design the coat."

Recently the Washington Post published a perceptive column by George Will on HEW's use of title IX to attack Grove City's independence. The text of the column follows:

[From the Washington Post, May 24, 1979]

#### HEW'S GRIP ON GROVE CITY

(By George F. Will)

Grove City College's troubles began, as many American's troubles do, with a letter from the Department of Health, Education and Welfare. It began "Dear Recipient" and ordered the college to sign forms confirming compliance with Title IX regulations against sex discrimination.

Such confirmation is required of institutions receiving federal aid. But Grove City insists that it neither seeks nor receives any aid, and it assumed the letter was a simple mistake. Alas, HEW's mistakes rarely have the virtue of simplicity.

The college president says: "I was told in strong terms that they would 'bring us into compliance one way or another.'" And he began receiving "insistent, harassing and threatening" calls from HEW.

The college, a small institution in western Pennsylvania, considers itself independent and is determined to remain so. HEW claims the college has forfeited its claim to independence. When HEW acted, about 140 Grove City students were receiving federal tuition grants. HEW argues that such aid to students who choose to use it at Grove City constitutes aid to the college.

The college argues that this is a petty justification for extending HEW's jurisdiction to an institution that has made substantial sacrifices—in terms of direct aid it has not sought—to remain outside such federal jurisdiction. The college says tuition grants establish a relationship only between the government and the student, and the college's only role is in certifying to the government that the student has matriculated.

HEW replies that tuition grants enlarge the number of young people who can consider attending college, so Grove City "benefits by having its pool of potential students increased." HEW's position has a certain chilly logic. And it calls to mind G. K. Chesterton's theory that a madman is not someone who has lost his reason, but rather someone who has lost everything but his reason.

The college has no quarrel with Title IX: "As a matter of Christian belief, it has treated males and females equitably since long before HEW was created." The administrative law judge who ruled that he is powerless to overturn HEW's claim of jurisdiction also emphasized that "There was not the slightest hint of any failure to comply with Title IX, save the refusal to submit an executed assurance of compliance. . . . This refusal is obviously a matter of conscience and belief." Indeed it is: The college believes, reasonably, that signing the form would acknowledge HEW's jurisdiction, and that no good can come of that.

The judge held that HEW has "total and unbridled discretion" in requiring compliance forms. The college is challenging this in court, although Congress, the ultimate source of such discretion, should have the sense to slip a bridle on HEW's imperial bureaucracy.

This latest example of HEW's territorial imperative comes as the dust is still settling in Washington from the splendid Jefferson Lectures delivered by Edward Shils of the University of Chicago. Shils argued that government has come to regard universities as instruments of public policy, and the universities have been eager to be used as such.

After 1945, academic ideology favored a society in which government is "ubiquitously active and omnipotent," and government took responsibility for ensuring the supply of the educated manpower needed for a "knowledge-based economy." The economists who argued the need for such manpower, and the scientists who were elevated in social standing by their argument, were academics. The logic of their argument was that academics had an enormous claim on society's resources.

In the 1960s, government's goal became the promotion of equality. Rather than recognize that universities are meritocracies, and inherently unsuited to be instruments for that policy, government set about subverting the essence of universities—the rule of merit. It diluted intellectual criteria with sexual and racial criteria in the admission of students and selection of faculty.

Many academics did not resist the saddles and bridles of regulations that came with government aid and enabled government to treat universities as broken horses. Grove City is suffering, in part, the consequences of this "treason of the clerks," the selling-out of fragile subtle values. But surely HEW has enough tame horses to ride, and can leave alone the spirited, endangered species represented by Grove City. ●

#### EXECUTIVE AGENCIES ARE PURCHASING VOTES

#### HON. JOHN N. ERLBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. ERLBORN. Mr. Speaker, it has come to my attention that at least two executive agencies have begun the practice of offering grants to our constituents in return for favorable votes on appropriation measures.

I have received a letter from Joseph D. Duffey, Chairman of the National Endowment for the Humanities which stated in part:

Please find enclosed a confidential list of institutions in your district which are tentatively scheduled to be awarded Challenge Grants by the National Endowment for the Humanities.

We cannot announce or make these awards until Congress takes final action on the FY 1980 Appropriations Bill. However, this information about our intent may be useful to your constituent institutions for planning purposes. (Emphasis mine.)

On an accompanying sheet there is listed an institution in my district which, it is implied, would receive \$365,000 if I vote the right way.

At the bottom of the attachment there is a warning that this should not be made public, because it might not come to pass.

Mr. Speaker, shortly after receiving this offer from the National Endowment for the Humanities, I received a similar offer from the Department of Labor.

This offer came in a letter signed by

Nik B. Edes, Deputy Under Secretary for Legislation and Intergovernmental Relations. This letter stated, again, in part:

Please find enclosed the FY 1979 program allocations and FY 1980 preliminary planning estimates for the Private Sector Initiative Program.

The FY 1980 preliminary planning estimates are also based on the assumption that the Congress will act on the President's budget request as proposed.

The attachment, Mr. Speaker, shows that while the 14th District of Illinois is only scheduled to receive about \$97,000 in fiscal year 1979, the good people at the Department of Labor have seen fit to allocate over \$386,000 for fiscal year 1980 to my district.

Again the implication is clear:

If you vote the right way, we'll try to get some money pumped into your District. We can't guarantee anything, you understand, but we'll try.

If a businessman or union representative approached a Member of Congress with a similar proposal, there would be no doubt of its illegality.

Suppose, Mr. Speaker, that a businessman or union representative sent a letter to each Member of Congress saying that their Political Action Committee had drawn up preliminary estimates of contributions to reelection campaigns and that the PAC had tentatively decided to donate so many dollars to this campaign or that. These numbers might change, depending upon how a particular Member voted on a particular issue.

If that businessman or that union representative had the bad sense to put something like that in writing, there would be outraged calls for a grand jury investigation.

Mr. Speaker, there are laws on the books which prohibit departments and agencies from lobbying Members of Congress. We are all aware that this law is winked at, and we are lobbied constantly.

These two instances, however, have opened up an entirely new realm of activity. These letters are naked, unashamed attempts to influence my vote, and the vote of every Member who received a similar letter. ●

#### RESOLUTION URGING CONTINUED SUMMER FILL-UP PROGRAM FOR HOME HEATING OIL

#### HON. GERALDINE A. FERRARO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Ms. FERRARO. Mr. Speaker, as you and my colleagues are fully aware, home heating oil is the lifeblood of the northeast region of our Nation. In light of the fact that the major oil companies are presently preoccupied with producing enough gasoline to get us through the summer, there is a growing fear that there will be shortages of home heating oil during the coming winter heating season. I need not tell my colleagues of the havoc and hardships that this could



cause. After talking with several independent distributors of home heating oil, I am convinced that efforts must get underway right now to avoid massive supply problems during the winter heating season. The fact that the leadtime needed to deliver home heating oil to individual customers from the point of actual manufacture is often several months, gives great emphasis to the need to correct potential supply problems now.

Traditionally, independent oil distributors have used a "summer fill-up program" under which the distributors deliver home heating oil to their customers during the summer months so that a start-up reserve of home heating oil is in place at the beginning of the heating season. This program has been used by independent oil distributors for many years.

Since oil distributors sell most of their oil during the winter months, there is usually a shortage of capital during the summer. It is impossible to purchase adequate supplies for a summer fill-up program unless the major oil companies allow the independent distributors to purchase oil on credit. The funds are paid back with interest as soon as the oil is delivered to customers. However, many major oil companies have indicated they will curtail or eliminate the extension of credit needed for this program to operate, as well as reduce the amount of heating oil available for delivery during the summer months. This new policy, which I have discussed with several distributors in my district, will mean that many households will enter the winter heating season with either a very low supply of oil, or perhaps an empty tank.

To highlight this potentially dangerous situation, and to make my colleagues aware of it, I have today introduced a sense of the House resolution that would serve notice to the major home heating oil producers that supplies and other services to independent oil dealers should be provided on the same terms and conditions as in the past, so that independent oil dealers can continue their summer fill-up programs. The text of this resolution follows, and I solicit the support and cosponsorship of my colleagues:

#### RESOLUTION

Whereas there are many regions of our Nation which historically have relied to a great extent on home heating oil for heating purposes,

Whereas there are more than 16 million households in the United States which use heating oil as their only source of heat,

Whereas there has been forecasted a shortage of home heating oil during the coming winter months,

Whereas many households will suffer great discomfort and inconvenience should they not have access to the home heating oil they need,

Whereas the lead time needed to deliver home heating oil to individual customers from the point of actual manufacture is often several months,

Whereas the harsh winter of 1978-79 has depleted the oil supplies of most households,

Whereas many families need home heat-

ing oil during the summer months to produce hot water,

Whereas independent oil distributors have traditionally used a "summer fill-up program" which allows customers to begin the winter months with a start-up reserve of home heating oil,

Whereas many major oil companies have indicated they will curtail or eliminate summer oil deliveries to independent oil distributors in sufficient quantities to operate a summer fill-up program, and

Whereas the independent oil distributor has been the fundamental link between the major oil producers and the consumers of home heating oil: Now, therefore, be it

Resolved, that it is the sense of the House of Representatives that the major oil companies should continue to provide supplies and other services to independent oil dealers on the same terms and conditions as historically provided so that such dealers may continue their summer fill-up programs and thereby insure that supplies of home heating oil are in place at the start of the winter heating season. ●

#### A VOICE OF REASON ON NUCLEAR ENERGY

#### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. PAUL. Mr. Speaker, Energy Information, a national weekly newsletter on United States and Canadian energy issues, recently interviewed Dr. Peter Beckmann.

Dr. Beckmann, engineering professor at the University of Colorado and recognized expert on nuclear power, discussed the accident at Three Mile Island and its impact on the development of nuclear energy.

Dr. Beckmann, author of a number of important books and editor and publisher of Access to Energy, is a voice of reason amidst the strident shouts of the antinuclear reactionaries. Here are excerpts from that interview that I would like to call to my colleagues' attention:

NUCLEAR SANITY: AN INTERVIEW WITH  
DR. PETER BECKMANN

EL. What impact will Three Mile Island have on the development of nuclear power in this country?

BECKMANN. There are two kinds of impact, the technological and the political. On the technological side, I personally feel very much more confident of the safety of nuclear power than I did before. No nuclear engineer ever claimed that nuclear power is perfectly safe. What they claimed and continue to claim is that it is incomparably safer than any other method of generating electricity.

The total casualty toll in Harrisburg is zero dead, zero injured and zero diseased. The media have been quite wrong in suggesting that this was sheer good luck and only a near miss. It was not. For one thing, there was a long, long way to go to a meltdown with plenty of backup systems in between. And for another, even if there had been a meltdown, that would not have been the end of the world. The containment building would have contained the radioactive gases. One of the reasons I feel more confident about this now is that we on Wednesday afternoon (March 28) there was a hydrogen explosion in the containment building.

Two elements of nuclear safety were proved in Harrisburg. One is the defense-in-depth, which no other energy facility can have and the other is the slowness of an accident. If a meltdown had threatened, which it did not, the population could have been evacuated and most probably, and this is of course not certain, but most probably would have returned with no other casualties than the inevitable heart attacks of the elderly and traffic accidents of an evacuation.

Compare this to an 845-megawatt facility of any other type. How do you evacuate people when a dam bursts which can kill more than 100,000 people at a time? How do you evacuate people when you have an air pollution episode such as you had in London in 1952 when there were 3,900 excess deaths within one week? There you didn't get a fifteenth and sixteenth chance.

What we know now in Harrisburg is not merely that if everything goes wrong, nuclear power can still take it without casualties—we knew that before. What we know, in addition, is at least three things. Number one, the emergency core cooling system (ECCS), which had been attacked by nuclear critics as something that would never work or only work in stage experiments, we know now that it came in automatically and reliably, and maintained the pressure in spite of the leak formed by a valve that failed to close. The ECCS is now battle-tested under real conditions.

The second thing that we know that we did not know before is that the containment building will withstand a hydrogen explosion. Its specifications call for withstanding 300-mile-an-hour hurricanes and the impact of a jetliner at landing speeds. Now we know that it will even withstand a hydrogen explosion, so that there is very little chance of radioactive gases getting out.

The third thing that we know is that a core of this type (zirconium core) can withstand not just a minute or so before it melts as was assumed in the Rasmussen Report, but that it can withstand a full six hours of exposure under these conditions. Mind you, the core is damaged, or part of the core is damaged, but not molten. In other words, the Rasmussen Report in that respect is far, far too pessimistic.

The first indications politically are that instead of a backlash, we will get a "forward lash." You would think that when a thing like this happens it would kill the nuclear industry completely. In fact, the Austin referendum (on April 7, Austin, Texas, voted to keep its share of a \$2.07 billion nuclear power plant, strongly rejecting an alternate, more conventional, generating facility) is just one of the signs I see that Americans may put off making a decision but when it's time to make it, they make the right one.

EL. Based on what happened at Three Mile Island, do you believe the Nuclear Regulatory Commission's operating standards and procedures are adequate? If not, what changes need to be made?

BECKMANN. We are learning all the time. You cannot foresee all the details. You can only defend against all possible unexpected, unforeseeable events. Nobody foresaw the possibility of somebody shutting off the emergency core cooling supply after it had been activated automatically, which is why you had a freakish sequence of events leading to a hydrogen bubble. We will now have this type of reactor design changed. We will also, I'm sure, see to it that procedures are enforced as strictly in all utilities as they are in the best. But let me say this. More accidents will happen because perfect equipment does not exist. And if it did, there would still be the weakest link in the chain—that is fallible people. But with equal certainty, as I predict that there will be more accidents, I can predict that almost certainly these acci-

dents will be contained by the same principles: Defense-in-depth and time to bolster that defense so that an accident with massive loss of life remains a very remote probability.

El. What are the accident probabilities associated with nuclear power as opposed to other power sources?

BECKMANN. Compared to coal, or for that matter any other power source, the risks that you take—and you do take some—are trivial. Nuclear power is not perfectly safe but it increases the safety of our present sources incomparably . . . not by a few percent but by factors of ten and fifty. Not only because the probabilities of an accident are small, but even if an accident does happen, there is very little chance of causing vast death tolls.

El. What should be the role of nuclear power in this country?

BECKMANN. Nuclear power for me is desirable because it is safe. But there are other considerations. Nuclear power is, number one, unlimited, while oil and gas may get short. However, as long as controls are on and as long as the government policy keeps the oil in the ground, we don't really know how short oil is. But it is a pity to burn oil in power plants instead of using it for chemical feedstocks—it's a waste. In any case, I doubt if oil will be around for too long, that is whether it will be economic to burn it for very long.

Whereas with nuclear power, if you breed fuel from uranium and thorium, you have electric power not for centuries, but for millennia. You have a domestic source of power and you have a reliable source of power. All the utilities that have a nuclear power plant use it for the base load. That is, nuclear power is on all the time, and the other sources come in as needed . . . because it is reliable. Why was it that at four o'clock in the morning when the accident happened, the plant was running at 98 percent of capacity? If nuclear power is uneconomical, as some pundits claim, why is it that less than ten percent of capacity provides more than 12 percent of the power? In other words, why is it that less than ten percent of the horses do more than 12 percent of the pulling? Because they are damned good horses, that's why.

El. How do you view "alternate" energy source development in this country? For example, solar energy?

BECKMANN. Solar energy is a great thing for the politicians. It is a bad energy source. It is very good for space heating, for a few other applications, but for electricity, it is a rich man's toy. Solar energy can supplement what we need—it can never substitute. Solar energy cannot constitute any appreciable fraction of the 500,000 megawatts capacity of the U.S. unless you de-industrialize the country—which is the real reason for alternative energy sources.

\* If you want to know realistically where the electrical power can come from, there are only two big answers: Coal and nuclear. Gas and oil are too expensive and are likely to run out. Wind, solar and the other sources can give you kilowatts but not megawatts.

It is just not thinkable that the coal industry—the railroads, the hopper cars and so on—can take on the 12 percent that is now produced by nuclear. Besides which, let me let you in on a secret. The anti-nukes are not anti-nuclear—they are anti-energy. What they are doing to nuclear in the media, they are doing to coal in the back rooms. It is next to impossible to get the federal government to release land for coal mining. We have cases of what I call legal incest when environmental organizations filed suits against the federal government mainly around coal leasing, then moved into the government, defended against their own suits and settled them out of court.

Nuclear energy, because it is abundant and because it is clean—not in spite of it—because it is environmentally benign, is the

main target of the anti-energy people. But if they win on nuclear, they will next go to coal, then to oil and then to gas until they have de-industrialized this country and destroyed its society as we know it today.

El. What is your response to statements made recently by members of Congress with regard to halting nuclear development in this country?

BECKMANN. The politicians who made these statements are cynical even among politicians. When Jerry Brown called for shutting down Rancho Seco, allegedly for safety reasons, he does not in the least mind the dams in his state that sit on earthquake faults and that could kill more than 100,000 people at a time. He is putting his political career above human life. Senator Hart of Colorado called for an evacuation, not officially, but on television, saying that if he were there he would evacuate his family. As chairman of the nuclear regulation subcommittee, when he makes a statement like that, knowing, or at least he ought to know, that there are inevitable deaths in a mass evacuation, when he made the suggestion at a time when no such threat was imminent at Harrisburg, he was consciously or not putting his political career above human life. When Senator Byrd said that the accident that supposedly was never to happen, has happened after all, he displays the same kind of ethics or, more probably, abysmal ignorance. Because the accident that remains highly improbable, is an accident of large scale loss of life.

One statistic, the iodine that escaped at Three Mile Island, gave rise to a radioactive level one-twentieth of the level of iodine radiation that was registered in Pennsylvania after the fallout tests of the Chinese bombs last year. Where was Jerry Brown then? Where was Senator Hart then? Where was Senator Byrd then?

El. How do you view the current wave of anti-nuclear sentiment?

BECKMANN. Nuclear power is just a symbol. These people are not after safety, they have social engineering motives. The struggle, I believe, will not be resolved by logic, because the people who are funding the hysteria are immune to logic. It will be decided when the power runs out.

El. What exactly is a meltdown and how does it differ from the accounts that have appeared recently?

BECKMANN. If there is a leak in a nuclear power plant that threatens to expose the core, there is an immediate tripping of the reactor and an immediate termination of the chain reaction. Immediate and automatic. Apart from the chain reaction you also have the heat from the fission products which amounts to only one percent or so of the capacity. That, however, would be enough to melt the core if it was not kept covered by water. Therefore, if the water leaks out, you have among many other safety backups, the emergency core cooling supply which will automatically cover the core with water if the water leaks out—which is what happened at Harrisburg, except that somebody shut it off manually afterwards.

If that should fail, and the core should become exposed, then after some time, the core will melt. It will melt through the pressure vessel and it will melt through the concrete floor of the containment building. It will stabilize; that is, it will solidify in the ground at some depth up to one hundred feet—and that part is not what constitutes the danger. The danger is the radioactive gases in the containment building. The containment building has one big job . . . to contain the radioactive gases in case of a meltdown, which, as you can already see, is not the end of the world. But even if it should happen that the radioactive gases should get out of the containment building, of which there is very little chance, even then there would not necessarily be massive

deaths for two reasons. One is that all of this happens very slowly. You have plenty of time to evacuate. The other is that even if the gases do get out, they will most probably disperse in the atmosphere. Only if you have a very special weather condition, say an inversion that keeps them low to the ground and a wind blows them gently in the wrong direction into a population center—which has not been evacuated, by the way . . . then you will have losses of life. That is why the whole thing is so improbable and that is why Harrisburg was nowhere near a meltdown, let alone a meltdown that kills.

El. How would you assess the job the government has done in dealing with the problems of nuclear waste and resolving public concern over this issue?

BECKMANN. It has done a lousy job. It is a myth that nuclear waste disposal is an unsolved problem. It is a problem that is artificially being dragged out in Washington. Waste disposal is a non-problem technically; it is a big political problem. The (administration's) Interagency Review Group's solution has been to study the issue to death. When it asked for input from the citizenry, there were eight times more pro-nuclear replies than Ralph Nader and cohorts were able to muster. The result of this was that the revised report was worse than the first—that's how much weight the public has with the people in the various agencies of the Carter administration.

The probability of dying of cancer in the U.S. today is about 19 percent. A small part of that may be caused by radioactivity . . . maybe. But the radioactivity put out by nuclear plants on the average is so ridiculously low that you have to say that it is 100 times less than what you get off the luminous dial of your watch . . . it's five thousand times less than I get by living in Colorado—it's completely absurd. ●

#### FREE ENTERPRISE WEEK

#### HON. JAMES T. BROYHILL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. BROYHILL. Mr. Speaker, every school child has learned that our country is founded on certain principles, on certain freedoms. Every American knows that our Constitution guarantees that we are free to worship in the manner in which we choose, that we are free to express our beliefs, and that we are free to petition the Government whenever we feel inequities exist.

During this period of congressional debate on our economic ills, as we ponder the cures for inflation and ways in which to ease Government overregulation and its costly impact on business, it is also important to remember one freedom which is not mandated by the Constitution, but which is nevertheless essential to the American way of life. I am speaking of free enterprise.

We toss this term around lightly. Free enterprise. What does it actually mean?

The textbook definition of free enterprise describes an economic system which places the primary importance on private businesses competing in an open marketplace to satisfy the demands of consumers. A necessary ingredient in the free enterprise recipe is the restriction of Government action only to protecting the rights of consumers, rather than acting directly as an economic force.



It is imperative for all of us in the Congress, whether we are from rural North Carolina or from urban New York City, whether we are from the majority or the minority party, to remember this formula for free enterprise, as the success of our economic system depends on the principles espoused in this definition. That is, the success of our economy depends on private business being allowed to continue to operate on its own, to operate with that unique American initiative and innovation, free from the unnecessary and burdensome regulatory constraints imposed by a government possessed by regulatory fever. It is not the function of Government, nor should it be, to direct the day-to-day operations of countless American businesses. If we set up sound and responsible economic policies, the rest will follow.

I have joined with my colleague from Oklahoma (Mr. ENGLISH) in cosponsoring a resolution designating the week starting July 1, 1979, as national "Free Enterprise Week." I urge my colleagues' support of this resolution, as this is an excellent opportunity for us all to reflect upon the proper role of Government in society. ●

#### REPLACEMENT FUELS ACT OF 1979

### HON. JAMES M. JEFFORDS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. JEFFORDS. Mr. Speaker, today, 19 colleagues and I introduced the Replacement Fuels Act of 1979. This bill is an important first step in establishing a policy of national energy independence. The bill allows the market forces of the free enterprise system to determine the best technology to be used for the replacement of petroleum-derived motor fuels with alternatives. Moreover, the system of mandated market shares established by the bill will result in zero Federal expenditures. Below are some explanatory facts related to both the bill and the technologies which could readily be exploited to provide replacement fuels:

#### ANALYSIS OF REPLACEMENT MOTOR FUELS ACT OF 1979

I. Section 1 is the title of the bill, as indicated above.

II. Section 2 sets out Congress' findings as to the necessity for replacement fuels to decrease the need for imported crude oil.

III. Section 3 defines the terms used in the bill, including alcohol, replacement fuel, replacement motor fuel, renewable resource, etc., as used in the bill. The term "replacement fuel" is broad enough to include alcohol from grain, cellulose, wood, or any other liquid produced from coal, shale oil or other substance that can be mixed with gasoline and used as a motor fuel. The Secretary of Energy is designated as the major implementer of the program.

IV. Section 4 requires the Secretary of Energy to establish a program to promote the development and use of replacement fuels in the United States. Specifically, the Secretary is required to design a program promoting replacement of gasoline with the maximum percentage of replacement fuel as

is economically and technically feasible for use as motor fuel.

V. Section 5 requires the Secretary of Energy, in consultation with the Secretary of Transportation, Agriculture, Commerce and any other appropriate agency, to establish a development plan and production goals for the optimal production of replacement fuel in the U.S. in calendar years 1981 through 1986. The ultimate goal, by calendar year 1992 is to replace 20 percent or more, by volume, of the projected consumption of gasoline used as a motor fuel in the U.S. for that year. The interim goals for 1987 through 1989 is 10 percent replacement, by volume, of the projected consumption of gasoline used as a motor fuel in the U.S. for each of those years.

In developing the plan, the Secretary of Energy is required to identify ways of encouraging the development of a reliable replacement fuel industry, the barriers to its development, and include an estimate of the production capacity of replacement fuel needed to implement this bill's requirements.

The Secretary has 6 months to complete his development plan and production goals and report to Congress.

VII. Section 6 established minimum percentages of replacement fuel to be included in the total quantity of gasoline and replacement fuel sold by any refinery. For CY's 1981 through 1986, to be determined by the Secretary of Energy. For CY's 1987 through 1989, 10 percent. For CY's 1990 and thereafter, 20 percent or more, unless the Secretary establishes, by rule, that 20 percent is inappropriate. The minimum percentages will be based on technical and economic feasibility. Each refinery is required to make annual reports to the Secretary as to the average percentage replacement fuel sold during the preceding calendar year. The Secretary may make adjustments to reduce minimum percentage requirements.

VII. Section 7 sets out the enforcement mechanisms available to the Secretary. Violators are subject to a civil penalty of not more than \$1 per gallon for each gallon of fuel not containing a minimum percentage of replacement fuel. When notice of a proposed penalty is issued by the Secretary, two choices are available to the refinery: (1) he may request a hearing before an administrative law judge, or (2) he may institute action in the U.S. Court of Appeals. The Secretary will institute action in the appropriate district court if the civil penalty has not been paid within 60 calendar days after the assessment order has been made.

#### REPLACEMENT FUEL FACT SHEET

##### I. THE ENERGY SITUATION IS CRITICAL

A. We import 8 million b/d, at an average cost of at least \$19.00/barrel. Recent spot market prices for imported oil have averaged \$30 per barrel, and up to \$50 in Rotterdam. Almost all observers agree that OPEC oil prices will easily reach well over \$20 per barrel by the end of the year. Without some way of putting a lid on OPEC price increases, we are at the mercy of oil producers.

1. We use about 7.4 million b/d of gasoline.

2. CBO estimates that decontrol will cost consumers \$12 billion annually by full implementation in 1982.

##### II. WHAT THE BILL DOES

A. The bill requires that by 1987, 10 percent of all gasoline sold in the United States be composed of replacement fuels. Responsibility is left to industry to determine which fuels. Every shortfall, however, will be penalized at the rate of up to \$1.00/gal.

##### III. THE COST OF REPLACEMENT FUELS IS COMPETITIVE

The virtue of this bill is that it does not dictate the financial arrangements to be

made for construction and operation of replacement fuel facilities: once the market share is insured, private industry is free to develop the most efficient and cost-competitive systems it can devise.

A. The capital requirements of this enterprise are less than either the cost of decontrol or continued dependence on oil imports.

B. As the attached charts show, the per-barrel cost of replacement fuels is already competitive with the higher range of current oil costs.

#### IV. THE TECHNOLOGY IS AVAILABLE

A. Coal liquefaction—The U.S. has 437 billion tons of coal, the most abundant fossil fuel resource available, and we are not making adequate use of it (production is only now returning to 1940s levels, and 140 Federal offices have jurisdiction, but no one office coordinates).

1. 1.6-2.5 barrels of oil equivalent can be produced from each ton of coal.

2. Cost: Reliable estimates put the cost of coal-derived fuels, ranging from methanol to synthetic gasoline, at between \$20 and \$35 per barrel.

a. Synfuel product plants are estimated to cost between \$750 million to \$1.5 billion apiece for plants able to produce the equivalent of 50,000 b/d of oil. 10 percent of current consumption would be about 800,000 b/d, so the total requirement would be for 16 plants, at a total cost of \$12 billion to \$24 billion.

3. Problems: The most critical problem, requiring immediate action, is the long lead time required for the planning and construction of replacement fuel plants. That is why we must move now to insure a market for these products.

B. Alcohol: Alcohol can be made from grain, coal, wood, garbage, or other sources. Alcohol made from cellulose (wood fiber) is expected, for example, to be commercially viable by the end of the year. A bushel of corn yields 2.5 gallons of ethanol, and the by-product makes a high-protein animal food.

2. Problems: Some have raised the spectre of turning our food supply into fuel; this will not happen, since we have excess grain capacity, and cellulose is not edible. As with coal liquefaction, the big problem is the long lead time required for the construction of the facilities, and the uncertainty of the market; this bill takes care of those problems, if we act now.

C. Shale oil: The technology for deriving oil from oil shale has been known for years. Each ton of oil shale (about a cubic yard) yields a barrel of oil, at the cost of about \$20 per barrel. There is enough oil shale in the country to supply our oil needs for up to 50 years.

1. Problems: The main problem with oil shale appears to be environmental; most oil shale is located in areas with little water for processing.

#### V. COST TO CONSUMERS

A. The cost to the consumer of 10% replacement can be computed:

Cost of a gallon of gasoline.....	\$1.00
Reduced by 10%.....	-.10
Total.....	.90

Assuming replacement fuel costs of as much as \$55 per barrel refined, the cost of a gallon of replacement: \$1.31. Or, 1/10th gallon in each gallon of gas = \$0.13/gallon for the cost of replacement fuel.

Total per-gallon cost of the mixture is then:

Gasoline.....	\$0.90
Replacement fuel.....	.13
Total to consumer.....	1.03

Thus, even a very conservative estimate shows a price rise of less than 3% at the gas pump, in exchange for energy independence. ●

THE "WHEELS" ARE GOING IN  
THE RIGHT DIRECTION

HON. ADAM BENJAMIN, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. BENJAMIN. Mr. Speaker, earlier today the distinguished gentlemen from California and Louisiana addressed the House regarding an article titled, "Gas Pumps on Hill Cater to Wheels." I wish to take this opportunity to clarify the circumstances surrounding the use of gasoline by Members and congressional employees and to explain the concerns already acted on by the legislative branch Subcommittee on Appropriations.

This fuel is properly purchased by competitive bid at bulk rates and used for government owned or leased vehicles. Any insinuation to the contrary notwithstanding, the Congress would be derelict in its duties if it did not make this fuel available at the most reasonable rate for Government owned or leased vehicles. Allow me to explain.

The Architect has written verification that present procurement procedures date back to 1942. It appears safe to assume that gasoline was purchased for congressional vehicle use in a similar manner since 1909. This, because the Architect has copies of bills for "oats and hay" for the horse used for the Architect's carriage prior to that date.

The bids for bulk fuel sales are made annually with the last contract being awarded in December 1978. Public notice inviting competitive bids was published pursuant to Government procurement regulations and 10 firms were personally invited to bid on the December contract.

One firm, H. P. Kidd, Inc., bid at a price of 54.6 cents per gallon and was awarded the contract. With the inclusion of escalation clauses (which provide for price increases upon certification of cost increases to the suppliers) the June price is 71 cents per gallon.

Although only one bid was received for the current contract, the limited response appears to be the function of the market rather than a lack of competition. Since 1960, producers who have supplied gasoline to the Architect include Sinclair (now Arco), Gulf, Texaco, British Petroleum, and Amoco, this year's supplier.

The savings which have resulted represent the economies of bulk purchases, the elimination of State gasoline taxes and the subtraction of the price component of profit.

A monthly average of 8,091 gallons of gasoline have been pumped at an approximate cost of \$5,178 per month for the period, January through June.

The Architect has the responsibility for the purchase of the gasoline. His office distributes the cost to the accounts of the legislative branch. It is not a matter of bigwigs utilizing this service—it is merely a matter of providing gasoline to Government owned or operated motor vehicles at an economical price.

Since the taxpayers' moneys are ex-

clusively used to purchase this fuel, I commend the Architect for acquiring it at a price substantially below that charged at area service stations.

While some would also decry "cutrate" gas being available for limousines, the truth of the matter is that 117 vehicles are fueled by the gas purchased. Of these, 30 are police vehicles, 80 are trucks, vans, and assorted maintenance vehicles and 7 are passenger cars. The latter are provided for the Offices of the Speaker, the majority and minority leaders, the Architect, the clerk, the doorkeeper, and sergeant at arms.

During its hearings this spring, the Subcommittee on Legislative Branch Appropriations examined the use of each of these vehicles. It concluded and the full committee agreed that some changes should be made concerning their availability and use.

I would like to inform the Members that initial modifications are included in the Legislative Branch Appropriations Act for fiscal year 1980 which will be brought to the floor later this month.

At a time when all are especially sensitive to excessive Government spending, I wanted to bring the facts of this matter to the attention of the House. I assure you that our subcommittee is monitoring this situation closely and will continue to do so.

I appreciate the support that the leadership has provided the Legislative Branch Appropriations Subcommittee in attempting to reduce the operating expenditures of the Congress. In the instance of fuel supplies, I commend the congressional system to other units of Government, many of whom are apparently fueling Government vehicles by issuing credit cards and purchasing gasoline at retail stations. The system employed by the Congress is not only cost-effective, but cost accountable. If most Government vehicles were fueled at Government owned and operated pumps, accountability would be improved—and I am confident that Government would use less fuel at a lower price—thereby making more available for the motoring public and reducing taxes for the general public.

I regret that the story in mention—though generally accurate—through its headline and lead—tended to mislead and inflame an already distraught public. However, I imagine it is better than reading that congressionally owned or leased motor vehicles are purchasing gasoline without competitive bid and an inordinate amount of the vehicles are purchasing the gasoline at some local station thereby inferring a preference to one dealer or another. ●

BACKGROUND ON THE UPCOMING  
INTERIOR COMMITTEE BILLION  
DOLLAR BOONDOGGLE

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. BROWN of California. Mr. Speaker, if the Rules Committee agrees to a request by the Committee on Interior and

Insular Affairs, the full House will soon be faced with the unpleasant task of rejecting a very bad bill. I am referring to the bill H.R. 2609, a bill to more than double construction cost authorizations for title I of the Colorado River Basin Salinity Control Act. The main purpose of this legislation is to authorize construction of the largest desalting plant in the world at Yuma, Ariz., to protect the vested interests of fewer than 150 farms. The total bill to the taxpayers will be more than \$1 billion, and under some estimates will reach \$3 billion.

Mr. Speaker, there are important issues behind this bill which I have unsuccessfully tried to raise before the Interior Committee. Unfortunately, and in spite of efforts by a minority on the committee, pressures to approve this legislation, without even considering the cheaper alternatives, prevailed.

Mr. Speaker, while I hope the Rules Committee spares the House the trouble of considering this billion dollar boondoggle, I do want to share some brief news clippings which describe the matter.

The news items follow:

[From the San Bernardino (Calif.) Sun State, Jan. 18, 1979]

GAO IS CRITICAL OF COLORADO RIVER  
DESALINIZATION

(By Doug Underwood)

WASHINGTON.—The General Accounting Office has leveled a sweeping criticism of a proposal to build a \$338 million desalination plant on the Colorado River to meet treaty obligations with Mexico.

The GAO said the plant, which is now estimated to cost twice the \$156 million Congress authorized in 1974, is far too costly and is unlikely to solve the problem of salt runoff into the Colorado anyway.

The report of the GAO, which is Congress' auditing and investigative arm, has not yet been officially released. A draft copy has been circulating since last October.

The GAO estimated if the desalination plant is built it will cost the United States \$338 an acre foot of water to deliver 88,000 acre feet of water to Mexico annually. The GAO also cited a federal study which shows that, even with the plant, salt levels may be significantly higher than projected by the year 2000.

"The (proposed) salinity control program is very costly (and) will reduce salinity less than expected," the GAO said. "... The costs to desalinate water have risen to the point where alternatives should be considered."

The GAO recommended that Congress delay federal funding of salinity control projects on the Colorado and require the federal Bureau of Reclamation to work with the states in developing alternative plans.

It indicated BOR should look at such alternatives as diverting highly saline irrigation runoff, which presently flows into the Colorado, and use other federal water to augment the Colorado River flow.

The timing of the official release of the GAO report is considered sensitive. The Carter administration is presently deciding whether it will ask Congress for legislation boosting the authorization level of the desalination plant to \$338 million.

Officials in BOR are pushing for the desalination plant, which would be built near Yuma, Ariz. But the Carter administration's Office of Management and Budget will have the final say over whether addition funds for the plant are included in Carter's 1980 budget.

Some legislators have begun to question the costs of the desalination complex, which, according to the 1974 legislation, would also include 16 other saline control



projects along the Colorado. "It's the quick, technological fix," said an aide to Rep. George Brown, D-Riverside. "But it's not cost-effective and it may not work."

The proposal to build the desalination complex came in 1973 after the United States agreed to resolve the problem of increased salt water in the Colorado River that flows into Mexico.

A prime culprit in it has been the Wellton-Mohawk Irrigation District near Yuma. Instead of letting saline runoff from the Wellton-Mohawk flow directly into the Colorado, the United States is now diverting the salt water down a channel to the Gulf of California. But it is a costly process and requires the United States to use other federally stored Colorado River water to meet the U.S. treaty commitment.

The GOA said four of the additional 16 authorized saline control projects along the Colorado will cost \$293 million while bringing benefits of only \$167 million. The agency said planning for a number of the projects has run into technological difficulties.

Thus the GAO proposed study of different programs and the use of more efficient irrigation systems—to cut down saline runoff. In recent years, the saline content in the river has held steady.

One proposal to resolve the problem has been to shut down or buy out farmers in the Wellton-Mohawk. But the GAO indicated this alternative was politically unfeasible and would disrupt the lives of many farmers.

[From the Tucson (Ariz.) Daily Citizen, Feb. 8, 1979]

#### DE-SALT PROJECT MAY MEAN FORTUNES FOR 150 SOUTHERN ARIZONA FARMERS

WASHINGTON.—There's a federal program called de-salt, not SALT, and it's not going to get the same headlines in Congress as the new SALT II treaty.

It's a story of a project that will cost U.S. taxpayers one-third of a billion dollars—and provide subsidies of about \$2.25 million per farm for 150 farms in southern Arizona.

It was in 1973 that the U.S. government proposed a \$156 million de-salting plant on the Colorado River as a way to resolve differences with Mexico. Mexico was unhappy with the salt content in the Colorado, which flows into Mexico.

The river grew salty because farmers in the U.S. irrigate highly salty land and pump the run-off back into the Colorado. While the problem existed for years, it dramatically increased when the Wellton-Mohawk Irrigation District, near Yuma, Arizona, was developed by the federal Bureau of Reclamation in the early 1950s.

The 150 farms in the Wellton-Mohawk cultivate 62,000 acres of cotton, alfalfa, and other grain with Colorado River water. Their land is particularly high in salt—and the run-off substantially raised the salt level of the Colorado.

A U.S. commission appointed by President Nixon in 1972 looked at—and rejected as politically unwise—a proposal to buy out the farms causing the problem.

Instead Nixon guaranteed Mexico that the U.S. would improve the water. To do that, Nixon proposed a plant to de-salt the drainage water from the Wellton-Mohawk before it flowed back into the river.

Five years ago, when Congress authorized the project, the cost was estimated at \$156 million. But since then the cost has escalated to \$338 million—and it's expected to go higher than that.

When it approved the plant, Congress exempted it from the normal cost-benefit analysis which federal water projects undergo. And there was a reason. It would have failed the test.

If the \$338 million project is ever built, it will amount, at present costs, to around \$2.25 million for every farm in the Wellton-Mohawk. Even at a high price of \$1,000 per

acre, this is much higher than the \$62 million it would cost the U.S. to buy out the farmers.

So isn't there anybody in the Carter Administration—which is supposedly committed to a new era of economical water projects—protesting the spending of \$338 million to keep 150 farms in business?

First of all, the project has some loud boosters. Jim Ellingboe, the head of the bureau's planning section, stoutly maintains that the cost of buying out Wellton-Mohawk is greater than building the plant when all costs are added in. He says that other, older irrigation districts along the river are also adding to the salt in the river and it's unfair to single out Wellton-Mohawk as the only culprit.

He acknowledges the saline runoff from Wellton-Mohawk is unusually high. But he says that, unlike older projects, the Wellton-Mohawk's salt run-off has been collected at one point, and can be easily funneled to the de-salting plant.

There are some quiet protesters, though. One federal official working closely with the project called it one of the federal government's "biggest turkeys." An Arizona water official described the Wellton-Mohawk as one of the bureau's most poorly conceived irrigation projects.

And Congress' General Accounting Office, in a draft report which has been circulating since October, but remains unpublished, lambasted the desalting plant as economically, and perhaps technologically, unfeasible.

These protests apparently haven't been heard because the Carter Administration doesn't want to offend the Mexican government. And President Carter certainly doesn't want it to be a topic during his visit to Mexico next week.

State Department officials acknowledge there is nothing in the U.S.'s 1973 agreement with Mexico that states a desalting plant must be the means to improve the quality of Colorado River water.

But the State Department's T.R. Martin said, "If suddenly the desalting plant was abandoned—and I was a Mexican—I would want to know how the U.S. planned to fulfill the agreement."

In his 1980 budget, Carter took the first step to get the project off the ground. He proposed that \$38 million be spent on the plant, the bulk of which will go for production of the desalting membranes that filter the water.

However, with the escalated cost, the administration will probably have to ask Congress for a reauthorization of the project. And some congressmen—like Rep. George Brown, D-Calif.—have complained that they don't want to see the project begun until Congress has a chance to debate its new cost.

At present, the U.S. is keeping saline runoff from the Wellton-Mohawk out of the Colorado by diverting it down a channel directly into the Gulf of California. The GAO concluded this arrangement could be made permanent.

But, without the return flow from the Wellton-Mohawk, it would cost Arizona roughly 200,000 of the 2.8 million acre feet of Colorado River water the U.S. Supreme Court allotted Arizona annually. And when the Central Arizona Project is finished in 1986, Arizona officials feel they will need every drop of their allotment.

A few years ago, Sen. Edward Kennedy, D-Mass., proposed buying out Wellton-Mohawk farmers as a method to provide more Colorado River water to settle Arizona's Indian water disputes. But the idea never went anywhere.

The attitude of Wellton-Mohawk farmers and Arizona officials is this: It's the U.S. government's problem that Mexico is upset with the salt in the Colorado. Therefore, all U.S. taxpayers should foot the bill to keep them in business.

Critics call the de-salting plant a "quick, technological fix" that may not work, as an aide to Brown put it. And they say that other methods—such as water conservation, improved irrigation techniques, and the abandoning of farm land in arid regions—may be a better solution.

But the plant's supporters feel that growth in the Colorado River basin is inevitable and, as more and more Colorado River water is used, the salt problem is going to get worse.

"After all, how would you put a (cost) benefit on . . . an agreement with a foreign country," Ellingboe said.

[From the San Bernardino (Calif.) Sun, Mar. 21, 1979]

#### RIVER DESALTING PLAN A "BOONDOGGLE"— REPRESENTATIVE BROWN (By Doug Underwood)

WASHINGTON.—Rep. George Brown, D-Riverside, called a Carter administration proposal to build a massive complex a "boondoggle" Tuesday and asked a House subcommittee to look at other alternatives to reduce salt levels in the Colorado River.

Brown, who is waging a one-man campaign against the plant, was opposed by officials of the Carter administration who argued that the plant is necessary to meet treaty obligations with Mexico.

Brown told the House Water and Power subcommittee Tuesday that the plant could eventually cost as much as \$1 billion. He said Congress should, instead, consider buying out the 150 farmers in Arizona's Wellton-Mohawk district who are the principle reasons the Colorado has grown more salty.

The subcommittee is considering an administration-proposed bill to raise the funding ceiling on the plant from \$61 million to \$178 million—and raise the cost of the entire Colorado River desalting program from \$155 to \$333 million.

Brown called the plant, which will be built near Yuma, Ariz., a "technical fix" that is a "symbol of wrong-headed water policies that will bankrupt this nation . . . I have never heard more people call an already-authorized project a 'turkey.'"

Guy Martin, assistant Interior Secretary for Water Resources, told the subcommittee that the administration still feels the desalting plant is the best option for improving the water quality in the Colorado. He said a study committee is looking at other, less expensive options, but the administration still wants the funding ceiling raised.

The administration asked Congress this year for funds to begin construction of the plant. The project, which was approved by Congress in 1974, was proposed by the Nixon administration as a method to satisfy Mexican concerns with salt levels in the Colorado, which flows into Mexico.

The salt content rose in the Colorado after the federal Bureau of Reclamation developed the Wellton-Mohawk project in the early 1950s. The 150 Wellton-Mohawk farmers, who farm more than 60,000 acres of alfalfa, cotton, citrus, and other crops, irrigate with Colorado River water.

But the land they farm is highly salty and, when their irrigation run-off flowed back into the Colorado, it raised the river's salt level.

The U.S. is presently holding down salt levels in the Colorado by sending Wellton-Mohawk drainage directly to the Gulf of California. But this wastes a great deal of Colorado River water, for which there is expected to be a great need in the future.

Brown argued that if the federal government bought Wellton-Mohawk farmers out at a cost of \$2,000 per acre, it would cost only \$124 million—compared to the higher cost for the plant.

But Brown also called this a "phony choice" and said the Interior Department hadn't seriously considered other alternatives—such as reducing the volume of return

flows from the district, farming crops more compatible with the desert, and taking lands out of production.

State Department and Arizona water officials also testified in favor of the plant. Proponents of the plant argue that other Colorado River irrigation districts also add to the salt in the Colorado and Wellton-Mohawk farmers shouldn't be singled out for blame.

They say the treaty obligations with Mexico and the salt levels in the Colorado are national problems—and all taxpayers should bear the cost of resolving them.

[From the Los Angeles Times, May 8, 1979]

REPRESENTATIVE BROWN CALLS COLORADO RIVER DESALTING PLANT "BOONDGGLE," FIGHTS TO HALT PROJECT

(By Ellen Hume)

WASHINGTON.—Calling the project a \$1 billion "boondoggle," Rep. George E. Brown Jr. (D-Calif.) is fighting to halt development of the world's largest desalting plant near Yuma, Ariz.

The federally funded project was authorized in 1974, without a cost-benefit analysis, to settle a century of controversy with Mexico over salt-polluted water flowing from Arizona's reclaimed farmlands through the Colorado River to Mexico.

Construction cost estimates for the project have escalated from \$150 million to \$333 million, requiring the Carter Administration to seek a new funding authorization from the House Interior Committee. Brown, who estimates that operating costs would bring the total project cost to \$1 billion, hopes to stall the project in the committee with the help of fellow California Democrats Phillip Burton and George Miller. A committee vote is expected Wednesday.

Brown will be armed with a May 4 General Accounting Office report that recommends a temporary moratorium on funding the plant's construction until the Bureau of Reclamation "has reevaluated its feasibility and considered other viable and/or less costly alternatives."

Arizona, California and other neighboring states are in favor of the huge plant because they do not like the alternatives—diverting more Colorado River water to meet the Mexico salinity standards or reducing the use of reclaimed farmlands. Irrigating such lands is the principal cause of the salt pollution.

"The plant is being built to keep fewer than 150 farms and 65,000 acres of land in production in southwest Arizona," Brown complained in March at an Interior Committee hearing. He was referring to the Wellton-Mohawk irrigation district near Yuma, which is considered to be the most important contributor of salt pollution to the river waters flowing into Mexico.

Interior Secretary Cecil D. Andrus has conceded that it would cost \$1 million more a year to build and operate the desalting plant for its expected 50-year life than it would to buy out the Wellton-Mohawk water district and impose irrigation restrictions.

But Andrus, who estimates that the desalting project will cost "only a little over one-half of \$1 billion," has decided that social, political and other factors are more important.

"A cost-benefit analysis has never been applied to this program, nor do we believe it should be," Andrus wrote Brown on March 16. "The decision to proceed with this project was based on environmental, social and economic considerations, but principally on the desire to maintain the international comity between two nations, with the costs to be borne by the entire nation rather than by the Colorado River Basin states."

Andrus argued last September that buying out the Wellton-Mohawk irrigation district would have "severe environmental socioeconomic and political impacts" on

9,000 persons living and working in the Yuma area.

In addition to bucking the Carter Administration's support for the project, Brown faces an uphill battle Wednesday in the Interior Committee because the project is in Arizona home state of the committee's chairman, Democrat Rep. Morris K. Udall, House Republican Leader John J. Rhodes and Republican Sen. Barry Goldwater, all of whom favor the plant. ●

## IMPORTANCE OF ADEN

### HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. FINDLEY. Mr. Speaker, for a long time now I have urged the Carter administration just as I urged the Ford administration to establish diplomatic relations with South Yemen. My interest in the United States taking this step does not stem from any sense of approval for the regime in South Yemen. Indeed, I do not consider diplomatic relations to be a function of approval but merely a facilitator of communication. And communication even with unfriendly governments or regimes we do not admire is a useful tool.

It is particularly critical for the United States to take some sort of an initiative vis-a-vis South Yemen at this time. Soviet influence in Aden is already very strong. Lest that influence become a stranglehold, we should act quickly to provide an alternative to the U.S.S.R. for Aden. This is extremely important because of the geostrategic location of South Yemen. For example, when I have visited South Yemen twice in the past, the Government strongly asserted that it had not and that it had no intention of providing the U.S.S.R. with a military base in Aden. But the Soviets have long pressed Aden for a base there. I note that in one of the articles that I am placing in the Record today there is a description of a Soviet naval exercise in Aden. This should be of great concern to all of us. However, the very interesting profile of South Yemen by Marvin Howe for the New York Times comments that the South Yemenis see flaws in their relationship with the Soviet Union and prefer economic ties with the West. I see this as an indication that Aden might well be receptive to diplomatic relations and increased contacts with the West.

I believe that the United States should stimulate an alternative to the U.S.S.R. by opening diplomatic relations with South Yemen and by encouraging trade between this Nation and the West. Even should diplomatic ties initially not produce a warming of relations, we would have more to work with than we do now when there is absolutely no communication between our Government and that in Aden and when trade possibilities are dim because of the lack of formal ties.

I have had direct confirmation from officials that South Yemen will open the door if the U.S. State Department will send a team for the purpose of discussing the possibility of normal relations.

The article follows:

[From the New York Times, May 31, 1979]

SOUTHERN YEMEN BLENDS MARXISM WITH ISLAM AND ARAB NATIONALISM

(By Marvin Howe)

ADEN, SOUTHERN YEMEN, May 20.—Nowhere else in the Arab world has the Soviet bloc penetrated so thoroughly into almost every domain, from politics and national security to education and economic development, as it has in Southern Yemen.

But the People's Democratic Republic of Yemen, as it formally calls itself, is not a member of the Warsaw Pact military alliance nor of the Comecon economic association. And Aden has apparently not allowed the Soviet Union to establish military bases on Yemeni territory.

The leaders of Southern Yemen are striving to do what no other Arab country has done: reconcile Marxism with militant Arab nationalism based on Islam.

A two-week visit to Southern Yemen and many conversations with officials of the ruling Yemeni Socialist Party, ordinary citizens and other Arabs here as well as various foreign observers, indicate that in Southern Yemen, Arab Islamic nationalism is stronger than loyalty to the Soviet bloc, at least for now.

It is not certain what direction the country will take when the younger generation is thoroughly indoctrinated in Marxism.

#### RELATIONS WITH CHINA COOL

On the surface, Southern Yemen appears to be dominated by the Soviet bloc.

Russians trained and equipped the armed forces, drafted the five-year economic plan, provided the most foreign aid and are active in agricultural development and geological exploration. East Germans run the internal security services and the Ministry of Education. Cubans trained the militia forces and are involved in health care and agriculture.

While China has been a major donor, building roads and setting up factories and a hospital, relations are increasingly cool because of the strong Soviet presence.

The Yemeni Socialist Party was set up last October on the Soviet party model, proclaiming objectives of "proletarian dictatorship and people's democracy."

Abdel Fattah Ismail is Secretary General of the party, heading a 51-member Central Committee and a nine-member Political Bureau. He is also chairman of the Presidium of the Supreme People's Council, making him chief of state.

Mr. Ismail, the 41-year-old former head of the National Liberation Front, gained control after a long power struggle with his predecessor, Salem Robaye Ali.

Mr. Robaye Ali sought reconciliation with conservative Arabs, particularly Saudi Arabia, and also favored renewed contacts with the United States while, at the same time, maintaining good relations with the Soviet Union and China.

Mr. Ismail overthrew the President last June and ordered him executed for a "reactionary attitude."

The new pro-Soviet leadership has maintained a certain degree of independence.

"We didn't get rid of the British to give the port of Aden to anyone else," a senior official remarked, denying recurrent reports of Soviet military bases here.

Western diplomats in Aden tend to discount such reports, saying that the Russians are given refueling facilities for ships at the port of Aden but no more. Of two places regarded as possible Soviet bases, Perim Island and Socotra Island, it is pointed out that there is no fresh water on the first and that Canadians were exploring for oil on the second.

#### ISSUE OF UNIFYING YEMENS

The principal area of discord between Moscow and the leadership here is the issue of reunification of Southern Yemen with the



pro-Western nation of Yemen, to the north. President Ismail is a nationalist first and, according to his associates, "obsessed" with the idea of Yemeni unity.

The Soviet Union is said to have opposed Southern Yemen's border war with Yemen last winter because it feared Aden might lose, which would have meant an end to its own privileged position here. Although Southern Yemen's forces are better organized and equipped, the United States and Saudi Arabia showed they were ready to give Yemen strong support in a confrontation with its Marxist neighbor.

Moreover, impoverished Southern Yemen, with a population under two million, is simply no fighting match for Yemen with its seven million people.

Arab nations, above all Iraq and Kuwait, arranged a halt to the fighting and promoted the unity talks that are now taking place. Formerly an outcast in Arab circles because of its avowed Communism, Southern Yemen has been taken back into the fold since the realignment of most Arab nations against Egypt's separate peace treaty with Israel.

#### CONSOLIDATING ARAB TIES

The Marxist leadership here, aware of its minority position in the country and not altogether satisfied with its Soviet bloc relations, seems to be seeking to consolidate its Arab ties. A few days ago, Aden was host for a meeting of the Arab People's Congress, which opposes the Egyptian-Israeli treaty. Mr. Ismail pledged that Southern Yemen would reinforce its role in "the progressive Arab national struggle."

The Soviet Union, which gave Southern Yemen \$65.5 million in investment aid in 1977, not including military assistance, appears reluctant to take on a continued financial burden and is said to be encouraging the Yemenis to look to their fellow Arabs for more help. Kuwait and Libya in particular are said to be increasing their financial assistance to Southern Yemen and to be gaining influence.

There is also said to be a new receptivity to United Nations aid programs as well as to Western investment. The World Bank is engaged in a \$38 million program for port, education and agricultural development and has just arranged a \$4 million project for the construction of three vocational schools.

Despite agreements for economic cooperation with the Soviet bloc, Southern Yemen still prefers to trade with the nations of the West and with Japan. Britain is said to be the main supplier, with its exports last year reaching about \$60 million, overtaking Japan, which was in first place the year before.

Although Yemeni officials do not say so publicly, there is growing disenchantment with Soviet aid. Among the complaints are that much of the aid goes to Soviet experts, that the Russians sometimes take twice as long as West Europeans to finish a project, that their medical practices are not so good as those of Cubans and Hungarians, for example, and that Soviet tractors or pumps often are idle because spare parts are unavailable.

Moreover, the Russians are not popular here, according to Yemeni and foreign sources. ●

#### STATEMENT OF REPRESENTATIVE J. J. PICKLE ON INTERPARLIAM- ENTARY UNION CONFERENCE

**HON. EDWARD J. DERWINSKI**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. DERWINSKI. Mr. Speaker, last Thursday, May 31, I sponsored a special order for the Members of the House who participated in the spring Interparlia-

mentary Union Conference, held in Prague, Czechoslovakia, so that they might report on their experiences and activities while attending the meetings.

One of our distinguished colleagues, J. J. "JAKE" PICKLE, was a member of the U.S. delegation who brought much expertise and knowledge, and was a very effective participant. I insert his very fine remarks at this point:

#### REMARKS OF CONGRESSMAN J. J. "JAKE" PICKLE

Mr. Speaker, it was my privilege to serve on the Committee on Parliamentary, Judicial, and Human Rights Questions at the Inter-Parliamentary Union meeting in Prague, Czechoslovakia, last month. Our Committee met on four different days, either in making a presentation of matters affecting our particular Committee or in the drafting of the resolutions resulting from our considerations. Although I made the opening statement of the United States to this particular Committee, I also attended the sessions of the Drafting Committee, ably represented by the Honorable Caldwell Butler of Virginia. The United States allowed and accepted a great deal of latitude on the views of all the nations, particularly the smaller nations who had not made contributions over the years to the space program, but who felt that they should have an equal voice in the overall deliberations. All of the sessions were interesting, informative, and cooperative, and I believe the Committee left the framework that will lead to final and satisfactory conclusion at the Caracas, Venezuela, meeting this fall.

The United States was not able to win all of its points, as far as I am concerned, but there was a great deal of give and take. The original resolution was broad enough that I thought it could satisfy all the nations. In two instances, however, this did not prove to be so. I submit the Draft Resolution for the Members to see what specific wording was achieved, and it is as follows:

#### THE LEGISLATIVE ASPECTS OF SPACE LAW

Draft resolution adopted by the Committee on Parliamentary, Judicial and Human Rights Questions unanimously with two abstentions

Recalling the resolution on space law unanimously adopted by the 52nd Inter-Parliamentary Conference at Belgrade in 1963,

Believing that outer space is the common heritage of all nations and of all peoples in the world community and that only the exploration and peaceful exploitation and use of the resources of outer space can improve the quality of life of all peoples and all nations of the world,

Noting with satisfaction the orderly development of space law through the achievements of the United Nations, and the work of the United Nations Committee on the Peaceful Uses of Outer Space.

Recalling its attachment to the legal principles established by the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies, the 1968 Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched in Outer Space, the 1972 Convention on International Liability for Damage Caused by Space Objects, and the 1975 Convention on the Registration of Objects Launched into Outer Space,

Considering that the spectacular progress of space technology and the increased use of outer space require the elaboration, by means of agreement, of equitable, rational and clearly established legal regulations, and of procedures which effectively ensure respect for them,

Convinced that it is the common interest of mankind to promote the peaceful use of outer space and to advance international co-

operation in the space field, for the benefit of all and with due respect for the security and sovereignty of all States,

1. Reaffirms its commitment to the principles of space law and expresses the hope that all States will respect these principles in the exploration and use of space;

2. Invites the National Groups to take action within their respective Parliaments so that the latter continue their efforts with a view to the study and elaboration of legal standards permitting the peaceful use of space, in harmony with the aims and principles contained in the treaties negotiated within the framework of the United Nations, for the benefit of all peoples of the world;

3. Calls on the national Parliaments to use their influence with their respective Governments so that they participate actively in the work of the United Nations Committee on the Peaceful Uses of Outer Space in order to enable it to make proposals with a view to achieving the conclusion of international agreements which:

(a) Complete the draft treaty relating to the moon which should provide that its natural resources be considered the common heritage of mankind and that the benefits derived from those resources be shared equitably by all;

(b) Complete the Committee's efforts to elaborate draft principles governing the use by States of artificial earth satellites for direct television broadcasting, based upon appropriate agreements and/or arrangements between the broadcasting and receiving States (or broadcasting entities duly authorized by the respective States);

(c) Complete the Committee's efforts to elaborate draft principles relating to the legal implications of remote sensing of the earth from space, so that all States have non-discriminatory access to data acquired by remote sensing satellites, without adversely affecting the interests of the countries observed;

(d) Take account of the legal aspects of the use of nuclear power sources in outer space;

(e) Seek to delimit precisely the point at which outer space begins;

(f) Regulate the use of the geostationary orbit, taking into account the interests of all countries, particularly the equatorial countries;

4. Supports the efforts made by the entire international community to promote international co-operation in the peaceful use of outer space, and urges Parliaments and Governments to speed up the negotiations now under way at the United Nations on outer space questions with a view to elaborating norms in conformity with the fundamental principles of inter-State relations, and procedures which effectively ensure respect for them;

5. Urges Parliaments and Governments to devote the necessary attention to the need for the widest possible application of the present international treaties adopted within the framework of the United Nations in the field of space law, and calls on all States which have not yet become parties to those treaties to ratify them or accede to them.

I have a special difficulty in fully accepting the exact wording of Number 3(b) and (f), this section pertaining to the use of artificial earth satellites for direct television broadcasting and the use of the geostationary orbit, particularly with reference to the equatorial countries. In both of these instances it seems to me that if we are to have free and open use of the space and it is to be shared by all nations, whether they have contributed to the space program or not, we cannot give a specific reservation for the countries around the Equator any more than we can give a special exemption for those countries who choose not to allow free broadcast or those who would allow free broadcast. I simply don't think the nations can reserve unto themselves certain exceptions but take

advantage of all the other provisions of a free and open space utilization. I would hope that we can be more consistent in our conclusions in the fall meeting.

Overall, the visit to Prague, Czechoslovakia, was a stimulating experience. It was the first time I had visited a nation behind the Iron Curtain. I was a bit disappointed to see that the Czechoslovakian government did not correspond to our government. I recognize, however, that Czechoslovakia has a right to choose their own form of government and presumably they have done that, openly and freely. Quite naturally, I would hope that Czechoslovakia would someday become a true democracy, as it was in the days of the Honorable Jan Masaryk and before. I realize, however, it is not for me to tell the Czechoslovakian people what they should do or how they should run their government. The visit was very helpful, though, and gave me a much better understanding of the problems facing the Czech people.

I have probably the largest Czech constituency of any Congressional District in the United States. At least it is sizeable, and I am extremely proud of the people who came from Bohemia and Moravia, primarily, to settle in this country. In my District there is a Praha, Texas, which is a very small farming community, and which was one of the first Czech settlements in the United States. Many of the families that live in Praha and the surrounding area are direct descendants of the original Czech settlers who came to Texas in the mid-1800's.

The Praha church, St. Mary's Church, was constructed not long after these families came to Praha, and it is one of the most beautiful cathedrals in the Central Texas area. It is here that these people celebrate Veterans Day, the Sunday before our traditional Armistice Day, and thousands of people turn out each year to pay their respects to those people who have given the supreme sacrifice for their country. I have visited Praha dozens of times and come away each time with a new spirit about our democracy and about these good people. They are proud of their Czech heritage, and we can be proud of their accomplishments and contributions.

Father Marcus Valenta and Father Anthony Matula of Praha made it possible for me to make a presentation of an altar cloth to Cardinal Tomascek while I was in Czechoslovakia, where we returned the altar cloth which had been brought over from the old country with the original settlers to the United States. Here again I was quite disappointed to see that there was such a de-emphasis on religion that it is practically nonexistent. At least we were told that no one could work for the State very prominently and have very much "religion." I hope that is not saying it too bluntly, but we were given that impression over and over again, although we did attend an Easter service at St. James Church and the church was full on that occasion.

I am hopeful that we can have a continuation of contacts with Czechoslovakia. In many respects it was the cradle of strong and great governments centuries ago, and I hope we can see the day when Czechoslovakia will be completely free of Russian troops and any domination that they might extend over the Czech people. I do not charge that that is so today, but we are quite naturally concerned that 80,000 Russian troops would remain in the outskirts of Prague. At the same time, I am hopeful that we can restore better trade relations with Czechoslovakia. It seems to me that if we can extend Most Favored Nation treatment to Romania and Hungary and now to China, we ought to give this same consideration to Czechoslovakia. However, I realize that an old settlement must be made before we can take that step, and I hope our two nations can resolve this difference soon. ●

## HOUSING AUTHORIZATION BILL

### HON. STEWART B. MCKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 6, 1979

● Mr. MCKINNEY. Mr. Speaker, during this afternoon's discussion of amendments to H.R. 3875, the housing authorization bill, I objected strongly to action taken by the Secretary of Housing and Urban Development. The Committee on Banking, Finance and Urban Affairs reported H.R. 3875 on May 10 and within the time period to implement the deferral procedures of the legislative review process. In spite of explicit disapproval of HUD's proposed regulations on thermal requirements for FHA minimum property standards which the Housing Subcommittee passed on a vote of 22 to 6 and which the full Banking Committee specifically cited in the committee report, the Secretary disregarded our actions which would have deferred these regulations for a 90-day period.

I am upset at the Secretary's decision both as a misinterpretation of congressional intent and on the substance of the regulations. Our purpose in disapproving these regulations was to allow the completion of cost-benefit analyses of the impact on masonry construction of increased thermal efficiency construction standards being done for the Department of Energy and the Farmers Home Administration. For a more complete description of our intention I call attention to page 27 of the committee report.

As further evidence of our concern with the Secretary's action I am including in this extension of my earlier remarks a letter sent to the Secretary signed by myself and 14 of my colleagues on the Banking Committee. Also, I would like to have printed an article which appeared in the Legal Times concerning HUD's disregard for Congress:

WASHINGTON, D.C.,

May 30, 1979.

HON. PATRICIA ROBERTS HARRIS,  
Secretary, Department of Housing and Urban  
Development, Washington, D.C.

DEAR MADAM SECRETARY: We have reviewed your letter of May 18, 1979, with regard to the Committee's action on the Thermal Requirements for the FHA Minimum Property Standards. It appears that there is some misunderstanding on the part of the Department about the Committee's action.

As your letter states, "Revision No. 6A, Increases in Thermal Requirements for the FHA Minimum Property Standards" was published on April 16, 1979, with an effective date of May 16, 1979. Section 7(o) of the Department of Housing and Urban Development Act of 1965 provides, however, that no rule or regulation can take effect for 20 days of continuous session of Congress after final publication. Since the Congress was in recess between April 10 and April 23, the 20-day period did not expire until May 12, 1979.

Section 7(o) also provides that if within those 20 days the Committee reports out a resolution or other legislation disapproving or invalidating any part of a rule, that part of the rule cannot go into effect for 90 days, unless the full House rejects the resolution prior to the expiration of the 90 days. Your letter asserts that such a resolution or other legislation must be "reported to" the House

within the 20-day period in order to be effective. Such an assertion is incorrect.

The question of whether, in this case, the Committee reported out the resolution within the 20-day period is not open to debate. The motion of Chairman Ashley, on May 10, 1979 was to "report" H.R. 3875 as amended. After the vote, Chairman Reuss stated, "So the motion is agreed to. The bill is reported out." (Emphasis added.) Again, the report on H.R. 3875 (House Report No. 96-154) makes it quite clear, the Committee reported out the resolution as a part of H.R. 3875 on May 10, 1979, two days before the 20-day period expired. In our view, there is no ambiguity on this point. The Committee action on May 10, 1979, was an action which reported out the bill and as such it was an action which satisfies the requirement of section 7(o). We would therefore expect the Department to delay implementation of the part of the rule cited in H.R. 3875 for the 90-day period in compliance with the requirements of section 7(o).

We trust that this letter clears up any misunderstanding the Department may have with regard to the Committee's action.

Sincerely,

Les AuCoin, Don Ritter, Ed Bethune, Jim Hanley, Bill Stanton, Stewart McKinney, Wes Watkins, Henry B. Gonzalez, Jim Mattox, Bill Green, Doug Barnard, Chalmers Wylie, Carroll Campbell, Tom Evans, and Steve Neal.

#### HARRIS SNUBS CONGRESSIONAL ORDER TO DELAY HOUSING REGULATIONS

(By Ilene Ringel)

The House of Representatives is expected to take revenue on HUD this week for what has been interpreted "as a slap in the face of Congress" when members consider HUD's fiscal 1980 authorization bill. The slap occurred last month when HUD Secretary Patricia Harris decided to change the rules governing legislative reviews of its actions and ignore a congressional order to delay the effective date of insulation regulations.

Harris' actions came after the House Committee on Banking, Finance and Urban Affairs voted 22-6 to delay the effective date of masonry provisions of interim regulations revising the thermal requirements of the Federal Housing Administration minimum property standards for single family construction.

This marked the first time that a congressional housing committee acted to trigger the deferral procedure of the legislative review process.

Under the legislative review procedure which became effective last Oct. 31 (Section 324 of P.L. 95-557, Housing and Community Development Act of 1978), no HUD rules can become effective until 20 days after they are published as final. During that 20-day period, if either the House or Senate housing committee determine that they "violate the intent of Congress," the body can defer effective date of the regulation for 90 days.

The review procedure was adopted as a compromise to a legislative veto when former Rep. Garry Brown (R-Mich.) and others became angered by what they considered to be HUD attempts to thwart the congressional intent of the Community Development Act. HUD has been far from happy with the legislative review process and has sought to have the delay provision deleted from the pending authorization bills. The Senate has included the deletion sought by HUD in its bill.

#### NO ANALYSIS

The House housing committee decided to disapprove HUD's regulations because HUD had not conducted a cost-benefit analysis of the impact of the regulations on the masonry industry. The same regulations would apply to both frame and masonry structures.

Although HUD authorized such a study, it will not be available until two months after the May 16 effective date of the regulations.



The housing committee voted to delay that effective date so that HUD can reconsider its regulations in light of the forthcoming data.

But in a May 18 letter to the housing committee, Secretary Harris indicated that HUD would not recognize the vote. The regulations are now in effect, she stated.

"Legislation to disapprove all or a portion of this regulation was not reported to either the House of Representatives or the Senate prior to the expiration of 20 calendar days of continuous session of Congress following publication," she said.

Hill staffers said that Harris has rewritten the language of the legislative review procedure to require filing of the deferral motion by the committee within 20 days. But, they noted, the statute states that the bill must be reported out within 20 days. The 20-day period ended on May 12, one staff member said. "We reported out the bill on May 10 and filed it on May 15."

A spokesman for Rep. Stewart McKinney (R-Conn.), one of the leading advocates of the deferral action, said Harris' response "borders on the contemptuous toward the intent of Congress." He said McKinney interpreted the move as "a slap at the committee which has worked so hard to cooperate with the department." McKinney's aide said there is a consensus that an amendment be offered on the floor to strike HUD's regulations on insulation.

Rep. Richard Kelly (R-Fla.), who initiated the deferral action, told Legal Times that HUD's action is educating Congress "to the danger and arrogance of a bureaucratic agency. All they care about is bureaucratic power."

Committee staff also expected that amendments would be introduced soon to strengthen Congress' power over HUD. Although the chances of a legislative veto provision are seen as virtually nil, staffers expect that such an amendment will be introduced; cuts in appropriations are also anticipated. As one staff member put it, "HUD has poisoned the well and has to learn that it will have to drink from it."

#### TECHNICAL ISSUE?

During the authorization debate, the full House could take action to override the committee's decision to defer the effective date of the regulations. But that action is seen as remote. Six committee members—including Committee Chairman Henry Reuss (D-Wis.) and Housing Subcommittee Chairman Thomas Ashley (D-Ohio)—voted against deferring the regulations because they thought the problem was a mere technical issue. But after Harris' letter, no one will support her, staffers said.

Even if Congress takes no direct action against HUD in this matter, the issue is expected to receive public airing. Members of the masonry industry are expected to seek an injunction blocking the regulations.

In a related matter, the House housing committee is inquiring into the "wide variety of types of rule making activities at HUD." In a committee report accompanying the authorization bill, members noted that HUD issued final rules, interim rules, notices, procedures, guidelines, handbooks, notices of policy clarification, and numerous other forms of regulations.

The committee is concerned about the format under which a rule is issued, because it affects applicability of the legislative review procedure as well as the public's ability to comment upon substantive policy determinations.

The committee said that "in some cases, published regulations have done nothing but restate legislative language; crucial departmental procedures for implementing these laws have been relegated to handbooks or guidelines which are not subjected to the healthy and necessary public comment procedure."

The committee called upon Harris to "take immediate steps to bring greater rationality to the process and to assure that the public's rights are preserved."

Earlier this year, the committee had been concerned that HUD had been deliberately attempting to circumvent review by issuing regulations as guidelines and handbooks. (See Legal Times, March 19, 1979, p. 5.) But staff members now are satisfied that the lack of uniform criteria for determining the form of regulations—plus a history of "handbook" regulations—is at fault, not a deliberate attempt to evade review. ●

#### TAPS FOR THE TAXPAYER

### HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, June 7, 1979

● Mr. HARRY F. BYRD, JR. Mr. President, I ask to print in the Extensions of Remarks an editorial from the Norfolk Virginian-Pilot of June 1, captioned "Taps for the Taxpayer." The editor of the Virginian-Pilot is J. Harvie Wilkinson III.

The editorial follows:

#### TAPS FOR THE TAXPAYER

It's just been made official. The overhaul of the carrier Saratoga will go to Philadelphia.

The Saratoga job—together with three other carrier overhauls—would have employed 2,600 persons in Newport News during the next decade. Philadelphia now gets those extra jobs. That's regrettable, but not paramount. Virginians are not yapping for a piece of federal pork.

The Saratoga decision was crass-politics. It was made to redeem an eleventh-hour campaign promise to Philadelphians by Vice President Walter Mondale. The whole purpose of special-interest politics is to quietly please the particular recipient without upsetting the general public. The Carter administration knew Philadelphians would smile, while the rest of America wouldn't know or care.

Well, we at least both know and care. And we think the rest of America would too, if it knew what was happening. Chief of Naval Operations Admiral Thomas B. Hayward argued that "since two-thirds of all Atlantic Fleet carriers are already homeported in Norfolk, far less turbulence to our people will result from a decision favorable to Newport News." A neutral General Accounting Office study estimated Newport News could perform the overhaul for \$80 million less than the Philadelphia yard.

Those who think \$80 million is peanuts should have heard Senator Harry Byrd May 3 on the floor of the Senate:

"Let us take the \$80 million figure, which is used in both the Navy report and the GAO report. If we take the \$80 million figure, it means that the additional funds required to perform the work at Philadelphia would consume the total income taxes paid by 64,000 American families with a taxable income of \$15,000 a year.

"\* \* \* I do not think Congress should overlook that. These families in the \$15,000 bracket are among those who are being greatly hurt by the inflation we have today, and these families should be given great attention by Congress.

"I say again that it takes the total income taxes paid by 64,000 families to make up the difference in cost between doing the work at the shipyard in Virginia as compared to

1 Live pair.

doing the work in the shipyard at Philadelphia."

Senator Byrd, if anything, underestimated the government's robbery. Saratoga is but the first of four carriers scheduled to go to Philadelphia under an overhaul program designed to add five years to the normal 30-year life of our carriers. Sending the Saratoga to Philadelphia builds the work force there. Once that work force is in place, no administration would dare offend Pennsylvania by sending the next three overhauls elsewhere.

Where the politics of planned inefficiency will lead us, heaven only knows. But the next time Mr. Carter starts to preach economy, please remember Saratoga. ●

#### FEDERAL ENERGY MEDDLING

### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. PAUL. Mr. Speaker, recently the House of Representatives defeated gasoline rationing, but instituted standby Federal temperature controls.

Rationing has never worked in all of recorded history, since it is only a prelude to the black market. Imagine putting the distribution of gasoline into the hands of the people who run Amtrak.

Only the pricing system allows the fair allocation of scarce resources in an efficient manner, and only pricing—rather than bureaucratic rationing—calls forth greater investment to enlarge the supply.

In energy, as in so much of our economy, government overregulations, over-inflation, and overtaxation have damaged the marketplace. The results are the lines we are beginning to see formed, which always indicate a severely distorted market.

Rationing would destroy the market; the House had enough good sense not to take this step.

But, with the aid of a slippery parliamentary maneuver, the House did OK standby temperature controls, without a recorded vote or even a debate. The Department of Energy will be able to order all nonresidential buildings to set their thermostats at 80° in the summer and 65° in the winter. What would this do to grocery stores, for example? Or to sealed buildings not designed to run at these temperatures? Or to sensitive computer installations?

We live in an age when we are told to lower our expectations, drive smaller cars, have cold homes in the winter and sweltering ones in the summer, and decrease our standard of living.

We would need to do none of this, if we allowed the miracle of the market, instead of the dead hand of government, to direct our economy.

By what moral or Constitutional right does Congress presume to tell Americans how to set their thermostats?

The Government is not controlling temperatures; in the final analysis, it is controlling people and their lives.

People's lives and property should not be in the control of the Government planners, but in their own hands.

This is the American way; this is the moral way; happily, it is also the economically efficient way. ●

**CARTER EDUCATION DEPARTMENT  
IS BAD EDUCATION POLICY AND  
POLITICAL PAYOFF**

**HON. BUD SHUSTER**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

• Mr. SHUSTER. Mr. Speaker, President Carter's proposal to create the 13th Cabinet Department, H.R. 2444 which would establish a Department of Education not only is bad education policy, it also is bad Government management policy. It would eliminate diversity of educational choice at the local level, and it would establish a Cabinet level bureaucracy larger than the current Departments of Commerce, HUD, Interior, Justice, and State.

Never before has the Federal Government deemed education to be primarily a Federal responsibility. Education always has been a responsibility of the States, a wholesome tradition which should be continued.

President Carter's proposal is nothing more than a blatant political payoff in exchange for the endorsement of his candidacy in 1976 by the Washington education lobby.

The Republican Party Committee, which I chair, has gone on record overwhelmingly in opposition to passage of this politically endorsed, costly Presidential payoff. If Members of this House permit President Carter to cater and cave in to these powerful lobbies, they will commit an injustice to a whole generation of Americans who believe that education should be controlled at the local level, and that Washington should exercise less power over their lives, not more.

At this point I insert into the RECORD the complete text of the Republican Policy Committee, statement opposing H.R. 2444:

**POLICY COMMITTEE URGES DEFEAT OF CARTER'S  
PROPOSED CABINET LEVEL DEPARTMENT OF  
EDUCATION**

The Republican Policy Committee went on record today overwhelmingly in opposition to President Carter's proposed Department of Education. In a formal policy statement Committee Members urged rejection of the Cabinet level department because "creation of a Department of Education would eliminate two great strengths of American education—diversity of choice at the local level which has fostered the intellectual vitality of our system and permits parents and students the wide spectrum of choice in determining what type of schools are best for them, as well as the opportunity to affect those choices at the local level."

H.R. 2444 upgrades the Department of HEW's Office of Education to Cabinet level status and omits numerous education programs scattered throughout the Executive Branch. It would establish the 13th Cabinet Department with a budget of \$14.5 billion and 24,300 employees, 14 executive level positions, 61 super grade positions and an additional 15 super grade positions for a 3 year transitional period.

Policy Chairman Bud Shuster (R.-Pa.) commented that this legislation "is yet another example of the two faces of Jimmy Carter. On September 22, 1975," Shuster continued, "Carter told U.S. News and

World Report, and I quote: 'There is a crying need to simplify federal education laws and regulations. Education must be substituted for paper shuffling grantmanship.' Unquote. Then on June 8, 1976, candidate Carter told the Cincinnati Enquirer, and again I quote: 'The local and state people ought to run the school system . . .' Unquote."

Shuster said "Passage of this politically endorsed, costly Presidential payoff is nothing more than a raw political expedience, catering and caving in to the powerful education lobbies in Washington. Doing so would be an injustice to a whole generation of Americans. It is bad education policy as well as bad government management policy. Republican policy calls for H.R. 2444's resounding defeat."•

**TRIBUTE TO JOHNNIE H. GOODIN**

**HON. GLENN M. ANDERSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

• Mr. ANDERSON of California. Mr. Speaker, on May 1, 1979, the duties of representing over 1,600 construction and shipyard workers in California's south bay area changed hands as Johnnie H. Goodin stepped down after serving 9 years as president of the Construction and Shipyard Laborers Union, Local No. 802. This man has earned the respect of community leaders throughout the southern California area for bearing this heavy responsibility for so long and with such persistent dedication. I take pleasure in bringing to your attention at this time a brief summary of the life and career accomplishments of this outstanding citizen.

Johnnie Goodin was born and raised in the small town of Hartford, Ark. While still a young man, he and his family packed up and moved west to California. It was here that he first joined Local 802 in 1940 to start his long years of union membership and activism. This career was interrupted during the war years when he was sent by his country into combat as a U.S. Army radio operator.

Following the end of World War II, he came home to find employment with the Long Beach Naval Shipyard and to resume his union affiliation. A few years later he met the lovely Harriet Hanson, who became his wife on July 24, 1949.

His increasing involvement and devotion as a union member was rewarded as his fellow workers chose him over others to assume leadership positions of the union. Johnnie has served as assistant business manager for Local 802; a trustee for the hod carrier's vacation and pension trust for Los Angeles and Orange counties; and as a member of the negotiating committee for plaster tender locals of Los Angeles and Orange Counties. He helped establish and is past trustee of the laborers' training and retraining trust of southern California. The programs offered by this trust give opportunities to people of the minority community who desire careers in the construction trades.

Mr. Speaker, this man's drive and concern during his years with Local 802 has produced numerous benefits for the hun-

dreds of construction and shipyard workers in southern California. It will not be easy for his successor to match the accomplishments of his 9-year tenure as union president. What he has achieved on behalf of his fellow workers will be long lasting and long remembered.

My wife, Lee, joins me in congratulating Johnnie for a remarkable 39 years of service with the Construction and Shipyard Laborers Union. We hope the future years will bring more success and happiness for him, his wife, Harriet, and their daughters, Diana and Shirley.●

**BIA EDUCATION SHOULD BE  
DELETED FROM DOE**

**HON. MIKE McCORMACK**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

• Mr. McCORMACK. Mr. Speaker, the only Indian tribe in my district, the Yakima Indian Nation, has recently expressed to me its opposition to the transfer of the Bureau of Indian Affairs education programs to the proposed Department of Education. Such a transfer is provided in H.R. 2444, the Department of Education bill, as reported by the House Government Operations Committee. The concerns expressed by the Yakima Tribe, and the overwhelming majority of Indian tribes who do not want BIA education transferred are, I believe valid.

It has been said that the proposed transfer of BIA education has precipitated an unprecedented defense of the Bureau by Indian tribes. Certainly, all has not been well with BIA education programs and the Bureau and the Indian people will be the first to admit that. However, accomplishments have been made over the past few years in the academic achievements of Indian children. Indian tribes are exerting more control over the educational process. Ten years ago, there were two tribally operated contract schools. Today, there are 35 and a number more awaiting contracts when funds are available. For Indians, self-determination in the context of education is becoming a reality, and transfer of education programs will hamper self-determination efforts. Tribes feel that there must be a central place in the Federal Government which is primarily responsible for overseeing the Federal relationship with Native Americans. The focal agency exists, and education is an integral part of that agency. To transfer BIA education to a new and massive Department would be disruptive to the progress which is currently being made.

Congress last year enacted a major law revising the policies and procedures of the BIA's Office of Indian Education. Since enactment of the law, approximately 200 Indian educators, including some from the Yakima Indian Nation, have served on task forces to draw up regulations to implement the new law. Just a week ago, several draft proposals for regulations were published for comment in the Federal Register. As I mentioned before, there are problems within



the Bureau's education program. However, those problems have been recognized, and are being addressed through an intensive process of consultation with the Indian community. We cannot through on law bolster the concept of self-determination for the Indian people and with another subject them to a process which they clearly do not want. We have no choice but to vote against the transfer of the BIA education programs.●

CONGRESSMAN DANIELSON COMMENDS HON. LOUISE DAVIS FOR CIVIC LEADERSHIP

HON. GEORGE E. DANIELSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. DANIELSON. Mr. Speaker, it is with great pleasure that I direct the attention of my colleagues to a dedicated and outstanding civic leader in my 30th Congressional District.

Councilwoman Louise Davis of Monterey Park, Calif., whom I am proud to call my very good friend, was first elected to the Monterey Park City Council in 1976. She served as mayor pro tem from 1978 to April 1979. Louise possesses many fine qualities which have propelled her into a position of leadership and prominence in local affairs.

Among those qualities are a sensitivity, devotion and responsiveness to the people and their needs.

As we are all aware, Mr. Speaker, on the many issues faced by public servants, there often are persuasive arguments both pro and con. My own guide has always been to vote for the benefit of the people, to support positions which are in the public interest, and that of the people generally.

I know that Louise Davis looks upon elective office in a similar manner. People can and do turn to her for help and if it is at all possible, Louise will provide it.

Louise has been an active community leader since 1957, with a broadly based involvement in many organizations, including charitable, education, youth, women's, and civic groups. Predictably, her dedicated efforts have brought her many deserving awards and commendations which bear the words "outstanding," "Woman of the Year," "Most Valuable Citizen," and "Citizen of the Year," to name a few.

Louise and her husband, Bill Davis, are the parents of seven children—Thomas, Carron, Ruth, Paul, John, Mark, and Mary Kate—and the grandparents of nine.

On Saturday, May 26, at the home of our mutual good friends, Mr. and Mrs. Fred Ryan of Monterey Park, Louise was tendered a highly successful dinner in her honor by her numerous friends and supporters. My wife, Candy, and I were also present at that event.

Mr. Speaker, I ask that my colleagues join me in wishing Louise Davis, her husband, Bill, and their family much happiness and success in all of their future endeavors.●

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TRIBUTE TO WILLIAM G. BRAY

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. MYERS of Indiana. Mr. Speaker, hundreds of people, from all walks of life, paid their last respects yesterday, June 6, 1979, to our former colleague, Hon. William G. Bray. The tribute, which filled the First United Methodist Church of Martinsville, Ind., reflected the love and respect this man earned during his nearly 76 years, 24 of them in the House of Representatives. Elwood "Bud" Hillis, David Evans, my wife, Carol and I attended the services and on behalf of Bill's many friends here expressed our sympathy to his wife, Esther, and their son, Richard. Many former members of Congress, Governors, Lieutenant Governor, former Governors, and many other dignitaries were in attendance. Participating in the service was the Rev. William Hudnut, mayor of Indianapolis and another former colleague of ours.

He is at rest now in the family plot in White Lick Cemetery, a Quaker cemetery near Mooresville, Ind.

Bill often returned to Washington and most recently attended the former Members activities during which many of us had an opportunity to visit with our respected friend.

During his 12 terms in the Congress, Bill Bray earned the reputation as an advocate of a strong national defense. He served as ranking minority member of the House Armed Services Committee and was constantly out front in support of the development of defense systems that assured this Nation of a position of strength second to none. He felt strongly that this was the best deterrent to war and events of recent years have proven him right time and again.

Although recognized as an expert in the area of defense and world politics, Bill Bray never once lost sight of the people he served so well in Indiana. His reputation for helping his constituents and for keeping in contact with them was also second to none.

Bill Bray was a gentleman, a patriot, a respected Member of Congress. I will miss his good counsel on the many problems now confronting this Nation, for he always brought to any discussion the depth of perception and insight that comes from years of experience and a keen understanding of the political process that is the foundation of our system of government.

Mr. Bray was graduated from the Indiana University Law School in 1927. During World War II he received the Silver Star while serving as an officer with a tank company in the Pacific campaign. He was released from active duty with the rank of colonel. He then served as prosecuting attorney, State legislator before his election to the 82d and 11 succeeding Congresses, serving from January 1951 until January 1975. We loved him and we will miss him.

Our prayers go out to his wife Esther and their son Richard and his fine fam-

ily who know, as we do, that Bill will be remembered for his devotion to family, friends, and Nation. Such an epitaph is the highest of tributes and serves as not only a tribute to Bill Bray but also an example to others who aspire to positions of leadership and service to their country.●

THE POPE'S VISIT TO POLAND

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. ASHBROOK. Mr. Speaker, I have been cheered by the news reports coming out of Poland regarding Pope John Paul II's visit. To see photos of hundreds of thousands of people pouring into the streets of a Communist nation to hear the words of the Pope is a vision no one would have even dreamed of a year ago. What we are all witnessing is an event of historic proportions, the impact of which will be felt for years to come.

It is a shame that the Communist leaders of Poland do not share my jubilation. They have tried to postpone the Pope's trip and to blackout its coverage in Eastern Europe. What the Communist leaders do not understand is that they cannot forever suppress a people's desire for freedom. Pope John Paul's words are spoken to the people of Poland and the world. No government can stop such a pure and clear voice. The three strongest emotions in the world; freedom, religion, and nationalism are all combining in the personage of Pope John Paul. Against such odds communism can never win out.

The people of Eastern Europe have been enslaved by the military might of the Soviet Union for 24 years. Pope John Paul have been a voice against this tide. He fought for Polish freedom against the Nazi occupation, and he has fought for human rights during his years in the Polish Catholic Church. In his new capacity as head of the Catholic Church he is now doing more to focus attention on the human rights violations of communism better than any one else since Solzhenitsyn. But even more than publicizing the affront to humanity communism represents, Pope John Paul is giving new hope and new life to those who want a free Poland and a free Eastern Europe. At no other time since the outbreak of World War II can we speak in such optimistic tones. How exhilarating the Pope's words are compared to the Rafshooned drivel of appeasement coming out of the Carter White House. I think it is clear who is really concerned about human rights.

The spirit of freedom has been renewed in Eastern Europe. It is now up to the United States and other free nations to help nurture this spirit. Twice before the flame of freedom was sparked in Eastern Europe, and twice before the United States and the West stood back and watched it be ground out under the treads of Soviet tanks. We cannot allow such a crime to happen again. Eastern Europe should be free. The outpouring of

public affection for Pope John Paul is only the beginning. We owe it to the people of Poland and to ourselves to not let freedom die.●

THE PLIGHT OF ERNA YURIEVNA  
LUBENSKAYA

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. KILDEE. Mr. Speaker, I am pleased at this opportunity to participate in the "Shatter the Silence, Vigil 1979." The vigil, sponsored by the Union of Councils for Soviet Jews on behalf of the Soviet Jewish families, gives me a chance to express my concern for the individuals who are being detained in the Soviet Union as a result of that government's repressive emigration policies.

Since the signing of the Helsinki Final Act of 1975, which provided for the pursuit of policies consistent with the basic principles of human rights, it has become increasingly apparent that the Soviet Union has disregarded the human rights provision. Included in the provision is the reunification of divided families whose members live in different countries, for humanitarian reasons, and free travel between countries.

Today, I bring to the attention of my colleagues in Congress the case of Erna Yurievna Lubenskaya. She is alone with her young daughter, Tatyana, struggling to make ends meet until she can be reunited with her husband Valentin in Israel. When the family decided to emigrate to Israel and applied for an exit visa, only Valentin was allowed to leave. They were forced to go through a fictitious divorce so that he could leave. He hoped that his family would soon be allowed to join him. But though he left Leningrad in 1974, Erna and her daughter Tatyana still are in the Soviet Union.

Until April 1974, Erna worked as a chemical engineer at the Severny factory of plastic materials. She was denied an exit visa on the pretense that she had known some secret information, though she never dealt with security matters. Since then, she has worked at menial jobs in factories, and is forced to rent her apartment to provide the necessities of life for herself and her child.

Recently, a new harassment was devised for Erna and other Jews in Leningrad. She, with others who had received refusals to their requests for repatriation to Israel, were called to a special department at the police office. There they were ordered to sign a promise to be silent, not to write protest letters, not to appeal to any authorities, especially abroad. Otherwise, they would be persecuted "in a definite manner." Erna bravely refused to sign such a document. She then was threatened with possible punishment for "living on an income obtained by other ways than work"—that is, by renting out her apartment.

Meanwhile, in Israel, Valentin devotes his days to working for the reunification of his family.

We must continue to speak out for human rights, for as long as there is in-

justice anywhere its presence threatens justice everywhere.●

ON IMPOSING ONE'S VIEWS

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. PAUL. Mr. Speaker, American abortionists have attempted, with the active aid of the national media, to portray the killing of the unborn as a Catholic issue.

As an Episcopalian and a strongly prolife physician, I resent the appeal to religious prejudice present in the abortionists' arguments.

Mr. M. J. Sobran has recently written on this subject in *Human Life Review*, and I would like to call his excellent article to my colleagues' attention.

ON IMPOSING ONE'S VIEWS

(M. J. Sobran)

I am sometimes asked, when in conversation it transpires that I oppose abortion, whether I am a Catholic.

That this is deemed a pertinent question is a mark of confusion—and of the success of the pro-abortion campaign, which has managed to get an ethical and political problem turned into a credal problem. The result has been to further embitter an already thorny issue.

By now that campaign has popularized the proposition that "when human life begins is essentially a religious question." Accept this, and it follows that those who have no religion can't pretend to know the question's answer, and hence can have no grounds for opposing abortion. A further (and more important) consequence is that a nation which eschews the establishment of religion has an actual obligation not to prohibit abortion. And from this it follows that those who seek to legislate such a prohibition are unassimilable to the form of the polity. Or, not to put too fine a point on it, they are constitutional pests who want to "impose their views" on everybody else.

But that proposition, in the first place, is a cliché. Every human life, like every canine and bovine life, begins at conception. Modern embryology has learned far more than Aristotle or Aquinas could have guessed about this. We know that the individual gets his entire biological make-up, from gender to baldness, when he is conceived; it is merely a silly semantic evasion to talk as if his species weren't part of the bargain. The whole fascination of Louise Brown is that her life, a manifestly human life, began in a test tube, where it would be stretching words to say she was part of her mother's body. Had she been implanted in a cow's uterus she would not have developed into a calf. As soon as her life began it was a human life. That it could not have continued outside a human mother hardly refutes this point. Nor is it obvious what one's views on the supernatural have to do with facts so transparent.

More sophisticated advocates of abortion say that the question is at what point the fetus is "fully" human. This at least acknowledges that we know far more than our ancestors about the continuity of life. Each of us was once a mere embryo, a mere fetus, a mere infant. Embryology is hardly likely to locate a better defining point than conception. The problem is to find moral reasons for distinguishing one phase of life from another for purposes of protection. Can a human life be too trivial to protect?

One philosopher, Michael Tooley, admits that life begins at conception and that it is

nonsense to say what humans conceive is not human life. But he proposes as the best criterion of protection-worthiness (or what some call "full" humanity) the capacity for self-consciousness, for awareness of the self as distinct from other persons, that emerges a few months after birth. On this basis Tooley justifies not only abortion but infanticide. His solution may be horrifying, but it is consistent. Above all it does not pretend that only religion can answer what is essentially an ethical question.

Because the Catholic Church has taken an official position on abortion, many find it convenient to reduce the issue to religion. Some of them make thinly-veiled appeals to religious prejudice (or anti-religious prejudice). Others who don't stoop to this have nonetheless sought to identify the anti-abortion movement with the Catholic Church.

This reveals confusion about religion. Not even the Catholic Church has made opposition to abortion an article of faith or "dogma." Its position appeals to what it calls "natural law," or moral reasoning that is independent of divine revelation. This should be obvious enough. Catholics are notoriously among those who try to excite horror against abortion by showing pictures of mutilated fetuses. Whatever one thinks of this, it is not an appeal to faith in things unseen or submission to authority. Like pictures of My Lai, it is an ingenious appeal to our (natural?) loyalty to humanity. It may be simplistic. It is not in the least sectarian. On the contrary.

Why is this so hard for many Americans to understand? Perhaps because most of our non-Catholic religious traditions do depend on revelation for their moral codes, with the result that even popular secularism, rejecting revelation but retaining the Protestant exaltation of individual conscience, finds it hard to grasp a critical moral objectivism. This whole American moral tradition is itself dogmatic—unconditional, not susceptible to moral reasoning—and the assertion that abortion is strictly a religious issue is a dogmatic assertion. I know of no grounds for believing it; I have never heard any presented. Even among non-believers it can only be an article of faith.

This mentality, which presumes that only a faith like its own can animate opposition to abortion, has made it awkward for anyone whose view resembles or coincides with Catholicism's. No matter what he says, no matter what reasons he gives, if his view is the "Catholic" one he faces impregnable skepticism: he is thought to be making rationalizations for repeating what the Catholic hierarchy says. He must strain to show that he has found his own reasons and state them in terms that don't "sound Catholic." It helps, if his listeners aren't utterly bigoted, if he can say he isn't a Catholic. He must overcome a kind of psychological guilt-by-free-association with Catholicism.

But non-Catholics who oppose abortion have become almost invisible in the media, which emphasize the large Catholic portion of the anti-abortion movement, and treat the extremists of that movement as typical of it. The media didn't treat bombers and rioters as the heart and soul of the anti-war and civil rights movements, but this is different. Even nuns and figurines of the Virgin have a way of magnetizing the television cameras, as evidence of the putatively sectarian nature of what is really a humanitarian cause. The issue has predictably become whether "any group" has the right to "impose its views" on the "majority."

These are code-words for an all-too-familiar American bogey, the Catholic power-grab. Liberal opinion-leaders used to denounce this kind of appeal in 1960, but apparently they did so only because they perceived John Kennedy as one of their own. To the extent they are not directly guilty of it, they are guilty of tolerating it—as they emphatically do not tolerate appeals to fears of maraud-



ing Negroes or scheming Jews. They did not see the Reverend King as a menace to the separation of church and state; they do not raise troubling questions about whether support for Israel reflects special religious interests. Why, then, have they been so cruelly indulgent of the insinuation that the anti-abortion movement is essentially an expression of the constitutional insolence of the Catholic Church?

The irony is that the anti-abortion cause was doing very well in referenda as late as 1972. And what it has sought to do since has been not to "impose its views," but to restore, through persuasion and democratic process, laws passed through the same means (and by non-Catholic legislatures, if that helps); laws suddenly struck down in 1973 by seven men out of two hundred million. When the Supreme Court is voting progressively, liberals seldom complain—or notice—that a tiny minority is imposing its views. In fact judicial fiat and bureaucratic directive have become the preferred liberal modes of doing business with the American people.

We are now hearing the argument that the right to abort is somehow implicit in the First Amendment, as a free exercise of religion. Perhaps the same case could be made for human sacrifice in general, but that is neither here nor there. The humanitarian case against abortion deserves to be considered on its merits, which, such as they are, would stand unaffected if the Pope made abortion a sacrament. And Catholics deserve to be listened to, on this as on other subjects, with as much fairness and candor as if they were non-Catholics.

The bottom line of all government is compulsion. Unless a whole nation could be unanimous, this must always mean the imposition of some people's views on other who do not accept them. Yet the project of American politics has always been to keep compulsion at a minimum, and to keep before us the ideal of government by persuasion. This requires an ethos of fair and civil discussion. The sad fact is that American liberals, normally eloquent champions of free speech, have in this case, by countenancing and encouraging the defaming of anti-abortion forces and the misrepresenting of their goals, done much to corrupt that ethos.●

#### PERSONAL EXPLANATION

#### HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. McDONALD. Mr. Speaker, due to the grounding of the DC-10 fleet, I found myself stranded on the west coast and thus missed one vote on June 5 and three votes on June 6. I was paired on each vote missed, but unfortunately did not receive a live pair on all the votes. If I had been present I would have voted as follows:

No on Rollcall No. 182—An amendment to H.R. 3875 that sought to make urban counties eligible for urban development action grants if they contain at least one area of physical and economic distress and were cities of at least 50,000 persons before 1960.

No on Rollcall No. 183—Final passage of H.R. 3464, SSI disability amendments.

No on Rollcall No. 184—An amendment to H.R. 4289 that sought to add \$125 million for urban discretionary grants for mass transportation.

Yes on Rollcall No. 186—An amendment to H.R. 3875 that sought to waive Davis-Bacon prevailing wage require-

ments for residential housing rehabilitation projects carried out by neighborhood-based nonprofit organizations and for Indian housing.●

#### ST. ALBANS VETERANS HOSPITAL

#### HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. ADDABBO. Mr. Speaker, last Friday I was invited to meet with a group of Vietnam veterans at the St. Albans Veterans Hospital in my district in Queens, N.Y. I am pleased to report to the Members that we are getting our money's worth out of funds given to the Veterans' Administration for their facilities, at least insofar as the St. Albans Hospital is concerned.

I was delighted to tour this rehabilitated facility and see the wonderful work that has gone on there. I note that the construction was done under Small Business set aside programs and hospital officials tell me that a marvelous job was done. In terms of my own observations it appeared to me that the St. Albans Veterans Hospital offers all the rehabilitation and medical services that are needed.

But more important are the men who are patients at St. Albans. These included veterans of Vietnam; it was a worthwhile and stimulating opportunity to meet with them and discuss their problems. These veterans who suffered such terrible injuries in that tragic conflict, have no time to feel sorry for themselves. They are involved and concerned citizens whose concerns are focused on what they can do to make themselves full participants in our American way of life.

Their concerns, as expressed to me, dealt with educational benefits which they should be and are not receiving as well as with their rehabilitation. In this regard they are getting the best possible treatment and they know it. They are also concerned with how they, as Vietnam veterans, are perceived by their fellow citizens.

Over and over again came the observations that Americans dwell too much on those veterans who have turned to crime or to drug addiction after their military service. Not enough time and thought goes into the millions of veterans who returned from Vietnam to become useful and productive citizens, they add. There are so many more who have been absorbed back into the mainstream American life than there are those who have run afoul of the law.

These veterans, by virtue of what has happened to them, cannot easily forget Vietnam. But they urge that, as a nation, we go on from this moment looking forward instead of backward. These are brave and dedicated men, fighting a much more difficult battle today than was ever fought in wartime. We should never forget them or fail to understand what they are trying to tell us.

For myself, I came away from this meeting with the Vietnam veterans determined to see that they receive their fair share of benefits. I came away proud

that I had had a chance to see bravery at its core. I intend to go back and talk with them again and I would hope that all of my colleagues in this Chamber would do the same in their home districts. No matter how we felt about the war in Vietnam, we cannot help but be extremely proud of those who served there.●

#### THE CASE FOR SCHLESINGER

#### HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. MURTHA. Mr. Speaker, many people have recently criticized Energy Secretary James Schlesinger for the energy problems facing the United States. The job Secretary Schlesinger has is not easy. The problem of energy in the United States is most difficult. I personally believe James Schlesinger has done as good a job as anyone could have done in this difficult position. I believe he has done an excellent job of identifying the problems and has worked for positive solutions.

I would like to insert into the RECORD an article from the June 7 Washington Post by Joseph Kraft that well outlines the present situation involving Secretary Schlesinger.

The article follows:

THE CASE FOR SCHLESINGER

(By Joseph Kraft)

President Ford fired James Schlesinger as secretary of defense back in November 1975. In consequence, Ford failed to get an arms-control treaty with Russia—a failure that, indirectly at least, cost him the 1976 election.

Though circumstances are different, President Carter understands the lesson of that episode. He will not fire Schlesinger as secretary of energy—despite tremendous pressure—because he knows that the heat would then go on to Jimmy Carter.

In the first case, Schlesinger was dumped just as Henry Kissinger was bringing to a head years of negotiation for a second-stage strategic arms limitation treaty (SALT II). Schlesinger, after having been suspicious of the Kissinger approach, had swung behind the secretary of state. The expectation was that together they would be able to push SALT by the Senate before the 1976 election.

But Donald Rumsfeld—who seems to have engineered the Schlesinger firing and who replaced him at the Pentagon—was, and remains, hostile to SALT II. He successfully fought the arms-control negotiation through 1976. As a result, Ford went into the primaries and election that year without a specific issue on which to define his stance toward the Soviet Union.

Ronald Reagan in the primaries and Jimmy Carter in the general election both enjoyed the luxury of being able to hit out at Ford with the loose charge that he was soft on the Russians. So the firing of Schlesinger made at least a major contribution to Ford's loss in the election.

In the present case, Schlesinger is plainly absorbing punishment that would otherwise go to the president himself. For at every turn, mistakes now being charged against Schlesinger were mistakes made by Carter.

First there was the energy program served up by the administration in the spring of 1977. One clear deficiency was that it emphasized conservation too much and production not enough.

Why? Well, in large part because Carter insisted that the plan be produced within 90 days. That forced Schlesinger to rely heavily on the experts who had been working on energy for the Democratic Congress. Those experts—who had opposed the Ford program, which emphasized production—invariably tilted toward conservation.

A second mistake came in dealing with the Senate. Russell Long, chairman of the Finance Committee, was not won over to the Carter plan—mainly because it did not stress production incentives enough. But who dealt with Long?

Jimmy Carter, of course. The president's massaging of the senator included two family dinners at the White House. But to this day rapport between the two men is imperfect. The senator, who happens to believe Schlesinger has done a good job, still opposes the president's energy program.

Then came the Iranian crisis, which led to the current shortage. Almost alone in the administration, Schlesinger sensed the truly harsh consequences for the United States and its allies that would follow the ouster of the shah. He worked consistently behind the scenes to try to support Iranian forces friendly to this country.

When the shah fell and the Iranian army dissolved, Schlesinger rightly forecast the difficulties that developed. At that time the president and secretary of state were assuring the country everything would be okay.

Finally, there is the present confusion. Schlesinger has favored the decontrol of oil prices, primarily so that consumers would learn to pay the true replacement price of gasoline.

Carter has affected to back that objective. But he compromised the position by blaming the oil companies for a rip-off, thus confirming consumer suspicions of the companies. He then completed the circle of possible positions by complaining that the country was too suspicious.

To be sure, none of this makes Schlesinger the ideal man for the energy job. He is probably more of a critic than a manager. He prides himself on straight talk and takes particular joy in rude putdowns of foolish arguments. He has a positive faculty for annoying those who agree with him without charming those who disagree.

But Carter does not have available the wealth of talent that would make it easy to spare Schlesinger. To his credit, the president has no taste for making scapegoats of the innocent. Especially when he knows, as he has been saying privately, that if Schlesinger went, the next victim would be Carter.

So he is not going to dump Schlesinger, and there remains only an intriguing question. Which is what it profits the president to allow persons close to him to give the impression that the secretary of energy is on his way out. ●

#### NORWIN HIGH STUDENT ENTERS INTERNATIONAL COMPETITION

### HON. DON BAILEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. BAILEY. Mr. Speaker, Randy Ekl of North Huntingdon, who graduates from Norwin High School this year, is a mathematician worthy of distinction. In addition to being one of the school's most outstanding students, he has for the past 3 years been considered one of the Nation's finest analytical minds.

This month he will journey to London, England, to compete in the 21st International Mathematical Olympiad, an event

that attracts eight of the world's most talented high school mathematicians and requires nearly 3 weeks of specialized intensive training. West Point is the training center and before arriving there, Randy will visit briefly in Washington to accept a special award from the National Academy of Science.

This outstanding young man's achievements are numerous and at this time I would like to bring a few of them to your attention. He attained a perfect score and placed first in the country in the Atlantic-Pacific Math League. According to his peers and teachers, he has consistently displayed a remarkable understanding and dedication to mathematics which has compelled him to capture top honors in mathematical competition in Westmoreland County and western Pennsylvania at the junior and senior high school levels.

Gary M. Good, department chairperson of Norwin High School's mathematics department, claims that the young Norwin mathematician is indeed "one of the top high school mathematicians in the country and in the world".

It gives me great pleasure to extend my best wishes to this academically talented youth and wish him much success in the upcoming competition, the 21st International Olympiad. ●

#### BORIS DEKHOVICH

### HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. FLOOD. Mr. Speaker, in these final days before the important summit between the leaders of the Soviet Union and the United States in Vienna, it is important to recall the thousands of Jews living under Soviet rule who have been separated from their families and loved ones by being denied visas to immigrate to Israel.

I would like to bring to your attention, Mr. Speaker, the case of young Boris Dekhovich of Vinnitsa in the Ukraine, who was separated from his family in 1975 when he was singled out and denied permission to leave the U.S.S.R. In Israel, Boris' disabled and aging parents impatiently wait for their son, who remains the only family member able to provide financial support.

Boris was trained as a construction engineer, but the refusal of a visa is due to his Army service, even though he never had access to secret Army material. Boris' continued pleas for a visa have been repeatedly refused by the Government of the Soviet Union.

It is important for us to remember that the U.S.S.R. must fulfill its obligations under the Helsinki agreement. The release of several Russian Jews over the past few weeks provides the basis of hope that the trickle will soon become a flow of emigration, so that Boris Dekhovich and others like him will be free to leave the Soviet Union to join their waiting families in Israel. We must remember that the fulfillment of human rights, demands freedom of immigration, and

nothing less can be required by human decency. ●

#### SUBURBAN CABLEVISION

### HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. MINISH. Mr. Speaker, TV 3, Suburban Cablevision of East Orange, N.J., which serves my congressional district, has been chosen as the best local origination channel in the country in the annual national programming competition of the National Cable TV Association.

I am pleased that the men and women who daily provide my district with public service programs have won this unique award for excellence in overall community programming. TV 3 is a modest station, and the fact that it beat the giants of the large cities is, I am sure, a subject of deep satisfaction to the station.

The managers and directors of the station—Sal LaMarca, Gilbert Allard, Robert Biloudeau, Robert Greenwood, and Hunter McLean—deserve recognition for their efforts in bringing New Jersey-oriented programs to New Jersey's citizens.

In addition, my constituent, Frederick Sontag of South Orange, national public affairs and research consultant, has been recognized for the TV 3 government specials, election interviews and wrap-up programs on which he has served as moderator-anchorperson.

Lee Margulies, broadcast writer for the Los Angeles Times and a contest judge, recently printed a column entitled, "True Alternative: Coming of Age of Cable TV." I submit part of that article for the RECORD.

[From the Los Angeles Times, June 14, 1978]  
TRUE ALTERNATIVE—COMING OF AGE OF CABLE TV

(By Lee Margulies)

You wouldn't know it to look at most cable television outfits in the Los Angeles area, but there are signs that the cable industry is making strides toward becoming the true alternative to traditional TV that has long been its potential. Cable can be—and in many parts of the country already is—something more than uncensored, uninterrupted movies and printouts of the news and stocks.

What made this astonishingly clear was seeing the finalists in the annual programming competition sponsored by the National Cable Television Assn. I served as a judge for the awards selection Monday along with Charels R. Allen, head of programming at KCET Channel 28, and Ethel Greenfield Booth, coordinator of community film programs for Filmex and a former cable consultant. Preliminary screening was done by a committee from the cable association.

The impression that emerged most strongly from the viewing experience was that cable television, when it tries, is not so much an alternative to regular television right now as it is a supplement. The movies we get on the local cable systems are one portion of this supplementary service but systems elsewhere are doing much more.

Commercial television, because it is dependent on the financial support of advertisers, is consigned to programming for mass tastes—trying to reach as many people at any given moment as possible. That's why



theatrical features are trimmed of explicit sex and bawdy language when they go on the tube, so people who might be offended by such matter won't tune out.

This mass-appeal approach naturally doesn't satisfy everyone all the time, because each individual has his or her own personal likes and interests that represent a minority viewpoint. Public television fills some of these gaps—in such areas as opera and ballet, for instance—but only some of them, and probably not to the extent that devotees of those arts would like.

Enter cable. Unlike conventional broadcasters, who can transmit only one program at a time and thus live or die on how many people choose to watch it, the cable operator offers 20 channels and more, and it makes no difference how his viewers divide themselves among the many choices he offers. Thus it is to his benefit to appeal to as many special interests as possible, people who collectively don't constitute a big rating number but who are motivated enough to pay for the cable service.

The company that seemed to be doing this best in 1977, was Suburban Cablevision of East Orange, N.J., which won an excellence award for overall service. What it offered to its approximately 40,000 subscribers was strong local coverage: high school sports (everything from baseball and football to lacrosse and girls' softball), gospel singing in the park, a health information series, interviews with visiting celebrities, parades, beauty contests, symphonies, even a quiz show for high school students patterned after General Electric's old "College Bowl" series. These were programs that East Orange viewers couldn't get anywhere else, presented with vitality and enthusiasm and without pretensions of grandeur.

Although none of the other finalists in this category measured up to Suburban Cablevision, there were many other examples of interesting programs being done by cable companies across the country—from El Cajon, Calif., where college students produce a weekly news show for the San Diego community, to Portland, Me., where city council meetings are televised in full. ●

#### AN URGENT SITUATION

### HON. HERBERT E. HARRIS II

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. HARRIS. Mr. Speaker, at the end of May, Yakov Rachlenko and Vina Belkina received yet another refusal to their request. They had asked the appropriate Soviet authorities to give them permission to emigrate because they wanted to join the rest of their family in Israel. They have been applying for 6 years, but they are refused each and every time.

I worry about the health of individuals such as Yakov Rachlenko. As he stated in one of his letters to me:

I served the Army 7 years ago and didn't possess secret information. Even those who had admitted to such information had to wait 3 years until one could be allowed to leave the USSR.

I've been waiting for 6 years. Some of my friends emigrated, some are refused, some are imprisoned, some are in internal exile. Ask the Soviet authorities where I'll be tomorrow. I ask them but they don't answer me. Perhaps, they will answer you.

An unfortunate part of all of these stories is that the Soviet officials will not respond to any correspondence concerning these cases. They give us no answers

to our questions about who gets out and why. It is hard for "refuseniks" such as Yakov Rachlenko and his mother Vina Belkina to keep up their spirits. I care very deeply about the fate of these two individuals and others in their situation. I remind all of you not to forget these people. We must all continue to let the Soviet Union know that we support the rights of every individual to a free choice of his or her country of residence. Yakov and Vina have been struggling for too long for the reunification of their family and for their right to live among their own people. I am glad I can assure them that there are many who value their rights. ●

#### DIRECT ELECTIONS TO THE EUROPEAN PARLIAMENT

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. HAMILTON. Mr. Speaker, I would like to bring to the attention of my colleagues an article from the Wall Street Journal on the direct elections to the European Parliament, to be held June 7 and 10. These elections will mark the first time that the peoples of Europe will go to the polls to elect members of the European Assembly, which is the parliamentary branch of the European Communities. These elections represent a landmark for Western Europe and could have significant ramifications for the future of Western Europe. As a supporter of European unity, I believe that the elections should be observed with great interest. The attached article outlines some of the possible consequences of these developments for the European Parliament in particular and European unity in general.

The article follows:

[From the Wall Street Journal, June 4, 1979]

#### EUROPE GOES TO THE POLLS

(By Felix Kessler)

LONDON.—By coincidence, two milestones that link Europe's past and future fall on successive days this week.

Wednesday, June 6, marks the 35th anniversary of D-Day—the Allied invasion of Normandy that led to Europe's liberation in World War II. The day will pass with little, if any, fanfare. Peace and prosperity, and Germany's redemption, are by now taken for granted in Europe.

Europeans are more preoccupied with the following day's events—the world's first international elections. On Thursday, voters in the United Kingdom, Ireland, Denmark and the Netherlands go to the polls to elect their delegates to the European Parliament, the European community's representative assembly. On Sunday, balloting takes place in the five other member nations of the Common Market: France, Germany, Italy, Belgium and Luxembourg.

The elections, in a real sense, are connected to World War II and all the European bloodshed that preceded it. The creation of a popularly elected European Parliament offers proof, according to French President Valéry Giscard d'Estaing, that Europe has at last found its peaceful alternative to "the quarrels and battles in which we have excelled for a thousand years."

While the European Parliament has ex-

isted for 21 years as a Common Market institution, the representatives until now were appointed by the community's member states and owed their primary allegiance to their own governments. The coming elections in which the seats allotted to each country are based partly on a proportional and partly on a political basis (the four biggest countries will have the same number of seats despite varying populations) are designed to bestow democratic "legitimacy" on the European Parliament. In the process, it may push the member nations closer to the realization of an old dream: A United States of Europe.

The campaigns in the various countries, fought largely on national issues, have obscured the prospects that a more powerful European Parliament could provide new impetus for Europe's unification. Many candidates, on the right and left, in Germany and France and Britain, are convinced that the parliament must tag Europe in this direction—despite the inevitable outcry from individual governments fearing a loss of national sovereignty.

"The world has coagulated around the big powers—the United States, Russia, China, Japan," says Sir David Nicolson, a British Conservative Party candidate for the European Parliament. "In the face of these large centers of influence, a medium-sized European nation like the United Kingdom or France cannot, on its own, have much influence."

Sir David—former chairman of British Airways, current chairman of two other companies and a director or several more—is hardly a radical. Nor is he anti-American. Yet he is convinced that, on the basis of enlightened self-interest, Europe will have to begin asserting a stance more independent of the U.S. on matters ranging from defense to energy to economic policy.

"I believe the parliament will be the catalyst," he says, "the instrument whereby Europe can achieve greater unity."

Significantly, the view that Europe's problems can best be resolved through concerted, European-wide cooperation is one of the few themes on which there has been some broad political agreement—though the diagnoses of just what needs to be done differ sharply.

"More and more, economic problems cannot find their solution at the national level but only within a European context," declares Jean-Pierre Cot, a Socialist member of France's National Assembly. Europe's individual nations, he says, are mere "sub-contractors in economies that are dominated by the United States."

For Mr. Cot, the new parliament's primary function will be to give "a stronger voice to the working class throughout Europe." The European Parliament will function under procedures that should suit Mr. Cot. The parliament's 410 members will be grouped according to political parties, not by nationality. Though the British Labor Party is still officially hostile to membership in the community, some Labor Euro-MPs might find themselves making common cause with their Socialist colleague from Germany or France on issues pitting them against an alliance of British Conservatives and European Christian Democrats.

Socialists are, in fact, expected to form the elected parliament's largest single bloc, followed by the Christian Democrats, Gaullists, Communists and various other parties will also be represented, though it may take time before they form parliamentary alliances.

The trans-national cooperation that Mr. Cot envisages among Socialists has, in fact, already been demonstrated. In Europe's depressed coal-and-steel region, an area that includes the old battlefields of Alsace-Lorraine and the Saar, former national rivalries have been put aside. Socialist candidates from France, Germany and Luxembourg have campaigned on a common program calling upon the European Community to invest

in plants and jobs in the region. The Socialists have accused their own governments of being unable to cope with the region's rising unemployment.

The threat to national sovereignty posed by this sort of international collaboration has provoked considerable controversy. In France, the Gaullists charge that the new European Parliament would usurp political power at the expense of the French National Assembly, eroding France's independence. President Giscard d'Estaing, who favors a loose confederation of nations but not a federal Europe, has promised a national referendum before France yields any shred of sovereignty.

The new parliament will include some members actively hostile to its continued existence, and a few even dedicated to sabotaging not only the assembly but the entire European Community concept, which is perceived as an enemy of their national government. (The British Labor Party's program for the coming election, for example, threatens the United Kingdom's withdrawal from the community unless such policies as farm subsidies are changed. The Laborites, however, badly demoralized by Mrs. Margaret Thatcher's election victory, aren't expected to score well in the European parliamentary elections.)

Even putting aside the hostility of some of its members, the parliament suffers from significant limitations and drawbacks. Its powers have, in the past, been narrowly confined to those of a supervisory body over the European Community's commission, the bureaucracy that administers Common Market finances and policies. The assembly has a limited power to amend commission regulations but, almost unique among parliaments; it can't make laws.

The Common Market's real power lies not even with the commission but is vested in the Council of Ministers—ministers from each member state who, in the give-and-take of late-night bargaining sessions, decide the community's policies on issues ranging from agriculture to terrorism.

For the new parliament to exercise a significant voice in European affairs—to be something more than a spirited debating chamber—its members will have to wrest power from their own national governments. Is this possible? Some Europeans believe that the parliamentarians, psychologically bolstered by the elections, will indeed manage gradually to exert a more influential role in European affairs.

Even without new legislative powers, the parliament could assert its authority over other European Community institutions. The parliament is not empowered to amend the community budget, but it might, as a political lever, stall on approving the budget. It might explore the possibility of holding public hearings to examine a proposed policy or establish investigative committees modeled after those of the U.S. Congress. Hearings on European energy policies or the influence of multinational corporations are just two of the areas already suggested as meriting attention.

How far the European Parliament proceeds along the path to federalism remains to be seen. But Sir David Nicolson, a properly cautious Conservative who's likely to win election, doesn't doubt that a European-wide approach is the better course. "Many things—industry policy, energy, labor laws, transport, social programs and even foreign affairs—can be more effectively managed through the European Community than on a national basis," he says.

A European Parliament that tries to achieve these ends by seeking greater legislative powers would, inevitably, come into conflict with the Council of Ministers. But the prospect doesn't bother Sir David.

"That's what politics is all about," he says. "There will be conflict and compromises, but I believe there will also be progress toward

a stronger, more influential European Parliament." ●

## THE ARMED FORCES OF THE U.S.S.R.

HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. McDONALD. Mr. Speaker, a book entitled: "The Armed Forces of the U.S.S.R." was just issued by Westview Press in Boulder, Colo. The authors are Harriet Fast Scott and William F. Scott, a husband and wife team. The Scotts are unique as experts on the U.S.S.R. They spent two tours in Moscow when Colonel Scott was on active duty in the Air Force. Since Colonel Scott retired from the Air Force they have visited the U.S.S.R. many times, including trips across the U.S.S.R. on the Transiberian Railroad to the Pacific from Moscow. Both Scotts speak and read Russian and are uniquely qualified to evaluate what they see and hear.

Since World War II, many books on the Soviet Armed Forces have been published. Usually, they are what is known as hardware books that describe tanks, planes, ships, and missiles of the Soviet Armed Forces. The Scotts have not dwelled on "hardware." They have portrayed the Soviet Armed Forces as the vast bureaucratic organization it is, listing places, persons, schools, and how it all evolved. From their book, you can get some idea of the thinking of the Soviet military and how differently they view the world. On page 16, the Scotts point out when the Red Army went through one of its biggest expansion periods at the same time as thousands were dying of hunger due to collectivization efforts of Stalin during the 1930's.

On page 57, the Scotts pinpoint the change in Soviet military thinking relative to projection of forces overseas. Quoting from retired Colonel Kulish, who visited the United States, and claims to have many high connections, they quote him as writing:

In connection with the task of preventing local wars and also in those cases wherein military support must be furnished to those nations fighting for their freedom and independence against the forces of international reaction and interventions, the Soviet Union may require mobile and well-trained and well-equipped forces.

Much of the debate about SALT II will center on verification. The Scotts have come up with a beautiful quote in that regard on page 139.

In our press it has been noted that we place our rocket equipment so that double and triple duplication are ensured. The territory of our country is huge, and we are capable of dispersing rocket equipment and concealing it well. We create such a system that if some means intended for striking a counter-blow are taken out of commission it is always possible to place into operation duplicative equipment and to strike the target from reserve positions.

On page 297, the Scotts describe the role of the "voyoepred" or military representatives who insures that all military

items, emerging from the factories are of the highest quality. They have great power and contrary to the consumer sector of the economy, quality control is excellent in the military sector of the economy.

In chapter 10, the very extensive military training that Soviet youths receive before even joining the armed services is detailed. This has gone relatively unnoticed in the Western press. While parents in the United States fuss over junior ROTC units in high schools, Soviet youngsters goose step down the streets and perform ceremonial guard duty at appropriate monuments to the heroes of World War II. The extent of trained military manpower in the Soviet Union is amazing as Hitler found out in World War II. On page 326 they note that in a period of 48 hours it is estimated the U.S.S.R. would mobilize between 4.5 and 5 million men. The United States in the same period of time could mobilize about 1 million men and try to start up the computer at Selective Service Headquarters to look for possible draftees. Furthermore, Soviet soldiers are given refresher training as noted on page 380, which gives them another advantage over us.

As regards leadership, the Soviets, both military and civilian, tend to stay in their jobs a long time and there is not the shuffle we have every 4 years in our top civilian leadership. Soviet military leaders also tend to stay in their jobs longer, so while the command system is rigid, it is also very experienced. Page 377 discusses the differences in outlook and attitudes these differing systems bring about.

Finally, much of the information published in this book is perishable, such as the name of the commanders. Therefore as changes occur and organizations change, I would hope that Westview Press would have the Soviets revise this book and reissue it, as it should be of invaluable assistance to anyone studying the Soviet Armed Forces. ●

## A TRIBUTE TO THE WESTERN ASSOCIATION OF COMMUNITY HEALTH CENTERS, INC.

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. DELLUMS. Mr. Speaker, beginning on June 6 in Oakland, Calif., there will be a meeting of the Western Association of Community Health Centers, Inc. (WACHE, Inc.), of my district. This organization holds as its main objective the implementation and furthering of health programs designed to improve the physical and emotional health of areas served by its members.

I maintain that this organization should be lauded for it has proven successful in providing health services to persons who otherwise would not be able to afford health care. In addition, WACHE, Inc., has instituted an aggressive program of preventive medicine. WACHE, Inc., has illustrated commu-



nity spirit and a genuine dedication toward making the availability of health care a reality for every American citizen. Its high level of commitment stands as a model to those organizations wishing to serve the community. It is my honor to bring its efforts to your attention.●

#### COMPETITIVE BIDDING ON PUBLIC LANDS

### HON. JOE WYATT, JR.

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. WYATT. Mr. Speaker, 6 years after the Arab oil embargo, this Nation is once again lining up for short supplies during curtailed operating hours at gas stations. Rather than taking positive steps to prevent a recurrence of the 1973 incident, vulnerability to foreign powers has actually increased twofold. Total petroleum imports from OPEC countries rose from 2.99 million barrels per day in 1973 to 5.65 million barrels per day in 1978. The shortages—and the lines at the gas stations—will continue to grow as long as the Nation's energy policy permits increased supplies from OPEC while domestic potential lies untested and untapped.

As we were considering provisions governing oil and gas exploration and development in Alaska and the leasing of some of the Nation's most valuable lands in terms of energy potential, debate over gasoline shortages and the energy crisis was still ringing in this Chamber.

We are all aware of the need to increase domestic energy supplies in order to reduce imports. At the same time, we are all aware of the special wild and natural values in Alaska which have led to the protective measures designed to permit exploration under environmentally responsible procedures. A premium has been placed on these lands, as evidenced by the competitive bidding provisions in the Alaska lands bill.

While I supported the Breaux-Dingell-Huckaby substitute version of H.R. 39, which also contained a competitive bidding system provision, it is important for my colleagues to remember that oil and gas leasing, even under that system, would have virtually eliminated all but the wealthiest companies from exploring on these publicly owned lands. Independents, the small businessmen in this industry, cannot outbid integrated giants. The impact of those type provisions in Alaska will not be great since the majority of the relatively few companies currently operating in Alaska are large, integrated companies who can afford the greater costs of operating in extreme conditions requiring more detailed seismic work over a longer period of time under the harshest weather conditions and the most stringent environmental protection regulations.

However, in spite of the special conditions which make Alaska somewhat of an exception, enactment of a competitive bidding system establishes an unfortunate precedent of endorsing a system that reduces competition in the petro-

leum industry. It is imperative that such a system be limited only to the very special conditions in Alaska and not in any way be construed as being applicable to the lower 48 States. Such an extension of applicability would be counterproductive to the Nation's efforts to achieve energy independence.

Although I was not a Member of this body at the time, it must be remembered that upon considering the Outer Continental Shelf Lands Act it was contended that the OCS was a unique situation and that competitive bidding was needed. It was further contended that this was an exception. We have now made another exception. If this continues, we will soon have no exceptions.

Independents drill 90 percent of all exploratory wells in the untested areas seeking new reserves of oil and natural gas. They produce about a third of the total output of crude oil and natural gas in the United States. And, moreover, they made 75 percent of the "significant" U.S. oil and natural gas discoveries. Their operations generally end at the wellhead rather than refineries or retail outlets; thus to stay in business they must continue to explore for new reserves.

A competitive bidding system for all or most oil and gas leases would diminish mineral exploration on the public lands, resulting in a loss of wells drilled, reduced discoveries of critically needed domestic supplies, and a diminution of income from royalties. Royalties last year amounted to a \$1.513 billion income to the Treasury (including OCS). Of that amount, \$167.3 million was allocated to 23 States, including: \$3.3 million to Oklahoma; \$3.9 million to Nevada; \$6.5 million to Montana; \$8.7 million to California; \$10.7 million to Utah; \$14.6 million to Colorado; \$52.9 million to New Mexico; and \$61.9 million to Wyoming.

Some will point to the current acreage limitation of 246,080 acres in any one State (except 600,000 acres in Alaska and excluding acquired lands up to 246,080 acres) as a safety valve against monopoly holdings. However, it is a simple procedure to drop some acreage of lower value to gain more valuable acreage elsewhere. Thus, the independents, unable to outbid wealthier companies, would continuously be served the "scraps" where higher risks and lower odds for a favorable return on investment are the standards.

Mr. Speaker, this country needs more of its own crude oil and natural gas. It is only logical that the more companies involved in the effort, the more exploration will occur; and, consequently, more reserves will be discovered in less time. We must encourage the maximum ultimate recovery of our own mineral deposits and promote competition in the petroleum industry.

The existing law which provides for noncompetitive leasing except on known geological structures has served the Nation well. The national interest is best served by continuing this system and by encouraging the broadest possible participation in exploration for oil and gas on the public domain.

In closing, I urge my colleagues to protect the competitive viability of the 10,000 independents in this country by

not extending the competitive bidding provision to the lower 48 States.●

#### COMPREHENSIVE HEALTH CARE IMPROVEMENT ACT OF 1979

### HON. MARTIN OLAV SABO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. SABO. Mr. Speaker, today I am introducing the Comprehensive Health Care Improvement Act of 1979.

The proposal is based upon a comprehensive health insurance and catastrophic health coverage bill passed into law in Minnesota in 1975. I was speaker of the Minnesota House at the time, participated in the passage of the bill, and followed the results of the law after enactment. The proposal consists of three major parts: Title I makes comprehensive health insurance available to all persons; title II assists low-income individuals in purchasing insurance; and title III provides catastrophic health coverage for all persons.

Title I aims at the rationalization of the current system of private health insurance. It establishes a standard of "qualified" health insurance and requires that all health insurance plans be plainly labeled "qualified" or "nonqualified." There are four types of qualified plans. A qualified type "A" plan provides benefits at 80 percent of medical costs, limits the 20-percent copayment to no more than \$3,000 a year, sets a maximum benefit of not less than \$250,000, and a deductible of not more than \$150.

A type "B" plan is the same with a maximum deductible of not more than \$500 and a type "C" plan is the same with a deductible of not more than \$1,000. Health maintenance organization plans are defined as equivalent to a type "A" plan. The bill also defines qualified medicare supplement plans as those with benefits equal to 50 percent of costs not covered by medicare, a maximum copayment of \$1,000 a year, and a maximum benefit of not less than \$100,000 a year. These standard qualified plans will allow consumers to shop around for coverage by easily comparing premiums of plans of the same qualified level. It will discourage the offering and purchase of substandard plans which do not meet the minimum qualification level.

The bill provides that HEW should delegate certification of insurance plan qualification to State insurance regulatory bodies, whenever possible. It also allows HEW to certify plans if an insurance firm wishes to offer a plan nationwide and wishes to avoid the duplicate work of becoming certified in more than one State.

All business firms which employ 10 or more persons are required to offer type "A" or "B" plans to its employees. There is no requirement that a firm pay for an offered plan, nor is there a requirement that employees accept and pay for a plan. What does occur is that employees will have an opportunity to get qualified comprehensive health insurance at group insurance rates. Group

rates are, in almost all cases, much less costly than individual insurance policies. These plans must also cover dependents and must be convertible if the individual leaves the group.

Under the bill States are required to establish a statewide pool of all health insurance companies. This pool will offer qualified health insurance to any individual at group rates. In effect, this provision establishes a group out of all persons not eligible for a regular group plan (the self-employed, employees of firms with less than 10 workers). It also allows firms to pay all or part of the premiums of the pool insurance so that small firms not eligible for group insurance can assist their employees with insurance premiums.

Title II of the bill establishes a program to assist low income persons in purchasing the insurance made available by title I. Most employed Americans have the financial ability to purchase adequate health insurance or have it purchased for them as a fringe benefit of employment. Title I insured that all persons will have the opportunity to purchase qualified plans. Those on medicare and under medicaid already have access to health coverage. This still leaves a number of families who are not covered by medicare, medicaid or an employer-paid group plan whose economic circumstance makes it difficult to purchase health insurance. Title II establishes a Federal-State program to assist low-income individual to purchase type "A," type "B" or medicare supplement plans.

Under the program the Federal Government would pay 50 percent of the cost up to a maximum of \$5 times a State's total population. Thus the maximum Federal liability would be about \$1.2 billion matched by at least \$1.2 billion in State funds for a \$2.4 billion program of health insurance for low-income persons.

This would be in addition to medicare and medicaid programs. States would not be required to establish a program and would have wide flexibility in designing the program to suit their own needs. Each State had a different pattern of need because of varying medicaid coverage, different demographic patterns, and varying patterns for existing private health insurance. States would be able to target the low-income program toward those most in need and States would be able to experiment with total subsidy of purchase, cost sharing, or sliding fee schedules.

Title II also has provision for senior citizen couples where one spouse requires long-term nursing home care. Current medicaid income and asset standards often leave the healthy spouse with too little income to remain economically independent. The bill would allow States to set more liberal income and asset requirements in those cases so that the healthy spouse need not be forced to drastically cut his or her living standard.

Title III of the bill establishes a State-Federal program of catastrophic health coverage. State participation would be optional. After an individual had exhausted existing private insurance or

medicare/medicaid the State would pay 90 percent of medical costs exceeding \$2,500 or of 40 percent of household income up to \$15,000, 50 percent of income over \$15,000 and less than \$25,000 and 60 percent of income over \$25,000, whichever is higher. Claimants would not be required to sell their homes, businesses, or other assets to receive benefits.

Title III insures that any citizen no matter what his condition, will not be devastated by a severely expensive illness. It will insure that a person will not face liquidation of the bulk of his assets to pay for a catastrophic illness. Yet the standards of coverage of \$2,500 or the 40 percent plus of income threshold for payment will insure that only truly catastrophic illnesses are covered and that adequate incentive for purchase of comprehensive insurance remains.

The Federal Government would pay 50 percent of the costs of the catastrophic program, with a maximum of \$1 times the population of the State involved. The maximum Federal cost would be about \$220 million with a minimum State match of a like amount. This amount would be more than adequate to pay for the program because title I and title II would have already provided most individuals with adequate health insurance and only truly catastrophic cases would be paid for by the program. The funding level is in excess of the actual experience of the State-administered catastrophic program in Minnesota which has benefit levels equivalent to those provided in this bill.

The bill seeks to rationalize and build upon the existing system of private health insurance, medicaid and medicare. It attempts to make the existing system comprehensive by filling in gaps in the existing system. It does not require a massive change in existing programs or a large governmental organization or financial contribution. Even if every State were to establish low-income assistance and catastrophic coverage programs and to use the maximum amount of Federal funds, the Federal costs would be about \$1.4 billion. This would be matched by an equal State contribution, but one that most States are in a better position to afford than is the Federal Government.

In offering this bill I do not feel it is competition with some of the other national health insurance plans being considered. The generosity of benefits provided by these plans is, unfortunately, matched with a cost that I fear will preclude enactment. I have sought to design a bill which can be accommodated within the Federal budget and which can be enacted this year and be in operation next year. ●

#### CONGRESSMAN JOHN BUCHANAN DISCUSSES RELIGIOUS REPRESSION IN THE SOVIET UNION

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. DRINAN. Mr. Speaker, on August 1, 1975, the United States and 34

other nations agreed that religious freedom is a fundamental right that no government ought to repress or curtail. The cosignatory nations to this agreement, the Helsinki accords, included the Soviet Union.

Yet as our colleague JOHN BUCHANAN points out in an article that appeared in the June 4, 1979, issue of the Washington Star, religious freedom in the Soviet Union has not met the standards laid out in the Helsinki agreements. Serious restraints threaten to wipe out religious observance altogether in the U.S.S.R.

As is widely known, Soviet repression of religious activity is at the heart of the growing movement of Soviet citizens who have asked to emigrate to the United States and other countries.

Just 10 days before President Carter is scheduled to meet with Soviet President Leonid Brezhnev in Vienna to sign the SALT II treaty, it is significant that Congressman BUCHANAN has brought the issue of religious repression in Soviet Union to our attention. The article follows:

#### RELIGIOUS PERSECUTION IN THE SOVIET UNION (By John Buchanan)

The recent arrival in the United States of Gregory P. Vins who was part of the dramatic dissident-spy swap between Washington and Moscow, serves as a profound reminder to the West that religious persecution is a cold reality of everyday life in the Soviet Union.

Vins, a leader of a reform group which broke with the officially recognized Baptist Church, was jailed for the second time in 1975 on a conviction of harming the interests of Soviet citizens under the pretext of carrying out religious activities. His case is symbolic of the harsh recriminations suffered by millions of believers in the Soviet Union regardless of affiliation—for merely trying to practice their faith.

In the 1975 Helsinki accords, the Soviet Union pledged with the 34 other signatory states to "respect the freedom of the individual to profess and practice... religion... in accordance with the dictates of his own conscience." "The Soviet government however, assumes a fundamental control over religious practices by requiring a church to register with the state in exchange for recognition as a legal body. The price paid for legalization means submitting to other rules, including giving up missionary activities and the right to youth participation in church affairs.

In rejecting the premise of state regulatory authority in order to follow the tenets of their faith, religious believers become the target of a battery of repressive measures. These include dispersals of allegedly illegal religious services and accompanying fines, jailing for those who reject military service on religious grounds and systematic discrimination in employment and education.

A particularly abhorrent phenomenon is the maltreatment of the children of religious parents who are frequently harassed by other students and awarded poor marks in school or publicly berated for professing "anti-Soviet views."

Other methods of persecution are more severe. Vladimir Shelkov, for example, an 83-year-old Seventh-Day Adventist, was sentenced this year to five years in a labor camp for his leadership of an allegedly illegal congregation. In another instance, Anna Chertkova was incarcerated in 1973 in a psychiatric hospital for her "extreme" Baptist beliefs. And in another tragic case, the three children of Maria Suprunovich, a Ukrainian Baptist, were seized by authorities and placed



in a state orphanage because their mother gave them religious instruction, contrary to Soviet law.

For many, the systematic practice of religious persecution is so insufferable that they have openly declared their desire to leave—despite the fact that family reunification is the only basis officially recognized by Soviet authorities for emigration. For example, there are more than 10,000 Evangelical Christians, primarily Pentecostals and Baptists, who have indicated they want to get out of the USSR so they may worship freely, yet only seven families to date have been allowed to leave. The names and addresses of these thousands of people, who live in all parts of the country, are listed in a volume to be published early next month by the Commission on Security and Cooperation in Europe.

The document being prepared by the joint legislative-executive monitoring panel in the 1975 Helsinki accords also provides an overview of the broad range of problems experienced by religious believers in the Soviet Union. Much of the information contained in the publication comes from documentation provided by dissident sources in the country, such as the Moscow Helsinki monitoring group.

The plight of the Pentecostals is best reflected in the now famous case of the Vashchenko and Chmykalova families who rushed past Soviet guards at the U.S. Embassy in Moscow last June and have been holed up there ever since. Their action represents a desperate attempt to force official permission to emigrate from the country. To date, interventions on their behalf by American officials, including a petition signed in May by 66 congressmen and four senators, have been futile.

Religious believers in the Soviet Union face two interlinking problems in attempting to practice their faiths—official persecution and the inability to emigrate in order to escape it.

Whether they are Jews, Christians, Moslems or of other faiths, these people are not making unreasonable demands. They seek only to exercise their fundamental human rights guaranteed them under a number of international documents to which the Soviet Union is committed, including the Universal Declaration of Human Rights and the Helsinki Final Act.

The West must be relentless in pressing the Soviet government to honor these pledges guaranteeing the human right to freedom of religion and belief.

Rep. John Buchanan, R-Ala., is a member of the Helsinki Commission and a Baptist minister. He was the earliest congressional advocate for the release of Georgy Vins, the Soviet Baptist leader who was among those included in the recent exchange of five dissidents for two convicted Soviet spies. ●

**STATEMENT OF CHAIRMAN ULLMAN, COMMITTEE ON WAYS AND MEANS, WITH RESPECT TO THE RULE TO BE REQUESTED ON H.R. 4007, TO AMEND THE INTERNAL REVENUE CODE OF 1954**

**HON. AL ULLMAN**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. ULLMAN. Mr. Speaker, on Wednesday, June 6, 1979, the Committee on Ways and Means favorably reported H.R. 4007. The bill would amend the Internal Revenue Code of 1954 to provide that the provisions which increase the Federal unemployment tax in States

which have outstanding loans will not apply if the State makes certain repayments.

I take this occasion to advise my Democratic colleagues as to the nature of the rule that I will request for consideration of H.R. 4007 on the floor of the House. The Committee on Ways and Means specifically instructed me to request the Committee on Rules to grant a closed rule, with committee amendments only; 1 hour of general debate, to be equally divided; waiving all necessary points of order, and one motion to recommit with or without instructions.

I have requested to be heard before the Committee on Rules. ●

#### TURNING CITIZENS INTO CRIMINALS

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. PAUL. Mr. Speaker, I would like to include in the RECORD an article from the winter 1979 issue of Law and Liberty that deserves the attention of all men interested in the rule of law. Despite the brevity of the essay, it includes allegations about the Bureau of Alcohol, Tobacco and Firearms that are extremely serious and that demand a congressional investigation of the Bureau's activities. If there is any truth at all to these allegations, then punitive action should promptly be taken against those officials of the BATF who are responsible for the actions of that agency, and the abolition of the agency itself should be discussed.

I have introduced a bill to repeal the Gun Control Act of 1968, which is the act that the Bureau uses to entrap innocent citizens, and I hope for speedy hearings and favorable action on my bill.

ON TURNING CITIZENS INTO CRIMINALS

(By David T. Hardy)

If firearm ownership is commonplace in America—and surveys repeatedly indicate that it is—then the firearm collectors comprise the aristocracy amid the popular movement. These collectors are virtually a "nation unto themselves", with their own shows, at which they compete in display of their finest firearms, their own organizations, their own specialties—one may choose British military firearms 1760-1945, another may strive to obtain all calibers and chamberings of the Marlin 1893. There are also general collectors, and most specialists have a general collection "on the side," which may feature such favored pieces as the exquisitely crafted Parker shotguns (which begin at about \$900), the Winchester Model 21 (the only American shotgun fitted to the individual's dimensions: the "economy" line starts at \$3,500), or scarce "presentation pieces," engraved and inlaid pieces given by inventors and companies to both Eastern and Western national leaders. Samuel Colt, in the 1870's and 1880's, created quite a few of these pieces). They have their own magazine now, independent of all other firearm publications, in which it is not uncommon for a collector to take out a full page, tastefully illustrated advertisement to attract collectors for purchase or exchange of a few unneeded pieces.

Even individuals who support strict firearm regulation might well be tempted to consider these individuals a relatively riskless segment of the population. Persons bent

upon robbing a drugstore simply do not seek a Winchester 21; domestic homicides are unlikely to be settled at dawn with a cased pair of Durs Egg flintlock duelling pistols. Indeed, the federal agency which enforces the firearm laws, the Bureau of Alcohol, Tobacco and Firearms (BATF), has repeatedly claimed that criminals predominantly use cheap handguns—valued under \$50, caliber .32 or less, barrel 3 inches or less. No true collector would even use one of these as a paperweight: the risk of being seen with it by other collectors would be too great.

It is therefore surprising to note that federal agencies enforcing firearm laws have often appeared to devote a large amount of their energies to sending such collectors to jail, and confiscating their collections. It is even more surprising to discover that the federal government itself is becoming a large-scale collector—its collection established primarily by choice items appropriated, without compensation, from these collectors.

In part, the collector's very law-abiding qualities make them perfect targets for law enforcement. The BATF has been faced with some unique bureaucratic difficulties of late. Since 1972, the skyrocketing prices of sugar, main component of "moonshine", has drastically curtailed illegal brewing. Between 1972 and 1978, the number of "stills" raided by BATF dropped from nearly 3,000 to only 381. The Bureau suddenly saw itself faced with obsolescence of its traditional area of enforcement, a rather unique experience in law enforcement (one may imagine the consternation at the Drug Enforcement Administration if the entire drug-using populace suddenly turned to meditation or alcohol). Self-preservation dictated a sudden increase in firearm enforcement. But agents seeking to push up their "body counts" of arrests and firearms seized were faced with serious problems. To invade fields where firearms are feloniously used is apt to prove quite dangerous; it also takes time, and this was unavailable when Washington makes it clear that arrests in your district must be doubled within the next year. A safe and easy target had to be located.

Agents therefore quickly evolved a method of entrapping collectors, through a technique which I term the "implied dealership". This depends upon a clause in the 1968 Gun Control Act which provides that "dealers" in firearms must be federally licensed, and makes it a felony to conduct business of a "dealer" in firearms without such. Private sales of one's own property by a non-dealer are not subject to federal licensing.

The statute contains no definition of "dealer". Nor do the Bureau regulations ostensibly promulgated to clarify and enforce the statute, provide such. Since 1972, the Bureau has actively discouraged applications for licensing, in a political move to create an impression of reduction in "firearms traffic". Under its regulations, for example, the applicant must have business premises separate from his residence and must keep regular "business hours". Collectors who reported sales only to other collectors and hours "by appointment" soon found their licenses being revoked. Moreover, a "dealer's" premises are statutorily subject to search, without warrant or probable cause. Collectors who asked whether licenses were needed were usually informed that five to 10 firearms sales per year did not constitute acting as a "dealer".

Actually, while the statute has no definition, federal appellate courts have defined "dealer" very broadly. They have repeatedly noted that there is no minimum number of sales necessary; that no minimum level of profit from sale of firearms is essential, and that the sole question is whether the jury believes the accused citizen to have engaged

in "any business" of selling firearms. The Bureau has frequently obtained collections on as few as four to six sales per year, and these have been universally upheld.

The agents thus can easily lead an individual, who all the while believes he is obeying the law, into a felony indictment. Undercover agents approach the collector at a gun show. Their routine is already choreographed and tested in previous cases. Different agents may make one or two purchases at this gun show, followed by a few more at the next gun show, until four to six sales are obtained. The agents offer a very high price and purchase with little bargaining; thus the collector can easily be shown to have made a profit on their sale. As "icing on the cake", they may lead the collector into stating that he could obtain an additional firearm from a different collector for them: at this point he is acting as a broker for matter not already in his collection.

After the evidence is obtained, the collector is indicted on felony charges. The burden on him is immense. Legal defense costs usually run between \$3,000 and \$20,000. Conviction on the felony count means total loss of right to possess firearms within the United States. It also carries a penalty of 5 years imprisonment and a \$5,000 fine.

In an effort to add to these burdens, the Bureau generally confiscates the collector's prize collection. This is done under a provision of the Act which permits confiscation of firearms "involved in or used in or intended to be used in" any violation. The confiscation puts additional financial pressure on a collector who may already be impoverished by the legal costs.

These activities have been frequently reported among collectors, but little work to compile and analyze them has been done. Recently I have had the privilege of serving as project director to a Task Force seeking to compile a comprehensive report on Bureau activities, which report was sponsored by the Second Amendment Foundation. The objective evidence which was compiled on this particular activity proved compelling. I could not escape the conclusion that the Bureau had carefully preyed upon misinformation as to the status of the law, some of which had been given out by the Bureau's own agents, in order to entrap law-abiding citizens and confiscate substantial amounts of their private property for the Bureau's own collection!

First, the Bureau seeks to entrap law-abiding individuals who would not disobey the law if it were not for the agent's activities and deception: it does not aim entrapment at individuals who would violate the law anyway and are but given an opportunity. Many of the individuals contacted, in various parts of the nation, with no opportunity to confer with each other, reported acting on advice of agents that five to ten sales per year of their own firearms did not constitute "dealing". In one especially well documented case, we obtained a government transcript of a recording of the defendant speaking to the agent.

"I don't want to know anybody what does anything wrong with guns. No, I'm serious. I collect, and, to me, there's a lot of fine people collecting. Several chiefs of police, several detectives here, and otherwise... I don't want, I would never want to contribute to anything that might make it look bad for all of us... There's a few people who are making it look bad for the many."

This individual was enticed into the sale of a sufficient number of firearms, his collection was confiscated at a gun show, and, when he filed suit for their recovery eight months later, an indictment was handed down within ten days. He is today a felon on probation. Given that "the first duties of the officers of the law are to prevent, not to punish crime. It is not their duty to incite to crime...", the entrapment of an in-

dividual of this type, solely for the virtue of increasing a "body count" of convictions and confiscations, is hardly justifiable conduct on the part of a public agency.

A second reprehensible aspect of the BATF attack on collectors is the tendency to focus on large and expensive collections. Confiscations tend to center upon these collections to the exclusion of the cheap firearms which the Bureau so often claims are the roots of violence. During the course of the study I utilized the Freedom of Information Act to obtain copies of the Bureau's "Reports of Property Subject to Judicial Forfeiture", which gave inventories of seizures by collector name, value, firearms, and ultimate disposal. A few examples will suffice. In one, the Bureau confiscated 83 firearms from a Pennsylvania collector. The Bureau's own appraisal fixed the value at \$18,020.00. The collection was devoted primarily to antique Marlin rifles, especially the 1893 model, although some 1881 models in .40-.62 caliber and an especially rare .30-.40 "baby carbine" were included. Only five of the 83 were handguns—and the average handgun appraisal was \$116. A second major example also came from Pennsylvania. There, 136 firearms value at \$28,335.00 were taken. These included five Parker shotguns (one valued at \$1,000), a Winchester model 21 (undervalued at \$900), and a number of French and German collector shotguns.

Private reports have also been received (from time frames outside of the period requested under the statute) of numerous confiscations: An Eastern collector reported a seizure of \$10,000 worth of items; two years after the confiscation, he has neither been charged with any offense nor has the collection been returned. A South Carolina collector reported seizure of over 100 firearms valued at over \$15,000.00. He was acquitted of charges. Two weeks after the acquittal, the Bureau served him with notice of intent to forfeit his collection, maintaining that the criminal acquittal did not bind them in subsequent "civil" forfeiture proceedings. (Further, three persons, in Connecticut, Arizona, and Nebraska, reported that their automobiles were seized on claims that they had used the vehicles to transport firearms).

A third reprehensible aspect lies in the Bureau's use of its powers to furnish its own private collection. The reports obtained through the Freedom of Information Act requests showed that approximately one-third of the collections were being routed back to the BATF with the purpose of acquisition of a "reference collection". The two Pennsylvania seizures mentioned earlier alone contributed 75 firearms valued at \$18,000 to this Bureau collection. The collection is not easily filled, obviously, especially with reference to the expensive shotguns: the Bureau apparently needed no less than five Parkers, three of the same gauge. Modern firearms are also found useful. One report from a Texas case disclosed a seizure of 86 firearms valued at over \$20,000.00. The local Bureau office chose to keep 48 of these firearms for their local arsenal (and, presumably, for issue to the agents who confiscated them). Interest in filling this collection may explain the Bureau's tendency, reported by several collectors, to dismiss charges or permit pleas to a misdemeanor in the event the collector would permit them to keep the collection. These offers were transmitted through the prosecutor's office to the defense attorney's office: in several cases I was able to contact the defense attorney and confirm that such offers had been made.

Finally, some of the seizures appear to display a vindictive intent. In a famous Texas case, the agents seizing an expensive collection were seen to deliberately drop the firearms to the floor before storing them. Several firearms, in "as manufactured" condition and unfired, were "test fired", greatly

reducing their collector value. Despite the dealer's acquittal, agents refused to return the firearms. Even after judgment was rendered in his favor on a civil proceeding, they still refused. Only after contempt proceedings were brought against them did they return the collection, then disclosing that it had been stored in a damp warehouse which had seriously rusted many of the finer pieces. A Colorado defendant reported, and his attorney confirmed, that his collection (including a Parker valued at \$10,000) was thrown across the room as each firearm was booked in, and permitted to fall to a concrete floor. A Virginia defendant reported (and, once again, his attorney confirmed) that his firearms were thrown into a 50-gallon drum and wheeled to court in that manner. They were taken out and slammed down in a pile during the trial. When a request was made to treat them more gently, the result was only more violent treatment. In several cases in addition to the Texas one mentioned above, the Bureau refused to return firearms despite acquittal and then brought civil proceedings against the persons to confiscate the collection. Some collectors reported having to give up their collection because the criminal trial had exhausted their financial resources and the legal expense of the fight would be \$2,000 or more. The collector, of course, does not recover his attorney's fees in the event he is acquitted, nor secures the return of the firearms. The Bureau, on the other hand, is served by attorneys paid from tax funds contributed to by the dealer.

Is this apparent focus on the law-abiding an isolated occurrence, or part of a general pattern? Since the Bureau does not itemize prosecutions by collector status, it is most difficult to tell. One might expect a rational, albeit ruthless, administrator to focus upon these individuals. As noted above, they are generally naive sorts who believe that "since I am law-abiding, I have nothing to fear from the law", are unlikely to shoot informants, are easily arrested without violence, and in short make a perfect target for a quick increase in arrests at minimal risk. What information we do have suggests that the Bureau has been assessing its probabilities in this manner. During Project CUE, the Bureau published breakdowns of prosecutions in certain cities. In Washington, D.C., for example, out of 1,603 investigations, only 206 dealt with felon in possession of firearms, only 58 with stolen firearms, and only 20 with use of firearms in a felony. Of Chicago's 1,980 investigations, 135 dealt with felony possession, 54 with theft, and only 9 with use in felony. Considering that studies have repeatedly documented that approximately 25 percent of handguns used in crime are stolen, one might expect that more than 3.6 percent of the Bureau's Washington investigations, for example, would deal with firearms theft. But we must reflect that catching firearm thieves and marketers of stolen firearms may be dangerous and difficult, hardly the type of thing to undertake when large numbers of quick arrests are needed.

In short, it appears that the Bureau of Alcohol, Tobacco and Firearms has devoted a significant portion of its investigative and law enforcement efforts to entrapping naive collectors of firearms, of a type unlikely to be contributing to criminal firearm markets. This campaign has enabled the Bureau to boast of impressive statistics of convictions and firearms seizures, with minimal effort and personal risk. It has also permitted the seizure of significant numbers of collector items, of which substantial numbers of collector items, of which substantial numbers are appropriated, without compensation, for the Bureau's own collection. The underlying practice of encouraging, rather than avoiding, crime can hardly be justified: its exploitation for Bureau property gains, or as part of a vengeance motive, is even more repugnant to our institutions. ●



**BEDELL INTRODUCES CLARIFYING  
AMENDMENT TO THE ENERGY  
TAX ACT OF 1978**

**HON. BERKLEY BEDELL**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. BEDELL. Mr. Speaker, when Congress passed the Energy Tax Act of 1978, we clearly intended that there be an exemption by whatever means feasible from the 4 cents a gallon Federal gasoline excise tax on sales of gasohol. Until recently, the Internal Revenue Service has been providing rebates to gasohol handlers for the excise taxes they have paid on gasoline used to make gasohol. However, an IRS ruling within the past 2 weeks has found that the language contained in the act precludes issuing of such rebates to dealers and jobbers.

Today I am introducing legislation to correct this situation. I believe this legislation should be adopted as swiftly as possible in order to prevent an interruption of gasohol sales should sellers be forced by the IRS ruling to pass along the 4 cent tax to the consumer as a means of recovering their costs.

Gasohol is a blend of 90 percent gasoline and 10 percent ethanol. When jobbers and dealers purchase gasoline for mixing, they are forced to pay the full Federal excise tax to the refiner. The only way most are able to recover their payment to which they are legally entitled to is to obtain a rebate from the Treasury Department. The recent IRS ruling precludes this possibility, however; thus the need for my legislation.

Gasohol offers the promise of significantly increasing our liquid fuels supply and its development should be encouraged as a matter of Federal policy. Congress recognized this fact by enacting the excise tax exemption, and President Carter has since endorsed its permanent extension upon enactment of a windfall profits tax. In addition, Treasury Department and IRS officials have indicated to me that it is their desire that the rebate policy be continued upon enactment of clarifying legislation. It is thus imperative that Congress move quickly to correct the legal complications so that the exemption can be implemented and the interruption of gasohol sales prevented.

As I am sure my colleagues are aware, my own State of Iowa is the leading seller of gasohol in the Nation, having sold over 28 million gallons in the last year. Over half of the gasohol now being sold in Iowa is being done through smaller jobbers who use the rebate method of recovering their tax exemption. I am sure that this percentage is characteristic of the rest of the States where gasohol is sold. Consequently, it is crucial that the necessary technical corrections be made immediately so that these jobbers can continue to expand their sales.

Mr. Chairman, I think that there is general agreement that any alternative fuel that can make a contribution to easing our present dependence upon imported oil should be encouraged. I firmly

believe that it is in the national interest to promote the production and use of gasohol, our "home-grown fuel", and I urge that my colleagues support the legislation I am introducing today as a means to that end. The speedy enactment of this legislation will insure that the IRS observes the intent of Congress in implementing the tax treatment of gasohol sales.

The text of the bill follows:

H.R. —

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subparagraph (H) of section 6416(b)(2) of the Internal Revenue Code of 1954 (relating to specified uses and resales) is amended by inserting "or in a mixture described in section 4081(c)" after "section 4041".*

*(b) Paragraph (2) of section 4081(c) of such Code (relating to later separation of gasoline) is amended by inserting "(or with respect to which credit or refund was allowed or made by reason of section 6416(b)(2)(H))" after "this subsection".*

*(c) Any amendment made by this Act shall take effect as if included in the provision of the Energy Tax Act of 1978 to which such amendment relates.●*

**RHODESIAN SANCTIONS**

**HON. WILLIAM H. GRAY III**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. GRAY. Mr. Speaker, the election in Rhodesia is now 2 months behind us. Pressure is building in the Congress to recognize the new Government of Zimbabwe-Rhodesia, and to lift our sanctions against that country.

President Carter is expected to decide later this month whether to lift the sanctions. Before he acts, let us hope that the administration, the Congress and the American people recognize that the question of Rhodesia is much more complex than the simple ideology of conservative versus liberal, as many are making it. This is not the case nor the issue, as pointed out in the following statement by the Barristers' Association of Philadelphia.

I would like to take this opportunity to share with all of my colleagues the text of the Barristers' Association paper on the issue of lifting Rhodesian sanctions.

PAPER BY BARRISTERS' ASSOCIATION OF PHILADELPHIA ON RHODESIAN SANCTIONS

Foreign policy analysts agree by and large that Africa has heretofore not been a focal consideration of American foreign policy. The Angolan civil war, the abortive rebellion in Zaire, the Ethiopia-Somalia conflict, and other recent African crises have pushed this nation toward abandoning its policy of neglect and disdain toward Africa. The Barristers' Association of Philadelphia believes that constructive steps have been taken over the past few years to address an African crises of major proportions, the Rhodesian struggle for majority rule. To such constructive steps are the repeal of the ill-conceived Byrd Amendment which, in contravention of United Nations mandates permitted the importation of chromium into the United States, and the Anglo-American efforts at securing a political settlement which will accommodate the interests of the Patriotic

Front, led by Mr. Nkomo and Mr. Mugabe, which group is waging the struggle for majority rule.

In this context and for the reasons advanced hereafter, we bitterly oppose as disingenuous and counterproductive the drive undertaken in Congress to end economic sanctions against Rhodesia and thereby effectively endorse the sham constitutional accord forged by Prime Minister Smith and his black acolytes, Bishop Muzorewa, Rev. Sithole, and Chief Chirau. We submit that the procedural context in which the accord was adopted and the martial setting in which the recent election of representatives to the constitutionally prescribed National Assembly was conducted utterly divest the accord and the election of any probative value with respect to the fundamental question of whether there is real majority support for the Smith internal settlement.

We note that black Rhodesians were not afforded an opportunity to consider the terms of the constitutional accord, although they comprise well over ninety percent of the Rhodesian populace, where as white Rhodesians were permitted to reject or ratify the accord. Therefore, the majority of Rhodesians was denied the right to determine the propriety of constitutional provisions which guarantee to the white minority twenty-eight percent of the seats in the National Assembly, virtually absolute control of the judiciary, police, military, and civil service for several years to come, and other extraordinary prerogatives, including the power to veto any constitutional amendment.

With regard to the election recently concluded in Rhodesia, we note that it was conducted under martial law imposed over ninety percent of the countryside. In many instances, heavily armed soldiers solicited citizens' participation in the election and delivered them to the polling stations. Even if there were no overt threats, and Rev. Sithole vociferously claims that there were, the overwhelming show of force provided a powerful deterrent against massive nonparticipation in the electoral process. Significantly, black Rhodesian university students and supporters of Mr. Nkomo were effectively suppressed by Rhodesian security forces. The Patriotic Front was banned from the electoral process. Under these coercive circumstances, it cannot be gainsaid that the election was fundamentally unfair and without even the appearance of freedom.

We view the Congressional drive to end sanctions against Rhodesia as a transparent effort at providing tacit American support for Mr. Smith, who remains firmly in control of the nation in spite of the forthcoming cosmetic change in the Rhodesian government, which change is symbolized by Bishop Muzorewa, the titular head of the newly elected regime. It is well settled that Mr. Smith is a virulent racist, having expressed on many occasions his belief that blacks are inferior to whites and his intention never to relinquish control to the black majority. Clearly, Mr. Smith must be taken at his word; the constitutional accord and the electoral process are eloquent testimony of his sincerity.

In view of these facts, the leaders of the Patriotic Front have flatly rejected the accord and the election and declared their determination to topple the Smith regime and its black appendages. The lifting of economic sanctions from the Smith regime can only exacerbate the deadly conflict in Rhodesia by providing economic, political, and emotional support for an illegitimate government, a government that has taken no meaningful steps toward majority rule. If the movement to lift sanctions is successful, we foresee an expansion and transformation of the struggle there into an East-West conflict, with the Front Line African states and certain Communist na-

tions aligned with the Patriotic Front, and the United States, other Western nations, and South Africa, which has recently volunteered its assistance to Bishop Muzorewa, supporting the Smith regime. Such a transformation of that conflict would substantially enhance instability in an already volatile region of the world. Additionally, such a transformation of that conflict offers the specter of American intervention in behalf of an unjust cause, a la Vietnam. Our relations with black African states in particular and the Third World in general would suffer incalculable harm as a result of American active support of the Smith regime.

We think that a more reasonable course of action for Congress is to maintain the present sanctions against Rhodesia and impose additional pressures on the parties in the Smith regime to enter into a negotiated settlement with the Patriotic Front; United Nations-supervised elections must be held and the Smith constitutional accord must be abandoned as the governmental framework for any future regime. The United States is poised at a critical juncture in its conduct of foreign policy as it relates to Africa. A misstep could have far-reaching negative consequences, as we have indicated, including the erosion of this nation's power and influence throughout the world. Congress can avoid this eventuality by defeating the proposals pending in both houses of Congress to end economic sanctions against Rhodesia and pushing for a settlement which affords some measure of justice to the parties who have been striving for genuine majority rule, the Patriotic Front. Only then will there be a sound foundation for a lasting peace in Rhodesia. ●

#### GRAIN BOARD BILL

### HON. RICHARD NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. NOLAN. Mr. Speaker, the House Agriculture Subcommittees on Livestock and Grains and on Operations and Oversight have held joint hearings on H.R. 4237—the Grain Board bill introduced by Congressman WEAVER. I have cosponsored H.R. 4237 as a means to raise farm income and to improve our trade balance.

During the past decade, the volume of agricultural exports has increased by about two-thirds. For this year's crop, according to projections, 64 percent of the wheat produced domestically will be exported, as will 26 percent of the feed grains, 42 percent of the soybeans, and 48 percent of the rice. In 1978, the value of farm exports exceeded the value of farm imports by \$13 billion, which helped offset the U.S. trade deficit of more than \$43 billion—a trade deficit which continues to grow because of high-priced imported oil.

The high volume of farm exports means little, however, unless the value at which agricultural commodities are exported also is considered. Unfortunately, the current volume of farm exports has been achieved at the expense of U.S. farmers and the Nation's balance of payments.

In order to make up the shortfalls in grain production in other countries in 1972 and 1973, U.S. farmers were encouraged by the Government to expand

their production. But the new export markets were not sustained at a level sufficient to absorb our increased production. Since the United States did not have an adequate grain reserve or commodity loan program, the prices received by farmers dropped below production costs, creating economic havoc in grain producing regions of the country. The unstable prices also threw the cattle cycle out of kilter as the livestock industry was confronted by wide swings in feeding costs.

The United States now has experienced several years of low farm commodity prices. Net farm income in 1976 and 1977 dropped to the lowest point since the depression. Although higher, last year's net farm income, when expressed in real purchasing power, was nearly 40 percent less than in 1973 and thus has not begun to make up for the lean years.

The low price levels mean that we are still exporting our grain for less than it costs to produce it. The low prices led farmers to mine their soil in order to increase their volume of production and marginal returns. But productivity has its limits and commodity prices have failed to keep pace with inflation, particularly as energy costs continue to skyrocket. As Agriculture Secretary Bergland said, it takes about 80 gallons of fuel (directly and indirectly) to work an acre of land, and fuel costs keep going up and up. When farmers cannot recover their production costs for their commodities, they are forced to sell at a loss and to export their equity abroad.

Since the United States is the dominant exporter of agricultural commodities in the world, world grain prices generally follow U.S. prices. The low price supports for U.S. grain forces other exporting nations to lower their grain export prices, thus weakening their farmers and their economies as well. For developing nations, low or fluctuating world prices mean economic instability which will inhibit agricultural development and reduce the incentive for farmers to increase food production. Clearly, the recent history of low or widely fluctuating prices for U.S. grain exports have threatened economic stability and the ability to sustain food production at home and abroad.

Existing U.S. farm and agricultural trade policies are not adequate to raise and stabilize the price of grain. U.S. farmers, therefore, are in a move vulnerable position than ever before. They must depend on the uncertain availability of export markets in order to sustain their income. As the General Accounting Office has pointed out:

The increased role of agriculture in foreign trade adds to the uncertainties with which the farmer must contend. In addition to the uncontrollable factors which normally affect farming, the farmers now must deal with the unexpected, changing trends of other countries' agricultural sectors, due to natural causes as well as political manipulations.

Instead of formulating a trade policy to raise and stabilize farm income, the White House (and the grain trade) still embrace the romantic notion that we live in a world of free markets and free trade. Nothing could be further from the truth. It has been estimated that over

80 percent of U.S. wheat exports are purchased by state trading corporations of the importing countries. In addition, imports of U.S. farm commodities often are subjected to levies which exceed the original cost of the product itself. The income generated by such import "taxes" does not go to U.S. farmers but to the importing countries which will use the revenue to subsidize their economies and exports.

Free trade obviously is a myth insofar as the trade of grain is concerned. Prof. Willard Cochrane of the University of Minnesota has noted the danger in continuing to believe such a myth. In a world dominated by state trading, Cochrane stated:

The unilateral adoption of a free-market, free-trade policy by the United States would have resulted in considerable damage to the agricultural industry from increased imports and produced few, if any, benefits in the way of increased exports.

The Russian wheat deal of the early 1970's vividly demonstrated the competitive advantage state traders enjoy over private grain traders in the world commodity market. From the perspective of international commerce, U.S. grain exporting firms represent an atomized industry whose bargaining power and resources are inferior to those of state traders (whether U.S.S.R., European Community, Japan, and so forth).

The structure of the grain trade in the United States also belies any notion that free markets or free trade exist. According to the Department of Agriculture, the four companies with the largest amounts of grain sales between 1974 and 1977 accounted for nearly 50 percent of the total sales reported. The next leading four companies accounted for an additional 20 percent of the sales. According to Business Week, Cargill alone accounts for 25 percent of the grain trading business and Continental is next with about 20 percent. Competition among a few big firms which dominate the grain trade, "oligopoly" in the economist's words, is a far cry from free trade.

Farmers, therefore, have two strikes against them as long as the private grain trade dominates our exporting of grain. First, the grain companies are interested in buying grain as cheaply as possible. There is no incentive to share profits of the trade with farmers. And, since the top grain trading companies are privately held, little information exists regarding their profits and methods of operation. Second, the private grain traders do not have a competitive market advantage in a world where our agricultural exports are bought primarily by state traders. What little competition there is among the few big grain traders would lead to bidding prices down in order to obtain sales. The cheap exports have eroded both farm income and the Nation's balance of payments.

Neither U.S. farmers nor the Nation can afford our current grain exporting policy—particularly as imported oil costs continue to rise. By increasing the value of our grain exports our agricultural trade surplus will vastly exceed the 1978 surplus of \$13 billion—which is a meager amount when compared to what it should



be. It is time for the United States to recognize economic reality and to establish a grain export policy which will substantially increase the grain export prices. I believe the Grain Board authorized under H.R. 4237 is the best means to carry out such a policy.

Congressman WEAVER's proposal for a Grain Board may not be perfect, but it establishes a framework for exporting our grain in a manner which better serves the economic interests of the United States rather than the interests of the private grain trade.

Although the Grain Board bill establishes minimum export prices equal to the current target prices, I believe the minimum export price should not be less than the cost of production. Since the target prices now on the books do not adequately cover production costs my suggestion would, in effect, raise the minimum export prices above the target prices. In determining the price at which U.S. grain may be exported to a particular country, the Grain Board also should take into account the price support levels in the country purchasing our grain and the price at which imported grain typically has been sold to millers in that country.

While the Grain Board proposal has many opponents among free trade economists, administration officials and the grain trade, I believe the momentum in favor of the Board is increasing as more people become aware of what is at stake and what the Grain Board will be able to achieve.

First. The Grain Board will increase substantially the value of our grain exports. While prophets of doom and gloom cry that we will lose our export markets if prices are raised, they fail to understand that exporting grain at less than its costs to produce it is foolish and destructive. If the value of our grain exports were doubled, the volume could be cut in half before our export earnings would be diminished. The prospect of halving our grain exports is not realistic, but it indicates that with a substantial increase in the value of our exports we could afford to reduce the volume of our exports.

Second. Other grain exporting countries including Canada, Australia, and Argentina will raise their grain export prices when the United States does so. They have been forced to cut their export prices in order to compete with the low U.S. prices. The discussions which Senators McGOVERN, BELLMON, and MELCHER have had with representatives from the other grain exporting countries make it clear that the others are willing to follow the U.S. lead in raising their grain export prices.

Third. The establishment of a Grain Board will increase the leverage of the United States in the grain export market, thus providing a positive incentive for reopening negotiations for an International Wheat Agreement and for establishing an international cooperative marketing arrangement in the world trade of grains.

Fourth. Although the Grain Board would increase the export price of U.S. grain (and lead to a similar increase in

grain prices by other exporting nations), this will not lead to a massive increase in the price of grain for consumers in other nations. The prevalence of import levies and taxes already have pegged consumer prices in other countries well above current world prices. Wheat sells for over \$6 per bushel in the European Community and for around \$11 per bushel in Japan.

Fifth. Developing nations which rely on grain imports but do not have the money to purchase their requirements, even at today's depressed prices, would still have access to grain through the donation and concessional sales programs under Public Law 480. Higher grain prices actually will reduce the dependence of developing nations on imported grain because their farmers at last will have the financial incentive to grow their own food. The United States cannot feed the world and increased self-sufficiency or self-reliance in developing nations is necessary in order to feed larger populations.

Sixth. Finally, by raising and stabilizing the export price of grains, that Board will substantially improve farm income above the current depressed levels. Whatever modest increase in U.S. consumer food prices might be attributable to higher grain export prices would be more than offset by reducing our trade deficit and by easing inflation.

The economic case for the Grain Board is a strong one. Almost all of us are aware that current farm policy has been a dismal failure. Most recently, Agriculture Secretary Bergland and Senate Agriculture Committee Chairman TALLEMAGE have joined in urging a sweeping evaluation of U.S. farm policy. Any such endeavor must include an analysis of our agricultural export policy. More of us are becoming aware that our grain export policy not only has sold out our farmers but also is making our trade deficit worse. The Grain Board offers farmers, consumers and taxpayers a way out of our inflationary economic shambles. I urge my colleagues to give the Grain Board the serious attention it deserves.●

#### PUBLIC OIL AND GAS LANDS LEASING REFORM ACT OF 1979

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. MILLER of California. Mr. Speaker, I am introducing today the Public Oil and Gas Lands Leasing Reform Act of 1979. The purpose of this bill is to eliminate flagrant and longstanding abuses in the noncompetitive leasing program for onshore public oil and gas reserves. The legislation which I am introducing would replace the current "lottery" disposal method with a competitive bidding procedure similar to that used offshore and on certain onshore lands. This legislation would also, by eliminating current abuses, accelerate the safe and efficient production of this oil and gas, while assuring a fair return to the

public and adequate competition for the leases.

Three months ago, I drew the attention of this House to the serious problems in the onshore leasing program. "Public Resources and Private Profit" CONGRESSIONAL RECORD, March 15, 1979, page 5377. Since that time, the General Accounting Office has released a new study "Onshore Oil and Gas Leasing—Who Wins the Lottery?" April 13, 1979, which not only confirms many of the charges which I made, but which reiterates most of the critical conclusions made about this program in the 1970 GAO study "Opportunity for Benefits Through Increased Use of Competitive Bidding To Award Oil and Gas Leases on Federal Lands".

Earlier this week, Secretary of the Interior Cecil Andrus announced a series of regulatory and administrative changes in the onshore leasing system designed to eliminate some of the worst abuses. While I applaud the Secretary's action, I must add that statutory reform is also needed. Secretary Andrus has announced his intention to present legislation to the Congress within a few weeks. I would hope that the Congress will quickly consider my legislation, and the proposals by Secretary Andrus and Senator JACKSON, so that these overdue reforms will be enacted during this current session of Congress.

#### LOTTERY PROGRAM

Under the terms of the Mineral Leasing Act, most of the public oil and gas lands are leased in noncompetitive lotteries under the so-called "simultaneous filing system." Competitive bidding is limited by statute to those lands under which there is a "known geologic structure", as determined by the presence of a producing well. All other lands are leased noncompetitively.

#### PUBLIC DENIED FAIR RETURN

In the 1970 study, the GAO definitively concluded:

Under the present leasing system, the rights to federally owned oil and gas are being disposed of at less than their fair market value. GAO continued that Competitive leasing would ensure that lands are leased at prices that more nearly approximate their fair market value.

Under the noncompetitive system, participants in the lottery pay a \$10 filing fee to the Government. Winners must also pay a 12½-percent royalty on anything which is produced from the lease. That royalty is substantially below that which used to be the minimum for offshore—16½ percent—but which has been increased to more than twice that amount, in some cases, under the Outer Continental Shelf Act of 1978.

Little wonder that GAO has repeatedly expressed concern that the public is not receiving a fair return from the development of its own resources. In one comparison of State lands leased competitively with adjacent Federal lands secured through a lottery, GAO concluded that the Federal rights had been leased for \$24 million less than their fair market value, or just 5 percent of FMV. The GAO has recommended, as a general rule, that oil and gas leases on Federal lands be offered competitively.

The legislation I am introducing would convert the leasing program to a 100-percent competitive bid procedure. It would also authorize the use of the types of bidding systems now used on the Outer Continental Shelf, including fixed bonus with sliding royalty, net profit share, and other systems designed to base the lease on the actual value of the resource. "The disposal of the Nation's oil and gas resources under full and free competition," according to GAO, "would be more consistent without free enterprise economy."

#### LEASE ASSIGNMENT

The switch to competitive bidding would also tend "to reduce or eliminate certain undesirable aspects" of the noncompetitive filing system, according to GAO. Most glaring among these abuses is the common practice of the assignment of leases by successful individuals to third parties, often soon after they were awarded the lease, and for far greater prices than the Government had realized for the original lease.

Both the GAO in 1970, and the Bureau of Land Management in 1978, agreed that the winning applicants "never intended to explore for or develop oil and gas reserves" in many instances. Indeed, less than 5 percent of all noncompetitively awarded leases are developed.

The virtually unregulated ability to assign original leases has fostered the growth of leasing companies, which handle both the original filings and reassignments for individual speculators. The growth of these middlemen indicates how far from its original purpose the noncompetitive system has strayed.

Originally, the program was designed to enable individual citizens to acquire and profit from oil and gas resources. But as we are all aware, such development costs millions of dollars, and few individuals can afford to expeditiously develop on their own. Instead, they—with the help of the filing services—assign their \$10 leases for as much as \$200,000, in some cases. The public, whose resources are being assigned, receive nothing. Oil companies, which would have to pay the public two or three times the 12½-percent royalty were they bidding on equally unknown offshore tracts, thereby manipulate the system to their own great economic benefit at the expense of the public.

The manner in which this "switch" has occurred is evident from the statistics. Although GAO found that just 6.7 percent of the noncompetitive leases were originally secured by major oil companies, a figure applied more broadly by Secretary Andrus in a letter to me, another 18 percent of the leases were reassigned to the major companies. Thus, major oil companies have secured control of 24 percent of all leases amounting to millions of acres of public land, in a program designed to benefit the average citizen. We do not know whether this 24 percent also represents the most potentially lucrative tracts, but that possibility does exist because the companies possess geologic data from adjacent lands which allows them to make more accurate predictions

of the tracts' value then either the Government or the leasing companies.

#### DELAYS IN PRODUCTION

There are virtually no conditions on the assignment of leases. One of the results of this weakness of the present system is that it permits partial assignments in extremely small blocks of land, a practice which GAO concludes "impedes rather than induces the development of oil and gas resources." Other factors which delay development include the extraordinarily low rentals of 50 cents an acre per year (compared to \$1 for offshore, and up to \$11 for State leases), the letting and assignment of leases without assurances of development, extension of leases without assurances of production, and poor management policies. (See GAO report, 1979, page 9.)

The legislation which I am introducing today will correct this abuse in the current program. No one could secure a lease unless the Secretary of Interior had determined that he possessed "the financial and technical capacity for exploration for, and development and production of, oil and gas." Given the current need to accelerate the production of our national crude supply, it seems entirely absurd to put billions of potential barrels of oil and cubic feet of natural gas into the hands of people who are entirely without the finances or expertise to develop it.

It would be improper to continue to lease these resources to oil corporations which do not expeditiously develop them. My legislation builds on diligent exploration and development requirements recently enacted by Congress. Potential lessees would have to certify that they were performing with diligence on all existing leases before being awarded new leases; no lease could be extended if it were not being diligently developed. In addition, the length of the lease period would be reduced to 5 years, which would stimulate more rapid exploration.

In order to curb the speculative trafficking of oil and gas leases, my legislation establishes conditions on the assignment of leases. Rather than permitting assignment merely for the personal profit of the original lessee, the legislation permits a transfer only if the Secretary determines that "such assignment or sublease would increase exploration for, and development and production of, oil and gas." Any prospective assignee or sublessee would also have to be in compliance with all diligence standards on all existing public oil and gas leases prior to the approval of any assignment by the Secretary. Like the reforms in the bidding process, these reforms of the assignment process will assure that leases for public resources are awarded to those with the ability and the intention of developing those resources safely and expeditiously for the benefit of the American public.

#### ASSURED COMPETITION

The move to a competitive system, while eliminating from leasing many individuals lacking expertise, could deliver much of these resources into the hands of a few oil and gas corporations. In order to regulate this possible concentra-

tion, my legislation restricts joint bidding among major oil companies, as well as placing a ceiling on the amount of acreage which any major company can lease.

The intent of these portions of the bill, as well as that section which authorizes the use of a variety of bidding systems, is to encourage competition for these potentially valuable leases.

Mr. Speaker, the reforms contained in this legislation are very long overdue. The need to move to a leasing system based on competitive bidding has been recognized in the Interior Department since 1935. GAO reports in 1955, 1961, 1970, and 1979 have made similar recommendations. In 1966 and 1968, and now again in 1979, studies from within the Department of the Interior have recommended modification of the noncompetitive leasing program.

#### MORE DOMESTIC PRODUCTION NEEDED

The situation is more critical today than in the past. President Carter has emphasized the need to expedite the safe development of our domestic oil and gas supplies. It should be apparent that to continue to fling away public resources in a haphazard manner through a lottery, in which there is no assurance that capable parties will either secure or develop leases, is irresponsible public policy.

To perpetuate a system which denies the American public a fair return from the leasing and exploitation of resources which belong to them is similarly without either merit or logic. Nor can we continue a system which allows a small number of powerful oil companies to secure the rights to vital national resources without adequate competition from other interested and capable parties.

The legislation I am introducing today corrects these longstanding flaws. It builds upon the precedents established in recently enacted legislation affecting offshore resources. I am hopeful that the Congress will enact this legislation swiftly so that the effort to maximize the development of domestic energy resources moves ahead in a safe and responsible manner. ●

#### H.R. 3942—AN AVIATION DISASTER

#### HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. ROSENTHAL. Mr. Speaker, the problem of aircraft noise and safety is of immense concern to me and to my constituents, tens of thousands of whom live near or beneath the flight paths of LaGuardia Airport.

Having lost faith in the Federal Aviation Administration, they look to the Congress for relief. But they would not get it here if H.R. 3942 passes. That bill, which is now making its way through the legislative process, is called the Aviation Safety and Noise Reduction Act. No piece of legislation could be more misnamed. One of our colleagues has suggested a more accurate title might be



the "Aviation Noise Enhancement and Safety Reduction Act."

H.R. 3942 represents several giant steps backward in the fight to make the skies safer and quieter. Coming as it does in the wake of two of the worst airline disasters in U.S. history—San Diego and Chicago—it is irresponsible and a disaster itself.

I testified this morning before the Interstate and Foreign Commerce Subcommittee on Transportation and Commerce hearings on this bill. It should not be reported to the floor, but in the event it does, our duty will be to defeat the bill or wholly rewrite it.

I am inserting in the RECORD at this point my testimony:

TESTIMONY OF CONGRESSMAN BENJAMIN S. ROSENTHAL

Mr. Chairman, Members of the Subcommittee, I appreciate this opportunity to appear before you today to testify on H.R. 3942, the Aviation Safety and Noise Reduction Act.

Aircraft noise and safety are two subjects of enormous concern to my constituents, tens of thousands of whom live near or beneath the flight paths of LaGuardia Airport. Throughout the day and night, the planes roar overhead. These people are frustrated, angry and bitter. Many have lived in these neighborhoods since before the jets intruded into their lives. They have heard the promises and explanations of the FAA, but these have been drowned out by increasing jet noise. My constituents—like yours, Mr. Chairman, and like millions of other Americans adversely affected by aircraft noise pollution—find the present noise conditions unacceptable.

Aircraft noise pollution is a serious threat to the physical and psychological well-being of over 6 million Americans. In addition to damaging hearing, aircraft noise has been linked to cardiovascular disease, diabetes, arthritis, fetal damage, increased heart rate, and high blood pressure. It interferes with sleeping, listening to radio and television, communicating, reading, and many of our other daily functions. It depreciates the market value of residential property and disrupts schools and businesses. The increased demand for air service resulting from airline deregulation is likely to exacerbate the noise problem and make living conditions even more intolerable for millions unless immediate action is taken.

The bill before this committee is entitled the "Aviation Safety and Noise Reduction Act," and thus presumably contains measures designed to reduce aircraft noise pollution. One of our colleagues has suggested a more accurate name might be the Aviation Noise Enhancement and Safety Reduction Act. I agree. As one who has been active in legislative efforts to control aircraft noise for over 15 years, I must report that this bill will do virtually nothing to reduce aircraft noise levels and will in fact probably result in noisier planes and airports. If enacted, H.R. 3942 will doom thousands of my constituents and millions of other Americans to continued suffering from aircraft noise pollution for years to come.

First, the bill would take all authority for the establishment of "normally compatible" aircraft noise levels away from the Environmental Protection Administration and would give it to the Department of Transportation and its Federal Aviation Administration. Standards for noise measurement were set in 1971 by HUD and accepted by all government agencies except DOT/FAA. To now suggest giving DOT/FAA that kind of authority would be a disaster. It is like asking Idi Amin and the Ayatollah Khomeini to write and enforce a code of human rights. The FAA has repeatedly proven itself insensitive to the

needs and concerns of communities and citizens affected by aircraft noise pollution. It has consistently advocated the interests of the airlines over the interests of those who live near our major airports, and should never be made the sole watchdog over noise level violators.

Second, the proposed legislation would gut existing regulations designed to reduce excessive aircraft noise. FAA regulations issued in 1976 gave aircraft owners overly generous deadlines for bringing their planes into compliance with noise standards. H.R. 3942 would scrap these deadlines for two and three-engine aircraft, which are the worst offenders. Over 1,100 planes will thus be freed from existing regulations which require that they be modified to create less noise by 1983 at the latest.

While these planes are to be restricted primarily to small and medium-sized airports, even the bill's sponsors admit that exceptions could be made and that these noise hazards will be allowed to fly in and out of major airports as well. The effect of lifting the current noise standards will be that close to 60,000 flights into and out of LaGuardia Airport each year could be made by airplanes that do not meet FAA noise standards. Over 1.5 million flight operations could be made each year at airports nationwide by non-complying aircraft.

Third, the bill before this Subcommittee would prevent the FAA from imposing any new noise control requirements on aircraft which meet the noise requirements in effect at their date of purchase. A plane purchased in 1981 that met existing noise standards would not have to be modified until after 1991, no matter how cheap the modification nor how improved the state of noise reduction technology. By then many of the neighbors of major airports will be deaf and past caring about aircraft noise.

Fourth, H.R. 3942 would limit the FAA's powers to impose a cutoff date on the manufacture of certain excessively noisy aircraft. The agency moves slowly as it is, but the current proposal would require the FAA to submit proposed restrictions on manufacturing to Congress for study. Either house would be able to veto any manufacturing cutoff date, thus raising the possibility that factories will continue to turn out noisy 727's and DC-9's for years beyond the cutoff dates currently being considered.

Fifth, the bill does nothing to provide the public with immediate relief from oppressive aircraft noise. Current plans for engine retro-fitting, aircraft replacement, noise contour maps and compatibility studies are long-term solutions to noise pollution. While we await the implementation of these proposals, I recommend that aircraft operations during normal sleeping hours be limited in order to provide immediate relief to the 6 million Americans adversely affected by aircraft noise. My legislation, H.R. 170, the Airport Noise Curfew Act, would provide an effective method of implementing this idea. It calls for the creation of a nine-member commission to investigate the establishment of nationwide curfews on airport and aircraft operations during normal sleeping hours.

Nighttime curfews are already in effect at National Airport here in Washington as well as others in the U.S. and abroad. FAA statistics indicate that a curfew between 11 P.M. and 7 A.M. would create only minimal inconvenience for airline passengers. This is not a long-term solution to the problem of aircraft noise by any means, but it would have immediate beneficial impact at low cost and would demonstrate Congress's commitment to reducing noise levels at our nation's airports. The establishment of nighttime curfews would be a good first step in the transition to quieter airport communities.

Mr. Chairman, while my primary concern here is with aircraft noise pollution, I must

also point out that H.R. 3942 will severely limit the FAA's ability to implement desperately needed air traffic safety requirements. After 144 people were killed in a mid-air collision over San Diego last year, the FAA proposed a number of regulations designed to decrease the possibility of mid-air collisions and to increase air traffic control over most aircraft. H.R. 3942 would prohibit the FAA from implementing any of these regulations—in the wake of the worst air disaster in U.S. history, 250 million airline passengers a year are being placed in jeopardy for the sake of a few commuter airline operators and private pilots who don't want to be "hampered" by air traffic controllers.

In short, Mr. Chairman H.R. 3942 is a disaster. It would result in noisier planes when we should be striving for quieter airports. It would prevent the imposition of safety standards at a time when more stringent safety requirements are urgently needed. Although the current laws are woefully inadequate, I am forced to conclude that no bill at all would be far superior to this atrocity. H.R. 3942 is clearly designed by the airlines, for the airlines. I urge the members of this subcommittee to defeat this special interest bill. Should it be reported out of committee, I will fight it on the floor, and should it be passed by the House in its present form I will immediately wire the President and urge him to veto it. Congress can and must pass effective noise control legislation, but this bill is not that vehicle. ●

JIMMY CARTER AND RHODESIA

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. ASHBROOK. Mr. Speaker, the President is about to formally issue a new policy on Rhodesia. This new policy sounds like many of the commercials on the television. Something is supposed to be "new and improved" and it turns out to be the same old toothpaste. In this case the President is peddling the same, "not enough support from the Rhodesians," line that has already been dismissed by about every eyewitness who has reported on the Rhodesian elections.

Under the "new and improved" Carter-Rhodesian policy the President will "reconsider his decision if the new African Government in Salisbury significantly broadens its support." Now what does this mean? How does one broaden a mandate that already includes an overwhelming majority of parliament seats in an election where nearly 64 percent of the electorate voted? Under these terms the President himself has a pressing need to expand his support since he came to office with only a bare majority of the 56.5 percent of Americans who voted that year. In fact, in a poll taken by the Associated Press-NBC News survey just after the Rhodesian elections the President stood at only 26 percent in popularity among Americans. We can all play these numbers games. However, for Jimmy Carter, the supposed leader of the Free World, to juggle numbers in the face of Soviet-backed opposition to a new African democracy, is an incredible violation of the trust Americans and freedom-loving people throughout the world bestow on the U.S. Presidency. I hope that the 1980 elections prove the

lack of credibility Mr. Carter now has among the electorate. He has certainly done all he can to significantly narrow support for his Government.●

COMMENCEMENT ADDRESS BY THE  
HONORABLE HENRY J. HYDE OF  
ILLINOIS

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. BAUMAN. Mr. Speaker, our distinguished colleague from the State of Illinois, HENRY HYDE, recently made the annual graduation address at Triton College in River Grove, Ill. This was the 13th annual commencement and it honored 1,300 graduates. I wish to share our colleague's eloquence with the House.

The remarks follow:

ADDRESS BY HENRY J. HYDE

Members of the board of trustees, President Knight, members of the faculty, graduates and friends: Any memorable event is enhanced by sharing it with others—and this evening the excitement, the pride and the sense of accomplishment that you graduates must feel is indeed shared by all the rest of us.

It is traditional for commencement speakers to speak glowingly of the future—for surely the future belongs to you. But so does the past belong to you—and we face the realities of the world disarmed without some understanding of the past.

Woodrow Wilson, when he was president of Princeton referred to the university as society's "seat of vital memory."

The Columnist George Will described Napoleon as "... a bloody nuisance ricocheting around civilization, making lots of history and orphans. He made so much history because he knew so little. He travelled fast because he travelled light, unencumbered by an educated person's sense of limitations. . .

The great constant throughout the ages has been human nature. We have added to the sum of human knowledge, we have survived the stone age, the dark ages, medieval times, and into the industrial revolution—but still human nature remains the same—capable of great heroism and of great selfishness and greed.

And history teaches us that education is not the same as wisdom—we recall that the Holocaust was initiated by some highly educated people.

We will demonstrate some measure of wisdom however, if we understand that we see so far into the future because we ride on the shoulders of those who have gone before us. "We are dwarfs," said John of Salisbury "standing on the shoulders of Giants."

Surely in today's world, an educated person has lost the right to be bored. Fundamental forces are combining to confront Western civilization with unprecedented challenges—nationalism, ideology, increasing literacy leading to increased political mobilization, urbanization, religion, demographic changes, the redistribution of political and economic power—all are compelling us to face the great unanswered questions of our time.

Do the totalitarian societies possess a strength, a staying power that Western democracies lack?

Does our consumer society—open and permissive, devoted to satisfying every appetite and distracted by drug store pornography and narcotics have within itself the capacity for deferred gratification and discipline that survival may require?

And in what or from where will this inner strength be found? A love of family, of country, or perhaps religion?

You, as people who have begun the life long process of education can begin to ask these ultimate questions, and help find answers as well.

Your studies will have taught you that most Americans are wrong in taking freedom and abundance for granted—that these civilizing forces are rare and short lived in history's cavalcade.

It would be uncharacteristic of me not to inveigh against something, and so I shall identify the object of my protest as cynicism.

The other day I saw a bumper sticker that read "honk if you believe in anything."

And surely the past two decades have been marked by drift and disruption—by loss of faith in our political social and religious institutions. This loss of faith like a skyrocket come to earth, just lays there, spent, indifferent and apathetic.

Even those who reject fashionable cynicism sometimes despair that the world is too big and too complex, and we are too insignificant to make much difference. But this is false. Large movements are composed of a mosaic of individual lives, each joined in a shared effort towards a common goal.

The beginning of wisdom is knowing how much one doesn't know. In that sense, the greater one's education the more humility one should practice.

The role of the thoughtful educated person is to constantly call into question the prevailing assumptions—to keep at arm's length from conventional wisdom. An open, but not an empty mind will result.

We must have great expectations, but not despair when our greatest expectations fail of fulfillment.

Thomas Wolfe in his last novel, "You can't go home again" tells us that progress is never in a straight line, but is like a drunken beggar on horseback—reeling and lurching—but the important thing is not that the beggar is drunken or that the horse is reeling or lurching—but that he is on horseback and the horse is moving forward.

You can teach us never to dwell on our limits, but on our possibilities, because now, of all times, America reaches out for men and women of great enthusiasms and great devotions.

Nothing beautiful, or sensitive or enduring has ever been created by a cynic—

A view of the 90-year-old Michaelangelo standing beneath his nearly completed dome of St. Peter's and looking upward to the sky is not the image of a cynic—

Henry's Adams' description of the cathedral at Chartres as a structure embodying the noblest aspirations of man—the reaching up to infinity—was not written by a cynic.

Can you imagine 11,000 freezing men suffering through the winter at Valley Forge—where 3,000 died—because they and their general were cynics?

And so, you are now better suited to contribute towards the "just society" that is the goal of all civilized people. Your education provides you with confidence and a vision of the future that can be a successful antidote to the deadening self doubt that pervades society. We have not come across two centuries and peopled a continent by doubting ourselves.

You can teach us to welcome each challenge as an opportunity to do our best.

There is a memorable line in Camelot, where King Arthur says "... we're all of us tiny drops in a vast ocean, but some of them sparkle."

By your achievement as Triton graduates you are now set apart as belonging to those few who indeed do sparkle.

You have heeded the inner call to excellence—

May it always call to you and may you always answer with the enthusiasms and de-

votions you share with us this unforgettable evening.●

THE EXPLOITATION OF BLIND  
WORKERS MUST CEASE

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. BIAGGI. Mr. Speaker, one of the most important labor and social issues facing this Congress is the pressing need to provide employment equality with regard to wages for the more than 5,000 blind workers in this Nation. In this week's edition of U.S. News and World Report, an article was included detailing the exploitation of blind employees engaged in jobs which fail to pay these workers the minimum wage guaranteed to all other laborers in this country.

Of special concern is the plight of these several thousand blind workers employed in some 200 "sheltered workshops." These workshops hire blind workers to produce a host of individual appliances from which the workshops in turn sell for millions of dollars of profit. Yet many of these people are paid less than the minimum wage, some as little as 58 cents an hour.

It is a form of special cruelty to provide an opportunity for blind workers to earn a living for the purpose of economic exploitation by their employers. For years, access to the job market was extremely difficult for blind workers. Now, a new problem has emerged—fair access to the basic minimum wage.

I have joined as a cosponsor of H.R. 3764 which would mandate the payment of the minimum wage to blind workers. I consider this bill to be the only just method of rectifying this gross injustice to a select group in this Nation and I trust that my colleagues will give it their full support.

I wish to insert the aforementioned U.S. News & World Report article into the RECORD.

BLIND WORKERS CRY: "END EXPLOITATION"

Sightless people, with union help, are out to change a law that lets employers pay the handicapped less than the minimum wage.

America's blind citizens are rebelling against what they view as exploitation of low-wage handicapped workers by charity groups.

Many blind workers were prepared to press their complaint June 5, when the Labor Department scheduled hearings to review the wages paid by 3,800 "sheltered workshops" across the United States. These shops employ handicapped workers to make such items as potholders, brushes, soap and small electronic parts. Nearly 200 of the shops hire only the blind.

The 50,000-member National Federation of the Blind sought the Labor Department hearings to present evidence that blind workshops earn millions of dollars selling their products at competitive prices while paying workers as little as 58 cents an hour. The group asked the government to require that all employers pay blind workers no less than the minimum wage, currently \$2.90 an hour.

Ever since the minimum-wage law was enacted in 1938, all employers have had an option to pay less than the minimum to workers with handicaps that might limit



their productivity. This option is rarely used outside of sheltered workshops.

The federation's petition was prompted by widespread unrest among the more than 5,000 employees of blind workshops, some of whom are beginning to join unions. At the Cincinnati Lighthouse for the Blind, for example, administrators now are contesting a vote by workers who chose to be represented by the Teamsters.

James Gashel, an official of the National Federation of the Blind, says the blind workers are responding to a new emphasis on civil rights for people with all sorts of handicaps. Gashel notes: "These people in the workshops are simply saying, 'We have rights, too.'"

Although the current dispute involves only blind workers, experts predict that ultimately it may mean higher wages for all handicapped workers—including thousands employed by Goodwill Industries of America, Inc. Says Noel Price, executive director of National Industries for the Blind and its 134 workshops, "Can we say that we will pay blind workers the minimum wage and ignore the deaf and the mentally retarded?"

#### MORE OPPORTUNITIES

The dispute over wages for the blind also reflects a dramatic change in the status of handicapped people in the past few years. Once unable to get jobs outside special workshops, the handicapped now are being welcomed into industry at normal wages under new laws that prohibit discrimination.

Blind people have been the chief beneficiaries of this change. Most of them now work alongside sighted workers in private industry. And Gashel insists: "There's nothing about blindness that makes a worker so unproductive that he needs to be paid less than the minimum wage."

Sheltered-workshop operators meanwhile are suffering from their own identity crisis. Says Charles Fegan, executive director of the Columbia Lighthouse for the Blind in Washington, D.C.: "From being the good guys, we've suddenly become the bad guys."

Most of the workshops have been operating for decades as nonprofit charities, often in connection with a social-service agency. Their products are sold mostly to the federal government, although there are retail Lighthouse stores in some cities. During the year that ended Sept. 30, 1978, workshops operated by the National Industries for the Blind reported 125 million dollars in gross sales. Workers averaged \$2.85 an hour, but many earned less than the \$2.60 minimum wage then in force. Total payroll costs were less than 20 percent of sales, or below the average for labor-intensive industries.

The National Federation of the Blind contends that the money these workshops save under the minimum-wage exemption is being spent on huge salaries and plush offices for the supervisors, who are not blind. Moreover, the federation claims that the savings allow workshops to offer cut-rate prices to such large customers as Procter & Gamble and American Telephone & Telegraph Company.

#### STAYING PUT

Sheltered workshops also fail to encourage blind workers to seek jobs outside, according to the federation. A 1975 study showed that only 7 percent of all blind-workshop employees ever move into private industry.

Workshop operators defend their record on the ground that blind workers often refuse to go elsewhere. Price of National Industries says workshop profits barely cover the cost of extra services and supervision required by blind workers. A mandatory minimum wage, he adds, would force these workshops to lay off their least productive workers—the people who depend on their jobs the most.

"We don't oppose paying the minimum wage," says Price. "But we do oppose any-

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thing that would eliminate job opportunities for the blind."

The national federation insists that the workshops can be operated profitably at the minimum wage with better management. It cites as an example the Blind Industries & Services of Maryland, three sheltered workshops taken over in 1975 by a blind man with a proven talent for management. Employees of the Maryland workshops now average \$3.19 an hour—plus vacation, sick leave and pension benefits.

Government officials appear to be listening to these workers' complaints with a sympathetic ear. Assistant Labor Secretary Donald Elisburg, who will decide the minimum-wage issue, says: "I don't see an end to the sheltered workshops—just a diminished role." ●

### SCHROEDER COMMENTS ON PRESIDENT'S PAY PACKAGE

#### HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mrs. SCHROEDER. Mr. Speaker, yesterday, the President sent to Capitol Hill a proposal for Federal compensation reform. This proposal was referred to the Committee on Post Office and Civil Service, on which I sit. The administration suggests that this proposal is "an integral part" of civil service reform. While I am not convinced that this claim is true, there are numerous similarities between the public relations campaign to pass the Civil Service Reform Act and the campaign being mounted for the pay package. Both campaigns are directed to and feed the popular perception that Federal employees are overpaid, underworked, lazy, impossible to fire, and non-productive. Civil service reform was touted as being the way to get rid of incompetent civil servants. Pay "reform" is now being sold as the way to cut their pay in the future.

I, for one, am sick and tired of this administration using Federal employees as the scapegoat for all the woes of society. I think it is a bad mistake for the administration to push a proposal which it asserts is aimed at slicing the wages and benefits of these workers. The most incompetent and overpaid Federal workers I have seen are not the air traffic controllers, social security claims examiners, clerks, and computer operators who I have observed. Rather, the most overpaid and incompetent workers I have seen are people like the Secretary of Energy, the President's Economic Advisers, and the big brass in the Pentagon.

The pay package, like the civil service reform, is no where near as draconian as the administration wishes to make it sound. Although you might never know it from the administration's rhetoric, the proposal does not actually reduce anyone's pay. Certain pieces of the bill are worthy of support. Let me comment on certain major parts of it:

The President proposes using a concept of total comparability between Federal wages and fringe benefits and those in the private sector. This is a good idea if the comparison is done fairly and by somebody whose central mission in life

is not slashing Federal spending at any cost. I want to be sure that if Federal workers are forced to pay for parking, that fact is taken into account when the comparison is done. The part of the proposal which would allow the President to adjust unilaterally fringe benefits represents an improper delegation from the Congress to the President and I oppose it. Including State and local government employees in the pay comparison is legitimate.

The President proposes putting white-collar workers on locality based pay. This proposal is good, except that it excludes an enormous number of managerial employees. If locality based pay is to be used, it should be used all the way up to the top, especially since top management in the Federal service is almost exclusively white and male. If a female secretary in Alabama is paid less than a secretary in New York, why should a male facility manager in Alabama be paid the same as a facility manager in New York? Moreover, I would like to see whatever legislation passed provide some fairly clear guidance on how the administration is supposed to determine what is an appropriate local wage area.

The President proposes a number of changes in blue-collar pay computation to bring Federal employees more in line with their brothers and sisters in the private sector. Before deciding what makes sense here, I would like to see some good hard data on these workers. Are Federal carpenters paid more than private carpenters in the same area? Will cutting the pay of Federal blue-collar workers have the affect of union busting in some areas? I want to know the answers to these questions.

The President proposes keeping his power to submit alternative pay plans, even when the defects in the comparability system are eliminated. I can understand that the President should be able to make adjustments in a national emergency, but not on the basis of "economic conditions affecting the general welfare," as the law now permits. For the last few years, the President has, through the setting of pay caps, been trying to appease the dragon of inflation by feeding it the pay hikes of Federal workers. From the point of view of economics, this policy has had no effect. From the point of view of Federal workers, this policy has reduced their real wages.

I will continue to listen to the debate on pay "reform." I refuse, however, to be stamped into voting for bad legislation just because I am trying to prove that I am a bigger skinflint than the next person. ●

#### TV DUMPING

#### HON. MORGAN F. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. MURPHY of Illinois. Mr. Speaker, I have long been concerned about the failure of the Treasury Department to

enforce U.S. antidumping laws in a firm and timely manner. Japan's dumping of TV sets in the United States has been particularly illustrative of the Treasury's inability or unwillingness to strictly enforce the Antidumping Act of 1921.

I would like to draw my colleagues' attention to an article I have written on this subject. One item in the article should be corrected. The article refers to the Treasury ordering the Customs Service to "change its formula" for calculating dumping duties on March 30, 1978. The Treasury did not abandon the commodity tax formula as the basis for making dumping assessments. However, Treasury did limit Customs' recommended assessment to the period covering early 1972 through June 1973, which amounted to \$46 million.

This was done despite a strong written recommendation by the Commissioner of Customs in March 1978, to proceed with Customs' plan to assess dumping duties through 1976. That assessment totaled \$400 million. And I should add that the General Counsel of the Treasury, in a May 31 letter sent to the Chicago Tribune in response to my article—a copy of which he also sent to me—has gone on the record strongly suggesting that the \$46 million assessment will be substantially reduced. He said in the letter that new evidence submitted by importers of Japanese TV sets is now being evaluated by the Customs Service, and "Preliminary indications from the Customs staff are that the \$46 million assessment vastly overstates the liability for dumping duties which will be owing (sic) for this period."

It should be noted that Customs recommended using the commodity tax method in 1977 because the information originally submitted to Customs by many of Japan's TV makers concerning the foreign market value of the TV sets was found to be unreliable.

Mr. Speaker, the article follows, which appeared in the Chicago Tribune on May 30, 1979:

**JAPANESE TV DUMPING: WHOSE SIDE IS OUR TREASURY ON?**

(By Representative Morgan F. Murphy)

[Mr. Murphy is the Democratic representative in Congress from Chicago's 2d District.]

Over the last decade, Japan's "dumping" of TV sets has eliminated more than 60,000 U.S. jobs. As Japan's share of domestic color TV sales has grown to approximately 40 percent of the market, the number of firms manufacturing TVs in the U.S. has been reduced from 25 to 11, six of which are foreign-owned.

The resulting unemployment has not only brought hardship to thousands of families, but also has caused a decline in tax revenues while increasing welfare and unemployment payments.

That's why the Treasury Department's failure to enforce U.S. antidumping laws has remained such a strong concern among many of us in Congress.

["Dumping" is the selling of a product in the U.S. at a price cheaper than it is sold for in the manufacturer's home market. Existing trade laws require the imposition of special customs duties on products that are dumped.]

A federal grand jury investigation and a spate of new press accounts have revealed fresh evidence of TV dumping and tax enforcement of U.S. trade laws. On March 29, a New York-based department store chain

pleaded guilty of customs fraud for falsifying invoices on Japanese-imported TVs. The false invoices were pegged at the fair market value of \$72 per TV set. In reality, the department store was secretly getting a \$25 rebate on each set from the Japanese manufacturer.

These under-the-table payments, customs agents told Time magazine, have been made by virtually all Japanese TV makers [except Sony] and were most frequent during the mid-1970s recession. The rebates were intended to disguise the fact that the TVs had been dumped, enabling importers to undersell American-made sets by as much as \$100.

But wait, there's more. Several recent press articles have revealed that the Treasury Department last year blocked a move by customs officials to collect more than \$400 million in back duties from Japanese TV makers. The chronology goes like this: In October 1977, the U.S. Customs Service decided to drop its complicated method for assessing dumping duties. Instead, the agency adopted a formula based on the commodity taxes paid by Japan's TV makers to the Japanese government.

Using the new formula, the Customs Service determined that more than \$400 million in back duties was owed by Japanese TV makers for the period April 1972 through 1976. That figure reaches about \$600 million if 1977 and 1978 imports are included.

The Customs Service was scheduled to send out its notice of revised dumping penalties on March 31, 1978. Shortly before then, Japanese government officials and TV makers went to the Treasury to complain about the pending dumping assessment. On March 30, the New York Times reported, Treasury officials instructed the Customs Service to change its formula and post duties of \$46 million for the period covering early 1972 through June 1973.

As Thomas L. Delaney, a senior attorney for the Customs Service, told Time: "Treasury pulled the plug. Out of the blue, they disbanded us. When I protested they told me I would be fired if I continued to protest." Delaney, who had worked for 13 years on antidumping matters was subsequently transferred to a new job.

The Treasury belatedly moved last March to collect some dumping duties. It ordered some 40 U.S. importers to pay the remaining \$40 million in dumping penalties that were assessed last year. However, Japan's TV makers have announced—after missing Treasury's "final" deadline—that they will not pay their share of these duties. The matter has been turned over to the Justice Department.

The duties that Treasury is attempting to collect come nowhere near the \$600 million that should be collected for the years 1972 through 1978, based on the formula used by the Customs Service in 1977.

Congress has acted responsibly in passing laws aimed at protecting U.S. workers from unfair trade practices; the executive branch, however, has failed to strictly enforce these laws. In response, I have cosponsored legislation in Congress that would improve the enforcement of our antidumping laws. Among other things, the bill would transfer the authority of determining dumping from the Treasury to the U.S. International Trade Commission.

All nations have a stake in promoting free trade; the best way to achieve that end is to make sure that it is also fair trade. ●

#### CUTTING SOCIAL SECURITY BENEFITS

**HON. JAMES H. SCHEUER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. SCHEUER. Mr. Speaker, proposals to cut back on social security bene-

fits, including the disability insurance benefits in the social security program, have been proposed by the administration.

The following interview with an acknowledged expert on the subject presents a convincing case against the proposed cuts. Wilbur J. Cohen has spent a lifetime working on, with, and for, a sound social security program. I want to insert an interview with him in the CONGRESSIONAL RECORD and urge Members and their staff to read it before voting to cut social security benefits.

#### SOCIAL SECURITY FOUNDER LOOKS AT ITS FUTURE

Wilbur Cohen, one of the original authors of the Social Security Act, is still one of its strongest defenders. In 1935, he helped draft the original legislation as a staff member of President Franklin Roosevelt's Cabinet Committee on Economic Security. Cohen served in the cabinet of President Lyndon Johnson as Secretary of Health, Education and Welfare. He is currently a professor of Public Welfare Administration at the University of Michigan and serves as chairman of the National Commission on Unemployment Compensation and a member of the National Commission on Social Security.

While in Washington to testify against the Carter Administration's budget cuts, he took time out of his busy schedule to grant this interview with the Machinist.

Q. You were one of the authors of the original Social Security legislation in 1935 and have followed all the changes and additions in the law since that time. With this background, what do you think about the President's proposed cutbacks in benefits?

A. I am very strongly opposed to the Administration's cutbacks in Social Security. People contributed to the system in the belief that the benefit promises being made would be carried out. I think, therefore, that the cutbacks that have been proposed are a very serious undermining of the integrity of the system as well as of people's belief in the integrity of their government.

I don't mean to imply that there can't be some changes in Social Security, but they have to be looked at in their entirety with other elements on financing and the benefit structure. The President did not, as has been the tradition for 45 years, base his recommendations on the advice of any advisory group. In the past, ever since the beginning of the 1935 Act, a group of employers and employees and public representatives have always reviewed proposals and made constructive suggestions.

This was the first time in which this was not done, and there were advisory committees in operation. I actually am a member of one of them created by Congress, and I think that the fact that this procedure was not followed was such a shocking blow to people in the labor movement and to the public generally that they were affronted by this development.

I happen to believe that most of the particular proposals for change are not sound in principle. I recognize that people have different points of view about that and perhaps something has to be worked out which would involve some compromises or adjustments, some pluses and some minuses. But, I do believe that the general idea that there ought to be some cutbacks in Social Security so precipitously done without safeguarding the rights of people is a most unfortunate political development.

Q. Isn't it true that some people have already paid for some of these benefits that will be cutback?

A. People have contributed into the system since 1937 with the belief that they are going to get these benefits. Some of the benefits did not come into being until later and there well could be adjustments in it. But,



in my opinion, if there are, they must safeguard the rights of people who are already on the rolls and give people adequate time to adjust. So, I believe not only that these changes should not be made in this budget year, but I don't believe that they should be made in the next year's budget.

Q. How do we make necessary changes?

A. Beginning right in 1934 when the initial law was proposed, there was an advisory committee of employers and union people and public people which went over the proposal. That didn't mean that in every case they were always unanimous on every single point, but the idea was that if the workers of the country were going to contribute to the system and the employers were going to contribute to the system, they ought to have an opportunity to go over it and make suggestions and try to work out something that they were reasonably in agreement on. Again in 1938 and 1939 there was an advisory council; and again in 1948, and in 1971, . . . and in 1975.

Each big change in Social Security was after there had been a lot of conversation, negotiations, participation, and even though everything wasn't unanimous, the participants who were really paying the cost, felt that they had been consulted and had had some input, and then Congress acted on it. This is the first time in 45 years that that that was not done and when it wasn't done by a Democratic administration, of which I had previously been a member of the Cabinet, I was deeply affronted by the procedure.

Q. You belong to such a council right now, don't you?

A. Yes, I am a member of the National Commission on Social Security and there is an employer member of that and a labor member and we will spend the next two years studying the Social Security program. In normal times that would be one of the ways that there would be consultation and something would be worked out. By a democratic process we would reach a conclusion.

I want to make this point—Social Security is quite different from all other aspects of government. Workers contribute a payroll tax, not because a payroll tax is the most progressive way of financing the benefits, but because by paying a payroll tax they have an earmarked right to participate in the process that determines the benefit and financing structure. Now if you've got that kind of a cooperative participatory system. Then you've got to use the cooperative participatory system and not try to make changes without using it. It's not a general revenue program of government. The government is acting as a trustee for the contributors and the beneficiaries in a quite different way than anything else in government, and the present Administration has overlooked that by trying to treat Social Security as if it were a regular budget factor of the general budget. It is not.

That is why many of us feel so offended about the present Administration treating it like a regular budget program when it is not a regular program. It is a separate trust fund with contributions from employers and employees which must be looked at on its own merits as a separate function of government in which the government is acting as a kind of insurance company as a trustee for the people . . . not in terms of how it runs, like the Defense Department or something like that.

Q. How does Social Security compare with commercial insurance companies?

A. Social Security is a giant group insurance program in which the Federal Congress is the Board of Directors of the Social Security system. But it operates in a way quite different from a private insurance company because it has one advantage that a private insurance company does not have. Namely, it can make the coverage compulsory on people to contribute, and there is the taxing

power behind the financing plus the full credit and faith of the federal government.

Therefore, it has advantages that a private insurance company does not have. One of the big advantages is that the benefits can be adjusted to the cost of living. There are very few private contracts and private insurance companies where you can get your insurance adjusted to the cost of living because the insurance company has no way after you have paid your premium to adjust the financing. But Social Security not only has the benefits adjusted to your changes in wages, but to the changes in prices, which is one of the factors why a lot of people don't realize that they are getting their money's worth.

One of the big myths about Social Security is that it is a ripoff, that people are paying more than their money's worth. Neither of those two statements is true. Social Security is a giant group insurance which permits large numbers of people to have a tremendous amount of protection at a relatively low cost with a benefit that is constantly changing to the changes in prices. That's insurance you can't buy from any other private group.

Q. Social Security is a lot more than retirement, isn't it?

A. Now there is another myth that ought to be dealt with. A lot of people say, "Well Social Security is just retirement, and all these other frills on it were never originally intended." You have old age retirement, but disability insurance is retirement due to physical disability. Then you have life insurance, which is death, and that's permanent retirement.

So, there is a logical relationship between retirement, old age retirement, disability retirement, and death retirement. They represent a well-rounded program of protecting the American family. I think that the idea of looking at Social Security as family protection is very important and ought to be given increased attention.

Q. Is Social Security going bankrupt?

A. Social Security is not bankrupt now, and it will not be bankrupt in the immediate future. It is true that one can postulate a series of events where it would be bankrupt just like you can postulate that maybe the price of gasoline will be \$5 a gallon sometime in the future, too. But the one thing about Social Security that is true, is that for the immediate 25 or 30 years or 50 years, the present law makes the system financially sound. Now, we'll have problems 50, 60, 75 years from now. But that gives us time to work them out. So, I do not think that it is a fair statement to make that Social Security is bankrupt or going bankrupt.

Q. People who favor the cutbacks the President proposed say that they will be made in order to reduce our contributory taxes. Is there some other way we can reduce our contributory taxes and still get Social Security benefits?

A. I think that there are some changes that can be made that would reduce the cost, but on the other hand I think that there are a lot of things in Social Security that need to be improved that would increase the cost. That's the whole point of these advisory councils, to go into all of them and come out with a wellrounded program that will change the financing and change the benefits to meet the greatest needs of the American people.

I do not believe that the present program, in regard to either financing or benefits, should remain exactly as it is. It ought to be modified in relation to experience and the problems and the needs of the American people. But it should not be done on a piecemeal basis such as the Administration has proposed, but should await the full report of the two advisory groups. Then take action on the basis of a well-rounded, intelligent, well-thought-out program.

Q. Part of Social Security is, of course, Medicare. Opponents say that Medicare is in need of major overhaul. What do you think, and what would you do to improve Medicare?

A. Medicare is in need of a major overhaul, but primarily, from the point of view of expanding to meet more of the medical needs of older people. It's a very difficult program because we have to depend on the cooperation of physicians and hospitals to make it successful. But among other things that I would do, I would reduce the (eligibility) age from the present age of 65 to 60. I would provide for a cap on the total costs that an individual would have to pay. I would broaden benefits to include diagnostic examinations, hearing aids, eyeglasses and so on, all of which would increase the cost, but I think would bring much more peace of mind and better medical care to the American people.

Q. Would you include prescription drugs with it?

A. Yes, I would include prescription drugs of a certain limited type to begin with into the Medicare program. Now, those all cost some money, and obviously in a period of inflation we would have to be very careful to only start with those things that would be acceptable.

Q. You mentioned some ways that you thought could be used to interest doctors more in participating in the program.

A. I've given a lot of thought to that. In order to get doctors to cooperate more effectively with the system and to keep the cost of medical care in reasonable balance during an inflationary period, I have proposed that physicians be given medical malpractice coverage as part of their participation in the system. Medical malpractice problems are a tremendous problem to the physician at the present time and in some cases the cost has been overwhelming. Because of the fear of law suits they sometimes give unnecessary tests and groups of tests. One of the suggestions I make is to give every physician \$100,000 or \$1 million medical care malpractice coverage as payment for their willingness to participate in the Medicare system and to accept full payment from the Medicare system for his services.

Q. What do you think about using general contributions from federal tax revenues for financing Social Security?

A. I favor using some general revenue finances in the system but identifying different kinds of benefits or expenditures for those to be handled through general revenues. My first suggestion is that half of the cost of Medicare be financed by general revenues. I believe that if we did that, we would not have to increase the Social Security tax rate in 1981.

Q. Taking into account the increases in the Social Security contributions and the misconceptions about the program, what are some of the program's important values and what does the future hold for Social Security?

A. I think that the greatest contribution of the Social Security system is peace of mind. I think that it is a very definite economic value. That's why I have automobile insurance on my automobile, that's why I have fire insurance on my house, that's why I carry life insurance; so that if some hazard occurs, you or your family or society will be reasonably protected. You won't have to go on welfare, you won't have to borrow, you won't have to be dependent. And so I think that contributing to Social Security has a very big economic, psychological, political and social value.

In addition, one of the great advantages is that because the Social Security system is a group insurance, you get a lot of protection at a minimum cost. It costs only 1.7 percent of contributions to administer the Social Security system. In other words, instead of 5, 10, 15, 20 percent that a private company has to pay because they have to

sell the insurance—I'm not saying that the private insurance company doesn't merit that—but if an insurance salesman has to come to your house, it is obviously going to cost more. There are no insurance salesmen in Social Security. That whole cost is not found in Social Security because it's compulsory, and it's universal and there are a hundred million paying into the system. The total administrative cost of the cash benefits is 1.7 percent, and even including the Medicare program which costs a lot more, it's only 2½ percent.

Q. What is your estimate that it would cost for the same coverage from a commercial insurance company?

A. If you have individual contracts, the administrative costs are something in the neighborhood of 40 or 50 percent. If you buy an individual contract or annuity, the cost can run anywhere from 30 to 50 percent. If you buy group insurance, the cost is anywhere from 5 to 15 percent. So in either case, the administrative costs savings are very substantial.

But nobody tells the American people that. Here is the government which is responsible for the program, and it does not tell the people that they're getting a good buy. On just that one point you're saving 10, 20, 30, 40 percent. So that when people say "government's a ripoff, government is inefficient," here's one case where the government is efficient, here's one case where they save you money, here's one case where it's not a ripoff, here's a case where you get your money's worth, and I bet you there's not one worker in the United States out of 100 who realizes that.

## GETTING RID OF THE COMPETITION

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

• Mr. PAUL. Mr. Speaker, there are some businessmen who like, and actively work for, Government regulation. Getting rid of the competition makes life so much easier for the corporate manager, as do guaranteed profits.

We see this in the calls for a Government-business "partnership" in synthetic fuels and other areas. But this can lead to a corporate state, totally inimicable to American traditions and freedoms.

Last Sunday Mr. William Greider, the eloquent editor of the Washington Post's "Outlook" section, discussed those who would turn our country into an occidental Japan, Inc.

I would like to bring excerpts from his column to my colleagues' attention:

THE BUSINESS CRY FOR MORE GOVERNMENT INTERVENTION

(By William Greider)

Lately, I keep running into businessmen and corporate managers whose discontents can be summarized in one whining question: Why can't Americans be more like the Japanese?

A few weeks ago, I listened to a steel company executive holding forth on the awesome competitive powers of "Japan, Inc."—that government-industry partnership of legend that produces so efficiently and sells so aggressively around the world. Big steel is feeling the pain, and this executive thinks America's only choice is to emulate Japan's success: cartelized planning by government and industry, carving up markets, fixing national goals, wages, whatever.

But what happens to the supposed "free enterprise" that business always extols?

"This would be modified free enterprise," the steel man said, without a trace of irony.

It certainly would. Maybe I am misled by idle cocktail chatter, but my impression is that this idea needs to be watched carefully—and chewed on vigorously by all skeptical small-d democrats. The notion of a unified economic system seems so alluring to a particular kind of business manager, especially those who never read any history. They might start with the Old Testament story of Jacob and Esau.

A few months ago, the chief executive of a major chemical corporation was sermonizing over lunch on "free enterprise," berating a table of journalists for not appreciating the marketplace sufficiently. Someone asked how he would remedy the nation's economic ills. Without missing a step, this business leader also began spelling out a moderate version of "Japan, Inc.," a government-business partnership.

Mouths fell open around the table. The man recognized the contradiction—and blushed.

These people would all blush if they recognized the sweet irony of what they are proposing. It is a modern computerized version of FDR's blue eagle—the National Recovery Act, which called for the same sort of cartelized planning in the Depression. These conservative businessmen, without knowing it, are now embracing the old left-liberal idea.

The Supreme Court shot down the NRA eagle as unconstitutional, but in this age of global conglomerate corporations, standing astride national boundaries and doing business in an extraordinary range of products, the idea may have more appeal to that strange conservative mindset that seeks order above all other social values.

If I am right about this (and, as always, I may be wrong), the next decade will produce an upside-down ideological debate on the best economic organization for America. The pro-business conservatives will be leading cheers for vast expansion of government powers. The "reactionaries" will be the new generation of liberals and old-fashioned "free soil" Republicans, people who insist that Americans don't want to be Japanese, that we prefer to remain unruly, disorganized, wildly diverse and individualistic Americans.

Personally, I suspect a lot of Japanese would rather be Americans too. As their young modern society settles into its extraordinary prosperity, I think we will see more of the unruly individualism that produces so many problems for our government and industry. A decade from now, if not sooner, Japan may be bewailing the "decline in productivity" and denouncing the flakiness of its young people.

In the meantime, however, everyone has to concede that the Japanese have successfully channeled their old military zeal (and fierceness) into the pacific and profitable realms of inventive industrial development. The United States, acting on the highest sense of its own self-interest, encouraged this for 25 years, tolerated Japanese dirty tricks in trading and indulged Japan's newfound devotion to pacifism by providing U.S. defenses, free of charge. That era is over and the Japanese may discover that their "cooperative" economic system is not quite so invincible, once the other trading nations, mainly us, demand that we all play by the same rules.

The United States, for instance, spends billions every year across the far Pacific, defending Japan and its trade routes. Japan, I'm told, profited hugely from our two wars in Asia, Korea and Vietnam. Fine, Japan doesn't want to rearm and we should all cheer that noble commitment. But that shouldn't prevent Japan from paying its full, fair share of the bill. They could send us

a check every year (so could Taiwan, Korea and the Philippines), and it would virtually wipe out the U.S. trade deficit with Japan, \$8 billion to \$10 billion this year.

I don't think "Japan Inc." will look quite so awesome once this era of adjustment is settled, but the idea does to many U.S. businessmen, especially if their market is getting picked to pieces by made-in-Japan products. Conservatives in Congress are promoting a new federal department—"the Department of Trade"—which I suspect is a stalking horse for this idea. A new book by a Harvard professor, "Japan as Number One" (Harvard University Press), scolds Americans for not being more all-together like the Japanese.

Ezra Vogel, chairman of Harvard's Council on East Asian Studies, proposes a number of remedies for us, including "a communitarian vision. In bygone days of more genuinely free enterprise, the model of the independent trader or businessman, like that of the cowboy, was not only appealing but appropriate . . . business leaders now recognize that this model is no longer appropriate in an era in which large organizations confront complex problems, but they nevertheless lament the loss of our individualistic past. Americans tend to think of the organization as an imposition, an outside force, restraining the free individual. Japanese from an early age are taught the values of group life . . ."

Personally, I prefer to stick with the cowboy.

It feels more American to me, imagining I am a cowboy. Cowboys are what made this country great, also those free-wheeling independent traders whom Vogel regards as archaic. I think we should try to keep thinking of ourselves as cowboys, as long as we can. If I have to choose between illusions, I'll take John Wayne and Gary Cooper over Sony and Toyota. . . .

## CONGRESS SHOULD PAY SOCIAL SECURITY

HON. KEN KRAMER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

• Mr. KRAMER. Mr. Speaker, in the few months that I have had the privilege of serving in this Congress, I have found that one of the issues of most concern to my constituents is the issue of participation in the social security system.

Many Americans do not like social security at all and feel that participation should be voluntary. There are many on the other side who feel that if the system is mandatory for some, it should be mandatory for all. The prospect of universal social security coverage, however, is upsetting to many, particularly those under the civil service retirement system, who believe that mandatory universal coverage and merging of the two systems would compromise the benefits which they have earned under the civil service retirement system. And, of course, many individuals feel that social security benefits should be increased in one way or another. Others feel that all or part of social security benefits should be paid out of the general tax revenues rather than just out of the trust funds. And growing numbers of Americans are just plain fed up with the ever-increasing "contribution" levels which are required of them. For more than half of all work-



ers, FICA taxes exceed the amount of Federal income tax paid.

I have grave reservations about the equity of mandating universal social security coverage under the present system because of the effect such an action would have on the retirement plans of the employees covered by plans other than social security. At the same time, it is imperative for the Congress to review the future viability of the social security system. Those who are being called upon to make substantial contributions now should be able to count on the availability of those funds when they reach retirement age.

The social security tax increases passed by the last Congress were not well received by the general public, and frankly, I doubt seriously that any future increase will be possible anytime soon, even if it is determined that the system is again financially insolvent.

Just as the Congress will not discipline itself to live within a finite budget without some external pressure such as by a constitutional amendment requiring a balanced budget, neither will the problems facing the social security system be adequately addressed until Senators and Representatives pay social security taxes.

Thus, today I am introducing a bill requiring mandatory participation in the social security by Members of Congress. In addition, the bill I am introducing provides that if a Representative or Senator is also a participant in the civil service retirement system, the total retirement benefit which he or she may receive as a result of service in the Congress may not exceed the amount to which the Member would be entitled under the civil service retirement system. This provision insures that Members of Congress will not be "double-dipping" as a result of their required participation in the social security system. While it may be considered somewhat harsh by those who argue that, after all, the Member is contributing to both systems, I believe that it is important in this time of public distrust of public officials and resentment of the prerequisites of public office, that Members avoid even the appearance of personal advantage accruing from service in Congress.

I point out that it is not the intent of this legislation to limit the amount of annuity to which a Member may be entitled as a result of any other pension plan or as a result of other civil service. Rather, the limitation applies only to a double computation for the Member's term of service in the Congress.

It should also be noted that participation in the civil service retirement system by Members of Congress is voluntary. Under this measure, Members would still be able to participate in that system, in addition to the mandated social security participation, but they would do so in recognition that for that period of service in the Congress, their retirement annuity from both systems would be limited to what they would receive under the civil service retirement system for that term of congressional service.●

#### EDUCATION COSTS FOR THE HANDICAPPED

### HON. CHRISTOPHER J. DODD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. DODD. Mr. Speaker, meeting the educational needs of handicapped children must be considered among the greatest goals facing public schools today. To reinforce the efforts of our Nation's school districts, Congress took up the banner by passing section 504 of the Rehabilitation Act of 1973 and then the Education for All Handicapped Children Act in 1975. Taken together, these programs operate as mandates on public school systems to insure that all appropriate services and opportunities are provided to America's 3.7 million handicapped youngsters.

While these Federal mandates have resulted in positive educational results, they have come at great costs to the American taxpayer. The National School Boards Association has completed a national survey of 261 school districts, representing 11 percent of the Nation's public school enrollment, and has determined that special education programs cost approximately \$5 billion per annum.

In establishing these programmatic mandates, Congress contemplated Federal payment for a share of the costs. In addressing the Federal budget, I share with my colleagues the need to carefully weigh taxpayer priorities. Given the human needs to be served, the expectations which we, the Congress, have created, and the overall impact that our mandate is having on local property taxes, a maximum Federal funding commitment for the education of handicapped children is vital.

To clarify the local impact of the ongoing program costs to local school districts, I would at this time like to enter into the Record a summary of key points from a very recent National School Boards Association survey which I hope my colleagues will find useful in understanding the problems confronting our local school systems. The text of this summary follows:

#### A SUMMARY OF THE NATIONAL SCHOOL BOARDS ASSOCIATION SURVEY ON SPECIAL EDUCATION COSTS FOR THE HANDICAPPED

The Education for All Handicapped Children Act (Public Law 94-142) established a mandate requiring local school districts to provide a "free appropriate education" to all handicapped children and youth in their jurisdictions, between the ages of three and 21 years. In the event that school districts are unable to meet the mandate through the use of their own education facilities, the districts must provide for placement in either residential or non-residential institutions outside the district. This mandate translates immediately into high expenditures for all school districts not sparing those already facing severe revenue shortages.

The National School Boards Association (NSBA) collected data in February and March of 1979, to assess the costs to local school districts for the special education needs of the handicapped. The report titled, "A Survey of Special Education Costs in Local School Districts" includes several significant findings.

The cost differentials between special education and regular education programs will continue to become greater, at least over the next several years. NSBA found that local school district special education budgets are rising at twice the rate (14 percent per year) of local school instructional and operating budgets (7 percent to 8 percent per year). See Table 1 below.

TABLE 1.—PERCENTAGE INCREASES IN SPECIAL EDUCATION BUDGETS, NSBA SAMPLE

Size of district	1976-77 special ed budgets	1977-78 special ed budgets	Percent increase	1978-79 special ed budgets	Percent increase	Size of district	1976-77 special ed budgets	1977-78 special ed budgets	Percent increase	1978-79 special ed budgets	Percent increase
Up to 999	\$390,659	\$691,830	77.1	\$1,355,817	96.0	10,000 to 24,999	\$58,121,164	\$73,857,921	27.1	\$88,556,941	19.9
1,000 to 2,499	3,814,098	5,116,812	34.1	7,773,715	32.4	25,000 or more	400,701,885	444,490,843	10.9	499,167,312	12.3
2,500 to 4,999	8,966,380	11,217,890	25.1	14,903,621	32.9	All districts	502,649,986	574,081,405	14.2	656,467,250	1.43
5,000 to 9,999	30,655,800	38,707,109	26.3	45,709,857	18.1						

The vast majority of school districts must plan on the costs of placing some handicapped students in instructional settings outside of their district facilities. NSBA found the following cost guidelines are valid regardless of location, size or district per pupil expenditure. See Table 2 below.

It costs four times as much as a regular student to place a handicapped student in a non-residential setting.

It costs eight times as much as a regular student to place a handicapped student in a residential setting.

TABLE 2.—OUT-OF-DISTRICT PLACEMENT: AVERAGE PUPIL COSTS, NON-RESIDENTIAL AND RESIDENTIAL BY SIZE OF DISTRICT, NSBA SAMPLE

Size of district	Non-residential	Residential
Up to 999	\$3,384	\$6,134
1,000 to 2,499	3,465	7,472
2,500 to 4,999	3,857	9,548
5,000 to 9,999	4,504	5,996
10,000 to 24,999	4,612	8,550
25,000 or more	4,047	18,632
All districts	3,978	9,405

Local school districts identify "federal mandates" to be the most significant factor contributing to rising special education costs. Similar "state mandates" are seen to be the second most important factor.

The size of the school district determines the number and costs of "out-of-district instructional placement" for handicapped students. Small districts must plan to place a much higher percentage of their handicapped student population outside their district probably due to the lack of facilities. Large districts will place a much smaller per-

centage but will pay extremely high costs for those for whom district facilities are inadequate. See Table 3.

Out-of-district placement declines as school district size increases.

Costs per each out-of-district placement increase as the size of the school district increases.

TABLE 3.—NEED FOR OUT-OF-DISTRICT PLACEMENT, BY NUMBERS AND PERCENT PLACED, NSBA SAMPLE

Size of district	Need for outplacement		Number of pupils placed	Percentage of special education enrollment
	Yes (percent)	No (percent)		
Up to 599.....	9 (all)		56	11
600 to 999.....	10 (91)	1 (9)	76	14
1,000 to 4,999....	40 (83)	8 (17)	399	7
5,000 to 9,999....	37 (82)	8 (18)	872	7
10,000 to 24,999..	42 (82)	9 (18)	1,874	7
25,000 or more....	40 (83)	8 (17)	1,808	3
	27 (68)	13 (34)	7,164	2
All districts.....	205 (81)	47 (19)	12,249	3

The cost ratio between the education of the handicapped and so-called regular student is approximately two to one nationwide according to the NSBA survey results. This cost ratio confirms USOE estimates. However, the cost ratio is very likely to be underestimated since the larger districts averages were not statistically weighted.

School districts often do not calculate transportation costs into the handicapped per pupil expenditures.

Large school districts (10,000 or more pupils) pay the highest costs to educate handicapped students. Their cost ratio between handicapped student and a regular student is 2.10 to 1. Significantly, districts of this size educate 45 percent of all U.S. public school children.

Nationwide, the NSBA respondents identify approximately 9 percent of their total enrollment as in need of special education services as defined by P.L. 94-142.

Nationwide, the NSBA respondents identify approximately 9 percent of their total enrollment as in need of special education services as defined by P.L. 94-142.

There are dramatic differences among school districts. Although the average is 9 percent, individual school districts report special education enrollments in a range of 1 percent to 22 percent of their total enrollment as handicapped.

School districts, on the average, cannot identify how much funding they receive from the federal government. It is difficult for them to separate the federal contributions from the state contributions. They can, however, provide information on total contributions from sources outside their local community.

The school districts surveyed by NSBA are a part of the Association's Federal Relations Network (FRN). The FRN represents nearly every congressional district in the United States. The data reflects response from districts enrolling 4,671,000 full time elementary and secondary pupils, or 11 percent of the total national enrollment.

The full report of the survey results can be obtained from the National School Boards Association at 1055 Thomas Jefferson Street NW., Washington, D.C. 20007.●

#### THE NEED FOR SAFE NEW HAZARDOUS WASTE DISPOSAL SITES: AN ISSUE WHICH MUST BE ADDRESSED

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. LaFALCE. Mr. Speaker, I want to bring to the attention of my colleagues an article which appeared on the Op-Ed

page of the New York Times today which was written by Eckhardt C. Beck, Region II Administrator of the Environmental Protection Agency.

Mr. Beck, in his article, addresses two important aspects of the hazardous waste disposal problems which we need to solve immediately. The first point is that the amount of today's hazardous wastes being disposed improperly comes to approximately 90 percent of that produced. The second point Mr. Beck so aptly makes is that one of the reasons that 90 percent of the wastes continue to be dumped indiscriminately is the public's refusal to permit the location of new and safe hazardous waste disposal sites in their own backyards.

Chris Beck knows this subject, knows it well and speaks from experience. Being the Regional Administrator for Region II, his area includes New York and New Jersey—two States in this Nation which have some of the worst hazardous waste problems. It is to his credit, however, that a suit has been filed in his region in regard to indiscriminate dumping practices and that his office is taking action to pursue the polluters. I speak of the Kin-Buc case in New Jersey.

Few individuals understand the problems connected with hazardous waste disposal more clearly than Chris Beck. I concur with his statement that we must act immediately to remedy what could become a worse situation—that of more and more indiscriminate dumping across our country. I also agree with him that the best way to do that is to allow new and safe hazardous waste disposal sites to be built. If we do not permit new sites to be constructed we may, indeed, be left with a situation similar to the one Mr. Beck so vividly describes:

... 5 million metric tons (wet) of hazardous wastes generated yearly in the United States—enough to fill every street and avenue in Manhattan up to a point where we'd be sloshing around knee-deep in chemicals.

The hazardous waste disposal problems which Chris Beck discusses affect all of us. I am pleased to be able to give you the opportunity to read it.

Mr. Beck's article follows:

[From the New York Times, June 7, 1979]

KEEPING LOVE CANALS OUT OF OUR BACKYARDS

(By Eckhardt C. Beck)

The games we play under the laws of nature—particularly those that pertain to the disposal of chemical wastes—seem riddled with mistakes, ignorances, and ultimately, catastrophic excesses.

Our country recently has endured an unprecedented spate of toxic-related episodes, all of which bear some degree of resemblance to New York State's Love Canal, where 300 families had to be evacuated after their homes became dangerously contaminated by poisons leaking from a chemical burial site.

The Love Canal, like other such disasters, involved chemical by-products placed in the ground in ways that are destined to remain an object lesson of how not to dispose of hazardous wastes. Furthermore, there is not even the smallest consolation to be had in the fact that these faulty disposal operations were active decades ago. The Environmental Protection Agency estimates that a significant amount of today's hazardous wastes (about 90 percent) are being disposed of improperly.

The great irony emerging is that both the

mistakes of the past and those of the present are leading us to the brink of perpetrating a whole new set of equally serious miscalculations.

It works this way: The typical reaction to a tragedy like Love Canal is to assume that all chemical-waste-disposal methods are inherently unsafe, which leads people to say, "I don't want them dumping it in my backyard."

No one wants "it" dumped in his backyard, of course. So what we are left with is the five million metric tons (wet) of hazardous wastes generated yearly in the United States—enough to fill every street and avenue in Manhattan up to a point where we'd be sloshing around knee-deep in chemicals.

There is, however, one method of disposal that will always be available.

... people called midnight dumpers—people who have no qualms about the legality or morality of unloading truckloads of hazardous waste by roadsides, or into water resources, or in residential neighborhoods (that is, literally in your backyard).

In New Jersey, for example, a trucker was recently convicted of releasing 200 gallons of contaminated transformer fluids on top of the Perth Amboy water shed at 5 o'clock in the morning. The midnight dumper will face his sentencing soon, but the wells of Perth Amboy—one of which was closed down—will have to be monitored for the next 50 years at least, and perhaps in perpetuity.

Despite Government efforts to crack down on midnight dumpers, the practice will persist as long as secure hazardous waste-disposal sites are not in operation, and economic pressures, therefore, force many waste-generating industries to take advantage of the criminal services the fly-by-nighters offer.

The hazardous wastes generated in this country are not going to go away. Unlike the debate over nuclear energy, this one does not center on whether to produce such wastes or not. With a mind-boggling \$100 billion a year in sales, the chemical industry is firmly here to stay, along with its wastes and the wastes of its clients.

The first thing that must be done to keep midnight dumpers from growing wealthy—as well as to keep them from jeopardizing our health—is to realize that safe, well-designed disposal procedures are available, and that other environmentally-sound methods are being quickly developed as a result of demands in the marketplace. Also, practices like the abominable disposal operation run at Love Canal will be strictly forbidden under a new set of proposed comprehensive regulations.

We must also be concerned with finding sites for new disposal facilities with an emphasis on making them economically accessible to the industries most likely to use them. Such decisions must involve state, county and local officials, as well as concerned citizens, special-interest groups, and of course, the affected industries.

It will not be the most pleasant decision ever made. But it is a far better one than turning to the midnight dumpers, and, in effect, feeding the hand which is now biting us.

Eckardt C. Beck is the United States Environmental Protection Agency regional administrator for New York and New Jersey.●

#### FAR-REACHING EFFECTS OF INFLATION

HON. BOB LIVINGSTON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. LIVINGSTON. Mr. Speaker, I am becoming more and more concerned about the spiraling rate of inflation and



its effects on our economy and our people.

Recently, I received a letter from a young man in my district, who has stated quite clearly the problems that confront this country and the concerns some of us share about his future and the future of his children.

I would like to enter this letter into the RECORD, because I believe it accurately reflects the serious concerns many of our people feel about the far-reaching effects of inflation.

MAY 18, 1979.

SM: An article in my newspaper last week stated the new predicted inflation rate for this year. It is forecasted to be 8½ percent by Treasury Secretary Michael Blumenthal. It also provided the inflation rate of 1978, the average, 9 percent.

What these figures mean to me is that a 6-pack can of Cokes presently no longer costs about \$1.25 like 2 to 4 years ago, but about \$1.75 now. One of my family's cars that cost \$3,000 in 1972 now can be bought for no less than about \$3,995 as advertised on sale a few weeks ago here. A friend of mine and his wife bought a house last year for about \$60,000. His mother-in-law, a local working real estate agent, says it could be sold today for at least \$75,000. My tuition for State university fees rose from \$800 for the 1977-78 school year to about \$1,000 for the 1978-79 school year.

I am very concerned like many others about the cause of this inflation. Nobel-laureate economist Paul A. Samuelson says that if the syndrome in which the budget deficit fights the unemployment problem and the Federal Reserve fights the inflation problem is not reversed, we shall not maintain our growth momentum. And in that way wages and productivity will not be higher in the 1980s than our present low-investment syndrome can produce.

Nobel-laureate economist Milton Friedman says a rising inflation follows each time there has been a rapid growth in the quantity of money. During the brief mini-recession of 1967, consumer prices rose 2.4 per cent per year; during the longer and more severe recessions from December 1969 to November 1970 and from November 1973 to March 1975, consumer prices rose 5.3 per cent per year and 10.8 per cent per year respectively. During the coming recession, he says prices are likely to rise at least 7 per cent per year. I found this in last year's Newsweek published for the week of April 24.

I am inclined to believe from these men, qualified to speak about our economy, that the culprit of our inflation is the Federal government's excessive deficit spending and the making of more money.

If this inflation keeps up, how can I enjoy the small income I shall be earning without spending much of it for just life's necessities?

How can my parents retire comfortably when this inflation takes away from the buying power of their savings? And what about our children, will they possibly grow up with less than what we have had?

Would you please consider this when planning, discussing and legislating laws that would affect the economy of our country.

Respectfully yours,

LEE A. LAMBERT. ●

#### TRIBUTE TO HARRIET HACKNEY

#### HON. TRENT LOTT

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. LOTT. Mr. Speaker, I was deeply saddened when I received word of

the death of Harriet Hackney, a good friend and a loyal servant to this Congress and to the citizens of this Nation. Harriet had a distinguished career of public service, which began with her work as a probation officer for the judicial court system in North Carolina. In 1969 she moved to the Washington area and subsequently worked as legislative assistant to Representative Earl Ruth of North Carolina and as executive director of the Republican Research Committee.

In recent years Harriet has been employed by Business Roundtable and Prudential. Throughout her career she has been active in civic and political organizations, to which she has contributed with zeal.

To any job Harriet undertook she brought more than a mere willingness to perform the task at hand. She faced each challenge with vigor, enthusiasm, and understanding that always produced the finest possible result.

During memorial services here in Washington held on May 22, Representative John McCollister, with whom Harriet had worked, paid tribute to her and spoke of the grief that Harriet's family and friends feel so deeply at this time. I want to share with you what Representative McCollister had to say about the loss of a wonderful American—a true friend, a devoted worker, an inspired leader.

There have been times in my life when I have wondered if I were adequately equipped to do that which was required of me. Never have I felt more inadequate than I do now as I offer a bit of personal testimony about Harriet as we, her family and friends, gather together in this memorial tribute. It is impossible in these few words to capture the burning fire of her personality and her impact on each of us. She meant so very much to each of us. We loved her so much.

I know that she is with God in Heaven. I know that on the eternal scale of time our time here together is a brief instant.

I know that in a little while we shall be united with Harriet and all of those we have loved.

I know all that—but what a tragedy it is that we have been denied her love and her great gift of friendship.

This is a testimony of head and heart.

Our heads remember her competence. She was very good at her job. She knew people and she knew legislative issues and she knew the inter-relationship of people and issues. She knew the processes of the Congress, the strategic importance of timing. She knew the stresses public life imposes on public officials and how to present a point of view—taking into consideration all the factors—how to present a point of view most effectively.

She was honest. In an environment of dealing with difficult people on difficult issues, she didn't misrepresent her position—she did not sugar-coat disagreement, but faced it—courageously. When she recruited us for any assignment, she never underplayed the difficulty.

And I'm pretty sure that her great organizational abilities are already at work organizing her precinct in heaven.

But it is not our heads which rule us here in this memorial service—it's our hearts.

And our hearts tell us that here among us lived a friend of great capacity for friendship. Harriet lived and worked with great inten-

sity. She felt strongly about people, about issues, about her country and about her family.

Probably it's always been this way, but it seems to me the most urgent sin of these times is the preoccupation so many have about self—and a great unconcern about others.

Sometimes to those of us who have dabbled in politics it seems that no body cares about anything.

The cynics excuse themselves by saying it doesn't make any difference what they do—the system is rotten and they don't count for anything.

The selfish are dedicated to making their lives comfortable. Their biggest problem is the bad grass on the 15th green.

The egomaniacs think the institution or the cause is not as important as their role. They will play only if they can be coach and captain—and keep the score.

Harriett was passionately different. She worried about all of us. When my misadventure with the Senate brought me downtown, she helped so very much to help me be useful. When Lou Frey was not elected governor of Florida, one of her greatest concerns was his welfare. Many of you can testify to her unselfish concern for all of us.

Theodore Roosevelt once said something that has been important to me. He said "far and away the greatest prize life offers is the chance to work hard at work worth doing."

That was Harriett—dedicated, committed, concerned. And, she worked hard—too hard—at everything she did.

I, like you, have lost a dear friend—a remarkable human being. She was one of the most important people I have known. Our lives have been made richer because of her—and poorer now that she is gone.

Lord, we are grateful that our lives have been changed by our friendship with Harriett Hackney. We are grateful that we shall be a little less complacent—a little less concerned with our own comfort—a little more concerned with others and willing to give of ourselves by the example of her life. We pray that Charlie and the children will be consoled—and that all of us who grieve shall be comforted.

We pray in Jesus name.

Amen. ●

#### RESULTS OF O'BRIEN QUESTIONNAIRE—POLL RESULTS SHOW STRONG SUPPORT FOR NUCLEAR ENERGY, DECONTROL OF OIL

#### HON. GEORGE M. O'BRIEN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. O'BRIEN. Mr. Speaker, a vast majority of Illinoisans in the 17th District support the continued use and development of nuclear energy according to a survey taken just 1 month after the Three Mile Island accident. Substantial support surfaced in the poll for phased decontrol of domestic oil prices, a windfall profits tax, and enforcement of the 55-m.p.h. speed limit.

These findings are the result of a public opinion poll. Questionnaires were mailed to 190,000 households in Will, Kankakee, Iroquois, and Cook County's Bloom Township. After approximately 4 weeks the return is between 9 and 10

percent. The questions covered issues to be faced by Congress this year.

People overwhelmingly supported a substantial across-the-board cut in Federal spending although it would mean cutting Federal programs they support. Taxpayers want to get Federal finances in order even if it means amending the Constitution. A U.S. constitutional amendment requiring a balanced Federal budget except in times of emergency received an 85-percent favorable vote.

A sharp disagreement surfaced regarding how our social security system should be financed and a slight majority think we should reinstitute the draft.

Regarding health legislation most people favor a program to cover catastrophic illness and do not support the more expensive national health insurance plan. When rating the President, 7 out of 10 people think he is doing a fair to poor job and the Congress came out even worse with 8 out of 10 saying the Congress as a whole could be doing a better job. On the other hand, I was rated excellent to good by over 6 out of every 10 persons.

The exact breakdown of the poll is attached, including county-by-county breakdowns.

## SOUND OFF

A PUBLIC OPINION POLL DISTRIBUTED BY CONGRESSMAN  
GEORGE O'BRIEN, APRIL 1979

[In percent]

	Yes	No
1. Should the U.S. Constitution be amended to require a balanced Federal budget except in times of national emergency?	85	15
2. Would you support a substantial across-the-board cut in Federal spending, even if it meant less funding for Federal programs you favor?	87	13
3. Regarding health legislation, would you support—		
(a) A comprehensive national health insurance program?	31	69
(b) A national insurance program to cover catastrophic illness?	63	37
(c) Expanded eligibility for medicare and medicaid programs?	38	62
4. To cope with the energy problem, do you favor—		
(a) Enforcement of the national 55 mi/hr speed limit?	77	23
(b) Phased decontrol of domestic oil prices?	63	37
(c) Taxes on "windfall profits" resulting from deregulation?	75	25
(d) Weekend closing of service stations?	26	74
(e) Continued use and development of nuclear energy?	81	19
5. To improve social security's financing, would you—		
(a) Use income tax revenues to pay part of the cost?	52	48
(b) Extend coverage to those now exempt—employees of Federal, State and local government and nonprofit groups?	42	58
(c) Favor President Carter's proposal to tighten disability rules, drop the \$225 death payment and reduce several other benefits?	51	49
6. The President has asked Congress to create a Cabinet-level Department of Education. Do you agree with that proposal?	26	74
7. We are currently protected by an all-volunteer army. Should we bring back the draft?	56	44

	Excellent	Good	Fair	Poor	Awful
8. Rate the President	3	14	40	30	13
9. Rate the Congress	2	8	46	34	10
10. Rate your Congressman	23	42	28	5	2

## COUNTY BY COUNTY BREAKDOWN

[In percent]

	Bloom Township		Will County	
	Yes	No	Yes	No
1. Constitutional amendment to balance the budget	84	16	85	15
2. Federal spending cut	87	13	87	13
3. (a) Comprehensive insurance plan	44	56	31	69
(b) Catastrophic plan	63	37	66	34
(c) Widened medicare-medicad.	43	57	40	60
4. (a) 55 mi/hr enforcement	71	29	77	23
(b) Phased decontrol	61	39	62	38
(c) "Windfall profits" tax	80	20	76	24
(d) Weekend closings	36	64	26	74
(e) Continued nuclear energy	80	20	81	19
5. Financing social security:				
(a) Income tax revenues	50	50	52	48
(b) Covering exempt groups	48	52	40	60
(c) Reducing benefits	44	56	52	48
6. Create new education department	36	64	27	73
7. Reinstate the draft	52	48	57	43

	Excellent	Good	Fair	Poor	Awful
8. Rate the President—					
Bloom	5	11	41	33	10
Will	4	16	39	29	12
9. Rate the Congress—					
Bloom	4	9	48	25	14
Will	2	9	45	34	10
10. Rate Congressman O'Brien—					
Bloom	17	39	33	8	3
Will	23	41	29	5	2

	Kankakee County		Iroquois County	
	Yes	No	Yes	No

1. Constitutional amendment to balance the budget	83	17	89	11
2. Federal spending cut	86	14	90	10
3. (a) Comprehensive insurance plan	30	70	27	73
(b) Catastrophic plan	60	40	46	54
(c) Widened medicare-medicad.	35	65	26	74
4. (a) 55 mi/hr enforcement	76	24	80	20
(b) Phased decontrol	62	38	72	28
(c) "Windfall profits" tax	75	25	73	27
(d) Weekend closings	25	75	26	74
(e) Continued nuclear energy	81	19	80	20
5. Financing social security:				
(a) Income tax revenues	51	49	52	48
(b) Covering exempt groups	48	52	40	60
(c) Reducing benefits	51	49	53	47
6. Create new education department	23	77	19	81
7. Reinstate the draft	57	43	47	53

	Excellent	Good	Fair	Poor	Awful
8. Rate the President—					
Kankakee	2	13	38	32	15
Iroquois	2	11	36	33	18
9. Rate Congress—					
Kankakee	1	7	46	36	10
Iroquois	2	7	48	31	12
10. Rate Congressman O'Brien—					
Kankakee	25	46	23	5	1
Iroquois	23	42	29	5	1

## PERSONAL EXPLANATION

## HON. MORGAN F. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. MURPHY of Illinois. Mr. Speaker, on May 30, I was absent because of official business of the House. Had I been present I would have voted on matters coming before the House as follows:

"Yea" on Rollcall No. 174, agreement to the conference report on S. 7, Veterans' Health Care Programs and "yea" on Rollcall No. 175, final passage of the bill H.R. 4035, Egyptian and Israeli Security Assistance. ●

## ENERGY AND SELF-RESPONSIBILITY

## HON. CHARLES ROSE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. ROSE. Mr. Speaker, I wish to call attention of the Congress to a thoughtful examination of the energy dilemma facing the United States. It is written by the distinguished observer, Jonathan Daniels, and was published in the Raleigh, N.C., News and Observer.

[From the News and Observer, Raleigh, N.C., June 5, 1979]

## MAN WANTS ENERGY, COMFORT WITHOUT HAZARD

(By Jonathan Daniels)

HILTON HEAD, S.C.—It is, of course, only a coincidence that the near nuclear catastrophe in Pennsylvania came in the year of the anniversary of the world's most classic explosion, when eruption of Mount Vesuvius in the summer of 79 A.D. left Pompeii dead and buried. It does come as a reminder, however, that man has never lived on an entirely safe planet. There are no volcanoes on or near Hilton Head Island but, like California, South Carolina sits above a seismic fault, as a result of which an earthquake shook this area 90 years ago. Some islanders still carry earthquake insurance.

Nobody could point a shaking finger at power companies or government regulatory agencies when Vesuvius blew up. The media did not march a multitude of reporters to the scene. However, one of the best reporters in history, Pliny the Younger, whose uncle Pliny the Elder was one of the casualties, was present—stylus in hand. This younger Pliny wrote:

"We saw the sea sucked away by the heaving of the earth \* \* \* a fearful black cloud forked with great tongues of fire lashed at the heavens and torrents of ash began to pour from the sky.

"Although it was a daytime, we were enveloped by night—not a moonless night or one dimmed by cloud—but the darkness of a sealed room without light."

Some perturbed people here and elsewhere fear that man may now be unintentionally himself preparing such a holocaust, with longer lingering effects. Indeed, they feel that no explosion may be necessary to bring about insidious extermination. Nuclear wastes may be lethal longer than any nuclear blast. And many who have never lifted a hand or raised voice against the busy manufacture of nuclear weapons to kill men are now vociferous against efforts to harness nuclear power to serve men. Indeed, some of these most articulate in this matter are persons whose daily waste of other forms of energy makes efforts to fulfill the new hazardous hope imperative.

There is nothing strange about this in so paradoxical a creature as man. He has always wanted to have his cake and eat it, too, and, if possible, without obesity or indigestion. Today he demands more services than ever before but is indignant about the big government necessary to provide them. He wants cigarettes without nicotine, which provided the only reason for smoking in the first place. His thrift institutions are now chiefly devoted to the promotion of extravagance. On Hilton Head he gets away from the rat race, though here the figurative rodents are running faster than ever at rates once never expected.

So, of course, man wants all his hopes fulfilled without hazard. His predecessors naturally would have preferred horses which proffered themselves to their riders without any preliminary bucking. Steam should have burst no boilers. Electricity should have



moved on wires as harmless as twine. And coal miners should have worked in dustless galleries impervious to peril. And fire, of course, should always have been the friend and never the fiend.

Naturally, better things are expected in this age of ostentatious opulence and minimized hardship. Still, sometimes we need to look in our rear-view mirrors and not merely impatiently at the interminable stream of fuel-burning fellow creatures ahead of us. The hazards of the atomic age begin at the gas pump and the electric appliance. Of course, we should expect protection against nuclear power production just as we have become habituated to governmental energy expended to save us from the dangers of aspirin and cigarettes.

The Plinys, Elder and Younger, lived in an age of innocence when flame and darkness could be attributed only to gods. There is little evidence that we have become more godlike. Still, with multiplied powers, many of us seem blind to the possibilities of those powers for good, not evil. The younger Pliny did not describe the last possible time when darkness may be like a sealed room without light—and that regardless of atomic adventuring.

Of course, no headlong haste can be tolerated. Man who boasts of his powers to loose new forces must demonstrate also the power to control them. Energy producers, cannot be permitted to act like idiots with blowtorches. Certainly, they cannot be allowed to poison the wells of the world with the excrement of their premature experimentation. But a generation which could put a man on the moon should be able to make man safe on the earth—and willing to spend as much money and knowledge in undertaking to do so.

Neither needs nor dangers can be lightly dismissed. Still, on a crowded planet of diminishing energies, those who would not dare to light a candle will deserve the dark. ●

#### FIFTIETH ANNIVERSARY OF DELTA KAPPA GAMMA

### HON. WAYNE GRISHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. GRISHAM. Mr. Speaker, the Delta Kappa Gamma Society International will be celebrating its 50th anniversary this month. This organization was founded in 1929 in Austin, Tex., and has been honoring outstanding women in education since that time. Today, this society has chapters throughout the world. Ms. Alberta Dredla, one of my constituents from Whittier, Calif., and a teacher for 45 years, has written the following poem to honor the society. I congratulate Ms. Dredla for her inspiring words on this occasion.

We honor the pioneer woman  
Who have started us on our way.  
We look back at the waves, and the winds  
And the rocks that have made them,  
That gave purpose and perspective  
And strength to their souls.  
We recall their deeds  
That parade across the years to us,  
Yet, as we look backward,  
It is only to move forward,  
To catch the moving moments of today—  
To join winged time,  
To lead us far from this hour,  
To where dreams of tomorrow become reality  
And we seek a wide view. ●

#### KILL THE DEPARTMENT OF EDUCATION BILL

### HON. ELDON RUDD

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. RUDD. Mr. Speaker, today the House took up proposed legislation to create a new Federal Department of Education.

I have been greatly interested in the nationwide opposition to this new Federal agency, especially among opinion leaders on the editorial boards of some of our largest and most influential daily newspapers from coast to coast.

The largest daily newspaper in the Nation's Capital has editorialized strongly against passage of this legislation.

Arguments are concise and convincing. I would like to include the editorial at this point in the Record:

[From The Washington Post, June 4, 1979]

#### A BAD IDEA

Once in a while a bill comes along that is so thoroughly bad that most legislators who support it come to regret their vote. Such a bill is the Department of Education plan now nearing crucial votes in the House. If the House does agree to enshrine an insulated, supergraded federal educational bureaucracy in the Cabinet the results are likely to be so costly and unhealthy for American education that many representatives, in retrospect, will be embarrassed to admit they voted "yea."

For one perspective on what is wrong with this idea, consider the nature of its interest-group support. The bill would mainly amputate Education from Health and Welfare and elevate it to Cabinet rank. You might expect that the strongest backers of this idea would be those educational practitioners, promoters and purveyors who stand to benefit most directly from the new department's additional prestige and managerial autonomy—not to mention the larger budgets that its secretary and 90 top-level executives would lobby for. And that's the case. This whole project is backed most loudly by people in the education business—plus some civil-rights groups beguiled by the prospect of gaining, yes, an autonomous Office of Civil Rights.

But it's not backed by all of them. The American Federation of Teachers opposes the department. So do several organizations representing Catholic education. So do spokesmen for a bevy of private colleges and universities. Why do they object? In various ways, they fear that the department would not benefit them—that it is likely to be all too responsive to a rival union, to certain kinds of levels of education. In short, they fear that it would not reflect, recognize or promote the full diversity and richness of American education in its broadest, most basic sense.

That concern is not just hypothetical; it has a good, explicit cause. The primary force behind the bill is the National Education Association, which sold the idea to Jimmy Carter during the 1976 campaign and persuaded many House members and candidates to endorse the concept before they had any reason to weigh it seriously. And if you worry about the potential for arbitrariness and overreaching that a department embracing all of education would possess, you should be even more wary of setting up a multi-billion-dollar grant-and-contract-dispensing agency that is so likely to become the preserve of any one highpowered, rigidly focused group.

Nothing in bureaucratic experience suggests that it would turn out any other way. Look at the problems of weaning the Commerce Department away from its single-purpose constituency. Look at Labor. Better yet, look at two narrower and much more exploitative arrangements—the old Post Office Department and the maritime agencies, with their all-too-cozy ties and mutually supportive alliances with interest groups and friendly congressional committees. That is the real model that House members should keep in mind. Some congressmen who have made casual commitments to the administration or the NEA may find it slightly awkward to back away. But a vote for this regressive, regrettable bill would be much more embarrassing—and impossible to retrieve. ●

#### IS ENTERPRISE SUFFICIENTLY FREE?

### HON. MICKEY EDWARDS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. EDWARDS of Oklahoma. Mr. Speaker, the words "Free Enterprise" have taken a beating recently in the media, on the floor of Congress, and even from some businessmen.

The fundamental question is not whether America has sufficient enterprise, but rather if that enterprise has sufficient freedom from Government interference to perform in a manner profitable to both the consumer and the proprietor.

In a recent editorial in the Oklahoma City Law Journal, J. Landis Fleming put his finger on the problem. I would like to share it with my colleagues:

#### IS ENTERPRISE SUFFICIENTLY FREE?

(By J. Landis Fleming)

Most people are finally beginning to realize that the energy crisis and any possible economic crisis in the future are the fault of the government in general, and Congress in particular. The government itself is becoming the architect of disaster.

The government has a death grip on the economy, and now it is generally believed and understood that the growth of government and its power over the lives of all citizens threatens to bring on the gradual disintegration of the free society.

The self-styled "humanitarians" who think they can create prosperity by taxing, promising and spending are actually controlling and consuming an increasingly larger percentage of the earnings of the country's productive citizens.

The unfortunate thing about the whole business is the fact that people are not aware of the precarious situation because they are so wrapped up in their own individual concerns and fail to see the direction the country is headed.

Most people do know that, while some government is essential, too much government destroys freedom. Woodrow Wilson put it well when he said, "Liberty has never come from the government. The history of liberty is the history of the limitation of government power, not the increase of it."

Free enterprise is built on cooperation. Adam Smith, in his monumental work "The Wealth of Nations," published in 1776, said, "It is not from the benevolence of the butcher or baker that we expect our dinner, but from their regard to their own self interest."

As each person makes it his business to provide for himself and for those for whom he is responsible, he is both a consumer and

a producer, and he must cooperate with others. This cooperation benefits the entire society.

Thus the market place, in a free society, becomes the "voting booth," where all citizens vote daily. When we buy we are rewarding the one who sells to us, and he in turn sells us something that we believe is valuable enough for us to pay the price. It is as simple as that.

If the people don't want to buy a certain item, it will cease to be produced. The hula hoop and the pet rock have gone the way of the buggy whip. The computer and the hand calculator, on the other hand, are in great demand and the prices have dropped to a fraction of the original price.

An item is not produced, distributed and sold because a group of bureaucrats thought it should be made available. If the price of any item is too high, it will have to come down or the seller will go out of business.

Thus we "vote" in the market place every day, and the free market becomes the sum of interacting individual decisions. It is the most individualistic and most democratic economic system conceivable. Each "voter" seeks to maximize his rewards and to avoid or cut his losses. ●

### NO VETERANS' BENEFITS FOR DROPOUTS

**HON. ROBIN L. BEARD**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. BEARD of Tennessee. Mr. Speaker, today, I am introducing a bill designed to deny veteran's benefits to individuals who do not complete their initial period of obligated service on active duty. I have been joined by 25 of my colleagues in this effort.

Under present law, anyone serving 181 days on active duty may be eligible for veteran's benefits. At the present DOD first-term attrition rate of 37 percent, approximately 140,000 individuals fall in this category each year. However, my bill would not affect all of these first-term attritions, since it specifically excludes those discharged or released from active duty for a service-connected disability. Nor will it affect individuals who are honorably discharged in order to join the Reserves, or to enroll in an educational program, or for some other reason satisfactory to the Secretary concerned.

With these deletions, applying Department of Defense figures on present attrition rates, my bill would deny benefits to about 98,000 individuals, discharged each year for "failure to meet minimum behavior or performance standards."

These are individuals who have contributed very little to our defense preparedness, and in fact, have cost the taxpayers a large amount of money. Veteran's benefits represent one means of rewarding successful service. It is entirely inappropriate to reward military "dropouts," as is done under present law.

A recent GAO study found that in 1975 alone, the military reported that 12,681 individuals were discharged in lieu of court-martial because of absence without leave (AWOL), at an administrative cost of \$152 million. The study also found that 67 percent of all AWOL's occur within the 7- to 30-month range of service—the Government's peak period of unrecovered investment.

With current manpower costs consuming almost 60 percent of the defense budget, the Congress should attempt to encourage better return on this investment. Instead, policies such as rewarding unsuccessful service only drive costs higher.

This bill would encourage more efficient manpower operations in two ways:

First, potential recruits will realize that signing up for 3 or 4 years of military service is a specific commitment, and one which is to be taken seriously. Today's recruits and the individual services tend all too frequently to think of this commitment as a simple contract, which can be easily and painlessly voided. Although this bill does nothing to change the services' policies on granting administrative discharges, it sends recruits and the military services a clear signal that the Congress assigns a high priority to encouraging successful service.

Second, the fact that individuals who are administratively discharged, for reasons other than those allowed under this bill, will not receive benefits would encourage company commanders to work a little more with "marginal" service individuals. At present, administrative discharges are dispersed freely. All too often, company commanders see this as a way to lessen their administrative burdens. However, if they realize that these individuals would lose veteran's benefits, I am certain that officers with these responsibilities will make a greater effort to counsel these people, and otherwise assist them in becoming more effective servicemen and servicewomen.

This bill will encourage more efficient operation of the military personnel system. It will also insure that payment of veterans' benefits supports the congressional policy of rewarding those who meet their obligations for military service. ●

### TRIBUTE TO A LADY—MARY NESBIT

**HON. C. W. BILL YOUNG**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. YOUNG of Florida. Mr. Speaker, this is a very sad period of time for me, for my staff and for many other Members and their staffs who knew and worked with my personal secretary, Mary Nesbit. Mary passed away very unexpectedly last weekend and I have just returned from her funeral in St. Petersburg, Fla. Mary was a very special person and I feel as though a member of my own family has died.

Every Member of Congress has someone on their staff they rely on for those extra special projects. The ones that need that personal touch, the ones that are so delicate that you would handle them yourself if you could stay in one place long enough. In my office, that person was Mary.

She loved her work, she loved her friends, and she was a pillar of strength to her family through some pretty rough times.

She was the first person you saw when you came into my office, and every-

one who visited left with a good impression because Mary made them feel my office was theirs.

She always had a kind word and a smile for everyone. In fact, you could always tell when Mary was in a room with a group of people. You could tell she was there from the smiles on everyone's face.

The people in our office were more than just coworkers to Mary. She took an interest in their personal lives and the lives of their families. If anyone had a personal problem or needed a shoulder to cry on, it was usually Mary they turned to.

I signed her mail today, the last group she did for me before she passed on. Just like the thousands of others she has done, these were special because each was so thoughtful and warm. Mary was a professional and she was proud of her work. In fact, there are a lot of people in my district who carry a letter she wrote around with them to show their friends.

Mary's physical presence is gone now, but she has left us with fond memories. The people she touched during her lifetime are very fortunate. We will never forget the love and happiness she spread so willingly to everyone she met.

One of those she came in contact with was Ben Lowe, a columnist for a weekly newspaper in my district. That newspaper, the Largo Leader, published Ben's tribute to Mary, and I would like to include it in the RECORD at this point:

[From the Largo (Fla.) Leader, June 7, 1979]

#### TRIBUTE TO A LADY—MARY NESBIT

Not many of you have known Mary Nesbit. You should have, though, because ever since Bill Young went to Congress, she has been his personal and executive secretary and she came to Washington with him from her home in St. Petersburg. All of that time, with dignity and devotion, she has dedicated herself to doing what she could for all the people of her beloved Florida, especially this area. She helped with the campaigns but more than that, she worked on the difficult problems and needs of the people and she didn't care if those she helped were rich or poor, black or white, or Republican or Democrat.

A real lady is that way.

She greeted Mr. Young's visitors with a warm hospitality that always made everyone feel at home \* \* \* even in the cold marble of the Rayburn Office Building. She was a remarkable human being and Mr. Young and his entire staff are understandably grief-stricken. She departed quietly and in her sleep Friday night but as long as a lot of people live, she will always remain a symbol of the best that human life can produce. It is time for you to rest now, Mary.

Your friend,

BEN LOWE. ●

### THE POLISH POPE

**HON. JACK F. KEMP**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. KEMP. Mr. Speaker, the Roman Catholic Church has long been the guiding light of the Polish nation, and this has been dramatically reinforced by the visit of Pope John Paul II to Poland this week.



John Paul's visit has dramatized, as no event has since the Soviet Army installed the present totalitarian regime a generation ago, the hostility of the Polish people to the tyranny they have been compelled to live under by the weight of Soviet military power. Totalitarian leaders have often referred to the supremacy of force: "Power comes from the barrel of a gun." Yet the Pope has come to Poland with a far different message. A generation of crude indoctrination by the Polish Government has failed, and the people of Poland are no respecters of Communist power. I was witness to the devotion of the Polish people to the church and to her teachings when I visited the holy shrine of Our Lady of Czestochowa in 1972 and I was touched by the strength of the people's faith in the face of the Government's open anti-Catholicism.

The groundswell of support the Polish Pope has caused to emerge has been one of the most reassuring demonstrations of the utter failure of totalitarian regimes, and should reinforce the determination of the free world to strengthen its ability to resist Soviet power, whether it emerges in the Third World, Western, or even Eastern Europe.

I ask that the text of the Wall Street Journal's editorial on this subject published in the June 7, 1979, edition of the newspaper be published at the conclusion of my remarks.

The editorial follows:

#### THE POLISH POPE

Pope John Paul II has fulfilled all the worst fears of Poland's Communist leaders and sent tremors into the Kremlin as well. It cannot be at all comforting to these leaders, who have done what they could for years to discourage and even suppress religious expression, to see vast, enthusiastic crowds of Poles turning out to welcome the Pope. The religious passion of the Poles almost surely represents a passion for greater freedom as well.

The Pope has not flinched from the risks of awakening these passions. Neither has he done it recklessly. It is a mark of his character that he has simply said what he had to say, that religious liberty is a fundamental human right and the state has no moral basis for restricting it.

This bold and forthright declaration, made in the heartland of a Communist state, carries a message for the West as well. It is a reminder to all those Western politicians who profess to believe in human rights that there are precious few such rights tolerated in the Marxist-Leninist dogma. The state arrogates power to itself and gives back very little to the individual.

This is a reminder that the fundamental conflict between the East and the West is a moral conflict, a struggle over what is the proper relationship between state and man. Economic freedom, destroyed by a system that places production in the hands of the state, is but one issue in that struggle.

There has been a tendency among some Western intellectuals and politicians in recent years to define the conflict in the terms that the Marxists themselves prefer. They prefer to see the Marxist state as a benevolent force that conquers human greed, decrees just and equitable distribution of the fruits of production and makes its own demands for moral behavior. The poor and meek are far more likely to inherit the earth in their system, they declare, than in the open, capitalistic societies of the West.

It is not necessary to deny that Marxism has a moral base to say that the real test of a moral order is how willingly it is embraced. Poles did not willingly embrace Soviet Marx-

ism. It was thrust on them in war and it is preserved by Soviet tanks and troops on Polish soil. As the reception given the Pope shows, the moral order of the Roman church is embraced in Poland. It is clung to tightly despite the efforts of the state to weaken it or destroy it as a competitive force.

This kind of struggle is an ancient one in Europe. The Roman church has both aligned itself with and struggled against secular powers through its long history. Polish Communists prefer to say today that Poland practices church and state separation, just as it is practiced in most countries of the West. They know, of course, that it is by no means a benign separation. It is only a truce made necessary by their inability to conquer the church.

That inability, as Pope John Paul's visit makes clear, stems from the failure of the state to truly capture the allegiance of the Polish people. There are no spontaneous assemblages of 500,000 Poles to pay honor to Edward Gierek. There are no Silesian miners clamoring to see Communist officials, even though communism supposedly represents the interests of the working man above all else.

Stalin wanted to know how many divisions the Pope commanded, a pointed and cynical assertion of secular power. Mao said that power flows from the barrel of a gun. Earlier cynics have insisted that might makes right, that history books are written by the victors, etc. But the vehemence of these statements itself betrays the uneasiness of political leaders who can command support only through naked force, who do not have a popular mandate. Leaders who command no divisions but who can awaken the human spirit and stir genuine passions are always a threat to their regimes.

It is good for the people of the West to think more about moral authority at a time when the West is constantly accused of decadence by the Marxists. Free institutions do not always succeed in suppressing immorality, but they can only survive by representing superior human values and aspirations. Authoritarian institutions are unaccustomed to such discipline. That is why they always tremble when the human spirit expresses itself as it has in Poland these last few days. ●

#### DR. MILTON FRIEDMAN ON TAX LIMITATION

#### HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. FISH. Mr. Speaker, I am pleased to have this opportunity to share with my colleagues some comments on the issues of tax limitation and the balanced budget by the distinguished economist, Dr. Milton Friedman. Dr. Friedman gave expert testimony before the Judiciary Subcommittee on Monopolies and Commercial Law on May 17. I found his remarks on these important questions very illuminating. Therefore, I would like to submit for my colleagues' review an article by Dr. Friedman published in Policy Review, the quarterly journal of The Heritage Foundation, and entitled "The Limitations of Tax Limitation".

The article follows:

#### THE LIMITATIONS OF TAX LIMITATION

(By Milton Friedman)

Two down, 48 to go.

The approval on June 6, 1978, by the people of our largest state of Proposition 13—a tax Constitution—has given great impetus to the grassroot movement that Governor Ronald

Reagan began in that state five years ago when he sponsored Proposition 1.<sup>1</sup>

The first victory for those who believe that government does not have an open-ended claim on the incomes of Americans came in Tennessee three months ago (March 7, 1978) when the people of that state, by a two-to-one majority approved an amendment to limit the "rate of growth" of state spending to the "estimated rate of growth of the state's economy."

Similar amendments will be on the ballot in a number of other states this fall, and the prospects now look very good for their adoption.

The Jarvis-Gann amendment, Proposition 13, will limit property taxes in California to one percent of assessed valuation. It will restrict increases in assessed valuation to a maximum of 2 percent a year except when property changes hands. In addition, it will require a two-thirds vote of the legislature to raise other taxes. It is estimated that this amendment will cut property taxes by more than half—or by some \$7 billion.

Jarvis-Gann, it must be said, has many defects. It is loosely drawn. It cuts only the property tax, which is by no means the worst tax. It does nothing to halt the unlegislated rise in taxes produced by inflation. Proposition 1 was a far better measure and a revised version will be needed even though Jarvis-Gann has passed. Yet I strongly supported Jarvis Gann. It does cut taxes. It does raise obstacles to further increases in government spending. Those in favor of more government spending mounted an expensive fear campaign financed in large part by big business (which apparently allowed its own fear of the politicians in Sacramento to trigger its unerring instinct for self-destruction). In this media blitz, the state employees' union leaders (naturally the core of the opposition) predicted that state services would be drastically cut, that thousands of policemen and firemen would be dismissed, and so forth and so on.<sup>2</sup>

In fact Jarvis-Gann will not have the dire effects its opponents threatened. The California government has a surplus of some \$3 billion to offset the \$7 billion revenue reduction. The remaining \$4 billion is roughly 10 percent of the state and local spending now projected for the next fiscal year. Is there a taxpayer in California (even if he is a government employee) who can maintain with a straight face that there is not 10 percent fat that can be cut from government spending without reducing essential services? Of course, the reallocation of revenues to finance the most essential services will not be an easy or pleasant task but that, after all, is just what we pay our elected representatives for.<sup>3</sup>

Which brings us to an important point of political philosophy. It is my view that it is desirable for the people to limit their government's budget, to decide how much in total they are willing to pay for their government. Having done this, it is desirable for them to delegate to their elected representatives the difficult task of dividing that budget among competing good proposals. The opponents of tax limitation laws charge that we are being undemocratic in proposing to tie the hands of government. After all, they say, don't we elect our state representatives and our congressional representatives in Washington to handle the affairs of government? I believe that if we are going to be effective in passing tax limitation laws, we must understand and make other people understand that these referenda are far from being undemocratic. I believe that the real situation is precisely the opposite.

The problem we face is that there is a fundamental defect in our political and constitutional structure. The fundamental defect is that we have no means whereby the

Footnotes at end of article.

public at large ever gets to vote on the total budget of the government.

Our system is one in which each particular spending measure is treated separately. For any single spending measure, therefore, there is always a small group that has a very strong interest in that measure. All of us are parts of such small groups. We are not talking about somebody else. As Pogo used to say, "We have met the enemy and they are us."

The vested interests are not some big bad people sitting on money bags; the vested interests are you and me. Each of us is strongly in favor of small measures that will benefit us and each of us is not too strongly opposed to any one small measure that will benefit someone else. We are not going to vote anybody out of office because he imposes a \$3 a year burden on us. Consequently, when each measure is considered separately, there is considerable pressure to pass it. The proposers have greater force than the opponents (who are often called "negative" or "obstructionists") and the total cost is never added up.

The purpose of tax limitation is to remedy that defect. It will enable us to say to the legislature, "We assign you a budget. Now it's your job to spend that in the most effective way." The effect of removing this defect is to enable special interests to work for the general interest instead of against it. This is because with a given total budget, a special group that wants a special measure has to point out the other budget items that can and should be reduced. Each item that people want is a good item. There is no pressure on Congress or on the legislature, or very little, to enact bad legislation. The problem is that there is an infinite number of good and desirable proposals and you have to have some device to limit the appetite and that's the function of tax limitation.

The next time somebody says that tax limitation is undemocratic, we should ask him whether that means he is against the First Amendment of the Constitution. Because, after all, the First Amendment of the Constitution limits very clearly what Congress can do. The first Amendment says Congress shall make no laws interfering with the freedom of speech or the free exercise of religion. Consider what would happen if we didn't have that amendment. For any single measure restricting freedom of speech you might very well obtain a majority. I am sure there would be a majority to prevent the Nazis from speaking on the street corner.

There might be a majority to prevent the Seven Day Adventists or vegetarians from speaking—or any other little group you could name. But our Founding Fathers had the wisdom to roll it up into one and say we are not going to let each individual issue be decided separately by a majority vote. They said that we are going to adopt the general principle that it is not the federal government's business to restrict freedom of speech.<sup>4</sup> In the same way, what is being proposed today is the enactment of a principle that a government shall have a budget determined by the voters and that it will have to stay within that budget.

Right now total government spending—state, federal and local—amounts to 40 percent of the national income. That means that out of every dollar anybody makes or gets, forty cents is being spent for him by the bureaucrats whom he has, through his voting behavior, put into office. There is upward pressure on that percentage. The screws will be put on. The real problem for the future is to stop that growth in government spending. Those who are really concerned, who really are fiscal conservatives, should forget about the deficit and pay all their attention to total government spending. As we have seen, California and Tennessee have recently led the way toward the goal of a limit on government spending.

On the federal level, there have been moves to try to get a federal Constitutional amendment providing for a balanced budget.

I think, however, that is a serious mistake. It spends the energies of the right people in the wrong direction. Almost all states have a balanced budget provision, but that hasn't kept spending and taxes from going up. What we need on the federal level, as we need it on the state and local level, is not a budget-balancing amendment, but an amendment to limit government spending as a fraction of income. Recently a task force of the Southern Governors' Conference, which was headed by Governor James Edwards of South Carolina, has worked extensively to produce a government spending limitation amendment for the federal government.

Congressman Jack Kemp has been pushing for several years now a so-called tax reduction bill (the Kemp-Roth Bill). I support this bill since I believe that any form of tax reduction under any circumstances must eventually bring pressure to bear to cut spending. Moreover, I believe some taxes do more harm than others. There is no doubt that the method by which we collect taxes could be rearranged so as to have a less adverse effect on incentives and production. And, from this point of view, the Kemp-Roth Bill is certainly desirable. We should be clear, however, that it is in reality not a tax reduction bill; it is a proposal to change the form of taxes. As long as high government spending remains, we shall have the hidden tax of inflation. The only true tax cutting proposal would be a proposal to cut government spending. To my knowledge, no one in Washington has yet proposed a genuine tax cutting bill, not President Carter, not the Democrats in Congress, not the Republicans. Every single so-called "tax cut plan" still envisions a higher level of government spending next year and consequently a higher level of taxes, both overt and covert.

There is an important point that needs to be stressed to those who regard themselves as fiscal conservatives. By concentrating on the wrong thing, the deficit, instead of the right thing, total government spending, fiscal conservatives have been the unwitting hand-maidens of the big spenders. The typical historical process is that the spenders put through laws which increase government spending. A deficit emerges. The fiscal conservatives scratch their heads and say, "My God, that's terrible, we have got to do something about that deficit." So they cooperate with the big spenders in getting taxes imposed. As soon as the new taxes are imposed and passed, the big spenders are off again, and then there is another burst in government spending and another deficit.

The true cost of government to the public is not measured by explicit taxes but by government spending. If government spends \$500 billion, and takes in through taxes \$440 billion, which are the approximate figures of President Carter's estimated budget, who pays the difference? Not Santa Claus, but the U.S. citizen. The deficit must be financed by creating money or by borrowing from the public. If it's financed by printing money, that imposes the hidden tax of inflation in addition to the explicit tax. If it's financed by borrowing, then the government gets those resources instead of the private sector. In addition, there will have to be a higher level of taxes in the future to pay the interest or to pay back that debt. Essentially every current piece of wealth in the United States has a hidden tax imposed on it because of the future obligation to pay those extra taxes. In effect, what you have are two kinds of taxes: the open, explicit taxes and the hidden taxes. And what's called a deficit is a hidden tax.

I would far rather have total federal spending at \$200 billion with a deficit of \$100 billion than a balanced budget at \$500 billion. The thing we must keep our eye on is what government spends. That's the measure of the amount of the resources of the nation that people cannot individually and separately decide about. It's a measure of

the amount we turn over to the bureaucrats to spend on our behalf. I believe along with Parkinson that government will spend whatever the tax system will raise plus a good deal more. Every step we take to strengthen the tax system, whether by getting people to accept payroll taxes they otherwise would not accept, or by cooperating in enacting higher income taxes and excise taxes or whatnot, fosters a higher level of government spending. That's why I am in favor of cutting taxes under any circumstances, for whatever excuse, for whatever reason.

We have to bear in mind that tax limitation laws are not curals; they are temporary stop-gaps. They are a way of trying to hold back the tide, until public opinion moves in the direction that those of us who believe in limited government hold to be desirable. Without the support of public opinion all the written laws or constitutions you can think of are fundamentally worthless. One has only to look at the results of trying to transplant versions of the American and British constitutions to other nations around the world. I believe, however, that there is a definite movement in public opinion toward greater skepticism of large-scale government programs. People are aware that they are not getting their money's worth through government spending. Among intellectuals, more and more scholars are coming to the conclusion that many government programs have not had the results intended by their supporters. In journals read by opinion-leaders (for instance, *Commentary*, *Encounter*, *Harper's*, *The Public Interest*, *The Washington Monthly*), this view is becoming more and more commonly expressed. However, it takes time for such ideas to be accepted by the politicians who, after all, are mostly followers and not leaders of public opinion.

Let me give an example of what I mean. For about 150 years since the birth of our government (until about the late 1920s) there was no general tendency for government spending to get out of hand. Despite the fact that the same pressures inherent in representative democracy were present through this period, state, local and federal spending was still about 10 percent of national income. For the past 40 years, however, there has been a considerable change in these percentages, to say the least.

Except for the Income Tax Amendment, the Constitutional provisions relating to the financing of government were essentially the same as they were in 1789 (and the income tax rate was quite low during this period). The essential difference was that before 1930 or so there was a widespread belief on the part of the public that government should be limited and that danger arose from the growth of government. President Grover Cleveland maintained, for instance, that while the people should support their government, the government should not support the people. President Woodrow Wilson remarked that the history of liberalism was the history of restraints on government power. Almost everyone then agreed that the role of government was to act as a referee and umpire and not as a Big Brother. Once this fundamental attitude of the public changed, however, constitutional restrictions became very much less effective against the growth of government. As we all know, the Supreme Court does follow the election returns (sometimes tardily) and most of the New Deal measures which were ruled unconstitutional by the Court in President Roosevelt's first administration were ruled to be constitutional in the second administration.

The interstate commerce clause as an excuse for federal action is a good case in point. At one time in our history there were transactions which were regarded by the Court and Congress as intrastate commerce, but it would take a very ingenious man today to find any transaction whatsoever that the



Supreme Court would not declare to be part of interstate commerce. The federal government, basically as a result of this change in public opinion, is now allowed to take all sorts of actions that would have been held by the public to be unconstitutional sixty or a hundred years ago.

In the same way, I believe that the effectiveness of tax limitation laws will depend upon their acceptance by the great bulk of the public as part of our constitutional tradition.<sup>2</sup> My own view is that we are seeing a genuine trend in support of the basic philosophy that there should be definite limits on government spending; however, I also believe that such trends take time to solidify and in the meantime I regard tax limitation amendments as a stop-gap measure to hold back the tide.

## FOOTNOTES

<sup>1</sup> That proposal was preferable to the one adopted yesterday. It would have limited spending by the state government to a specified and slowly declining fraction of the personal income of the people of California. That amendment was narrowly defeated, as were similar amendments in two other states in recent years.

<sup>2</sup> In their column for the Washington Post on June 1, 1978, Rowland Evans and Robert Novak reported from Los Angeles that some politicians were claiming that the referendum was "a fight between the haves and the have-nots." Evans and Novak concluded that this view was "almost surely wrong." They explained that "On the contrary, the establishment—business, labor, the big newspapers, the academic community, civic groups and practically every important elected official—vigorously opposes the Jarvis amendment."

They went on to point out that "in contrast, the amendment's hardcore support comes from lower income homeowners who are going under because of oppressive taxes. Their ranks, oddly, are swelled by substantial numbers of school teachers and other government workers who are first and foremost taxpayers... State Senator Bill Greene, a black Los Angeles legislator, told us he is astounded how many of his constituents are voting for the measure."

<sup>3</sup> It is not without interest that California has the highest paid state legislators in the nation.

<sup>4</sup> It was left to the states to deal with such problems as an immediate danger of violence and so on.

<sup>5</sup> In addition, they will not by themselves prevent all further government intervention. Many of the worst kinds of government intervention do not involve much spending. Some examples are tariffs, or regulation or industry (ICC, FCC, FCC) or the controls on the price of natural gas which have done such tremendous harm in the energy area. All of those involve government intervention into the economy in which the spending element is very small.

## THE SPARTANBURG EXAMPLE

HON. CARROLL A. CAMPBELL, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 7, 1979

● Mr. CAMPBELL. Mr. Speaker, Spartanburg, S.C., which I am privileged to represent, has been cited as one of the top 10 business growth cities in the United States. Most recently, the remarkable economic success story of the enterprising citizens of Spartanburg was told in the May-June issue of "Europe" magazine, which reported on the more than 40 European companies which have

located there. This article, which I would like to share with my colleagues, is reprinted with permission below:

More than 40 European companies have invested in excess of \$1.8 billion in Spartanburg, South Carolina. More than 1,500 Europeans are believed to live in this small city with its total population of about 46,000. These Europeans employ roughly 4,000 local "Spartans" in the northwestern corner of the state, not far from the Blue Ridge Mountains.

"The key reason why we are here is that Spartanburg is at the very heart of the U.S. textile business," says Dr. Paul Förster, head of the local Hoechst fiber plant. This German company has invested close to \$300 million in a facility that now employs more than 2,000 people. Förster believes that roughly 80 percent of all U.S. textile mills are within a 200- to 250-mile radius of Spartanburg.

The city sits on the crossroads of two major interstate highways; it has good rail communications and excellent airports. Further strengthening its international business position is the recent establishment of a foreign trade zone with its own customs facilities.

When Roger Milliken, the U.S. textiles magnate, looked for new textile machinery in the late 1950's he found what he wanted in Winterthur in Switzerland. With orders from his firm and with his encouragement, both the Swiss Rieter company and Sulzer Brothers of Winterthur established operations in Spartanburg. In the mid-1960's the American Hercules company opened a plant and a joint venture with Hoechst, which Hoechst later made all its own.

In 1965 the Karl Menzel Maschinenfabrik became the first German company to start manufacturing in Spartanburg. It saw the opportunities for textile machines, and it grabbed them, with Rudolf Mueller of Neckarsulm in Germany opening the local plant on rented premises.

Today, Mueller, who still runs the Menzel interests in Spartanburg, controls a new factory employing 60 people, a local lumber company, 1,100 acres of investment property, and the Sheraton Motor Inn—a miniconglomerate with annual turnover in excess of \$8.5 million.

Word spread quickly through the world of textiles that machinery sales opportunities existed in Spartanburg, and many companies from all parts of Europe started local sales and servicing operations. Bryant Little of England started in the town in this way 20 years ago as the representative for one British group. Today he owns his own company with about 30 agencies. He says that his own firm was worth about \$16,000 only 15 years ago and today is worth around \$1.25 million.

Spartanburg seems a typical small American city, littered with billboards advertising motels and fast-food restaurants, catering to the automobile and neglecting the original downtown center. Henry Kissinger was based there during World War II. Lindbergh flew his Spirit of St. Louis plane to the local airport once. Frederick Dent, the U.S. commerce secretary in the Nixon Administration and the Ford Administration's special trade representative, lives there today.

Some magazines have sought to romanticize the foreign investments there—suggesting that Spartanburg should be renamed "Euroville" or "Europeville." The truth is that, apart from a few European flags in front of some factories dotted along the main highway near the city, there is no obvious indication of European influence in Spartanburg at all. The old white establishment, with its formal bastions, such as the Piedmont Club and the Country Club of Spartanburg (waiting period for a membership is currently eight years) have digested the Europeans without changing their ways. The Europeans have no evident influence in the constant political feuds between the city

and Spartanburg County (population almost 200,000) authorities.

As one tours Spartanburg and talks with local people, one wonders why so many Europeans have come here in the last 20 years. Why have so many Europeans decided to make Spartanburg their permanent home? Why are increasing numbers of Europeans investing here?

The answers to these questions show, above all, that Spartanburg is home to a broad range of Europeans, who have sharply differing investment ideas and plans, and that the stories told by these Europeans represent, when taken together, a fascinating insight into European investment in America in general these days.

Spartanburg was first settled before the American Revolutionary War by Scottish and Irish families from Pennsylvania. It gets its name from a division of soldiers once based in South Carolina, known as the Spartans. It is the largest peach-growing area in the United States; but textiles are its prime business, and it is this industrial sector that has provided both the prime foreign investment impetus and the region's volatile history of times of great prosperity and times of severe depression.

Local authorities sought to encourage the foreign investment, while at the same time actively seeking investors from other parts of the United States. About 20 years ago Spartanburg was as sleepy and backward as most southern towns of similar size, say local businessmen, and there were deep fears that cheap textile imports, especially from Japan, were going to ruin the city's economy.

A technical college was established to train people for specific jobs in specific plants. Some tax incentives were offered to new investors. Spartanburg's geographical location was an asset, as were relatively low tax rates, low wage levels, and the lack of trade unions. "People are conservative and independent here," says Bryan Little.

The executive vice president of the local Chamber of Commerce, Richard Tukey, can take much of the credit for enticing investors to the area. He stresses that every effort has been made to welcome foreign executives, their wives, and children and to ensure that foreigners swiftly feel at home in the community.

The local white establishment has probably been more open to foreigners than one might at first expect. Men like Milliken, Walter Montgomery of Spartan Mills, M.L. Cates of Arkwright Mills, and Frederick Dent, president of Mayfair Mills, as well as others, probably realized that their firms would benefit if foreign investment in the area increased.

As the first foreign investors prospered, so the Chamber's Richard Tukey was swift to publicize the success stories. He certainly has done nothing to openly counter the image of Spartanburg as a center of European business and cultural activity. More and more corporate heads have come to look at Spartanburg. A number of big American firms, fed up with unions and high costs of production in the Northeast, have built local facilities. Firms like Michelin have moved in—aware, in particular, that other foreign investors have made good profits in the area.

Some foreign companies have, of course, found themselves in Spartanburg largely as a result of coincidences and luck. For example, Britain's Rentokil company decided some years ago to buy a number of American firms, one of which owned Taco Wood of Spartanburg. This wood-preserving company is located where it is solely because its local president, W.R. Cantrell, was born there and likes it. He and a colleague use the city as their sales base for customers throughout the Southeast. They could do just as well from many other locations.

"I like Spartanburg," says Cantrell. "I like the mild winters and the generally good climate. The chance to go to the mountains

for weekends. You can get to the beaches in four hours from here. It's a good place to live."

About 22 per cent of the local population is black, and racial integration has gone well. New and quite expensive housing projects are being developed, indicating considerable prosperity, and lavish mansions are to be found in the plush residential areas on the fringes of city limits.

If the foreigners in Spartanburg are big fish in a small pond, they like it that way. Bryan Little evidently enjoys his self-assured role as unofficial British consul. Local French and Swiss businessmen take pride in being the official consuls of their countries in this city.

The Germans have made an annual Oktoberfest into a big cultural success with the local community. They have also had a tiny influence on eating habits. A rather mediocre delicatessen, known as Ankies, seems to thrive, and Rudolf Mueller, having developed the Sheraton into a well-known

restaurant in just three months, can now boast to be the man responsible for the best Wiener schnitzel in the South.

The European influence in Spartanburg has, all the same, been modest. The Spartanburg influence on the Europeans who have invested locally has been tremendous. Richard Tukey reports that an increasing number of Europeans, especially Germans, are showing interest. This is confirmed by local businessmen. Asians have not moved into Spartanburg, and no efforts seem to have been made to encourage them.

Mueller believes that his operations will continue to "grind out profits." Förster believes that Hoechst's local output will double or treble in the next decade. Optimism seems to be widespread, despite the ailment of the textile industry in general. The industrial base is becoming more diverse and therefore stronger; and the conservative politics of the area, combined with the profit potential and the rather unhurried pace of life, has, according to *Money* magazine, made Spartan-

burg one of the top 10 business growth cities in the United States.

The developments in Spartanburg today seem to point unmistakably to the fact that Europeans can make money in America by many different routes: on a huge direct manufacturing investment scale like Hoechst and Michelin; on a somewhat more modest, but still substantial, corporate manufacturing basis, like Sulzer of Switzerland or Eduard Kuesters Maschinenfabrik of Germany; or on a more individualistic basis like the operations run by Rudolf Mueller and Bryan Little; or just by buying a local firm and leaving it in the hands of competent local people, as Rentokil has done.

Spartanburg isn't a fun place, or a city lacking local social and political problems. It isn't a very attractive place, even though the countryside seems quite pleasant. But here Europeans have found social status and prosperity, and their example is bound to be influential on investors in Europe today as they look for opportunities on this side of the Atlantic. ●

## HOUSE OF REPRESENTATIVES—Friday, June 8, 1979

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BRADEMAS).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, D.C.,

June 7, 1979.

I hereby designate the Honorable JOHN BRADEMAS to act as Speaker pro tempore on Friday, June 8, 1979.

THOMAS P. O'NEILL, Jr.,

Speaker of the House of Representatives.

### PRAYER

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

Gracious Lord, we humbly ask Your blessing on us and what we do. We acknowledge that we have not done those things that should have been done, nor looked to You for guidance as we ought.

We pray for Your mercy, that You would forgive us and comfort us. Help us, O Lord, to be reconciled to You, and to our brothers and sisters from whom we have strayed.

Always lift us from thought of self and our private concerns, to work and pray together for the good of all. For You are one God and we are one people. Amen.

### THE JOURNAL

The SPEAKER pro tempore. 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 bills of the following titles, in which the concurrence of the House is requested:

S. 495. An act to authorize the establishment of the Frederick Law Olmsted National Historic Site in the State of Massachusetts, and for other purposes; and

S. 721. An act to amend the Civil Rights Act of 1957 to authorize appropriations for the United States Commission on Civil Rights for fiscal year 1980.

### TRUCK DRIVERS COMPLIMENTED FOR PEACEFUL TACTICS IN WASHINGTON DEMONSTRATIONS

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

Mrs. SCHROEDER. Mr. Speaker, I just want to take this time to briefly compliment the truck drivers who are caught in such a tight, difficult, trying situation with the diesel fuel. I want to compliment them for the way they have behaved. They have been playing by the rules. They have been very mature, most patient in this very trying situation.

Many of us here have complained about other types of tactics used by other groups. I hope we will really reward the truck drivers for their positive, law-abiding, calm approach, and show that we really can understand and hear and act without being hit over the head with a club or kicked or hit or forced into a crisis.

So, Mr. Speaker, I compliment them. I know their tensions are strong for they feel their whole way of life is threatened. They are right. Let us help.

### PERMISSION FOR SUBCOMMITTEE ON SURFACE TRANSPORTATION OF COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION TO SIT TODAY DURING 5-MINUTE RULE

Mr. ATKINSON. Mr. Speaker, I ask unanimous consent that the Subcom-

mittee on Surface Transportation of the Committee on Public Works and Transportation be allowed to sit today, Friday, June 8, 1979, while the House is in session under the 5-minute rule.

Mr. Speaker, this has been cleared with the minority, and they have no objections.

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

There was no objection.

### PERSONAL EXPLANATION

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

Mr. RATCHFORD. Mr. Speaker, during the debate on H.R. 3875, the Housing and Community Development Act of 1979, which occurred on Thursday, June 7, 1979, I was unavoidably detained during the discussion of an amendment offered by Representative PANETTA. This amendment was designed to avoid duplicative and unnecessary paperwork on HUD, FMHA, and VA projects. I was in a meeting with Connecticut's Gov. Ella Grasso at the time. Had I been present, I would have voted aye on the Panetta amendment.

### SECRETARY VANCE FINDS IMPERFECTION IN RHODESIA

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

Mr. ASHBROOK. Mr. Speaker, I have learned one thing today in driving to the office this morning. I should not be listening to the radio as I drive when Secretary Vance is speaking. He was trying to defend the Rhodesian decision of the President yesterday, and I was listening as I was driving along Shirley Highway. The Secretary said he had noticed some progress in Rhodesia, but it was still an imperfect situation. I al-

□ 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.