

## EXTENSIONS OF REMARKS

## EXPLANATION AS TO VOTE

## HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. LANTOS. Mr. Speaker, I was unable to be present on the floor of the House of Representatives on Tuesday, June 16. Had I been present I would have recorded my votes in the following manner:

On rollcall No. 75, June 16, 1981, approval of the Journal, "Yes."

On rollcall No. 76, June 16, 1981, House Joint Resolution 287, support of infant formula code, "Yes."

On rollcall No. 77, House Resolution 159, support efforts to resolve the crisis in Lebanon, and congratulate Special Envoy Philip Habib on his tireless efforts to resolve current international problems, "Yes."

On rollcall No. 78, quorum call.

On rollcall No. 79, amendment (Mr. KASTENMEIER) to the Legal Services Corporation Act to insure that a majority of the attorney members of the governing body be appointed by the bar association or associations in the area in which the recipient is to provide legal assistance, "Yes."

On rollcall No. 80, amendment (Mr. SENSENBRENNER) to repeal the automatic refunding provision of the Legal Services Corporation Act, "No."●

## STRAINS IN THE NATO ALLIANCE

## HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. WEISS. Mr. Speaker, many of our European allies have shown increasing concern over the past 18 months about the proposed placement of U.S.-provided nuclear missiles in several European countries. President Reagan's plan to continue to move toward deployment without first conducting arms control negotiations for the European theater future strains our Nation's relations with our key allies on that continent.

An article appeared recently in *These Times* which documented our allies' growing resistance to President Reagan's policy for defense of Europe. This article points out that a majority of Europeans support ratification of the SALT II agreement and want new arms control negotiations to commence immediately. In spite of this

strong sentiment from several of our closest allies, the President has not made a clear commitment to controlling the spread of nuclear weapons.

This issue is of vital concern to all Americans. I urge my colleagues to carefully consider the possible further problems which could be caused by unnecessary pressures on the NATO alliance. The article follows:

## NATO ALLIES HAVE THEIR OWN OPINIONS

(By John Judis)

The Reagan administration is deeply concerned about what National Security Advisor Richard Allen described recently as "outright pacifist sentiments" now prevalent in Western Europe. Manifested by the opposition to the pledge by NATO nations to increase defense spending 3 percent annually and to station 572 intermediate-range American missiles on European soil, the new pacifism threatens to subvert the administration's military and diplomatic ambitions.

During the last 18 months, opposition to the defense spending and theater nuclear force (TNF) proposals—both of which were introduced in NATO by the U.S.—has been most marked in the Netherlands, Belgium and Denmark. American defense analysts now even refer to Europe's disenchantment as "Denmarkization." But in the last six months, there are clear signs that Denmarkization has spread to the bulwarks of NATO, West Germany and Great Britain.

In West Germany, Chancellor Helmut Schmidt, who has supported TNF and the 3 percent increase, has found himself embattled within his own Social Democratic Party. On the eve of his May 21 visit to the U.S., he even threatened to resign if his party members did not back him on these points. Schmidt's political problems were underscored by the results of the May 10 West Berlin elections, which saw an anti-militarist "Alternative List" take 7.2 percent of the vote and deprive the Social Democrats and Free Democrats of their majority.

In Great Britain, the ascendancy of anti-militarist Michael Foot to the Labour Party leadership already had alarmed the Reagan administration. Then, last month, opposition to NATO's priorities surfaced within the Conservative Party. In response to continuing inflation, Margaret Thatcher's Defense Secretary John Nott has drawn up a plan for \$2 billion in defense cuts over the next 10 years.

But even more astonishing and disconcerting to the Reagan administration were the results of polls undertaken in Western Europe by the United States International Communications Agency (USICA), formerly the U.S. Information Agency. The USICA polls, taken by Gallup Institute, demonstrate that public opposition to the Americans' NATO proposals is widespread and growing.

According to the most recent polls, two-thirds of West Germans and half of the British and Dutch reject stationing missiles on European soil. Forty percent of Germans rejected stationing them under any conditions. An additional third would support them only so long as they thought East-West arms control negotiations would succeed.

The proposal for deploying the neutron bomb in Europe, which has been revived by Defense Secretary Caspar Weinberger, also meets with steadfast opposition. Its deployment is opposed by 58 percent in the Netherlands (with only 17 percent favoring it), by 53 (vs. 15) percent in Norway, 36 (vs. 28) percent in Britain and 44 (vs. 27) percent in West Germany.

Among the six NATO countries, only the West Germans and British support existing levels of defense spending. In France, Italy, Belgium and the Netherlands, a third or more support cutting defense spending, while only 10 percent favor the NATO increases.

In all these countries, the support for the NATO increase and for TNF has sharply declined over the last year. Support for a defense increase among the British dropped from 50 percent in March 1980 to 30 percent this spring. Support for an increase among West Germans dropped from 41 percent in May 1980 to 20 percent last October.

The drop in support partly reflects growing concern about inflation. One survey showed that 47 percent of West Germans, 67 percent of the British and 70 percent of the Italians would support cutting defense spending to fight inflation. As inflation has persisted and increased this year, support for defense cuts has risen.

## THE NEW NEUTRALISM

A majority of Europeans supported SALT II and want new arms control negotiations to commence immediately. When asked to compare the priorities of arms control vs. strengthening NATO, 50 to 18 percent in France, 44 to 21 percent in the Netherlands, 40 to 31 percent in Great Britain, and 35 to 21 percent in West Germany thought arms control more important.

Detente is a good word, not a bad word, in Western Europe. Eighty percent of West Germans thought detente "appropriate" to safeguarding peace and freedom. Sixty-seven percent of West Germans and 52 percent of the French favor a "conciliatory approach" to the Soviet Union. Sixty-five percent of West Germans and 54 percent of the French (as opposed to 34 percent of Americans) think the West has benefited from detente as much as the Soviet Union has.

The most dramatic demonstration of Western European support for arms control came when the USICA asked whether arms control talks should be halted in the event of a Soviet invasion of Poland; only one in 10 thought they should.

There is also considerable and growing support in Western Europe for diplomatic independence from the U.S. An independent Common Market foreign policy is favored by a third of Germans, and by pluralities in France, Italy, Belgium and the Netherlands. In a March 1980 poll, before the drop in support for the new NATO commitments, 60 percent of the French, 55 percent of the British and 37 percent of West Germans wanted their countries to stay out of disputes between the U.S. and the Soviet Union rather than increasing their backing for the U.S. Forty percent of the French, 20 percent of the British and 34 percent of West Germans wanted their countries to become neutral.

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

One might assume that growing European support for neutrality reflects a favorable opinion of the Soviet Union, but the contrary appears to be the case. From 1972 to October 1980, there has been a decline in favorable opinion of Soviet "socialism." In 1972, 28 percent had a positive and only 43 percent had a negative view of Soviet socialism; eight years later, only 14 percent had a positive view, and 59 percent had a negative view.

European support for neutrality seems more based on two related factors: first, growing fear of the Soviet Union and recognition that the East is now militarily equal to, if not stronger than, the West; and second, fear that the U.S. policies under Reagan increase the chances of war. Sixty-three percent of West Germans (vs. 35 percent in 1979) believe that West Germany is threatened by the Soviet Union. In Britain, the percentages believing Britain threatened jumped from 77 to 85 percent.

Since 1972, the proportion of West Europeans that see the U.S. as "the most powerful country in the world" has declined 20 percent in France, Britain and West Germany. A plurality in West Germany and France think the U.S. and the Soviet Union are militarily equal, and more think the USSR is militarily superior than think the U.S. is.

There is very little support, however, for Reagan's goal of regaining military superiority over the Soviet Union. In West Germany, 75 percent in a recent poll supported equality between the two superpowers, while only 16 percent supported the goal of American superiority. Two-thirds believed that Reagan would follow a "harder line" against the Soviet Union than his predecessor did, and 60 percent wanted Bonn to "keep its distance" from such a policy. In Britain, 48 percent think Reagan's policies will harm Soviet-American relations, while 22 percent think they will improve them.

Reagan's immediate problems in Europe are based on his rejection of SALT II. The proposal to introduce missiles into Europe was originally predicated upon the adoption of SALT II, which was to lead directly to SALT III talks on the arms balance in the European theater. In this context, the TNF was taken as a Kissingerian "bargaining chip" rather than as an escalation of the arms race.

But Western Europeans now see both TNF and the 3 percent spending increase as dangerous escalations that bring Europe closer to war. As they told Defense Secretary Weinberger at last month's NATO meeting, they need a commitment on the part of the U.S. to begin immediately arms talks with the Soviet Union. Weinberger gave them a lukewarm one, which will not be enough to stem the growing disenchantment with American military strategy.

But even if Reagan should repudiate his own political base and plunge earnestly into arms control negotiations, it is unlikely that he can prevent the erosion of the Western alliance. The erosion has not been based upon the policies of particular American administrations, but upon the growing economic equality between the U.S. and Western Europe and the growing military equality between the U.S. and the USSR.

The NATO defections are not isolated developments, but part and parcel of the breakdown of the Bretton Woods monetary system, the creation of the European Monetary System, independent European initiatives in the Mideast and Central America, and the unwillingness of Western Europe to

join a united front with the U.S. after the Soviet invasion of Afghanistan. In the next decade, Western Europe's growing independence, combined with the erosion of Soviet control in Eastern Europe, will profoundly alter world politics.■

## THE ALL-VOLUNTEER FORCE

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. MICHEL. Mr. Speaker, we are seeing many reports and articles questioning the values and the efficiency of the All-Volunteer Force (AVF). I recently came across an article that makes a very persuasive case in favor of the AVF and I want to commend it to your attention.

At this point I insert in the RECORD: "Volunteer Army: It Deserves a Fair Chance" by Lawrence J. Korb, Washington Post, June 9, 1981:

### VOLUNTEER ARMY: IT DESERVES A FAIR CHANCE

One does not casually disagree with Gen. Maxwell D. Taylor on military matters, but, after much thought, I must register my objection to his prescription [op-ed, May 12] for meeting our military manpower needs—"a rapid return to some form of conscription."

Like President Reagan and Defense Secretary Caspar Weinberger, I am sworn to do what is best for the security of our nation. Also like them, I am philosophically disposed against the governmental intrusion into private lives that conscription would involve. This leads me to want to do everything we can to maintain a strong military through an All-Volunteer Force, a worthy concept that has not been given a fair chance.

Designed with the best of intentions about a decade ago and heralded with appropriate rhetoric about its importance and about the commitment to make it work, the All-Volunteer Force was short-changed and short-circuited, not all that long after it was introduced.

Potential recruits were enticed with the prospect of earning a living roughly comparable with that in the civilian world. The harsh reality, however, was that military compensation, in relation to that in the civilian sector, began declining shortly after the AVF was established; by 1979, compensation for our men and women in uniform had fallen about 7 percent behind that of their civilian counterparts. Not only that, but allowances for such things as housing and moving fell even further behind. Military families routinely spent thousands of dollars out of their own pockets for these things, and some 20,000 of them became eligible for food stamps. Only last fall did the gap begin to narrow and some semblance of equity return.

The American people were promised well-trained, professional military forces, yet training has declined in the services over the life of the AVF, in no small part because of budgetary restraints. By 1976, for example, Navy pilots flew 30 percent fewer hours per month than they had flown before the Vietnam War. In 1973, the Army reduced basic training from eight weeks to seven. Also, the average length of technical train-

ing in the Air Force dropped from 15 weeks to 11. The result, not surprisingly, is a force that is not as well trained and, therefore, not as ready to fight as it should be.

The All-Volunteer Force was supposed to reestablish positive and mutually respectful relations between the military and the rest of our society, giving greater prestige to this most essential of careers and more satisfaction to those who volunteered for it. Yet, throughout most of the 1970s, the pall of Vietnam hung over this founding experiment and respect for the military fell to a post-World War II low.

So my first conclusion is that it is premature to declare the AVF a failure. Our implementation of it may have been a failure, but that says little about the concept.

The Reagan administration's view is that we should give AVF a full and fair try, and we are committed to doing what is necessary to make that possible. To begin with, we are proposing a 5.3 percent real increase in pay to reestablish and then to maintain basic equity for those who serve in uniform. Second, in our revised defense budget for fiscal year 1982, we are proposing significant increases in training, averaging 5 percent for all the services—and training, we must remember, correlates directly with readiness. Third, we are determined to restore the pride Americans once felt in their military personnel; by word and deed we are showing that it is a noble career, one that preserves the freedom and the security we all enjoy and cherish. Recruiting and retention data for the first half of fiscal year 1981 show we are on the right track.

Gen. Taylor's concern about how long—not how well—our forces could fight is more a matter of sufficient ammunition, supplies and equipment to sustain combat, and our budget moves us in the right direction in that area as well. His worry that, once combat starts, casualties would discourage volunteers is somewhat misplaced: the premise of the AVF is that it is essentially a peacetime force; in time of a large-scale war, conscription would be resumed and we would not have to rely only on volunteers to fight the war.

My basic objection to his article, and my fundamental message here, is: let's give the All-Volunteer Force a real chance before we think about a return to the cumbersome bureaucracy, the coercive intrusion and the basic unfairness of conscripting only a small number of young people to man a peacetime military force.■

## TWO YOUNG HEROES

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. ROUSSELOT. Mr. Speaker, it has recently been brought to my attention that two young heroes are residing in my district. Marnieta Howard and Jessy Wooten, students at Mid-Valley School in West Covina, Calif., jointly saved a 4-year-old boy from snow suffocation during a school field trip at Mount Baldy, a ski resort, on March 9, 1981.

While at a recreation site near a posted avalanche area, the two young people heard cries. Initially they ig-



nored them, but the cries persisted. Investigating, 12-year-olds Marnieta and Jessy could just barely see the arms and head of a small boy in what appeared to be a ditch about 50 feet up the mountainside.

With difficulty keeping their footing, the two struggled up the slope while the youngster continued with his cries of fear. They saw that he had sunk into a slide area of soft snow. From a nearby tree Marnieta broke off a branch, and with Jessy on one side of a large hole supporting one end, Marnieta buttressed the other end of the branch on a rock so she would be free to work to reach the child.

The boy did not cooperate with Marnieta as she instructed him to grab hold of her arm, so she was forced to reach further to grab his shoulder and pull until he was able to crawl onto her back. Jessy's efforts continued in supporting the branch as Marnieta climbed toward him with the boy clinging to her. After many tense minutes the two reached safety.

Halfway through the rescue they could hear the local sheriff's commands on a megaphone to stop climbing in an avalanche area. The boy's father and the sheriff were looking for the boy when they observed Marnieta in an off-limits area. Soon, though, the men realized what the children were doing. Amazed at the risk that they took, and at their bravery, the men praised the two young heroes for their actions after the chilling event.

This is a moving example of courage and compassion, and I am proud of these two life-savers, as are their families and the people of San Gabriel and Covina, where the children live. Marnieta and Jessy certainly deserve recognition for their heroic deed, and it is for this reason that I bring it to the attention of my colleagues.●

#### SUPPORT FOR PUBLIC BROADCASTING

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. MARKEY. Mr. Speaker, tomorrow the House will consider legislation affecting America's unduplicated cultural resource: Public broadcasting. I am proud to represent an area served by one of public broadcasting's hallmark stations, WGBH in Boston. WGBH has always worked under severe budgetary constraints, yet has managed not only to survive but to set standards of excellence in broadcasting communications worldwide. I urge my colleagues to read the following editorial from the Boston Globe before considering their vote on the Public Broadcasting Act Amendments of 1981.

[From the Boston Globe, June 1, 1981]

#### PUBLIC TV'S PROMISE: II

Public television has brought the Lyceum, Chataqua, Minsky's and Camelot into American livingrooms against heavy odds. It has satisfied the Nation's hunger for beauty, presented great drama, explored the sea and the sky—on shoestring budgets. Boston's Channel 2, like the other 285 stations in the public broadcasting system, has had to rattle a tin cup continually to raise the money it needs to continue its programming.

This programming proves how good television can be. This week's auction, with its frenetic, non-stop solicitation, only dramatizes public television's desperate financial situation.

WGBH's burden isn't likely to ease. This year the federal government appropriated \$172 million for public broadcasting. That represents about a third of public broadcasting's entire annual budget. It also represents five percent of what the commercial networks will pour into programming in the same period. The sum is an expenditure of 70 cents for every American, or less per capita than any other country in the world. Although Congress has offered several compromises, the Reagan Administration proposes to reduce that appropriation to \$100 million by 1986.

Under the Reagan budget, public television stands to lose in other ways as well. Proposed budget cuts for the National Endowment for the Arts, the National Endowment for the Humanities, the National Science Foundation and the Department of Education, which have all made grants to public television, will deprive it of additional revenue. Under current law, public television must raise \$2 of private money for every \$1 of federal money. If government funds are reduced, matching funds will also be reduced. These reductions will force programming cuts, which in turn may have an adverse effect on viewer support and corporate contributions.

The air is thick with alternative proposals, schemes and plans. Some suggest that public television could save money by getting out of the production business or by reducing local programming. Others believe that public television could raise money by advertising, by renting its facilities when they are not in use, by trying commercial ventures such as publishing or videocassettes. Others argue that stations themselves must become more cost-conscious. None of these alternatives is likely to generate tremendous sums.

PBS is also studying the creation of a pay cable service for the performing arts. Skeptics doubt whether the proposed Public Subscriber Network will be able to compete with commercial services that plan similar pay cable offerings, but others believe public television is best equipped to do the job.

Rep. Tim Wirth (D-Colorado) and others rightly contend that the Corporation for Public Broadcasting, the 15-member governing board that disburses government funds, should be retained if it can be made to operate more efficiently. Wirth has proposed legislation that would, among other provisions, limit CPB's administrative costs.

Inflation and increased programming costs have already forced some stations to streamline, cut back and lay off. Many believe that it's impossible to make a strong case for greater government support for public TV now that so many other essential services are being cut. Is it?

Lawrence K. Grossman, President of the Public Broadcasting System, which distributes programming to the stations, predicts that public television will survive, that it will continue to be vital. He also predicts that it will always have financial problems. "Every institution that has concerned itself with culture," he says, "even when it was supported by the court, even when it was supported by the church, even when supported by the government or rich business patrons as the Dutch did, has always been underfunded, has always had to scratch."

Public television in this country has always had to scratch, to spend creative energy in pursuit of money. This effort may prove as critical to our culture as da Vinci, Chartres' architects or Rubens proved to theirs. This nation cannot afford to have public television fail.●

#### DAVIS-BACON SHOULD GO

**HON. STAN PARRIS**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. PARRIS. Mr. Speaker, we are all aware of the number of controversial reports on the 50-year-old Bacon-Davis Act. This inflationary regulation has boosted average construction costs of the Washington Metro system 6.8 percent higher and average Metro labor costs nearly 34 percent higher than would normally occur if this act were not on the books.

The U.S. taxpayers will be forced to pay an additional \$150 million in costs for Metro because of this antiquated legislation.

Recently, a newspaper in my district, the Alexandria Gazette, which is the country's oldest daily newspaper, ran an excellent and incisive editorial on this subject. I think my colleagues will find it informative.

A copy of the editorial follows:

[From the Alexandria Gazette, June 6, 1981]

#### DAVIS-BACON SHOULD GO

There seems to be no good reason why the U.S. Labor Department should be in the business of setting local wage rates—particularly rates that are much higher than necessary. But such is the case, thanks to the Davis-Bacon Act, which is costing U.S. taxpayers about a billion dollars a year in inflated building costs.

Davis-Bacon is a hangover from the Great Depression, a law enacted 50 years ago to protect small-time contractors from cut-throat competition by gangs of destitute laborers, who roamed the nation in the 1930s.

The conditions that led to enactment of Davis-Bacon vanished long ago, but the law lingers on, having an entirely different effect than its framers intended. Under its terms, the Labor Department surveys wages in each region of the country and supposedly averages highest and lowest rates to set a "prevailing wage" in each category of the construction trades. Contractors employed on public works using federal money are required to pay this prevailing rate the Labor Department, however, almost always accepts the local union contract rates as the

prevailing wage, ignoring the thousands of non-union workers who earn less.

This salary-setting forces all bidders on public works where federal money is used—and this includes highways, and most major city and county projects these days—to pay artificially high wages, rather than the average wages prevailing in the area. By thus driving up all construction wages, Davis-Bacon results in an inflation of pay scales that will cost taxpayers an estimated billion dollars extra this year on \$30 billion of government public works across the country.

Inasmuch as all have to pay the same salary rate, government contractors support the Davis-Bacon Act, because it removes labor costs from the bidding competition. Building trades unions also like it, because it has helped to keep construction-industry pay at nearly double the average level for all hourly workers.

In California construction costs are further inflated by the Walsh-Healey Act, a companion to the Davis-Bacon Act, which governs pay scales on state public works, with similar results.

We don't need such laws that fuel government spending and inflation. Clearly Congress ought to repeal Davis-Bacon, just as the California state legislature should get rid of the Walsh-Healey Act.

The Reagan Administration has indicated it would prefer to amend the Davis-Bacon Act to remove its worst features. We believe this piecemeal approach is wrong. Davis-Bacon should be stricken from the books as a costly, irrelevant relic of the 1930s.●

#### ARROGANCE AND WASTE IN LEGAL SERVICES PROGRAM

##### HON. ANDY IRELAND

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. IRELAND. Mr. Speaker, as we debate the Legal Services bill, I want to call to the attention of my colleagues a letter I received from an attorney in north Florida which describes the arrogant attitude on the part of the Legal Services Atlanta office in first trying to force a program on a local bar association, and then rejecting their \$140,000 grant application on the grounds that they did not ask for enough money!

This, and numerous other horror stories brought to my attention, clearly point out that the people running Legal Services' programs are simply not operating in the realm of reality. It does not make sense to mandate a preconceived formula that says an area must spend  $x$  number of dollars in order to provide adequate legal services.

What is even more alarming is that when a program tries to return unused Federal dollars—our tax dollars—they are told they cannot do so!

I, for one, feel the time has come to put the brakes on this wasteful approach. Why should one be penalized for doing a good job for less money?

I personally would encourage local bar associations, and State bar associations to take up a far greater role in

providing essential legal services to the poor and needy than they have to date. In a sense, the Legal Services Corporation constitutes a tax-subsidized service to the legal profession, allowing the private attorneys to avoid their public responsibility.

Some local, private groups have tried to carry out their civic responsibilities, as I have pointed out above, only to be stymied by the Corporation. This is wrong, it must stop forthwith. Today's vote should begin that process.

The letter from George E. Day, a member of the Okaloosa Walton Bar, to the President of the Legal Services Corporation follows:

MAY 29, 1981.

Complaint and demand for investigation, Mr. Victor Geminiana, Legal Services Corp., Atlanta, Georgia and Legal Services Corp., Washington, D.C.

President DAN BRADLEY,  
Legal Services Corporation,  
Washington, D.C.

DEAR MR. BRADLEY: This letter is an official complaint concerning the management action of the regional director of the Atlanta, Georgia office. I am both staggered and amazed at the cavalier manner in which Mr. Geminiana handles the taxpayers money.

The Okaloosa Walton Bar provides free legal services for the needy in the community. The members of the bar donate their services to cover each day, and the attorney who has the duty on his assigned day processes the indigent client. To the best of my knowledge, there has never been a case where some truly needy was not represented, if he made his needs known.

The Legal Services Corporation (thru the Atlanta office and you) has told us we must have your socialized lawyering program here, and that either we take a grant of money to do it, or they will give that money to a group from Tallahassee or from Pensacola, and they will do the socialized lawyering for us. They further have told us that we have to take the program.

We the bar reluctantly agreed to submit a bid to open an office that would be funded by you at the rate of \$140,000.00 of taxpayers' money. Atlanta turned our bid down for the incredible reason that we hadn't asked for enough money.

Now Mr. Bradley, I really have trouble with that decision. If we could do it for free, and give good service, why can't we do it for \$140,000.00?

After we have had some additional time to think it over, we refuse any part of your socialized lawyering program, and we will sue you to kingdom come to keep your wasteful ways out of our area.

In a day and time when our country has been running billions of dollars in the red, driving up the rate of inflation, and truly hurting the needy with high taxes and unemployment; you people are a disgrace in your posturing about the poor.

I am aware that our neighboring county was overfunded by \$300,000.00 which they tried to return to you. It's my understanding that when you refused the refund, they used the money to purchase a building. I gather that this building then went off the tax rolls.

Down here in North West Florida, Mr. Bradley, we still think \$300,000.00 is a lot of money. When the \$140,000.00 you want to waste on us is added, we have almost half a million.

What's even scarier Mr. Bradley is that I think North West Florida might only be the tip of the iceberg. How much taxpayer sweat and blood is being blown in Miami, New Orleans, Dallas, Los Angeles, Chicago, New York City and Philadelphia.

As Everett Dirksen once said "a billion here, and a billion there, and pretty soon you're talking about real money."

We gave Ronald Reagan seventy-three percent (73 percent) of the vote to get Government off our backs. It seems that your Legal Services Corporation doesn't understand the voters message.

I demand an investigation of this incredible waste, and insist that you get busy and find the rest of that iceberg.

Truly yours,

GEORGE E. DAY, P.A.  
Attorney at Law.●

#### BALTIMORE CITY'S CETA WORKERS

##### HON. PARREN J. MITCHELL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. MITCHELL of Maryland. Mr. Speaker, the many attacks on the Comprehensive Employment and Training Act (CETA) program implementation should not lead to the dismissal of the fine services performed by CETA workers. In the Seventh District of Maryland, which I represent, the use of CETA youth resources has facilitated the existence of: Over 200 private businesses acting as worksites; 8 alternative schools serving over 3,000 dropouts; tightly supervised work projects where youth make visible and lasting improvements to the community; and, productive year-round opportunities for 7,000 teenagers.

Unfortunately, we are constantly deluged with an inordinate amount of data which cite abuse, waste, and inadequacy in the CETA programs. Moreover, we see questions about whether the CETA workers are truly contributing to community development in a significant manner. In the city of Baltimore, I am very proud that our CETA workers are just as important to the economic and social growth of our community as any other component.

Through city and nonprofit agencies, CETA workers: weatherize 4,000 homes each year; rehabilitate vacant city houses; teach basic literacy skills to school dropouts; prevent truancy in the schools; read newspapers and books over the radio for visually handicapped; provide shelter for battered women; provide means to homebound elderly; paint murals to beautify city neighborhoods; and, provide theater and musical entertainment throughout the city.

Our Baltimore CETA workers are characterized by outstanding achievement in such areas as community stabilization, increasing worker produc-



tivity, community improvement and services. It is distressing to know that massive cuts in the public service employment (PSE) component alone will cost Baltimore \$31 million and 3,000 jobs. Moreover, cuts in this particular component burden Baltimore with a severe loss in the area of sources for trained, work-ready employees.

Another analysis shows that with the massive cuts and virtual elimination of the PSE component, Baltimore's PSE taxpayers may become tax users. The projected economic impact in this area is: \$7.5 million in added unemployment compensation costs; \$3.8 million in lost FICA revenues; \$3 million loss in Federal/State and local income tax receipts; and, \$5 million loss in sales tax receipts.

I am certain that I am not alone in my concern as a representative of a large urban area. The impact of the CETA cuts will be devastating, and I am afraid that we are taking a large risk by dreaming for the private sector to absorb the resulting unemployment. Hopefully, we will take more than a second look at CETA as we move through future budget deliberations and considerations.●

#### CONGRESS AND THE COURT

##### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. HAMILTON. Mr. Speaker, I insert my Washington Report for Wednesday, June 17, 1981, into the CONGRESSIONAL RECORD.

#### WASHINGTON REPORT

One of the most interesting legislative battles going on in the back rooms of the Capitol is the attempt to deny the United States Supreme Court the authority to hear certain cases.

Since the earliest days of our history as a nation, the Supreme Court has been unchallenged as the final authority which interprets and enforces the United States Constitution. In recent years, however, many people have been angered by the Court's decisions on the touchy issues of abortion, desegregation, and prayer in schools. When they look at the recent performance of the Court, they see a series of rulings that have exceeded the limits of judicial review, eroded the deliberative processes of the Congress, and thwarted the will of the majority. Unable to move forward against the Court by amending the Constitution, they favor passing a bill that would restrict the Court's jurisdiction.

The common legislative route is being chosen because it is quick and easy. To become law, a bill to restrict the reach of the Court requires a simple majority in both houses of Congress and the signature of the President. A constitutional amendment to overturn a decision of the Court requires a two-thirds majority in both houses of Congress and ratification in the legislatures of three-fourths of the states. There is a complicating factor in the common approach, however. If a bill is enacted, the Court may

not be compliant. It has the power to review legislation, and it may fight hard to preserve its authority to deal with every case brought before it by determining that the new law is unconstitutional. All the elements of a full-fledged constitutional crisis would be present in this clash between Congress and the Court.

To date, some 25 "court-stripping" bills have been introduced in Congress. The bills raise larger questions which transcend the issues of abortion, desegregation, and prayer in schools. The specific issues are clearly important, but the larger questions go to the very heart of our nation's system of government, a system in which three separate but equal branches foster democracy by checking and balancing one another. What Congress will do with the bills remains very uncertain.

The debate focuses on Article III of the Constitution, which establishes the federal judiciary and outlines its powers. A clause in the article is the basis of the Court's power to review the decisions of the state and lower federal courts, yet that clause gives the Court appellate jurisdiction "with such Exceptions, and under such Regulations as the Congress shall make." The controversy can be stated simply: under this provision of the Constitution, can Congress keep the Court from hearing certain cases?

As one might expect, specialists in constitutional law do not agree. Many of them, probably the clear majority, concur with the view that the court-stripping bills are dangerous. These scholars argue that restraint by Congress in this realm of action serves the country well by helping to guarantee the overall stability of the system. Some experts do not think that the bills would violate the Constitution, but nearly everyone acknowledges that there is no definite precedent. The ultimate effect of the bills would be to clear the way for scores of separate and potentially different state and federal rulings on various issues, with no higher tribunal to resolve the conflicts. Most specialists believe that if Congress strips the Court of the authority it now has to enforce constitutional rights in one area, pressures will build to strip the Court of its powers of enforcement in many areas. The Court could end up totally decimated, a mere shadow of its former self. Even if the pressures were not overwhelming, the Court's historic protection of the minority against the abuses of the majority would be subtly compromised and the delicate balance among the three separate but equal branches of government would be fundamentally altered.

It seems to me that the court-stripping bills are unwise as a matter of public policy. I understand the frustration of many American citizens who have tried unsuccessfully to undo the rulings of the Court. I, too, have disagreed with some of those rulings. While Article III of the Constitution may give Congress the power to limit the Court's reach, I am persuaded that the exercise of the power would have undesirable side effects. Cutting into the Court's jurisdiction would distort the nature of the federal union by permitting state and federal courts to decide for themselves what the Constitution means. Exactly what the Constitution would finally become is anyone's guess. Also, the relationship of checks and balances among the three branches of the government has given the nation a profound stability in bad times and in good. We make sudden, far-reaching changes in that relationship at our own peril.

The struggle for power between Congress and the Court is certainly nothing new. The Founding Fathers never intended the Court to be subject to the prevailing mood of the electorate, so while it has sometimes been "behind the times" it has also been protective of individual rights, no matter what the mood. In the debate on the pending bills, we must not forget the larger ramifications they would have for our constitutional system.●

TRIBUTE TO DR. AND MRS. JAMES V. DWAN OF SAGINAW, MICH.

##### HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. TRAXLER. Mr. Speaker, I would like to take this time to share with my colleagues a very memorable occasion in the lives of two special people in my district. These people are Dr. and Mrs. James V. Dwan who will be celebrating their 50th anniversary. They were joined in marriage on August 29, 1931, in Bay City, Mich. Dr. and Mrs. Dwan are the proud parents of 6 children and presently have 29 grandchildren and 1 great-grandchild.

Dr. Dwan is a lifelong resident of Saginaw, Mich. He is currently retired after practicing dentistry for 55 years in the Saginaw area. His many years of faithful service in the Eighth Congressional District of Michigan have been greatly appreciated.

I sincerely hope the coming years for Dr. and Mrs. Dwan are as happy and joyous as their past 50 years together have been, and I hope all of my colleagues will join in my best wishes to Dr. and Mrs. Dwan.●

#### EXECUTIVE MANAGERIAL DEVELOPMENT PROGRAM OF THE DEPARTMENT OF THE INTERIOR

##### HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. JONES of North Carolina. Mr. Speaker, I call to the attention of the Members of the House the executive managerial development program (EMDP) of the Department of the Interior. This very worthwhile program is designed to identify and train promising employees in grades GS-9 through GS-14 for subsequent top-level-carrier-management positions in the Department and its bureaus.

This year there were 35 participants in this program which involves a 10-month curriculum consisting of rotational assignments throughout the Government, structured seminars on management theory and practice,

courses at local universities and an important 6-week exposure to the law-making function of the Congress of the United States.

Having learned of the program earlier this year, I invited the U.S. Fish and Wildlife Service of the Department of the Interior to assign two trainees to the Merchant Marine and Fisheries Committee, which I chair. The two trainees assigned to this committee, Jeff Fountain and Stephanie Caswell, proved to be gifted, industrious, and resourceful. In collaboration with members of my staff they planned their own study programs which included attendance at subcommittee and full committee hearings, observation of floor activity in the House and Senate, and working with subcommittee and full committee staff in the development and handling of reauthorization acts and drafting and development of other legislation. In addition each of them researched and reported upon a bill or concept within his range of knowledge and experience. For example, Jeff Fountain, who has been employed in wildlife refuge management for approximately 15 years, worked on a uniform atlas of U.S. wildlife refuges, and Stephanie Caswell, with experience in drafting environmental impact statements, developed a 23-page detailed report on a proposed clearinghouse for processing permit applications for water projects.

The executive managerial development program (EMDP), and its predecessor training programs of the Department of the Interior, have graduated over 1,100 executives since 1949. Many of these graduates have top-level governmental positions in the Department of the Interior, its agencies and bureaus. The 35 participants this year went through an extended selection process including individual bureau competition at regional and national levels, testing at managerial testing centers, and final evaluation by the Office of the Secretary of the Interior. These participants came from 10 different agencies, with technical backgrounds as diverse as physical scientist in international data analysis to tribal operations officer, and wildlife refuge manager. Their education ranged from bachelor of arts in liberal arts, to Ph. D. and LL.D. degrees.

From what we have observed of the program and its participants, we are persuaded that it is in fact an outstanding example of how the Congress itself can benefit from utilizing the specialized knowledge and expertise of qualified employees of an executive department—in this instance the executive Department of the Interior—and how these same employees can benefit the Nation in return by learning how our laws are made—a knowledge which can be vastly important to them as they assume future positions of leadership. I have today written James

Watt, Secretary of the Department of the Interior, to congratulate him and his Department for development this executive managerial development program and to urge that it be continued.●

#### IN HONOR OF THE DELAWARE VALLEY SYMPHONIC BAND

#### HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. EDGAR. Mr. Speaker, it is with great pride that I bring to the attention of my colleagues the achievements of the student musicians of the Delaware Valley Symphonic Band. They have a history of excellence, and it is their continuing superiority in the world of music that has won for them invitations to perform in Germany, Austria, Italy, and Switzerland this summer.

These young junior and senior high school students are special people. They have been chosen through the audition process to become members of this organization, thus setting in motion a cycle of long hours of rehearsal, study, and the sacrifice of other activities dear to the heart of young people. Their hard work has meant pleasure for those of us living in the Delaware valley fortunate enough to have thrilled to their music.

In 1979, the Freedom's Foundation of Valley Forge awarded the group a George Washington gold medal for promoting community and international understanding during its second European tour. Awards have been bestowed by 10 European governments and the U.S. Congress.

Miss Bonnie Strang will once again serve as conductor and Mrs. Nora Burridge as associate conductor for this summer's tour. Under this devoted leadership the band pursues the fulfillment of its motto: Dedicated to the development of American youth and the furtherance of international understanding through music. Indeed, music is the international language that has the power to cement friendships and dissolve animosities among the nations. What more noble goal should we be about?

I am proud and happy to invite my colleagues to join me in congratulating this group of inspiring young musicians and in wishing them a successful and rewarding tour.●

#### SOUTH AFRICA: A FICTIONAL FRIEND

#### HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. DOWNEY. Mr. Speaker, President Reagan recently described South Africa as a "country that has stood behind us in every war we have ever fought."

Was he correct? The answer is yes or no, depending on what we define as South Africa.

It is true that the Government of South Africa supported the Allies in both World Wars. So Mr. Reagan is technically correct.

On the other hand, this policy was opposed by a vigorous pro-Nazi, anti-Semitic, antiliberal capitalism faction, and it is this faction which came to power after the Second War and has remained in power to this day. In the unlikely event that we should again enter conflict with a Nazi regime, there can be no doubt that South Africa under its present leadership would stand with our enemies. There can be no doubt that, had South Africa's movement to the right occurred 15 years earlier, that country would have stood at the side of Adolf Hitler. In short, if these people are indeed behind us we would best not turn our backs on them.

The history of South Africa's world view is summarized in a thoughtful article by Stephen Cohen which appeared in the New Republic of May 2, 1981, which I now insert in the RECORD.

#### SOUTH AFRICAN HISTORY, REAGAN STYLE: SUCH GOOD FRIENDS (By Stephen Cohen)

In a recent interview President Reagan signaled his readiness for warmer U.S.-South African relations with a rhetorical question. "Can we," the president asked emphatically, "abandon this country that has stood beside us in every war we've ever fought?" The president's remark, offhand though it may have been, was widely reported. It was gratefully received by the South African government as showing greater understanding of apartheid. It encouraged those who want to end U.S. pressure for change in South Africa. And it was a serious distortion of the historical record.

The clear implication was that those who rule South Africa today—the National party and the Afrikaner community—supported us in World Wars I and II. But the National party, then a parliamentary minority, and its Afrikaner followers actively fought to keep South Africa out of both world wars. The South Africa that stood by us was led by pro-British politicians who drew support primarily from English speakers.

One month after the start of World War I, the South African government announced that as part of the British Empire, it was automatically at war with the common enemy, Germany, and would attack German Southwest Africa. The Nationalist leader, J.



B. M. Hertzog, vehemently denounced these plans, Afrikaners staged war protest meetings around the country, and three Afrikaner generals began a rebellion. A fourth officer even joined his forces with German units in Southwest Africa, handing recalcitrants over to his new allies as prisoners of war. Loyal government units, also consisting of Afrikaner soldiers, quickly put down the revolt. But three rebel leaders who were killed became Afrikaner martyrs, and the Nationalists benefited from widespread Afrikaner resentment of South Africa's involvement in Britain's war.

In 1933 a coalition government was formed, with Hertzog as prime minister and the pro-British Jan Smuts as his deputy. Hertzog's accommodation with the English speakers caused a sharp split within party ranks, and about half the Nationalist members of Parliament formed an opposition under D. F. Malan.

The question of South African participation in World War II tore the coalition asunder and healed the breach among Afrikaner Nationalists. On September 4, 1939, shortly after Britain declared war on Germany, the South African Parliament met to consider its position. Hertzog not only argued that involvement was against South African interests, he also defended Hitler as acting simply to make up for Germany's "humiliation" by the "monster of Versailles." Malan, who was to become prime minister in 1948, insisted that Germany's annexation of Czechoslovakia was no more than necessary self-defense.

The motion to declare war on Germany carried, but only by a vote of 80-67, as the Nationalists who had supported the coalition government now joined Malan's opposition forces. Hertzog resigned as prime minister to protest the declaration of war, and Smuts took over the job. According to Oswald Pirow, who had been Hertzog's minister of defense, "Afrikaners were . . . elated by the realization that, although . . . Smuts had a majority in the Parliament, they were united as never before in their history."

Hertzog and Malan continued to press in Parliament for reversal of the September 1939 declaration of war. In January 1940, Hertzog introduced a motion calling for immediate peace with Germany and argued, "South Africa's participation in the war is the greatest blunder and most fatal mistake ever made. . . . I again ask for proof that Germany is out for world domination." He stated that Germany had been tormented since 1914 as no other country in history and had taken over the Rhineland, Austria, Sudetenland, Czechoslovakia, and Poland only "to repair the ravages of Versailles." Malan added that it would be far better for England and America to lose the war than to win. In June Hertzog asserted that the war was "hopelessly lost." In August he accused the Western powers of a crime for refusing to discuss Hitler's "peace offers." A year later he declared, "I regard National Socialism as suited to the moral and religious outlook of the Afrikaner. . . . Liberal capitalism, with its unrestricted economic competition, was responsible for the destruction of the Boer Republics and the impoverishment of all Germany."

Even at that, Hertzog was considered "soft on the British" by most other Afrikaner Nationalist leaders. During the war he was forced out of active politics after being accused of collaborating with "British-Jewish" plotters by J. G. Strijdom, who was to succeed Malan as prime minister in 1953.

The Nationalist newspaper, *Die Transvaaler*, was edited at this time by H. F. Verwoerd, who followed Strijdom as prime minister in 1958. A pro-Smuts newspaper accused *Die Transvaaler* of falsifying the news to support Nazi propaganda. Verwoerd sued for libel and lost. The judge explained, "On the evidence he is not entitled to complain. He did support Nazi propaganda, he did make his newspaper a tool of the Nazis in South Africa, and he knew it." Meanwhile, P. W. Botha, who is prime minister today, was a full-time party organizer. He had joined in 1935 at the age of 19 and helped to mastermind the Nationalist victory over Smuts after the war.

On April 12, 1945, South Africa received the news that Franklin Roosevelt had died. Malan and the Nationalist opposition refused to cooperate with Smuts in a vote of condolence, because it would set a precedent and one day the Parliament would be asked to "mourn for Stalin."

But for many Afrikaners, Malan and his Nationalist party did not go far enough. They were challenged from the right by the *Osewa-Bandwag* (*Ox-Wagon Guard*), named to honor Afrikaners who had fled in ox wagons a century before from areas under British control. The group's 300,000 members, organized into paramilitary units, cheered British defeats and hailed Nazi victories. An elite unit within it, the *Stormjaers*, looking "disquietingly akin to Nazi stormtroopers," engaged in wartime sabotage of power stations, railroad tracks, and telephone and telegraph lines. The Smuts government interned about 2,000 members of the *Osewa-Bandwag* for antiwar activities. Among them was B. J. Vorster, Assistant-Hoof Kommandant or regional commander—and South Africa's prime minister from 1966 to 1978.

Who were the South Africans who did stand by us in World War II? It was not only the white supporters of Smuts, but non-whites as well. The non-whites had three representatives in Parliament who voted with the Smuts forces to declare war on Germany, and the African National Congress passed a resolution favoring South Africa's entry into World War II.

It must be said that non-white endorsement of the war was not enthusiastic. It was tempered by demands that support be repaid with steps to end racial discrimination, and many resented the law prohibiting non-white soldiers from bearing arms. Yet thousands of them served in auxiliary forces inside South Africa and helped to safeguard the war effort against internal subversion by Afrikaners. They also supplied the industrial labor for South African factories that manufactured war material.

President Reagan's point about sticking with those who have stood beside us in war does not justify warm relations with the current South African government under the National party. It's a far better reason for being tough on their policy of apartheid, which was inspired by Nazi ideology and which enslaves non-whites who did stand by us in World War II.●

#### LAST HOPE

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. GARCIA. Mr. Speaker, a concerned citizen who is employed at the

South Bronx Census Bureau was inspired by his work to write the following poem, which I would like to share with you all.

#### REFLECTIONS ON A VISIT TO A GHETTO (By Simon Perlmutter)

Dry is the well that once reflected the moonlight  
Dead is the brook that once gurgled and laughed  
Gone is the spirit that climbed over the mountain  
A desert of rubble grows high where once danced a fountain  
Cold is the sun which nurtured the oppressed and beaten  
And cold is the air which once carried the fragrance of Eden  
All who exist in this ghetto are by fear and poverty gaffed  
Yet, treasures and potentials of rich human resources are here to be tapped  
Still twinkles the star on that bleak blanket of sky  
Giving courage, hope and determination for those who must try  
Yes, this is the place where we must give effort and thought  
For our flag when it's flying, must never be flying for naught.●

#### STATE OF CALIFORNIA ENDORSES H.R. 3238, PUBLIC BROADCASTING LEGISLATION

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. WAXMAN. Mr. Speaker, I am pleased to insert in the RECORD for the benefit of my colleagues the strong endorsement conveyed by Gov. Jerry Brown of California in favor of H.R. 3238, the Public Broadcasting Amendments Act of 1981, which will be on the House floor later this week. Specifically, the Governor has endorsed adequate funding for public broadcasting and continuation of the public telecommunications facilities program—the targets of weakening amendments to be offered on the House floor.

I commend this letter to the attention of my colleagues:

STATE OF CALIFORNIA,

GOVERNOR'S OFFICE,

Sacramento, Calif., June 12, 1981.

HON. HENRY WAXMAN,

Member of Congress, House Subcommittee on Telecommunications, Rayburn House Office Building, Washington, D.C.

DEAR HENRY WAXMAN: The administration very much supports your efforts, as coauthor of H.R. 3238, the Public Broadcasting Amendments Act of 1981, to continue Federal assistance to public broadcasting to the maximum feasible extent. I know the difficulty of doing so, yet public broadcasting remains a vital source of public education and community service. Public broadcasting needs the chance to develop new sources of revenue. Reduction in Federal grants for public broadcasting should be planned and

gradual, rather than precipitous and disruptive.

Your approach is especially important to California whose public broadcasting system is the largest of any state and whose breadth of listeners and viewers, as well as supporters, is unequalled. I have expressed a similar support for public broadcasting this year when I proposed to the State Legislature an increase in the budget of the California Public Broadcasting Commission to nearly three times its current level. Similarly, I am encouraged by your efforts to continue the Public Telecommunications Facilities Program at a significant level to strengthen all public telecommunications. In California, public telecommunications is an important factor, not only in providing for community education, but also in augmenting social services and reducing the cost of governmental programs.

California thus has a special stake in the outcome of H.R. 3238 and the ensuing joint conference. Nearly 25 percent of the population regularly take advantage of public broadcasting programming. Every public broadcasting station, whether in the far northern reaches of our state or in the Southland, has shown large percentage increases in the numbers of contributors and their dollars.

It is my hope that public broadcasting shall not only be permitted to endure, but to grow. H.R. 3238 is the best Congressional vehicle to achieve these goals. By copies of this letter, I propose to the California Congressional delegation that each and every district deserves the benefits of H.R. 3238 and would hope that it would be supported by their representatives.

Sincerely,

EDMUND G. BROWN, Jr.,  
Governor.

#### OUTSTANDING SERVICE TO THE NATION BY CHARLES BENNETT

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. CHAPPELL. Mr. Speaker, as you are aware, on June 5, 1981, a significant milestone was established by a Member of this body. The Member to whom I refer, is my dear friend, respected colleague, and the dean of the Florida delegation—Hon. CHARLES E. BENNETT. On June 5, 1981, CHARLIE completed his 30th consecutive year without missing a single legislative vote on any rollcall in the U.S. House of Representatives.

As we all know, it is difficult—if not impossible—to be present for every legislative vote in any given year; but to have maintained such an unblemished record for 30 years is, indeed, a landmark achievement.

CHARLIE BENNETT has compiled a record of 12,944 rollcalls, including 8,707 recorded votes and 4,237 recorded quorum calls since first coming to Congress in January of 1949. While such numbers are impressive on their own; they represent a quality of leadership which is of much greater significance—that being a dedicated com-

mitment to represent the views and concerns of his constituents who sent him to this honored Chamber. CHARLIE BENNETT has served his constituents, the State of Florida, and the Nation with honor, dedication, and unswerving loyalty. CHARLIE's service has not been without personal sacrifice and he continues to put his public responsibilities at the forefront of his daily life. As the dean of our delegation he leads with strength, fairness, and compassion. His personal integrity, honesty, and objectivity are well known and respected by his colleagues and constituents alike. In short, CHARLIE BENNETT is the epitome of what a public servant is all about and those of us who have been fortunate enough to serve with him know that we are better legislators because of that association.

Clearly, my colleague's unbelievable statistical record, as well as his undiminished sense of duty over the past 30 years are worthy of recognition by both his colleagues and the citizens of the Third Congressional District of Florida. ●

#### BOUQUETS TO THE ISRAELIS

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. DORNAN of California. Mr. Speaker, although the controversy surrounding the Israeli bombing of the Iraqi nuclear plant rages on, I believe that the following editorial by R. Emmett Tyrell, Jr., just about says it all. I commend it to the attention of my colleagues:

[From the Washington Post, June 15, 1981]

#### BOUQUETS TO THE ISRAELIS

(By R. Emmett Tyrell, Jr.)

Why all the rending of garments over last week's Israeli air strike? The Iranians tried to bomb the very same Iraqi nuclear plant last September, and I noted no uproar. Why the anguished chorus over the Israeli attack? Is it because the Israelis were successful and the Iranians missed? Had Allah smiled on the Iranian bombers, would the United Nations have convened another of its hot-air confabulations? Imagine Iraq's president, Saddam Hussein, in possession of atomic bombs. Would the Saudis sleep as comfortably then as they do now? Would Jordan's King Hussein? Would the Syrian Machiavel, Hafez Assad, or anyone else in that enormously volatile area?

The nations of the Middle East and, for that matter, all the peace-loving nations of the world ought to be sending the Israelis bouquets. And let us be spared any more of the Arabs' emotional sonorities about international law. The Israelis are at war with Israel. They want to be at war with Israel. They like to be at war with Israel. In fact, Saddam Hussein seems to relish war as fondly as the late Benito Mussolini did, though Hussein butchered a lot more of his countrymen in pursuing high office than did Mussolini.

Many of those now ardently criticizing Israel apparently are ignorant of the vicious and mercurial nature of Israel's enemies. They seem to doubt that any foreign peoples would ever be ruthless or unreasonable. Thus they favor ceaseless dialogue and public relations as instruments of diplomacy. Such people are simply ignoring the nature of international politics.

The goal of all serious political activity is control, generally control of one's enemies. If one is insufficiently powerful to subjugate one's enemies, one scales down one's ambitions. The difference is between choosing an offensive or a defensive policy. The third option is taking no action at all.

The Israelis will never be powerful enough to subjugate their enemies, and they cannot opt out of their political situation. Hence they are condemned to a defensive strategy, and their air strike last week was a masterful show of defense. Their critics wish they had exercised the third option and done nothing.

This is the option with which the West has been most comfortable with over the past 35 years. Those who prescribe it essentially see foreign affairs as apolitical. They refuse to accept that there are struggles for influence going on in the world. They deny that there are malevolent forces. They believe all disagreements are reasonable disagreements. Always they counsel restraint.

By practicing restraint, the West has prospered. Every year more and more fashionably dressed people parade along the Champs Elysees, the Via Veneto and Central Park South. Life is sweet; all is well.

But the grim truth is that, in an increasing number of countries around the world, life has become hellish. And as the Western powers withdraw their influence, allowing the liberal order in international relations to be extinguished, the future of world peace itself is increasingly left in the nervous hands of men like Saddam Hussein. I for one do not like the drift of things. As the citizenry of the West continues to cut deals abroad and live the high life at home, more and more woebegone immigrants from foreign barbarism drop themselves to Western shores. It is an ominous sign.

The countries of the West abound with Africans, Asians and Latin Americans who have lost the struggle for political control in their countries. The Israelis understand the meaning of these signs. The outcome of the war in Southeast Asia should constitute the great political lesson of the late 20th century. The Israelis appreciate this. They do not want to become the next wave of boat people.

For over three decades the Israelis have steadfastly accepted the imperatives of their political condition. A nation of under 4 million, it has endured in an ocean of 134 million hostile faces. During this time, dozens of peoples have had their cultures snuffed out. Yet the irony is that by accepting the imperatives of their political condition the Israelis have actually gained a degree of acceptance in that hostile ocean that their present critics would never have prophesied. More Arabs today view the Israelis as tolerable than ever before. In that turbulent and bloody-minded area, the Israelis have been the only truly effective peace-keeping force. The Lebanese understand this. The Egyptians understand it. Do the diplomats of the West understand? ●



LEBANON: ANOTHER  
COMMITMENT?

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. PAUL. Mr. Speaker, House Resolution 159 was passed almost unanimously yesterday, and it should not have been.

Some parts of the resolution urge peace in the Middle East and praise the character of Philip Habib. I, of course, have no problem with these.

But toward the end of the resolution are some words that require a full debate, not a quick sense-of-Congress resolution brought up under unanimous consent, all too reminiscent of previous resolutions that have meant trouble.

House Resolution 159 states:

*Resolved*, That the House of Representatives strongly supports diplomatic efforts to resolve the current crisis in Lebanon, and encourages the President to pursue a comprehensive and coordinated policy in Lebanon, including the development of an effective cease-fire, resolution of the issue of Syrian missiles, and promotion of the independence, sovereignty, unity, and territorial integrity of Lebanon.

Since when have the people of the United States become the guarantor of Lebanon? Such a promise could require the use of troops, as well as billions of tax dollars.

Are we to solve the issue of Syrian missiles by force? Or use our troops to patrol a cease-fire?

This overbroad resolution, sponsored by the leadership of the Foreign Affairs Committee, has within it the seeds of possible trouble for the United States. Congress should not have considered it in such a fashion, with Members hardly even having time to read it.

We need less meddling in the internal affairs of other nations, not more.

But this resolution could be used to justify who knows what use of dollars and lives, in a future conflict or peace-keeping operation.

House Resolution 159 is a bad resolution, brought up without sufficient time to study its implications. It is not in our country's interests. It should not have been passed.●

LEE TERRY POEM

HON. HAL DAUB

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. DAUB. Mr. Speaker, in my congressional district, the election commissioner for Douglas County, Lee Terry, is well known for his competent and dedicated public service. He is less well known for his able talents with the pen.

Recently, Lee applied this talent by writing a poem that encourages the electorate to vote on election day—a poem that earned him the prestigious Freedom's Foundation Award. His message is clear—our democratic form of government is only as strong as each individual's participation in the political process and the underlying component of this participation is his or her responsibility to vote. I am pleased to share "Time to Share" with my colleagues:

## TIME TO SHARE

(By Lee Terry)

Another election is just down the road.  
Time for Americans to share in the load of  
helping to keep our Country strong  
And "the land of the free", as it says in our  
song.  
But there's one thing about it that you and  
I know,  
A lot of Americans aren't going to show.  
They'll find all kinds of excuses to stay  
away.  
Like "one vote doesn't count", or, "just busy  
that day".  
But one vote does count. It puts teeth in the  
system  
And when the votes are not there, you'll  
find somebody missed them.  
For a flip of a coin has determined the fate  
Of many and many a Candidate.  
And those who don't vote saying politicians  
are greedy,  
That they work for themselves and not for  
the needy  
Fail to recall in our history's short past  
Of the many great people who helped this  
nation last  
Through depression, scandal, inflation and  
wars  
But still kept the enemy away from our  
shores.  
Sure there are Politicians who can be la-  
beled cheaters  
But that's not the character of most of our  
leaders.  
We've had some of the best that God put  
here on earth  
Like Washington who gave this country its  
birth  
And Jefferson who's vision enlarged this  
great land  
And Lincoln who taught us a house divided  
can't stand,  
And who breathed new life into the mean-  
ing of freedom  
And then gave his own when the people did  
need him.  
And there was Wilson who wanted to have  
peace above all  
And his message became America's call  
As Roosevelt, Ike and others let the World  
know  
We're peaceable people but if there's trou-  
ble we'll show,  
And we'll stop those who threaten Democra-  
cy's way.  
We've had leaders prove that day after day.  
America's lucky. Just look through the  
years,  
And although you'll find many filled with  
some tears,  
Most of them glisten in a Country of  
dreams  
Where hope burns as bright as the sun's  
kindly beams  
Because those we elected have given their  
best  
To make this Country shine over all of the  
rest.

In every election around four million souls  
Go on the ballots hoping for roles  
In Congress, as Mayor, as Judge, or as  
Clerk,  
And it's those people too, who made Amer-  
ica work.  
Another great leader once taught us anew  
Not to ask for ourselves what our Country  
can do.  
And it's certainly not much for our Country  
to ask  
That we go to the polls and put ourselves to  
the task  
Of insuring for millions who yet may see  
What it's like to breathe the air of Liberty.●

JOHN S. KNIGHT

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. FASCELL. Mr. Speaker, the Nation has lost one of its publishing giants. I would like to pay tribute to and reflect upon the importance of the contributions which John S. Knight made to his profession and to the country.

At the time of his death yesterday at the age of 86, John Knight headed Knight-Ridder Newspapers, Inc., with 33 newspapers around the Nation, including the Miami Herald in my own hometown, with a combined circulation of 4 million. He was actively involved in the operations of his papers; prided himself on the independent editorial stance of his newspapers which "called our shots as we see them"; and on their civic and social consciousness as well as their efficient and profitable operation.

He was a Pulitzer Prize winner; an outstanding journalist in every sense of the word; and a man whom it was a privilege to know. His death marks the end of a truly remarkable journalism career. His contribution to journalism and the country will long be remembered. His precepts will long be honored by a legion of exceptional businessmen and journalists who grew up in and are a part of the John S. Knight organization.●

COMMERCIAL FISHERIES RE-  
SEARCH AND DEVELOPMENT  
ACT OF 1964

HON. JOHN B. BREAU

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. BREAU. Mr. Speaker, I have today introduced, with the support and cosponsorship of my good friend and colleague, Mr. Forsythe, legislation that will significantly alter the approach of the Federal Government in making grants to States for projects involving research on or development of commercial fishery resources. The

current grant program for commercial fisheries, implemented pursuant to provisions of the Commercial Fisheries Research and Development Act of 1964, has been successful in many instances, but equally unsuccessful in a number of other areas. In fact, a March 21, 1981, report by the Department of Commerce Inspector General was highly critical of the National Marine Fisheries Service (NMFS) which administers the grant program. According to the Commerce Inspector General, it has been impossible for either the Congress or the executive to determine the effectiveness of the program due to NMFS's failure to develop adequate evaluation criteria.

Mr. Speaker, in this era of tight budgets, fiscal restraints and conflicting claims for scarce Federal resource dollars, we cannot justify the blind continuation of programs that are neither adequately targeted to national problems nor capable of assessment regarding the effectiveness of these programs in addressing such problems. It is this principle that has guided our review of the existing commercial fisheries grant program and led us to the conclusion that changes are necessary.

Mr. Speaker, the bill that is being introduced today makes several important changes to existing law. Among them are provisions that:

First, revise the formula for determining each State's apportionment of available funds. The new formula is designed to stress the priority to be accorded those projects that will in fact lead to an increased commercial value for fish harvests in each State. The formula is also designed to be consistent with the reduced funding levels for this program that were recommended by the Fisheries and Wildlife Conservation and the Environment Subcommittee, which I chair;

Second, establish for fiscal year 1983 and beyond, priority for projects that involve interjurisdictional fisheries;

Third, revise the existing cost-share formula consistent with the establishment of a priority for interjurisdictional fisheries. These projects will continue to be eligible for up to 75 percent Federal financing. For projects involving a fishery of only local or State interests, we believe the State should be willing to pay for an increased share of the total project cost and the Federal share will be reduced accordingly to no more than 25 percent; and

Fourth, require NMFS to promulgate criteria by which both proposals submitted and the overall program itself may be evaluated. More detailed reports will be required from NMFS so that the relevant congressional committees will be assured of effective oversight.

Mr. Speaker, I believe this is carefully considered legislation. I believe it is essential if we are to continue this pro-

gram. It is my intention to hold hearings on this bill in the very near future and to proceed with a markup shortly thereafter. I urge my colleagues to support this bill and insure its swift enactment. ●

#### NATIONAL PEACH MONTH

#### HON. CLEVE BENEDICT

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. BENEDICT. Mr. Speaker, I have today introduced legislation to authorize and request the President to designate July 1981 as "National Peach Month." My distinguished colleague, Senator THURMOND, has also introduced this measure in the Senate.

I am sure you are aware that food and agricultural production is critically important to our economy and is a highly efficient, renewable resource. There will constantly be the growing demand to increase our Nation's capacity to produce nutritious fruits and vegetables, especially in today's world with so much emphasis on diet.

Specifically, peaches are a very important source of vitamin A, protein, and minerals, such as calcium and iron. Moreover, they are very low in calories, containing approximately 38 calories each. Peaches can and should be, therefore, a nutritious part of any well-balanced diet.

Mr. Speaker, I urge my colleagues to join me in calling attention and paying homage to the nutritional and economic values of this particular fruit. ●

#### FEDERAL MEAT INSPECTION ACT

#### HON. WILLIAM C. WAMPLER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. WAMPLER. Mr. Speaker, I ask my colleagues to join me in congratulating the U.S. Department of Agriculture on the 75th anniversary of the Federal Meat Inspection Act.

"Consumer protection" is a phrase coined in the last 15 years. Some may think it has gone too far—that we are trying to protect Americans from themselves. But one low-key program, begun long before the consumer protection era, is of unquestioned value. That program is, of course, meat inspection.

President Theodore Roosevelt said that a law was needed to inspect the preparation of meat food products "from the hoof to the can." That law was passed in 1906. In 1980 USDA inspected 129 million cattle, hogs, and other meat animals before and after slaughter. Then inspectors oversaw preparation of 70 billion pounds of

processed meat products. Safe, wholesome, and accurately labeled products were marked with the Federal inspection seal.

At dinner last night, you may have noticed the phrase "USDA, Inspected and Passed" on the ham package. Few Americans know that this means: The ham was cured and smoked under Federal inspection; the hog from which the ham came was inspected for signs of disease before and after slaughter; USDA approved the company's ham curing formula for safety and its label for accuracy before the ham was processed; the plant met sensible sanitation and safety requirements before USDA agreed to inspect it; the plant could not sell its products in interstate or foreign commerce without inspection.

Even though they do not know the details of inspection, Americans expect that the meat they buy will be safe, wholesome, and accurately labeled. Their trust in the Federal inspection program is perhaps reflected in the fact that they take it for granted. Meat inspection is a consumer protection program that works.

Congratulations, USDA. ●

#### FEDERAL FAT: MORE ON THE DAVIS-BACON ACT

#### HON. TOM HAGEDORN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. HAGEDORN. Mr. Speaker, for those of my colleagues who may have missed it, I am submitting the following editorial from the April 22 Wall Street Journal which correctly describes the case for repeal of this antiquated law as "overwhelming."

I commend this article to my colleagues as food for serious thought when we are working to eliminate waste from the Federal budget and curb the rampant inflation under which our economy is laboring:

[From the Wall Street Journal, Wednesday, Apr. 22, 1981]

#### DAVIS-BACON IN THE DOCK

Over the 50 years the Davis-Bacon Act has existed, we've penned uncounted editorials condemning this especially flagrant example of federal economic intervention. But since the law is once again undergoing legislative scrutiny and since some of our readers may have come in late, the subject deserves review.

We'll start with the story of E. D. Plummer, a paving company located in Washington Township, Pa.—a rural community of 9,600 in Franklin County, some 130 miles from Philadelphia and 22 miles from Maryland. E. D. Plummer does a lot of road work. On private jobs, Ken Plummer Sr. pays his flagman \$4 to \$5 an hour: a decent wage for a flagman in Washington Township; a decent wage, too, for a flagman in Franklin County or in nearby Maryland. But when



Ken Plummer Sr. does a government project, he pays the flagman \$10.80 an hour. Same man, same work, same flag.

The difference is Davis-Bacon, a law requiring private contractors to pay something called "the prevailing wage" on federally funded construction projects. The prevailing wage does not have to prevail in the immediate geographic area, however; so the Labor Department usually imports it from the nearest big city. Thus, the prevailing wage is usually a union wage and the highest wage. For Ken Plummer, the prevailing wage is the Philadelphia wage—or twice the going rate.

This kind of thing can be pretty pricey. This year the federal budget calls for \$30 billion in construction. Over a billion of that represents the unnecessary cost of Davis-Bacon wages.

Davis-Bacon has other, less obvious, effects. Boosting wages on federal construction makes federal construction more expensive, thus we get less of it; and it bids labor away from private projects, thus boosting private wages and limiting private projects. The net results, then, are less construction and less employment. Those who do work are, of course, handsomely enriched through this sneaky redistribution of income away from taxpayers.

Partly as a result, no doubt, construction workers receive wages nearly double, on average, the level for all hourly workers. Moreover, Davis-Bacon has a rather sordid history, passed mainly at the behest of small local contractors who wanted protection from the competition of roving gangs of itinerant workers, many of whom were destitute blacks, during the Depression. Also, there are a number of other laws that protect hourly workers in the construction trades against unfair treatment.

The times are a-changing' for a law whose sole purpose is to bump up wages wherever and whenever possible. Four states have already repealed their "mini" Davis-Bacon and repeal is being considered in a dozen others. Congress will consider the matter after spring recess; the Senate has scheduled oversight hearings to begin April 28. The Reagan administration, whose support is critical to any repeal effort, has recently been talking only about tightening up the act. While we sympathize with the view that attention ought not be diverted from the President's economic program, it would be a shame to skip the opportunity to remove Davis-Bacon from the books. The case for repeal is so overwhelming that it's hard to see how arguing it would be distracting. Indeed, arguing for repeal seems the simplest course to take; goodness knows, it's the most sensible one.●

#### CARL LEVIN IN OPPOSITION TO THE DEATH PENALTY

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. CONYERS. Mr. Speaker, a number of bills are introduced each session of Congress to reinstitute capital punishment for certain Federal offenses. Although these proposals differ as to which crimes are serious enough to warrant the penalty of death, and whether judge or jury is better suited to making individual case

determinations, the fundamental issue remains the same.

In a penetrating article which appeared in the Washington Post on June 12, our esteemed colleague from Michigan, Senator CARL LEVIN, discusses the question of whether capital punishment has a role in our criminal justice system. His analysis is insightful and timely, following passage of death penalty legislation by the Senate Judiciary Committee.

Senator LEVIN has had a wealth of experience in criminal law and is highly regarded as an expert in that field. He served as assistant attorney general of Michigan from 1964 to 1967, and subsequently worked as chief appellate attorney for the Defender's Office of Legal Aid and Defenders Association of Detroit. As a Detroit City Council member from 1969-1973 and council president from 1973 to 1977, CARL LEVIN won the respect and admiration of the citizens of Detroit. I am especially grateful to have had the opportunity to have worked closely with him during those years.

CARL LEVIN has brought to the Senate all of the qualities of a great statesman. I recommend Senator LEVIN's article to the attention of my colleagues:

[From the Washington Post, June 12, 1981]

#### DEATH PENALTY: ERRORS HAPPEN

(By Carl Levin)

This week, the Senate Judiciary Committee approved a bill to reinstitute the death penalty for certain federal crimes. As a lawyer with some experience in capital cases, I hope the bill "dies."

A primary reason to oppose the death penalty is the fear that innocent people will be executed. Proponents of capital punishment suggest that such "mistakes" are rare. But as the gubernatorial commutations in "high-profile" cases such as those of Sacco-Vanzetti and the Haymarket defendants indicate, they do take place. Even more frequent is our experience with situations in which innocent people escaped execution only through fortuitous circumstances unrelated to the judicial system's ability to correct error.

One example comes from my experience with the Public Defender's Office in Detroit. There I was assigned the case of Charles Clark, convicted of murdering a store-owner in 1937 and serving a mandatory life sentence because Michigan had previously abolished the death penalty.

In the years following his conviction, Clark persisted in proclaiming his innocence. Despite the hardships of prison life, he rejected gubernatorial offers to commute his sentence, explaining that acceptance would be an implicit admission of guilt.

I was intrigued by the case. I read the trial transcript and concluded that there was a good possibility that Clark actually was innocent. An investigator was assigned to find the murdered store-owner's daughter who, as the only eyewitness, had played the critical role at the trial.

When we talked with her, it became clear that she really had never been able to identify Clark as the killer or even place him at the scene. Her testimony, she explained, was the result of a detective's telling her at

a lineup, "that's the man who shot your father," rather than her own recollection.

With the only evidence against him removed, a new trial was ordered, and soon thereafter Charles Clark left prison a free and officially innocent man. There is some comfort to be derived from the absence of the death penalty in Michigan, a fact that allowed Charles Clark to savor his ultimate vindication.

But this case demonstrates that our criminal justice system is fallible. It is designed, operated and maintained by imperfect human beings. Although we cannot allow the fear of error to paralyze us, we should avoid acts that make error irredeemable.

The issues associated with capital punishment go beyond the question of clear error. Our judicial code does more than establish innocence or guilt—it also seeks to evaluate relative levels of culpability. Thus we distinguish between murder in the first and second degrees. And in the bill now before the Senate, we catalog conditions that mitigate against imposing the death sentence.

These gradations of guilt attempt to recognize and respond to the diversity of human motives and the difficulty of determining individual intent. The inherently imprecise nature of this determination ensures that errors will be made in assessing the degree of guilt and imposing the appropriate punishment.

The Judiciary Committee's acceptance of proposals that allow the members of the jury to disagree about what specific aggravating factors justify the death penalty, as long as they agree that some aggravating factors were present, simply highlights this problem.

One can argue about the death penalty's deterrent effect, its morality or the fairness of its application. But one cannot argue against its ability to take the life of an innocent person or that it can be applied inappropriately in cases in which some degree of guilt is firmly established.

It is simply unwise and unconscionable to deprive ourselves of the ability to correct errors. The fatal flaw of the death penalty is that it denies us that opportunity.●

#### A SALUTE TO THE URBAN SERVICES AGENCY'S VOLUNTEERS

HON. PARREN J. MITCHELL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. MITCHELL of Maryland. Mr. Speaker, I am very proud to take this time to honor the many volunteers of the Urban Services Agency in Baltimore, Md. Over the years, these volunteers have shared the gifts of dedication, commitment, and unrelenting service with those who have benefited from their work.

I believe that as we face the prevailing mood of fiscal austerity and Government spending reductions, we should be particularly proud that people such as the Urban Services Agency's volunteers have been in the forefront of rendering essential services for lower- and middle-income residents. The volunteers' initiatives include a wide range of services—from

caring for the elderly to counseling younger adults. Their efforts do not know the boundaries of race or economic status. Their work is centered around a commitment to the community.

The week of April 27 has been designated as National Volunteer Week. This will be a week when both national and local level initiatives will center around recognizing and thanking the many Urban Services Agency's volunteers who have served our communities proudly and unselfishly. I urge my colleagues to join in these efforts.●

#### REPRESSION OF CHARTER 77 HELSINKI MONITORING GROUP

**HON. DON RITTER**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. RITTER. Mr. Speaker, I am greatly disturbed by the ongoing repression of members of the Charter 77 Human Rights Movement in Czechoslovakia. Formed in 1977, this group dedicated itself to monitoring the Czechoslovakian Government's compliance with the 1975 Helsinki accords. The incarceration of these brave individuals is yet another example of the Soviet Union and Eastern bloc nation's nonadherence to the Helsinki agreements.

Since their founding, members of Charter 77 have been the subject of harassment, arrest, and incarceration. Most recently, Jiri Hajek, former foreign minister, and approximately 30 members of the group were arrested by the Czechoslovak Government and charged with subversion. These people are not criminals. In fact, many of those currently awaiting trial in Czechoslovakia are men and women of distinction and courage. They are people who viewed the Helsinki agreements as a means of bringing more humanity to an area where justice is merely a fleeting hope. The intimidation and harassment these people have endured for the cause of greater freedom sets a shining example of hope and strength for all others seeking greater human rights. Today, I ask the leaders of Czechoslovakia to reaffirm their commitment to respecting basic rights and to the agreement they made at Helsinki, by releasing these people.

The arrest and incarceration of the Charter 77 group is merely one example of members of Helsinki monitoring groups being harassed in Communist bloc countries. Within the Soviet Union, a Ukrainian group, a Lithuanian group, an Armenian group, the Christian Committee for the Defense of Believers, the Working Commission on Psychiatric Abuse, the Group for the Legal Struggle of the Faithful and

Free Seventh-day Adventists, and the Catholic Committee for the Defense of Believers were all formed to monitor Soviet compliance of the Helsinki accords. Today 47 members from these groups are either in prison or internal exile. In essence, they have been punished for their conviction that the commitments of the Helsinki Act were to be taken seriously. By supporting an agreement made by their Government, these people have been labeled anti-Soviet and have been the victims of intimidation, harassment, and imprisonment.

Today, as delegations from the 35-member nations making up the Conference on Security and Cooperation in Europe meet in Madrid to further the goals of the Helsinki accords, the incarceration of these brave people only underscores the need to work harder at achieving the objectives of the Helsinki accords and a restoring of basic human rights to everyone. President Brezhnev recently said, "My only wish, my only goal is to see peace and cooperation among all the peoples of the world." If so, why are his armies wreaking havoc upon the people of Afghanistan? If so, why are his secret police terrifying those whose only wish is for greater freedom? Perhaps Mr. Brezhnev and his fellow Communist bloc leaders should heed U.S. Delegation Chairman Max Kampelman's statement to all nations:

We must again remind ourselves that the issues of human rights and humanitarian concerns are an indispensable part of our security and our search for peace.●

#### ACID PRECIPITATION

**HON. DONALD J. MITCHELL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. MITCHELL of New York. Mr. Speaker, recently, I had the honor of participating in the United States-Canada Interparliamentary Group meeting conducted in Halifax, Nova Scotia. As a member of the Environment and Fisheries Panel, I was very involved in the discussion of one of the most pressing issues affecting our two nations—acid precipitation. Perhaps the most startling facts I learned at the meeting was that surveys indicate that 70 percent of all Canadian citizens are aware of the threat of acid rain, while less than 30 percent of all Americans are similarly aware of the problem.

I urge my colleagues to endeavor to become better aware of the acid rain issue and to share their knowledge with their constituents. Toward that end, I commend their attention to a recent article from the New York Times which cogently describes the effects that acid rain is having on a community in my congressional district:

[From the New York Times, June 8, 1981]

#### ACID RAIN IN ADIRONDACKS DISRUPTS THE CHAIN OF LIFE

(By Ralph Blumenthal)

EAGLE BAY, N.Y.—Brook trout no longer crack the glassy surface of Big Moose Lake here in the western Adirondacks. They have vanished, along with crayfish and frogs, loons, kingfishers and most of the swallows. The chirping tree frogs called peepers have largely disappeared or stilled their voices, and blights are killing the beech and yellow birch, spruce, tamarack and pin cherry trees.

An unnaturally silent spring, worrisome to conservation officials and naturalists, has fallen over sectors of this wilderness, the rustic setting of Theodore Dreiser's "An American Tragedy," a novel closely based on a murder on Big Moose Lake in 1906.

Now, said Commissioner Robert A. Flacke of the New York State Department of Environmental Conservation, an environmental tragedy is unfolding in these high western parts of the largest park preserve outside Alaska. Pollutants borne by rain, wind and snow and traced to factory emissions from heavily industrialized parts of the Middle West have left more than 200 acid-pickled lakes devoid of fish and are disrupting the life chain in ways that scientists are striving to understand.

The deleterious effects of coal smoke and auto emissions in combination with other compounds in the atmosphere have long been recognized. But not until the state reported last December that hundreds of Adirondack lakes were dead or dying from acid precipitation was the gravity of the threat clear. And even that report did not convey what several days of interviews with local residents and state conservation officials established: Not only fish, but also other species are starting to disappear in one of the nation's wildest places.

The woods still abound with a multitude of bear, deer, fox and beaver, though moose have long since disappeared, and many lakes still do have fish. But the effect of pollution on them and human beings remains largely unknown.

All this has not impeded tourism, by most accounts. For every disappointed fisherman who may now go elsewhere, other visitors have come along.

"We are finding the effects more and more every day," Commissioner Flacke said. He linked the pollution primarily to emissions from the Middle West and he warned that unless the sources were quickly abated, "We will see nothing but deterioration."

As he explained it, the Federal Clean Air Act allowed states to develop their own anti-pollution compliance plans. The East generally switched from coal to low-sulfur oil. However, the utilities and plants in the Middle West, particularly the industrial Ohio Valley, retained locally available coal but built nearly 1,000 tall "megastacks" to disperse the fumes—which the weather pattern typically carries east into the hilly Adirondacks.

What is needed, Mr. Flacke asserted, is a policy of "national coal-washing" to remove impurities, and recognition that efforts by Washington to save millions of dollars by removing pollution regulations could cost billions in lost resources.

"There is a continual degradation, and where it will stop no one knows," said Vincent Moore, executive director of the Adirondack Park Agency, which administers this preserve of 9,000 square miles, about



the size of Vermont. So far, he said, the affected region has been limited to about 5 percent of the park.

In December, after a four-year Adirondack study, the State's Environmental Conservation Department cited 212 "critical" lakes and ponds where the fish had all but died out and 256 others where fish life was considered "endangered."

In many of the critical lakes, the acidity linked to airborne sulfur and nitrous oxides had reached pH 4.5 or below, denoting acidity at least 10 times today's normal atmospheric levels and more than 100 times more acidic than a neutral solution. On the pH scale of 0-14 that scientists use to measure acidity, 7 is neutral, neither acid nor alkaline. Each number below 7 represents a tenfold increase in acidity, each number above 7, a tenfold increase in alkalinity. The "normal" atmosphere today is somewhat acidic, about pH 5.6. Water more acidic than about pH 5.5 tends to impair the reproduction function of trout and other fish and eventually kill them off and disrupt the web of life.

#### BEHIND-THE-SCENE PROBLEMS

Almost any evening, guests at Covewood Lodge, one of the inns and camps rimming Big Moose Lake, about 75 miles north of Utica, can watch from the safety of their cabins as families of black bear pad out of the woods to feast on soda crackers and stale fruit pies that the management puts out for them. Flying squirrels leap from tree to tree and mallards paddle along the shore of the lake, four miles long and a mile wide.

But to those who know the region best, something is very wrong.

"Our guests used to catch trout here anytime they wanted to—60 fish in an hour with barbless hooks was nothing to them," recalled C. V. Bowes Jr., the proprietor of Covewood Lodge since 1952 and a naturalist who has conducted nature tours in Africa and South America.

The fishing began to deteriorate about 20 years ago, he recalled: "Every year it'd get a little less until it disappeared." Now, he said, there are only stunted perch and bullhead that the children fish for from a footbridge. The lake water registers a pH of 4.3, which gives some swimmers bloodshot eyes, similar to the effect from swimming in highly chlorinated pools.

#### METALS APPEARING IN WATER

Moreover, when the Health Department came to test the spring-fed drinking water last summer, it found three times the normal copper level and five times the normal lead level: The high-acid water with readings of pH 5.5 was absorbing potentially hazardous concentrations of metals. Mr. Bowes treated the problem by passing the water through limestone chips and restored the alkalinity to pH 7.3.

Last year he tried the same thing, on a much larger scale, in a bay of Big Moose Lake. He bought 30 tons of crushed limestone for \$120 and shoveled it into the water from a boat. That succeeded in raising the pH from 4.5 to 6, but only for three months. Then it dropped again. In July, he is planning to try it again, this time with 150 tons. The state has been conducting similar experiments on other lakes, spraying lime from planes.

However, this may bring its own problems. Studies in Scandinavia, where the acid precipitation problem is severe, have shown that lime tends to release toxic mercury compounds normally tied up in plant tissues.

#### BOUNTIFUL DAYS OF THE PAST

Roy Higby, too, remembers the way it used to be. In the 1870's, his father, James Henry, became the first white man said to have settled on Big Moose Lake, founding a vast camp that spread over a mile of lakefront. "My father used to catch enough trout to feed 100 guests for supper," recalled the 87-year-old Mr. Higby. "That was up to 1913."

Something started going wrong after the 1930's, he said, but he doesn't understand what. "Why does Fourth Lake have good fishing and Big Moose none?" he asked.

It was Mr. Higby, then a 12-year-old boy, who first spotted the drowned body of 20-year-old Grace Brown in Big Moose Lake on July 11, 1906. Her 23-year-old boyfriend, Chester E. Gillette, was later charged with taking her out in a skiff and clubbing her overboard with a tennis racket, because she was pregnant and blocked his love for a wealthier woman. He was convicted and electrocuted. The story, with thinly disguised names, was fictionalized as "The American Tragedy" by Mr. Dreiser, who researched the case locally.

Many other lakes around Big Moose have also been affected. William Marleau, a state forest ranger from Big Moose hamlet who has spent all his 58 years here, remembers that he caught his last trout in Woods Lake in 1972—the same year the loons left.

On a distant rock in the lake—startlingly clear like the other lifeless waters—a seagull hen sat hatching her eggs, waiting, apparently, for her mate to fly in take-out food from livelier places.

"This used to be my best place," Mr. Marleau said, pointing to an alder bed on nearby Twitchell Creek. "I haven't seen a trout break in there for years."

"Outside the bear," he said, "everything's getting scarce."

Alongside bumpy logging trails, the bark of beech trees displayed the white fuzz of beech scale that, Mr. Marleau said, threatened to decimate the beech in the Adirondacks. "Birds used to destroy the insects that would spread it," he said.

Mr. Marleau said his health had been broken too. "I've been getting diarrhea for about three years," he said. "I've got indigestion and heartburn. I had my gallbladder out. I had high blood pressure and now they found out I have angina."

When he checked his well water, he said, it registered pH 4.5. "I've stopped drinking water as much as possible," he said.

Some old-timers who remember the way fishing used to be don't believe what has happened. "Why, Don Stanton showed me some old pictures of trout from Woods Lake," recalled Al Tennyson, one of the last four members of the Antlers, a 58-year-old hunt club near the lake. "He thought I was lying when I told him there isn't a trout left in there."

Martin Pfeiffer, an aquatic biologist who heads the state's research effort into the effects of acid precipitation, said: "The problem is even more sinister than DDT." He was referring to the insecticide danger cited by Rachel Carson in her book. "Silent Spring," that spurred the environmental movement a generation ago. "When you stop spraying with DDT, there's a gradual improvement," he said. "But if this goes on too far, the land may never recover."

#### VETERAN'S MEMORIAL HEADSTONES AND MARKERS

#### HON. CECIL (CEC) HEFTTEL

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. HEFTTEL. Mr. Speaker, I commend to the attention of my colleagues an article by Jeanette Foster of the Honolulu Advertiser, "A Widow and a Plaque: How Perseverance Pays." This article is a testimonial to Mrs. Beverly Brew Miranda and her attempts to obtain a war memorial plaque for her war-decorated husband, Mr. William Brew. I applaud Mrs. Miranda for her unrelenting efforts and I applaud the House for its expeditious passage of H.R. 1714, the veteran's memorial headstones and markers bill.

The article follows:

[From the Honolulu Advertiser, June 4, 1981]

#### A WIDOW AND A PLAQUE: HOW PERSEVERANCE PAYS

(By Jeanette Foster)

WAILUKU.—You can take on city hall and win, even if it takes nearly a decade of letter writing, phone calling and lobbying to pass an act of Congress to do it, according to Beverly Brew Miranda.

Miranda has been fighting the Federal Government for 8½ years now to get a war memorial plaque placed at the National Memorial Cemetery of the Pacific for her war-decorated husband, William Brew.

Finally this week, half her battle was won. The U.S. House of Representatives unanimously passed a bill that would allow all veterans, from World War II on, who have donated their bodies to science, or were buried at sea, or were cremated, to have a memorial plaque placed in their honor at any national cemetery.

Miranda, an accountant at a Maui radio station, said it hasn't been an easy fight.

When her husband died of cancer in 1972, it was his wish to donate any non-diseased organ to a transplant center and the remainder of his body to the UC Medical Center.

"He specifically told the med center to dispose of his body in any way they'd see fit—that way I wouldn't have to deal with it," Miranda said. "He didn't want to extend the process for me."

Miranda said she then thought it would be a simple procedure to get a plaque for her husband, who was awarded two Purple Hearts and a gold star for bravery during his five years as a Marine during World War II.

"I called up the Veterans Administration and asked about a memorial plaque," she said. "They said no, according to rule such and such, subsection such and such, they could not issue a plaque if there were no remains."

"Here was a man who gave of himself to his country; he was legally blind in the right eye because of shrapnel injuries."

The Veterans Administration said it was sorry, but that was the rule.

"If a man gave of himself in death as in life. I didn't see why they couldn't install the plaque," Miranda said. "It was the principle of the thing. I am an accountant by trade; I like things to be settled. No plaque

showing that he had lived bothered me, so I fought it."

At the time Miranda lived in California, so she wrote to Ronald Reagan, who was then governor of California. Reagan wrote back saying, sorry, it was a Federal matter.

So she started writing members of Congress, with no luck.

"Everybody would either ignore me, give me the runaround or refer me to the VA, who would write me the same letter referring me to rule such and such, subsection such and such," Miranda said. "I know that rule by heart. I was getting nowhere."

Miranda even wrote to Jimmy Carter while he was in the White House.

"I wrote a detailed letter outlining the problems. I asked for intervention and I got a post card back saying it has been referred to the Veterans Administration," Miranda said. "And the VA sent me that same letter again."

After writing her own congressional representatives without any luck, Miranda said that in October 1980 she wrote Cecil Heftel's office—even though she wasn't in that Hawaii congressman's district.

"Heftel picked it up and ran," she said.

Not only did Heftel introduce and lobby for the bill, which passed the House on Tuesday, but he also wrote her monthly letters on the status of the legislation.

"Sen. Sparky Matsunaga has committed himself to pushing the bill through the Senate," Miranda said. "Somewhere along the way, the bill picked up 100 sponsors—VA groups—who also lobbied and wrote letters in support of the bill."

Miranda said she picked Punchbowl for the site for her husband's memorial plaque because several of his friends are buried there.

"I can remember that when we had our first trip to the Islands, the first thing we did was go to Punchbowl," she said. "It was the first time I had seen him cry. He recognized the names of his buddies on those plaques. I know that this is the place where he would want his plaque to be." ●

#### RAOUL WALLENBERG—LOST, BUT NOT FORGOTTEN

#### HON. JOHN LeBOUTILLIER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. LeBOUTILLIER. Mr. Speaker, during the closing years of World War II, the Nazi's were desperately trying to kill off all the Jews left in Hungary. Hundreds of families were driven from their houses and deported to death camps, never again to see their homeland.

In mid-1944, Raoul Wallenberg, a non-Jew and member of a leading family of bankers and industrialists, was sent to Budapest by the Swedish Government. On this life-saving mission, Wallenberg printed thousands of Swedish passports, established "safe houses" which served as havens for countless Hungarian citizens and rescued many individuals from cattle cars bound for the infamous concentration camps. These heroic actions resulted in saving the lives of more than 100,000 Hungarians who would other-

wise have been viciously slaughtered by the Nazis.

On January 17, 1945, in violation of international law and his diplomatic immunity, Raoul Wallenberg was seized and imprisoned by the Soviet Union. Despite claims by the Russians that Mr. Wallenberg had died, many former Soviet prisoners have reported that this hero of the human spirit was actually still alive.

I would like to bring to the attention of my colleagues the following legislative resolution which was adopted in the New York Assembly on May 20, 1981. It memorializes the Congress of the United States to enact legislation proclaiming Raoul Wallenberg to be an honorary citizen of the United States of America, and requests that the President of the United States ascertain the precise whereabouts of Raoul Wallenberg for the purpose of securing his return to freedom.

In view of Raoul Wallenberg's courageous actions, I have been proud to co-sponsor this legislation. The heroic deeds of this brave humanitarian must never be forgotten.

#### STATE OF NEW YORK, LEGISLATIVE RESOLUTION—ASSEMBLY No. 731

Legislative resolution memorializing the Congress of the United States to enact legislation proclaiming Raoul Wallenberg to be an honorary citizen of the United States of America, and requesting that the President of the United States ascertain the precise whereabouts of Raoul Wallenberg for the purpose of securing his return to freedom.

Whereas the United States of America was at war with Hungary during World War II, and therefore had no direct diplomatic relations with that country; and

Whereas the United States Government, through Secretary of State Cordell Hull, requested the cooperation of Sweden, a neutral nation, in its attempt to protect the lives of Hungarian Jews who faced extermination at the hands of the Nazis; and

Whereas Raoul Wallenberg agreed to assist in this enterprise, and took up the post of Secretary to the Swedish Legation for this purpose; and

Whereas from the time that he arrived in Budapest on July ninth, nineteen hundred forty-four, with extraordinary courage, and with total disregard for the constant danger to himself, Raoul Wallenberg saved the lives of almost one hundred thousand innocent men, women and children; and

Whereas Raoul Wallenberg continued to care for those whom he had saved, using funds and directives supplied by the United States of America, providing them with food, shelter and medical care; and

Whereas the Soviet Union, in violation of International Law and in violation of his diplomatic immunity, seized Raoul Wallenberg on January seventeenth, nineteen hundred forty-five; and

Whereas the Soviet Union has never offered an explanation or issued a charge which would justify his detention and subsequent imprisonment; and

Whereas Raoul Wallenberg has been a prisoner in the Soviet Union since nineteen hundred forty-five, and because reports from former prisoners in the Soviet Union suggest that this hero of the human spirit is still alive; and

Whereas history has revealed that such heroic acts of salvation were tragically rare during the massacres of millions of innocent victims during World War II; and

Whereas the significance of Raoul Wallenberg's concern for his fellow men has been tainted by the wall of silence that continues to surround his fate: Now, therefore, be it

*Resolved*, That this Legislative Body memorialize the House of Representatives and the Senate, in Congress assembled, to enact legislation conferring United States citizenship upon Raoul Wallenberg, and respectfully requesting that the President of the United States, Ronald Reagan, sign such a bill into law and use all power at his disposal to ascertain the precise whereabouts of Raoul Wallenberg for the purpose of securing his return to freedom; and be it further

*Resolved*, That copies of this Resolution, suitably engrossed, be transmitted to the Honorable Ronald W. Reagan, President of the United States, to the President Pro-Tem of the Senate, to the Speaker of the House of Representatives and each Member of Congress from the State of New York.

By order of the Assembly,

CATHERINE A. CAREY, Clerk. ●

#### ARMS TO CHINA: PRO AND CON

#### HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mrs. SCHROEDER. Mr. Speaker, last July U.S. News & World Report conducted a pro/con exchange on the question "Sell U.S. Arms to China?" Harvard History Professor Richard Pipes took the pro side, and I took the con.

The Reagan administration announced yesterday that we had agreed to sell arms to China, so I thought my colleagues might wish to consider the arguments that Professor Pipes and I raised.

[From the U.S. News World & Report, July 21, 1980]

#### SELL U.S. ARMS TO CHINA?

YES—"WE HAVE A COMMON INTEREST IN STOPPING SOVIET EXPANSION"

(Interview with Richard Pipes, Baird Professor of History, Harvard University)

Question. Professor Pipes, why do you favor the sale of American weapons to China at this time?

Answer. We and China have a common interest in stopping Soviet expansion. A strong China inhibits the Russians because it confronts Moscow with resistance in the East as well as in the West. For that reason, a militarily strong China is very much in our interest.

Furthermore, every time the Russians become threatening, we can draw a little bit closer to the Chinese. That's wonderful leverage in our common interest. That kind of action registers in Moscow; don't think it doesn't.

Question. In arming Peking, would we run the risk of provoking a dangerous Soviet response—perhaps even an attack on China?

Answer. I don't normally worry much about Soviet anxieties, but in the case of China the Russians are indeed extremely



sensitive—almost irrationally so. An all-out campaign by the United States to arm China could trigger a violent response from them. Therefore, an American policy of selling arms to China must be carefully calibrated.

In this instance, we should put ourselves in the Soviets' shoes and ask: Will a specific weapon worry Moscow only to the point where it says the situation may get out of hand, so let us stop? Or will the Soviet say the situation has already gotten out of hand, and so we had better strike while we may? There's a fine line there. A broad spectrum exists between doing nothing and doing too much.

Question. Just how far should U.S. go in providing the Chinese with weapons?

Answer. Broadly speaking, we would do well to limit arms supplies at this time to defensive weapons—those that would enable the Chinese to give the Russians a very rough time in case of a Soviet attack or some greater worldwide conflagration. Of course, it's very hard to say when defensive arms become offensive. Clearly, however, we must not sell them offensive strategic nuclear systems. As for conventional weapons, I would not worry too much about upsetting the balance of power in that region.

Actually, the Chinese seem more interested in technology than in hardware. We might share with them data on ballistic-missile defenses—helping them to devise systems against possible nuclear attack. I favor that. I do not favor an all-out effort—the kind that we would make on behalf of our allies in the North Atlantic Treaty Organization.

Question. Are the Chinese forces really so desperately weak that they need U.S. weapons and technology at this time?

Answer. They are extremely primitive. Peking's military establishment is prepared for a World War I type of conflict, but they confront a possible World War III scenario. They have to make enormous leaps. Our know-how might go a long way toward modernizing China's forces.

Question. Isn't there a danger that this technology or weaponry could also menace U.S. allies such as South Korea or Taiwan?

Answer. Of course, if you look into the 21st century, that may well happen. But China is not an aggressive power. If you look at Russian history, you find a legacy of expansion going back 600 years. China does not have that tradition.

There is no question that someday we may not see eye to eye with China. But that is why we ought to exercise great moderation and keep our options open on the arms question. Still, for the foreseeable future, our common enemy is the Soviet Union. You have to take care of dangers as they present themselves.

Question. Aren't we running the risk of being drawn into Asian conflicts by this Chinese military connection?

Answer. Quite the contrary. We may inhibit the Chinese from plunging ahead into wars. We can acquire an influence that we didn't have before. For example, if the Chinese 10 years from now were more heavily dependent on the U.S. for weapons and actually contemplated aggressive action, we would be in a position to decide whether to supply essential spare parts and ammunition. The moment you give or sell weapons you have a certain amount of leverage over the recipient.

Question. In your view, would we jeopardize our future relationship with China if we failed to supply arms?

Answer. You mean that we must draw much closer to the Chinese, or else drift apart? I don't think that is necessary, and I am not making this argument. I see America's relations with China this way: We have no outstanding quarrels. There are not territorial disputes. The Chinese are not penetrating into areas where we feel we have vital interests. On the other hand, our political systems are so far apart that there's no natural propensity to draw much closer together.

So the relationship comes down to this: We have a common interest in blunting the thrust of Soviet expansion. China sees the Soviet threat in a very somber light; so do we. I do not believe China is presently menaced by the Soviet Union. If China were menaced, the situation would be different. Then the question of supplying arms would assume much greater importance in the relationship between China and the U.S.

Question. If China and Russia should be reconciled, wouldn't the Chinese be more dangerous for the U.S. if they were armed with American weapons?

Answer. Actually, military links between China and the United States are likely to reduce the possibility of rapprochement between China and Russia. I don't see much prospect of a reconciliation anyway. The mutual antagonisms are extremely strong in both countries.

It could happen, I believe, only in an extreme scenario in which the Chinese perceived the United States and NATO to be so weak as to be perfectly helpless. The Chinese then might decide that they could not stand on their own and might feel compelled to seek rapprochement with the Soviet Union.

Moscow, of course, would love a rapprochement with China. It is the Chinese who don't want it. They have had their fingers burned. They find the Soviet government so treacherous that they want nothing to do with it.

#### NO—"WE DON'T NEED TO THROW GASOLINE ON THE FIRE" IN RELATIONS WITH RUSSIA

(Interview with Representative Patricia Schroeder, Democrat, Colorado)

Question. Representative Schroeder, why do you oppose the sale of U.S. arms to China to help build up its defenses?

Answer. Because that suggestion is an almost hysterical reaction to the Soviet invasion of Afghanistan. People who support the idea seem to say: "China makes the Russians mad so let's make them madder."

The Chinese might well draw the U.S. into an Asian conflict not of our own making and not in our interest. We would be giving Peking an additional—and lethal—tool without any control over where it might be used. This could embarrass us terribly, we may one day end up fighting against our own weapons.

After all, it's impossible to say the turbulence of the "cultural revolution" is over and China is now stable forever. Chinese leaders are quite old, and no one is sure about the new wave of leaders.

Question. How do you think the Soviets would respond if the U.S. and China drew closer militarily?

Answer. Russia is paranoid about those 1 billion people sitting on its border—so much so that they station 46 divisions on that border. That's not just rhetoric; the fear is very real.

If it looks like we really are moving toward some kind of military alliance, the Soviets may consider a pre-emptive strike

on Chinese targets or resort to more border confrontation. That would be a very grave situation.

Anyone who doesn't understand that Moscow controls Vietnam has his head in the sand. Vietnamese troops just marched into Thailand. Maybe this is their response to our playing of the "China card" at their expense.

Question. Isn't there a case for supplying weapons to help China defend itself against that Soviet military threat?

Answer. Not really. As a member of the Armed Services Committee, I am one of the few Americans to see the Chinese Army go through fire-control exercises.

Let me tell you this: We in the U.S. may be short on manpower, but they are not. Their equipment may be Korean War vintage. But with 4.3 million Chinese under arms, there's no way the Soviets or Vietnam are going to sustain any invasion of China.

If we accelerate a rearmament of China, then we really are modernizing its military for action beyond its borders. The question becomes: What are they going to do with that power?

Question. If we help modernize China's military forces, who do you fear they might attack?

Answer. The Chinese backed North Korea against us, as I remember it. They have not changed horses. We can only conclude they still support reunification under North Korean domination. We have treaty obligations in South Korea.

Also, Taiwan is still the most emotionally charged issue for the Chinese. If they decided to take Taiwan by force, we would be terribly embarrassed—to say the least—if they did it with our guns. We simply have no commitments from Peking about that.

Question. In view of the Russian invasion of Afghanistan, wouldn't U.S. arms deliveries to China send a warning signal to Moscow?

Answer. For one thing, the Chinese haven't signed in blood to go along with us 100 percent on anything. We aren't even close to that. I have talked a great deal with Chinese officers. Most of what I hear is rhetoric about how the U.S. should fight Soviet aggression at every turn. But we get no idea as to where China itself is going.

Secondly, the Soviets already are very angry and worried. We have given the Chinese most-favored-nation trade status and access to our technology. We haven't given comparable concessions to Russia. All this has made the Soviets almost hysterical. We don't need to throw gasoline on the fire by selling China our weapons, too.

Question. If not the sale of weapons, how far should the U.S. go in developing a military relationship with China?

Answer. Look, we already are selling weapons that we label "defensive"—radar, that sort of item. Don't say they aren't weapons. They are. We are already going too fast. We must reward the Chinese for true friendship, not just give them everything just to scare the Russians.

Our policy should ask: Which side are you on? Because when we give those weapons, all sorts of things follow. For one thing, we will give our European allies a legitimate reason to sell strategic technology to the Russians, simply because we did the same with Peking.

Question. Are you worried about the possibility that American ties with China might start to unravel if we refuse to meet a future arms request?

Answer. Everybody asks for weapons because they are status symbols for world leaders. The Chinese are in the same game as everyone else. They will always desire American arms, for several reasons: Ego, world leadership, access to new technology. But the question of arms supplies won't determine whether the rapprochement between the U.S. and China lives or dies.

I have never met a Chinese official who doubts that China can defend its own territory. China isn't like Israel—outnumbered and outgunned by its neighbors. They aren't at all insecure.

They may well want weapons for other purposes, to use in other places. But why should we be involved in that?

Question. How would Congress react to a Chinese request for arms?

Answer. There would be great concern. Congress doesn't want a return to the two-China policy. But it is also not ready to arm Peking.

We are still breaking new ground, taking each other's temperature. The Chinese aren't the British. Don't forget: It was not that long ago that we were shooting at each other across the Yalu River.●

### BRYCE HARLOW

### HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. MICHEL. Mr. Speaker, anyone who has lived in Washington during the past 20 years or so will tell you that there are two divisions of Presidential advisers. The first division is made up of Bryce Harlow. The second division contains all the rest. Bryce is a uniquely gifted and likeable man, skilled in politics and admired by all.

Mark Shields recently wrote a piece about Bryce Harlow in the Washington Post. It is a brief, but admiring, look at a real pro.

At this point, I wish to insert in the RECORD, "All the Man's Presidents," by Mark Shields, Washington Post, June 9, 1981.

#### ALL THE MAN'S PRESIDENTS

(By Mark Shields)

If judgment were oil, then, all by himself, Bryce Harlow would be OPEC.

Presidents Eisenhower, Nixon and Ford all brought that Harlow judgment to the White House. A couple of them even took some of his advice. Harlow has spent 11 of his 43 adult years in Washington working in the White House for a Republican president.

Lately, two Republican presidents—Eisenhower and Ronald Reagan—have been compared hereabouts. Can Reagan be another Ike, his personal popularity secure and separate from his policies and politics? Did the attempt on his life and his own admirable behavior throughout transform Reagan into an authentic national hero, immune from traditional political criticism? And, if so, who will be the Ezra Taft Benson and John Foster Dulles—the "villains"—of the Reagan administration? Will Malcolm Baldrige or Samuel Pierce join James Watt?

For an answer to this or just about any political question, Bryce Harlow is a consensus All-American of leading authorities.

Harlow does see similarities between the two presidents.

"Reagan's for real," he said last week. "He's a success, not at all insecure, free of hang-ups, and at peace with himself."

But is he politically another Ike?

"Not yet. By June 1953, the country had fallen hopelessly in love with Ike. When he stumbled, people picked him up and dusted him off," Harlow answered. "But it still could happen in Reagan's case."

A Persian proverb, heeded by generations of presidential assistants, advised that when the king says it is midnight at noontime, the wise man murmurs, "Behold the stars." Bryce Harlow never put much stock in Persian proverbs or in the contemporary celebrity of staff. Was Sherman Adams ever on the cover of People? His advice to all who will ever work in the White House or on Capitol Hill: "Never confuse yourself with your job. It may be important. You are not."

But Harlow did work closely with a lot of very important people. From 1941 to 1946, he was an army officer working with General of the Army George C. Marshall. Here are a few of his judgments about the men he has known.

Marshall: "Absolutely formidable personal character. Selfless to the point of being Christ-like." Harlow recalled Marshall's rigid sense of propriety when FDR told him: "George, I want you to call me Franklin." Marshall's response: "I'll try to, Mr. President."

Jerry Ford is cherished for his "tremendous decency." Richard Nixon's intellect is still respected. But one adjective to describe the resigned president: "driven." Ike was "the complete leader and politician."

There were no demons in Bryce Harlow's political world. He kept no enemies' list because he did not believe in enemies. Of all the politicians he knew, FDR and Ike were both "genuine naturals." He watched John Kennedy become a "natural." But to Bryce Harlow, Hubert Humphrey was "more of a natural than all of them—Roosevelt, Ike or JFK."

Harlow, than whom there is no one better at the delicate art of White House-congressional relations, warned the Reagan people to beware of the incipient perception that the administration "does not care about the little people." That's what the Harlow antennae are beginning to pick up, and if that perception grows, it could be, he knows, the political kiss of death. The Social Security blunder did not help at all. Like Harlow's word, which you could always take to the bank, his judgment is still very reliable.

Harlow, who was an Oklahoma Democrat until the late 1940s, closed with an encouraging word of sorts for the members of his old party. He recalls that during the first year of Ike's first term, there was real disarray among Democrats then out of office for the first time in 20 years. His advice to the opposition: "Both parties will win again—in spite of themselves."●

### RESURGENCE OF SWEATSHOPS

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. MILLER of California. Mr. Speaker, strong opposition continues to grow to the proposal of Secretary of

Labor Donovan to rescind the 40-year-old prohibition against industrial homework in the garment industry.

At hearings before the Subcommittee on Labor Standards, of which I am chairman, witnesses from industry, labor, and consumer groups testified that revocation of the homework ban would make effective enforcement of the Fair Labor Standards Act an impossibility. The subcommittee will be holding another hearing in Los Angeles, the garment center of the west coast, on June 29, to hear additional testimony from manufacturers, contractors, labor representatives, and State enforcement experts.

#### MANUFACTURERS OPPOSE ACTION

Leading garment manufacturers have disputed the Secretary's contention that his proposal is a minor action. Instead, they argue, revoking the homework ban will cost taxpayers hundreds of millions of dollars in lost tax payments and social security contributions. The proposal will handicap enforcement of the law, penalizing law-abiding manufacturers, in particular small businesses.

The president of the Florida Needle Trades Association has written to Secretary Donovan:

If you lift this regulation you can definitely assume that none of these homeworkers will be making the minimum wage and the exploitation will continue. The argument that they should be happy earning what they do, with no costs for babysitting or transportation, was the same argument that was used to justify slavery and feudalism. But we made a decision in this country that we don't allow slave wages. The impact of this proposal on small businesses in Miami will be devastating.

Similar criticism has come from Levi-Strauss, one of the largest garment manufacturers in this country:

It seems ludicrous to us to say on one hand that workers need protection and that the present regulations may not protect them sufficiently and to say on the other hand that it follows that the abolition of the regulations will provide that protection . . . . We believe a general removal of the prohibitions on homework would undercut the minimum wage provisions of the Fair Labor Standards Act . . . . We believe that the impact of this proposal on small businesses would be harmful . . . . It is our strong recommendation that the Labor Department reexamine the homework question and rather than eliminating the prohibitions contained in the present regulations, it propose new, more effective and realistic regulations.

It must be pointed out that even those who are sympathetic to the plight of the small number of women in the outerwear knitting business in Vermont, whose unusual case served as the pretext for the Secretary's action, do not support the wholesale elimination of the rule. The Bennington, Vt., Banner charged that the Secretary "chose to throw the baby out



with the bath water" in applying the Vermont situation to the whole Nation.

#### SECRETARY ADMITS ENFORCEMENT WEAKENED

Even Secretary Donovan, in a frank interview with the Los Angeles Herald-Examiner confessed that elimination of the homework ban would impede enforcement of the fair labor law which is strange since he originally said that he hoped revocation would have the opposite effect:

I do recognize that policing (without the ban) will be far more difficult, if not impossible. And we would be aiding and abetting (employers) and taking advantage of those people who are here illegally. They would be more abused in my case if this (ban) was lifted—Herald-Examiner, May 22, 1981 (Emphasis added).

#### HOMEWORK DESCRIBED

Merle Linda Wolin, a reporter for the Herald-Examiner, spent 8 months last year researching sweatshops and substandard labor conditions in the Los Angeles garment industry. I have already shared part of her outstanding 16 part series, "Sweatshop," with my colleagues. Today, I want to submit another section, one in which she describes the abuses to which homeworkers are subjected in the garment trade. These are the conditions which will proliferate, by the Secretary's own admission, unless the plan to rescind the homework ban is dropped and the laws are better enforced.

The articles follow:

[From the Los Angeles Herald Examiner, Jan. 18, 1981]

#### HOW ONE HOME WAS SHUT DOWN (By Merle Linda Wolin)

Had the labor commissioner's investigators not confiscated J.C. Penney's long sexy pink nightgowns from a home sweatshop on East Slauson Street in Los Angeles, no one might have known that the workers who produced the fancy sleepwear earned less than the minimum wage and shivered in the cold.

But on a windy, rainy March day in 1979, the exploited workers got lucky. Someone left the front door to the main house open, giving a bird's-eye view from the streets of the piles of bundled garments inside.

Coincidentally, investigators from the Concentrated Enforcement Program, the state task force in charge of enforcing the labor code in the garment and restaurant industries, were walking by on a routine inspection of the area. To trained investigators, piles of bundled garments inside a home means industrial homework, strictly forbidden under the California Labor Code.

The investigators rang the doorbell and politely asked the resident, Elva Sonco, if he was engaged in sewing for either a manufacturer or contractor. Though at first Sonco denied it, he realized he had been caught.

He allowed the investigators in, resigned to losing his business, his garments and his workers.

"We walked to a little tar-paper shack in back of the house," said Joe Razo, director of the 2-year-old CEP, who worked that day as one of the investigators. "There was some wood over the tar, but it (the shack) was not protected from the wind. Workers—there were four—had to keep their coats on because it was so cold. And there was loose wiring hanging all over the place."

Razo said the nightgowns were being made for J.C. Penney by manufacturer Bernard Kattler, president of That's It, Inc., who knowingly contracted out the sewing to the Sonco home.

Razo said Sonco's wife admitted to him that besides violating the law prohibiting homework, the manufacturer had no workers' compensation nor did he keep time records for the employees, two employer requirements under the labor code.

The law forbidding homework in the garment industry is essential, Razo says. The Sonco case tells why.

First, the fiercely competitive garment industry traditionally has relied on mostly undocumented or illegal workers. People, State Assistant Labor Commissioner Bea Christensen says, are "easily exploited, willing to work for less."

"Because of the highly competitive nature of the business," Christensen said in a telephone interview, "many manufacturers and contractors who operate on a shoestring are the types who will try to cut their costs and undercut legitimate operators by using homeworkers."

When sewing homework was legal in California, before 1941, she said it was difficult for the Labor Department to maintain working standards and wage minimums. In response to the abuses, a state order against homework, except in special cases, was issued by the Industrial Welfare Commission in 1941.

Unfortunately, abuses in the home-labor violations and health hazards—continued. The people who suffered this time were the few homebound or handicapped persons who had received special homework permits.

"It is much easier to bring a factory with 50 operators into compliance with the law than to go out to 50 homes and find out if people are being paid properly," Christensen said.

One labor investigator claims that as much as 50 to 60 percent of all garments produced in California's \$3.5 billion industry are sewed illegally in homes. Razo, however, claims there is no way to accurately estimate homework.

Since the beginning of the CEP in April 1978, labor investigators have confiscated more than 60 loads of garments related to illegal homework in Los Angeles. According to Razo, the retail value of goods confiscated last year alone was estimated at between \$1.5 and \$2 million.

Though criminal complaints were filed on each of the 60 homework pickups, only 20 cases made it through the court process. Personally, Kattler was fined \$250 for refusing to cooperate with the CEP, an amount Razo says "is just a slap on the wrist, one that encourages this situation to continue."

Besides keeping vigil on labor standards, investigators at the CEP in Los Angeles are concerned about the health hazards of home production. Razo said that wherever there are bundles of cloth, in homes and in factories, there are likely to be cockroaches. He said that if the fabric is newly dyed there will also be toxic fumes.

"If I were a woman wearing a nightgown," said Razo, "though I might look great for my husband, I would be very worried about cockroaches who lay eggs in these garments made under homework conditions. I also

could not help but worry about the poor exploited soul who made it."

[From the Los Angeles Herald Examiner Jan. 18, 1981]

#### HOMEWORK: THE ALIEN'S SECRET SUPPORT SYSTEM

(By Merle Linda Wolin)

No one seemed to know how much garment industry homework is done in Los Angeles. And I had no idea how work illegally filters down to homes from the contractors or manufacturers. So at the end of May, I decided to find out on the streets.

I had few preconceived notions about homework. In the Mendoza shop where I worked in early May, I witnessed trusted sewing machine operators carry out unfinished blouses stuffed in large green, plastic garbage bags, presumably to be finished later at home.

For nine days, from 8 a.m. to 5 p.m., I walked the residential streets of the city, from Central Los Angeles to Sunland in the north, to Wilmington, the "Heart of the Harbor," to El Monte on the east. I chose streets where it seemed working-class and poor people lived; many neighborhoods were largely Spanish-speaking.

I also went to specific addresses, taken from a list of clients given to me by the owner of a sewing machine rental shop. A person renting one or more industrial machines might, I reasoned, be engaged in homework.

Dressed in my Brazilian alien attire, I stopped people on every block to ask for help. "I'm a little lost," I would say in Spanish. "Could you please help me?"

"A friend of mine," my story went, "told me a woman on this block sewed at home for someone in la costura (Spanish slang for the garment industry) and was looking for a helper. I really need work. But I can't seem to find the house. Do you know where it might be?"

With that as an opener, I began to see the underworld of garment homeworkers, a vast network of exploited laborers and their friends, people who reside illegally in Los Angeles and look to each other for protection and support. Not only did most try to help me find work, but many gave me seasoned advice on how to get by as an illegal alien.

Invariably, whomever I stopped for help would react in a friendly way. No one seemed to think my probing for homework was strange or unusual. And they almost always suggested I try at least one house on the block where they thought they heard the clicking of sewing machines or where they knew one of the residents worked in the garment industry.

"Try that house over there," said one stout Anglo woman on Cantara Street in Sunland. She spoke no Spanish, so I tried hard to effect a broken accent in English. She told me she often saw a large van parked in front of the house. "A man delivers large bundles of cloth to the back garage," she explained. "A few days later, he picks them up."

She apparently had no idea this work was illegal. "Good luck," she said. "I hope you find work."

I crossed the street and walked down the long driveway to the side of a small wood-frame, ranch-style house. The garage in the back had been converted to a tiny home. Just inside the open front door, a small Latin woman sat at a large industrial ma-

chine, working on tan-colored polyester blouses with the label, "Sugar on Top."

I explained my situation to her. Was she the one who was looking for a helper?

"You could work with me in a minute," she said earnestly, in Spanish with a distinct Mexican accent, "but I have only one machine and the work barely pays enough to keep me going."

She explained that she worked for a nearby Cuban sewing contractor who loaned her the machine from his shop. He delivered the work to her door. She told me she used to work in the factory, where her sister still works, but with such low wages she could not afford to pay a baby sitter and eat well, too. Despite the wages, she considered the Cuban a kind and generous man for letting her work at home.

"I make between \$10 and \$15 a day," she said. "I know it's not much but at least I'm here with the children. Sometimes I work 10 hours a day, sometimes more. And I have to cook for my husband. Yes. He works, too. Every little bit helps, no?"

She extended her hand in friendship and asked why I wanted to work at home. When I told her I was here illegally and feared immigration officials who might raid a factory, she assured me not to worry.

"I've been here illegally for five years," she said. "No one has bothered me."

She suggested I ask the Cuban contractor for work in his shop. After a few days, she said she was certain he would loan me a machine and let me work at home.

She offered to walk me to the factory, some 10 blocks away, to introduce me to the owner and help me feel more comfortable. I told her that if I could not find work in a home, then I would assuredly take her up on her kind offer.

In Central and South Central Los Angeles, I found a high concentration of garment homeworkers—at least one on every block. As I walked along the dark corridors of large, run-down hotel-apartment buildings on Washington Boulevard south of downtown, I heard the clack-clack of machines behind many doors and saw scraps of cloth in stairwells and garbage containers.

In these instances, children seemed to be my best leads.

"Do you know anyone in the building that sews for a living and might hire me?"

"Sure!" said one 10-year-old boy eager to help. "There's Aida in number 16, Maria in 22. And, oh yeah! There's the Guatemalan senora on the third floor. I don't remember her name but I'll show you where she lives."

I knocked on doors, and where people answered, I politely asked for sewing work. No one had enough to share. In fact, many women with machines told me that lately they had been with little or no work for themselves.

She explained that the owner of her building also owned a garment factory at Seventh and Maple streets and would bring sewing home for many of the tenants. She and her mother worked in their small, one-bedroom apartment.

"Work has been very slow lately," she explained. "There's been no homework for me or any of my friends for nearly two weeks. Something is going on. We don't know what."

The homeworkers were, of course, feeling the pinch of the country's economic hard times according to officials in the California Employment Development Department, 4,000 reported jobs have been lost in Los Angeles County's garment industry in the past year due to the country's recession.

Though many feel a slowdown in the garment industry is often precisely the time when contractors and manufacturers try to use more homeworkers as a way to cut costs, this year it seemed that business was so bad that homeworkers' work was scarce, too.

(According to Dun and Bradstreet, a leading international credit service, there has been a 23.8 percent increase in the failures of apparel manufacturing businesses nationwide from January through July 1980, perhaps another indication explaining why employment, even homework, in the garment industry is down.)

Looking for work in homes or apartments, I stumbled on many small, out-of-the-way sewing factories, usually behind boarded-up storefronts or in deserted-looking buildings.

I always stopped and asked for homework. Some shop owners told me to check with them in a few days, more work was coming in. Some offered me work in their shops. A few told me homework was not allowed in this country. One man offered to deliver work to my door. He held up the delicate, white polyester blouse I would make. Inside the collar, the label read "Saldera—Made in Thailand."

The extent to which most people went out of their way to help me find work made a lasting impression and increased my understanding of how undocumented workers survive in an environment many of them describe as hostile in Los Angeles.

One sunny morning on 25th Street, near downtown, a fruit vendor who was piling oranges and mangoes high on an old-fashioned cart told me to look for work from the woman who lived in the white, wooden house four doors down.

She was tall and spindly, this middle-aged senora who sat on an old, dusty green couch on a creaky front porch. She gently stroked the black kitten on her lap. Her coarse hair, an even mixture of black and white, was pulled loosely behind her head in a long ponytail. There was a large horizontal space where her front teeth had been.

I approached the porch from the side driveway, peering up to her through the wood slat railing. I told her my story. She told me hers.

She said she used to sew at home. She still had several machines inside. But the manufacturers paid less now than before and, besides, her eyes were going bad.

"Don't be afraid of immigration or of working in a factory," she said firmly when I told her I preferred to work at home because of la migra, Spanish slang for immigration officials. "If you see any police or people you suspect, don't hide. Just say hello and act like this is your country, too. It works. I know. I've been here without papers for 20 years."

The money for a baby sitter, she agreed, was a more difficult problem. If I could not find someone to care for my two children, she said I should come back and see her. She would help me.

Then an idea hit her. She stood up and without a word walked into the house. Minutes later, she returned and invited me to join her on the porch. She took me into her confidence.

"Here, take this Social Security card," she said, handing me an authentic blue-and-white Social Security card that belonged to someone named Denise Washington.

"When I moved into the house many years ago," she explained, "it came in the mail. I don't need it."

She told me I could take it to a vendor on Broadway in downtown Los Angeles and for

very little money he would make a metal copy that I could use permanently. She showed me her own card, a fake, gold-colored, credit-card-sized plaque with a Mexican flag imprinted on one side, and the American flag on the other. In the middle, the words "U.S. Social Security Number" were embossed above the number and the name.

The name on her card identified her as Latin, though she said everyone knew her as Connie. She assured me I could get a card with a Brazilian flag instead of the Mexican flag that most people here want.

On Broadway, sure enough, I had no problems getting a copy of Denise Washington's Social Security card—my seguro in Spanish.

Three dollars and 50 cents in cash. And it took no more than five minutes. The young man behind the counter of the open-air watch and camera store just assumed the name on the card was not mine.

"Would you prefer to use your own name?" he asked in a business-like way. "It doesn't matter. The number's the same. And no, no Brazilian flags."

Several weeks later, I returned the original card to Connie on 25th Street. She was glad to see me, interested in my progress. When I told her I had met many other people who were in the same boat as I, she cautioned me about revealing my "true" identity to near strangers.

"You think they are your friends," she said, "but then something can happen and for vengeance they will report you."

Before I left, she gave me good tips on how to avoid problems with immigration. She said that if I ever faced deportation, I should use a fictitious name. "That way," she said, "you can always get back in the country without fear that if they catch you three times, they will punish you."

I thanked her and said goodbye. She graciously offered to help me in the future. "Don't be shy," she said. "I've helped many people in this country, and now they're helping me. We have to trust in God and look out for each other."●

## STUDIO MUSEUM IN HARLEM

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. RANGEL. Mr. Speaker, the Studio Museum in Harlem is a landmark of African American art and culture in Harlem. The museum provides my community with a regular schedule of 8 to 10 exhibitions per year of African American art and culture. In addition, the museum sponsors seminars, concerts, and lectures that are available for those individuals who are interested in learning more about their culture.

The museum is attempting to undertake a major expansion of their activities, so that they will be able to provide more activities to the public. I would like to share with the House the remarks that I prepared for this groundbreaking.



REMARKS AT THE STUDIO MUSEUM  
GROUNDBREAKING, WEDNESDAY, MAY 20, 1981

This is indeed a happy day. The groundbreaking ceremony marks the realization of our dream, finding a new home for the Studio Museum. In this new hope, imaginative projects that have been on the drawing boards for years will finally go forward as we now have a larger facility in which we can be more innovative.

The New York Bank for Savings was kind enough to present the five-story building which will house the Museum. I am glad to see the partnership which is demonstrated here today between the private and public sector on behalf of our community. Earlier this week I learned that the City is including \$300,000 for the Studio Museum rehabilitation in their community development budget. Although the check isn't forthcoming immediately, the fact that the City is including this proposal in their package being submitted to HUD is a good sign. It also illustrates that they too recognize the need for a renewed partnership. The need for a heightened partnership is underscored given the Reagan budget cuts.

After spending a good deal of time reviewing the Reagan proposals, it is clear that this Administration is unsympathetic to the needs of our community, given the President's own statement that the "taxing power of the government . . . must not be used to regulate the economy or bring about social change." A majority of the Congress subscribed to this attitude, as recently we adopted a budget that will undoubtedly cause a good deal of hardship for those already in need.

However, if we are to survive, then the activity that we are all so very proud to be a part of today must be duplicated throughout the City. The corporate community has a responsibility to take an activist role in efforts to improve the quality of life for all. As the Federal commitment is being reduced, corporate and community initiatives must be strengthened. I applaud all associated with this monumental achievement and know that we all should be proud of the legacy we are bequeathing here today for those that come after us.■

#### NEW STRATEGY NEEDED FOR MINORITY BUSINESS

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. GINGRICH. Mr. Speaker, when we talk about making members of minority groups a full part of America's economic and political structure, we tend to focus on the wrong things. We argue about job quotas, court rulings, and Federal regulations. These things are important, but spending all of our time on them needlessly divides liberals from conservatives and blacks from whites.

On the subject of minority enterprise, a new focus, a new dialectic, is needed in the eighties. This decade will be a time of creative Federalism, incentives-based tax policy, and a leveling off of government growth. That is political reality. We can argue all day about whether you have to be for

big government to also favor helping up-and-coming economic and minority groups in America, but I'm afraid that the majority of Americans are going to seem hardhearted if we put the question to them in such simplistic form. After all, as journalist Elizabeth Drew has stated, anti-inflation is a social program too, and most Americans think it the most important one.

Our fellow Americans have nothing against helping minorities and the poor, and we should reject obsolete rhetoric that implies otherwise. But that brings us back to the need for a new framework in which to discuss the problems of economic justice for Americans who have encountered discrimination and barriers to participation in our economic life. I would suggest that we concentrate intensely on minority enterprise, and find national answers to questions such as the following:

What are the half dozen major reasons why minority businesses fail? What overriding characteristics are shared by successful black businesses? What did successful black entrepreneurs do when they were younger that made them a success? What do successful white entrepreneurs have in common with their black counterparts, and how do they differ? Do TV and the educational system tend to encourage short term, general thinking in younger people—when perhaps it is a long term, specific business sense that is needed to make struggling enterprises work? How will existing minority-run businesses get a piece of the action as America rebuilds its defenses?

Of course, these are not the only questions we must ask, and I realize that probably thousands of people are trying to find answers to these and many more. I certainly do not claim to have the answers, since I am just beginning to learn about these issues. But I know we have to do better. We have to focus much more on the how and why of minority enterprise, and move away from a mindset that equates big Government with compassion and the free market system with callousness toward minorities.

I doubt that big spending programs based in Washington are the answer to the problems of minority enterprise development. But even if they were, my political sense tells me that, in a time of cuts in the most popular programs, you could not get a majority in this body to spend scarce funds for that type of program. By continuing to posture as if that is both desirable and possible, we condemn America's existing and potential minority enterprises to a future no better than their recent past.

Small business creates well over half of America's new jobs in any given year. And, in terms of real jobs, all business—small, medium, and large—

will be creating almost all the new jobs in the eighties, as Government shrinks relative to the private sector. We need to ask the questions that provide the answers that enable America's minorities to get a decent portion of these jobs and earn a healthy chunk of this new business ownership.

Black unemployment in 1980 averaged 13.2 percent, and it never got below 10 percent during the 4 years before that. Such shocking statistics came during a period when social welfare spending was exploding and Congress routinely rejected deep spending cuts. We taxed, we spent, we inflated, and it seems to have had no net favorable impact on minority business development.

Contrast the second half of the seventies with the whole of the fifties, a period characterized by 1- or 2-percent inflation, stable tax burdens, and the dominance in Congress of the conservative coalition. Black unemployment during 1950-59 averaged 8.2 percent. This was in spite of two recessions and widespread civil rights abuses, and tells the objective observer that megagovernment is not the answer to minority enterprise problems and may in some cases be part of the problem.

I repeat that I do not have the answer. We will do well enough at this point merely to figure out the right questions to ask. But I am willing to suggest at the outset that all of the Federal programs of the last 15 years could not do as much for America's minorities as could a drop in black unemployment during the next 4 years from 14 to 8 percent, together with a corresponding rise in minority business ownership.

So I appeal to my colleagues of all political persuasions to look anew at how we integrate minorities into an expanding U.S. economic structure. I recently assigned a full-time staff member in Georgia to work on this. Her name is Toni O'Neal, and she would like to hear from those of my colleagues and their staff members who seek new approaches to minority enterprise issues.

Today I include in the RECORD Toni's first article, which was published last month in the Douglas County Sentinel of Douglasville, Ga. She points out that the Reagan administration is cutting programs that are supposed to help minority enterprise development, and asked the question that all of us must start trying to answer: What ideas for self-help, what tax incentives, what strategy do we replace the old programs with?

The article follows:

[From the Douglas County Sentinel, May 28, 1981]

# NEW STRATEGY NEEDED FOR MINORITY BUSINESS

[By Toni O'Neal]

During the 1968 presidential campaign, Richard Nixon said that the business of America must include black business. Less than two months after taking office, President Nixon signed Executive Order No. 11458, which directed the Secretary of Commerce to establish within his department an Office of Minority Business Enterprise (OMBE). This was the first time a president had recognized by executive order that the federal government has a responsibility to promote black and other minority-owned businesses.

Once again, the country is under the leadership of a Republican administration. Will President Reagan continue the government's role in the development of black business, or will his administration turn its back on the minority business community? Let's look at the first few months of the new administration as it concerns minority business enterprise.

The Reagan administration has proposed eliminating or sharply cutting all the programs in the Small Business Administration (SBA) that aid minority business owners. Many of these programs have been criticized over the past few years for being mismanaged and benefiting only a few of the many businesses that need help. A prime example is the Small Business Development Center Program, in which about half-a-dozen universities across the country were supposed to provide technical and managerial assistance to small and disadvantaged businesses. This is to be eliminated.

Other programs will be held to their fiscal 1980 funding levels. In addition, the administration has proposed a 25 percent reduction in all SBA lending and loan guarantees and an increase in SBA loan interest rates from 9 1/4 percent to market levels. There are also proposals to reduce technical assistance, cut funding for business development, and reduce equal opportunity loans to economically and socially disadvantaged businesses. A cut in surety bond guarantees has been added to the package of budget reductions.

Another Reagan intervention is a change in rules for the Dept. of Transportation's (DOT) minority business contracting procedures. Previously, DOT was required to award a certain amount of contracts to bidders who could list a specific set of minority subcontractors they planned to use. Many times these contracts would go, not to the lowest bidder, but to the bidder who could prove he had met his minority participation quota. This caused a lot of bidders to become angry and resulted in quite a few lawsuits against DOT.

The Reagan administration stepped in and agreed to review the minority participation requirements. In the meantime, officials quickly revised the old rules because of pending lawsuits. The new rules maintain that a certain amount of contracts have to go to bidders with some minority participation, but the firm that wins the bid only has to show that it made a good attempt to meet the minority participation goal.

It cannot be disputed that many of the federal initiatives to help develop minority businesses have failed. Due to a lack of continuing monitoring, a lack that goes back to the Nixon years, many of the programs have outlived their usefulness, lost sight of their original aim, or become ensnared in

bureaucratic redtape. But if it's the intention of the new president to "clean house," is it not also necessary to replace the old with some new, fresh ideas and strategies for promoting minority business? •

## BILL GREEN APPEALS FOR THE FREEDOM OF MICHAL KUKABAKA

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

• Mr. GREEN. Mr. Speaker, I rise in defense of Michal Kukabaka, an ailing man who is now serving a 3-year prison sentence in the Byelorussian Soviet Republic.

Mr. Kukabaka is imprisoned for "slandering" the Soviet state by disseminating human rights treatises and protesting the Soviet practice of confining dissidents in psychiatric hospitals. A rally appealing for his freedom and celebrating his honesty and courage will be held on June 21, 1981, at Hammarskjold Plaza in my district.

My "adopted" Soviet prisoner of conscience is Dr. Semyon Gluzman, who has been in prison and is now in exile for refusing to cooperate in the Soviet psychiatric abuses that Mr. Kukabaka has opposed. One of Dr. Gluzman's actions which most angered the Soviet authorities was his refutation of the official diagnosis of Gen. Pyotr Grigorenko as insane. I was pleased to hear that the general's wife, Mrs. Zinaida Grigorenko, will be attending this rally, for it points out the intertwined fates of all Soviet dissidents, and that an effort on behalf of one Soviet dissident is ultimately an effort on behalf of all.

For the benefit of my colleagues, I am pleased to insert in the RECORD a release from the Committee for the Defense of Prisoners of Conscience in Byelorussia. The release further describes Michal Kukabaka's harsh and unjust treatment, as well as the rally that will be held this Sunday. The efforts of the committee and many others on his behalf are a meaningful step forward in bringing about Mr. Kukabaka's freedom and gaining permission for him to emigrate, and I am pleased to participate in this worthy cause.

### COMMITTEE FOR DEFENSE OF PRISONERS OF CONSCIENCE IN BYELORUSSIA

"Michael Kukabaka needs help!"—This was the basic message in a larger document of the Moscow Helsinki group signed by Dr. Sakharov's wife, Yelena Bonner, dated December 28, 1980.

Byelorussian-Americans are responding to this appeal on Sunday June 21, 1981 (2 p.m.) in front of the United Nations (Hammarskjold Plaza) by holding a rally to mark the second anniversary of Michal Kukabaka's sentencing. Mrs. Zinaida Grigorenko, wife of General Grigorenko, Kukabaka's personal friend and benefactress, will be one of the

speakers. Also, signatures will be collected petitioning the U.S. Government to secure Kukabaka's release from prison. The 44-year-old Byelorussian dissident worker has renounced his Soviet citizenship and wants to emigrate to the West.

M. Kukabaka was sentenced on June 21, 1979, in Babruisk in Soviet Byelorussia. Before that, he had been detained for seven years in Soviet psychiatric prisons for such "crimes" as disseminating the text of the Universal Declaration of Human Rights.

The three-year sentence in 1979 was imposed on Kukabaka for the following offenses, according to a transcript of the Prosecutor's summation of the charges (the transcript was made by Viktor Nekipelov who attended the trial and who is now serving a prison term for his dissident activities):

"It has been established by the materials of the trial that Kukabaka, from July 1977 to October 1978, has been orally slandering the Soviet state and its social order. Besides, he wrote and transmitted to the West the articles, 'Detente and Human Rights are Indivisible' and 'Stolen Fatherland.' These articles viciously slander our political order and they have both been used by foreign anti-Soviet propaganda. And the last point of the indictment is: handing to Nikitina the so-called 'Open Letter to Health Minister Petrovsky,' alleging the persecution of people in our land for their beliefs and their confinement in psychiatric hospitals."

In one of the rare available photographs of Michal Kukabaka we see him participating in a wreath-laying ceremony at a monument in Minsk, capital of Byelorussia, erected in memory of victims of the Minsk ghetto. This event took place on May 9, 1977.

Mr. Ilya Goldin, now residing in Israel, who sent us this photo, wrote in his accompanying letter:

"Michal was not the only Byelorussian who came to the monument that day. Also, it must be considered that the act of laying the wreaths was viewed by the authorities as sedition and for a person with Kukabaka's past such an act was very dangerous."

Michal Kukabaka is still in danger. He is also suffering from poor health and the inhuman conditions of his detention.

Fight for life of Michal Kukabaka! •

## THE CLINCH RIVER BREEDER REACTOR: THE REAL ECONOMICS ARGUMENT

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

• Mr. ROE. Mr. Speaker, one of the major criticisms of the Clinch River breeder reactor plant project (CRBRP) argues that the project is not economic. The argument is specious and without substance. If you think about it, technology demonstration projects are never built on the basis of economics. Whether its demonstration of synthetic fuels production, solar photovoltaics, clean coal burning, or any other new technology, the purpose of technology demonstration facilities is to gain design, construction, and operating experience



which will be used in developing commercial demonstrations whose purpose is more directly related to proof of economic viability.

CRBRP is a technology demonstration, not a demonstration of commercial readiness. However, because this argument is being used by those opposed to the project—and usually all nuclear power—it is appropriate to look closely at the facts. Any such analysis will clearly show that most, if not all, of the cost of the facility will be regained through the sale of electricity generated by the plant.

The CRBRP is an essential intermediate demonstration plant step toward the deployment of the breeder option. While the major value of the CRBRP lies in demonstrating liquid metal breeder technology and obtaining operating experience, the cost effectiveness of the project can be assessed by comparing the costs of engineering, equipment, and construction of the plant with the expected operating revenues to be realized from the sale of electricity from the facility over its lifetime.

The CRBRP was authorized in fiscal year 1973, and it has progressed through major design completion with many components purchased at the time the Carter administration endeavored to cancel the program. Since it is a first-of-a-kind plant, it has incurred substantial first-of-a-kind engineering and R. & D. costs which are additional to the conventional capital costs of a powerplant. The comparison of completing the plant, operating it for 30 years, and producing revenues throughout that period versus cancellation has been carried out with the first-time costs and R. & D. costs excluded from the analysis since those costs are generic to the liquid metal breeder program. In this cost assessment the present worth of future expenditures and costs of fuel and operations and maintenance have been determined by using an uninflated discount rate of 3.8 percent.<sup>1</sup> The basis for present worth calculations is that funds spent prior to 1981, the chosen base date for commencing plant operations, could have acquired greater value if allowed to draw interest—3.8 percent—up to that time. Funds spent after 1981 are reduced by the interest that would have accrued if a present sum were invested at the base date (1981). This requires determining future sums in current year (1981) dollars and then applying the uninflated discount rate to determine the present worth in 1981 dollars. A comparison can then be made in equivalent present worth 1981 dollars of the cost of the plant to date plus the termination estimate versus cost to completion

less operations income. This analysis follows.

From the total project cost of \$3.197 billion in year-of-expenditure dollars (YOE), first-of-a-kind engineering, R. & D., and 5-year operating costs, including the initial core and reloads, were subtracted and the balance was deescalated to give a plant cost of \$2.14 billion in 1981 dollars. The 5-year operating costs as a technology demonstration are included in the 30-year operating costs. To obtain the plant cost on a Federal expenditure basis, the industry contributions of \$363 million have also been subtracted, giving the plant cost of \$1.78 billion in 1981 dollars.

It should be emphasized that this includes the costs arising from the delays to the project due to suspension of licensing and construction by the previous Carter administration. This delay cost is \$837 million (YOE) due to the stretch-out of all activities for the past 4 years and an additional 2-year delay in licensing due to the impact on the project schedule.

The revenues from 30 years of operation of CRBRP have been estimated taking the 1981 wholesale cost of TVA power at 3.28 cents per kilowatt hour—escalated at 1.9 percent<sup>2</sup> per year beginning in 1990—throughout the plant operating life, since this represents the value of the energy from the plant. This revenue is \$3.26 billion in 1981 dollars. Deductions from the electricity revenue income will occur each year due to the costs of fuel and operations and maintenance and these have been estimated at a total of \$0.97 billion in 1981 dollars.

In calculating the revenues, no credit has been taken for the value of the plutonium bred during the plant operating life. Decommissioning costs at end of life have similarly not been included since they are effectively covered either by the value of the bred plutonium or the revenues beyond 30 years.

In this evaluation, 30 years was taken as the period for net revenues although the design life of the plant is 40 years. It should also be noted that in this analysis, the 30-year period under the above financial ground rules commences from the start of operation of the plant—criticality in February 1990.

The 1981 dollar values determined in the foregoing are then converted to present worth values by applying the uninflated discount rate of 3.8 percent per year to the values for each future year and discounting back to 1981. The results of this analysis are presented in the following table:

## PRESENT WORTH (1981)

[In millions of dollars]

	Termination	Completion
Spent to date (sunk cost).....	743	743
Termination of completion costs.....	267	1044
Subtotal of costs.....	1010	1787
Revenues less fuel, operations, and maintenance costs.....	0	854
Net cost.....	1010	933
Difference.....		(77)

<sup>1</sup>Based on \$150 million for the termination costs of the project plus \$117 million for reimbursement of industry contributions to the project assuming no utility litigation for governments breach of contract.

This present worth analysis thus shows a better-than-break-even situation in favor of proceeding to completion. By proceeding to completion and operation, the major value of CRBRP in demonstrating LMFBR technology and obtaining operating experience will be obtained at a minimum cost since the present worth of the revenues will pay for a large part of the plan costs.

Comparison of the capital cost with the net revenue also shows that the net present worth Government outlay to completion is \$933 million. Recognizing that Clinch River is an essential step toward the breeder option, the \$933 million can be considered as an investment toward the eventual use of the present stockpile of depleted uranium. This stockpile has an energy potential, when used via the breeder, equivalent 1½ times the total identified coal reserves in the United States; the energy potential of the stockpile is also equivalent to more than 1,300 billion barrels of oil, twice the world's proven oil reserves. The expenditures, therefore, for completion of the Clinch River Plant is a modest price to pay to provide long-term energy security for the United States.

It should finally be emphasized that the unnecessary delays to date have increased the cost of the project by \$837 million, giving strong justification for proceeding to completion and operation of CRBRP as rapidly as possible.

From this analysis it is clear that the economics of CRBRP cannot be legitimately used to argue against completion of the project. Of course there are uncertainties in these figures but all of our analyses show that the net costs to complete are very similar to the costs to terminate. Thus, by proceeding to completion and operation, the major value of CRBRP in advancing LMFBR technology will be realized at a minimum cost whereas vast technical capability will be wasted if we abandon the project.

I urge my colleagues to reject the argument that CRBRP is a waste of Federal funds or uneconomic. While the plant revenues cannot be used to justify the facility, they clearly dem-

<sup>1</sup>"EPRI Technical Assessment Ground Rules for Economic Comparisons" (PS-866-SR, June 1978).

<sup>2</sup>TVA data on the real growth of electric power costs in excess of the inflation rate.

onstrate the misleading nature of the economics argument.

The Clinch River Breeder Reactor project is important to our energy future, and I urge you to support its completion.●

#### A REWARDING EXPERIENCE

### HON. CARROLL A. CAMPBELL, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. CAMPBELL. Mr. Speaker, last week it was my privilege to help introduce 29 outstanding young people from the Fourth District of South Carolina to the inner workings of the Federal Government and the beauty and historical riches of the Nation's Capitol.

High schools throughout my district selected a rising senior to represent them in the Fourth District congressional classroom program—an intensive dawn-to-dark schedule of briefings, tours, and cultural events. This year's trip included tours of the Supreme Court, the Library of Congress, the FBI and other Federal agencies; luncheon with the South Carolina congressional delegation; and a tour of the White House complete with breakfast with members of the White House staff. The students also attended a performance at the Kennedy Center and viewed the House in session.

During this complex time in our history, when there are more questions than answers and, more often than not, more than one answer, I think it is important for the young people of our Nation to have the opportunity to see firsthand how our Government works. The congressional classroom provides a unique learning experience not only for the students, but also for me through their questions and our exchange of ideas. I have found working with these young people a most rewarding experience, and would like to commend them for their strong leadership potential and belief in the ideals our Nation represents.

I would also like to offer a special word of appreciation to those whose civic mindedness made this program possible. The Fourth District congressional classroom is financed entirely by businesses and industries from the district, and I feel we are fortunate to have friends like them who have faith in the youth of our country. Our contributors this year included: Riegel Textile Corp.; M. Lowenstein & Co.; J. P. Stevens & Co., Inc.; Arkwright Mills; Coca-Cola Bottling Co. of Greenville; Moreland-McKesson Chemical Co.; Duke Power Co.; Spartan Radiocasting Co.; Bell Pharmaceutical; Inman Mills; Fiber Industries, Inc.; Package Supply & Equipment Co., Inc.; Lockwood Greene, Engineers;

PYA/Monarch Foodservice; Spartan Grain & Mill Co.; Bankers Trust of South Carolina; Southern Wood Piedmont Co.; Lucas Industries, Inc.; Cooper Motor Lines, Inc.; Hoechst Fibers, Inc.; Simpsonville Mills Co.; Intex Products, Inc.; Pepsi Cola plant of Greenville; Liberty Corp.; Union Camp Corp.; Steele Hedde; Union Carbide; Fidelity Federal Savings & Loan Association; Henderson Advertising; Southern Bank & Trust Co.; C. Dan Joyner & Co., Inc.; Community Cas Stores; Texize, Division of Morton-Norwich; W. R. Grace & Co.; Cryovac Division; Phillips Fibers Corp.; Piedmont Federal Savings & Loan; Spartanburg Development Association; Dan River, Inc.; U.S. Shelter Corp.; Fliske-Carter Construction Co.; Zima Corp.; and Burger King Corp.

In closing, I would like to congratulate each of the congressional classroom participants and their parents. If the qualities demonstrated by these young people are typical, then our future is in excellent hands. The 1981 Fourth District congressional classroom scholars include: James S. Barnes, son of Mr. and Mrs. James H. Barnes; James C. Batchelor, Jr., son of Mr. and Mrs. James C. Batchelor; Dean Bender, son of Mr. and Mrs. Gerald Bender; Rebecca Boland, daughter of Mr. and Mrs. C. G. Boland; Virginia B. Brown, daughter of Mr. and Mrs. J. B. Brown; Benny Joe Bryson, Jr., son of Mr. and Mrs. Benny Joe Bryson, Sr.; Brooks Cannon, son of Mr. and Mrs. Marvin Cannon; Lauri Douglass, daughter of Mr. and Mrs. C. R. Douglass; Marian E. Few, daughter of Mr. and Mrs. Jim Few; Frances Ann Fisher, daughter of Mr. and Mrs. Robert Fisher;

Also, Leon Kythas, son of Mr. and Mrs. Pete Kythas; Edward Lomas; son of Mr. and Mrs. V. M. Lomas; Angela Lykes, son of Mr. and Mrs. Charles Lykes; John Russel Madray, son of Mr. and Mrs. J. B. Madray; Robert L. Paxton, son of Mr. and Mrs. John H. Paxton; Beth Phillips, daughter of Rev. and Mrs. Gaynor Phillips; Bryan Ramey, son of Mrs. Mary A. Ramey; Janet Roth, daughter of Mrs. Catherine Roth; Martin Glenn Tune, son of Mr. and Mrs. Cecil Tune; Katherine Health Cart, daughter of Mr. Jonh M. Cart; Louie Crocker; son of Mr. and Mrs. Raymond E. Crocker; Pam Fontenot, daughter of Mr. and Mrs. Joseph L. Fontenot; Keith Green, son of Mr. and Mrs. Joseph Green; Danny Duncan, son of Mr. and Mrs. Billy D. Duncan; Lisa Hines, daughter of Mr. and Mrs. Jimmy Hines; Nancy Susan Holden, daughter of Mr. and Mrs. Grady Holden; Terry Richards, son of Mr. and Mrs. Carroll Richards; Melanie Weeks, daughter of Mr. and Mrs. Kelly O. Weeks, and Michael Wilson, son of Mr. and Mrs. William Wilson.●

RESTRICTIVE TREND BY  
CANADA TOWARD U.S. INVESTMENT

### HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. LUJAN. Mr. Speaker, on May 20 I sent a letter to Secretary of State Alexander Haig expressing my concern over an apparent restrictive trend by Canada toward U.S. investment and ownership of energy and natural resources. This at a time when Canadian companies are aggressively seeking to take over and control vast energy and natural resources in the United States. A subcommittee of the House Energy and Commerce Committee will begin hearings this week on this very matter. I would like to share with you today, the response which I received from the State Department.

The letter follows:

DEPARTMENT OF STATE,  
Washington, D.C., June 16, 1981.

DEAR MR. LUJAN: The Department of State shares the concerns expressed in your May 20 letter regarding the treatment of U.S. private investment in Canada. We also understand your concern over the activities of Canadian and other foreign investors in the United States energy and minerals sectors, and want to assure you that we are following developments in this area as well.

U.S.-Canadian investment relations should be placed in the context of overall United States policy, which has for many years been to encourage an open international investment climate and to seek to minimize government intervention in the decision-making process related to individual investments. The national treatment principles (under which foreign investors are treated no less favorably than domestic investors in similar situations) has been a central element of our investment policy. The U.S. has worked bilaterally and multilaterally to promote the broadest possible acceptance of the national treatment principle by other governments. The centerpiece of these efforts is the 1976 Organization for Economic Cooperation and Development (OECD) Declaration on Investment and the associated Decision on National Treatment.

We understand your concern with regard to reciprocity; Canada's policies toward foreign investment have since the mid-1970's been moving in a restrictive and discriminatory direction while the United States has maintained an open investment climate. We agree on the need for equity and balance in our investment relations with Canada. We have thus far been seeking to achieve this balance through full consultations with Canada to ensure they are aware of our views. In that regard, the U.S. Government has met with the Canadian Government on several occasions in recent months to discuss our particular concerns in regard to the activities of the Canadian Foreign Investment Review Agency (FIRA) and implementation of Canada's controversial National Energy Program (NEP). Most recently, the Department of State participated in a delegation to Ottawa to discuss FIRA and our growing concern about the discriminatory treatment accorded U.S. investors.



Regarding the NEP, since its announcement in October 1980, the U.S. Government has acted bilaterally through extensive consultations, and multilaterally through the OECD's Investment Committee and the International Energy Agency, to underscore our concern over the serious implications of the NEP in three major areas: investment, energy, and trade.

In our discussions on Canadian investment issues, we have opposed adoption of policies and laws which discriminate against U.S. and other foreign investors and which are contrary to Canada's bilateral and international commitments. As a result of these discussions, we believe that the Canadian government is fully aware of U.S. concerns and we expect that they will take these concerns into account as they develop their policies. Indeed, recent Canadian modifications to the NEP's first major piece of implementing legislation and their statements reaffirming their support for the principle of national treatment are, in our view, positive developments that we seek to encourage. Nevertheless, the precise course of future Canadian investment policy is uncertain and will bear careful watching in the months ahead. We intend to continue to pursue our goal of balanced and non-discriminatory U.S.-Canadian investment relations.

We continue to believe that Canadian and other foreign investment in the United States can make a positive contribution to the development of U.S. resources, particularly in the minerals sector with its high capital requirements. With regard to such inward investment activities, U.S. law provides a number of safeguards which in our view are adequate to protect our essential security and other interests. The U.S. Government follows overall inward investment trends and has facilities for overseeing specific investments. For example, the inter-agency Committee on Foreign Investment in the United States (CFIUS), chaired by the Treasury Department, coordinates U.S. policy and monitors the impact of inward investment, including review of foreign investments which might have major implications for U.S. national interest. If there are difficulties with particular investments, we do not hesitate to present our concerns to the foreign government involved or to take other measures to protect vital U.S. interests.

In developing policies toward investment in the U.S. minerals sector, we must take into account the fact that the U.S. is the largest investor in foreign countries and has been a major force in world mining development. In the future the United States is likely to be increasingly reliant on imports for a number of crucial raw materials, and it is apparent that we continue to have a major interest in maintaining maximum freedom of investment and capital flows in world mining. In this regard, United States policies concerning foreign investment in the U.S. minerals sector will have a significant impact on the policies of other countries. Imposition of U.S. restrictions could invite retaliatory actions by others. Therefore, we must proceed cautiously in considering and adopting policies which would restrict inward investment.

In conclusion, I would like to assure you that the issues raised in your letter are matters of serious, continued, and high-level attention in the Department of State. Senators Nickles and Johnston and your colleagues Messrs. Brown and Wright have made inquiries similar to yours and we look

forward to working closely with all of you in addressing these important issues.

Yours sincerely,

RICHARD FAIRBANKS,  
Assistant Secretary  
for Congressional Relations.●

#### AMEND SECTION 1103 OF TITLE 11

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. HYDE. Mr. Speaker, in the last Congress, the House Judiciary Subcommittee on Civil and Constitutional Rights passed a bill designed to make technical and substantive changes in the Bankruptcy Reform Act which this body passed into law in 1978. I was then, as I am now, ranking Republican member of that subcommittee and was successful in amending the Senate bill in such a way as to constructively alter the present language in section 1103(b) of the Bankruptcy Reform Act. That section now requires that a conflict of interest is automatically assumed when anyone employed to represent a creditor's committee also represents another entity in connection with the same case.

Just as when a lawyer in a real estate transaction represents both the buyer and the seller at settlement, there is no automatic conflict of interest. In some small jurisdictions, which do not have a large bankruptcy bar, individuals have for years been representing both a creditor's committee and the creditor himself without any noticeable problem. The language which I offered last year was accepted by the House and, in preliminary agreements with the Senate, by Senate conference negotiators. There was no demonstrable controversy. Nevertheless, due to a philosophical disagreement between Chairman DON EDWARDS and Senator STROM THURMOND, S. 658 was never enacted into law.

When this Congress began, the committee reevaluated certain jurisdictional priorities and properly shifted bankruptcy to the Subcommittee on Monopolies and Commercial Law. I am also a member of that subcommittee and have now learned that Chairman RODINO plans to put off separate consideration of issues such as my amendment to section 1103(b) until purely technical matters have been disposed of. Accordingly, I am introducing this bill today for the purpose of giving notice to Chairman RODINO that changes in section 1103 must be made in order to allow for the normal function of the bankruptcy bar in less populated areas of the country than New Jersey. Since there was no disagreement of substance with regard to my amendment in the last Congress, and the Senate has no problem with my

amendment, I see no reason why this bill could not go forward independent of any other legislation.

H.R. 3949

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1103(b) of title 11 be amended by adding "having an adverse interest" after the word "entity" and by adding "representation of one or more creditors of the same class as represented by the Committee shall not per se constitute the representation of an adverse interest." after the word "case."●*

#### THE LEGAL SERVICES CORPORATION

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. FORD of Michigan. Mr. Speaker, as an original sponsor of the Legal Services Corporation, I have watched with pride over the years as its attorneys have fulfilled their mandate of providing quality legal services to the poor. Not only do I continue to support this program, I believe that its funding should be increased beyond its current \$321 million authorization. Even the current program falls short of insuring equal justice under law for all Americans, regardless of their income.

My support of H.R. 3480 is shared by the Michigan House of Representatives. I would like at this time to place in the RECORD a copy of a resolution recently adopted by the Michigan House, which eloquently states the position of the people of Michigan with regard to the continued funding of the Legal Services Corporation.

With particular regard for the amendment of Mr. KRAMER that would restrict the lobbying activities of LSC attorneys, I would like to draw my colleagues attention to the second whereas clause of the resolution, which states:

Equal justice requires access to all forums enforcing and creating justice—judicial, administrative and legislative—by the rich and poor alike.

The full text of the resolution follows:

A RESOLUTION MEMORIALIZING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO CONTINUE PROVIDING FINANCIAL SUPPORT TO THE LEGAL SERVICES CORPORATION

Whereas, The cornerstone of our democratic system is "equal justice under the law"; and

Whereas, Equal justice requires access to all forums enforcing and creating justice—judicial, administrative and legislative—by the rich and poor alike; and

Whereas, The Legal Services Corporation, a not-for-profit corporation authorized by Congress in 1974 to "provide high quality legal assistance to those who would other-

wise be unable to afford adequate legal counsel", has been funding approximately 1,450 locally controlled offices throughout the country; and

Whereas, An estimated 1.5 million cases are handled each year by this organization for the nation's estimated 30 million poor people, encompassing such routine matters as domestic relations, spouse abuse, parental rights, housing, bankruptcy, and employment and consumer law; and

Whereas, President Ronald Reagan has indicated that he plans to eliminate the Legal Services Corporation totally and immediately by recommending to Congress a 100% cut in the federal funds to the Legal Services Corporation; and

Whereas, The president of the American Bar Association, the president of the Michigan Bar Association, judges and members of the private bar across the country have expressed their deep concern over the elimination of this crucial program. These leaders of the legal community know that without a federally funded program, millions of our nation's neediest citizens will be denied access to our system of nonviolent resolution of civil complaints; and

Whereas, Even though there has been a longstanding commitment to treat the poor with dignity and justice in our State, Michigan's budget is inadequate to meet the existing needs of our citizens, given our current fiscal crisis, and the State cannot support the Legal Services Corporation; and

Whereas, Michigan suffers from one of the highest unemployment rates in the country and these recently unemployed people are in need of legal services which they will not be able to purchase for themselves; now, therefore, be it

*Resolved by the Michigan House of Representatives,* That the President and the Congress of the United States be hereby memorialized to continue financial support to the Legal Services Corporation, thereby seeking to insure that justice is available to all our citizens; and be it further

*Resolved,* That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan Congressional Delegation.

Adopted by the House of Representatives, May 5, 1981.●

JOHN S. KNIGHT: A GIANT IN JOURNALISM

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. BROOMFIELD. Mr. Speaker, America lost one of the giants of journalism and a pioneer in the modern communications industry with the death of John S. Knight on Tuesday at the age of 86.

The editor emeritus of the Miami Herald and Knight-Ridder Newspapers, Inc., Mr. Knight was a national figure whose newspapers shaped public opinion from coast to coast.

I came to know him in the years after he purchased the Detroit Free Press, Michigan's oldest daily newspaper, in 1940. Under his guidance, the Free Press played a major role in

molding the postwar development of Michigan and the Detroit metropolitan area. While other newspapers have come and gone, the Free Press remains one of the two largest and most influential dailies in Michigan.

Mr. Knight's empire eventually expanded to include 33 papers and 3 television stations.

He won the Pulitzer Prize for editorial writing in 1968 for his column, "The Editor's Notebook," and other writings.

Always a patriot, Mr. Knight left Cornell University when World War I broke out and enlisted in the Army. He received a battlefield commission as a second lieutenant with the 113th Infantry and fought in the campaigns of the Argonne and Alsace-Lorraine.

Following the war, he joined his father's newspaper, the Akron Beacon Journal, and went on to become its managing editor and chief editorial writer.

After his father's death in 1933, Mr. Knight inherited that newspaper and the Massillon Independent in nearby Massillon, Ohio. Using profits from the two papers, he set out to build one of the most successful newspaper chains in America.

Despite his success, he would never accept any title higher than that of editor.

He maintained there was no higher title and despite his official retirement in 1976, retained an almost daily interest in the Beacon Journal until his death.

John S. Knight's career in journalism paralleled America's greatest era and his influence undoubtedly helped shape that greatness.●

#### THE ORCHARD CONCEPT: A PARTNERSHIP THAT WORKS

HON. BILL LOWERY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. LOWERY of California. Mr. Speaker, the availability of affordable housing for the elderly concerns us all. In San Diego, we have a landmark development, Orchard I, that represents a most successful private-public joint venture.

A general partnership of four developers—Steve Drogin, Ted Odmark, Jim Welch, and Dick Plumleigh—have produced a model project of national significance. I urge my colleagues to read the article below which will appear in the Community Investment Newsletter of the Federal Home Loan Bank of San Francisco:

THE ORCHARD CONCEPT: A PARTNERSHIP THAT WORKS

(By Steve Drogin)

While economic conditions have virtually halted construction of apartment develop-

ments, creative relationships between developers, municipalities and financial institutions can be formed to encourage such projects.

In today's market, it will take this type of cooperative approach to assure that the public's need for low and moderate income rental housing is met. Without a concerted effort, the necessary apartment developments will not be built and local government and private industry will be derelict in their social responsibility.

An example of how this approach can work may be found in The Orchard, an innovative development that provides affordable rental housing for senior citizens on land owned by the City of San Diego. It is the largest conventionally financed apartment project now under construction in California.

The first phase of the Orchard complex was built in 1977, providing 275 apartments for seniors. Orchard I was constructed on City owned land that previously had stood vacant and was leased to the developers on favorable terms.

Today, Orchard I remains 100% occupied, an aesthetically attractive apartment community for its 300 senior citizen inhabitants.

A second phase of The Orchard began construction this February and by late July developers plan to have the first of the complex's 288 units ready for occupancy.

And though the two Orchard developments will be adjacent, share some of the same facilities, and their residents will live as one community, there is a definite distinction in how each phase was developed and constructed.

Orchard I was the brainchild of ST Associates, a group of four developers who convinced San Diego's City Council that they could provide needed senior housing with rental prices far below existing market rates.

ST Associates, a general partnership comprised of San Diego developers Steve Drogin, Ted Odmark, Jim Welch and Dick Plumleigh, obtained a ground lease on 5.1 acres of surplus city property between Mission Bay and Point Loma. They secured a \$2.9 million, 30-year loan from San Diego Federal Savings and Loan Association at 9½ percent, slightly under the prevailing rate at that time.

In exchange for the favorable lease terms with the city, ST Associates agreed that at least 20 percent of the apartment units would be filled with senior citizens who held existing HUD Section 8 certificates. Rents also were to be raised only once annually, in a passthrough based on anticipated increases in operating expenses.

The resulting Orchard I development has been fully occupied since completion. Today, nearly one-third of its residents are Section 8 certificate holders and rents for one-bedroom apartments are \$195, considerably less than the current \$300 HUD limit. In fact, since Orchard I was completed, HUD's Section 8 rental limits for existing units has risen 59 percent while rents at The Orchard have increased 14.4 percent.

Orchard I consists of 29 buildings over the 5.1-acre parcel. Most buildings have eight or 14 apartment units with a total of 259 one-bedroom units and 16 studio apartments.

The grounds of the apartment complex are covered by a variety of fruit trees, which residents are invited to harvest and from which the project derives its name. The development also includes popular community gardening plots in which additional fruits and vegetables are raised by residents.



A 5,000-square-foot community center is the social gathering place for many of The Orchard's residents. It includes an assembly hall, library, television room, hobby room, business office, mail center and an office for its full-time social activities director, who sets up classes and programs for the senior citizens.

With the construction of Orchard II, the community center will be expanded by 1,500 square feet.

The complex also offers low-cost lodging for guests of its residents. Visitors to The Orchard can remain overnight in motel-like accommodations at the site for a nominal charge.

Mayor Pete Wilson takes pride in The Orchard for its public service of providing much needed housing for the elderly in San Diego, a region whose mild climate attracts many senior citizens. Wilson has continued to lend his support to efforts to develop Orchard II. Mayor Wilson and his staff were especially helpful in the efforts to develop the support of the local financial institutions in the unique financial structure utilized for Orchard II.

Orchard II's lease with the city stipulates that 6.82% of gross income from the project be annual rental on the property. Since the development opened in fiscal 1978, its owners have paid ground rent totaling \$127,000, including \$42,639 for fiscal 1980.

Orchard I and Orchard II are subject to full possessory interest taxes. The 1980-81 tax levy by the county was \$43,600 for Orchard I.

Because the apartments in the first phase of The Orchard were built at an average cost of \$11,800 each, or less than one-quarter of the common construction cost of a unit in a subsidized high-rise apartment complex, rents are correspondingly lower.

One-bedroom units in newly built high-rise buildings commonly rent in the \$500 range with utility costs figured in. The Orchard II one-bedroom models will rent for \$285 monthly, exclusive of utility charges.

Because present economic conditions make it impractical to build with traditional financing techniques, Orchard II is being built with creative financing.

Orchard II Associates, a general partnership composed of Steve Drogin and Financial Scene Inc., a service corporation of San Diego Federal Savings & Loan Association, is financing the second phase of The Orchard by once again receiving a 30-year loan from San Diego Federal. Only this time San Diego Federal was able to make a project loan at the below market rate of 10% because it was able to borrow a like amount of funds from the San Diego Redevelopment Agency at the same rate. The Redevelopment Agency was able to supply the loan to San Diego Federal for purposes of financing Orchard II at that rate because under Federal and State laws, the Redevelopment Agency was able to issue its bonds with the interest paid exempt from Federal and State Income Taxes.

Through the cooperation of the Redevelopment Agency and the participation of San Diego Federal, which agreed to repay its loan to the agency regardless of the financial success of Orchard II, Drogin and Financial Scene were able to substantially reduce the financing cost of the project which directly impacted the rents required to be paid by the tenants.

The bonds were purchased by eight banks and savings and loan associations with their home or major offices in San Diego. Bank of America and Imperial Saving & Loan Association

lead the group with each purchasing \$1 million of the 10% 30-year obligation.

Other institutions who purchased the bonds include Security Pacific National Bank, Home Federal Saving & Loan Association, Central Federal Saving & Loan Association, Allstate Saving & Loan Association, Union Bank and San Diego Trust & Savings Bank.

Joseph H. Torrence, of Dillon, Read & Co. Inc., the investment banking firm responsible for structuring the financing, made the decision to sell the A-rated bonds to local financial institutions through private placement rather than a public offering based on the fact that the then current bond market would have demanded a yield of 11½%, a figure that would have made the project infeasible.

Presently, 74% of the residents of Orchard I have annual household incomes of \$7,000 or less. If bonds had been issued at 11½%, the benefit of offering affordable housing to senior citizens with similar incomes would have been severely jeopardized.

Financial institutions purchased the tax-exempt bonds to support the construction of low and moderate cost housing for senior citizens as well as to bolster their Community Reinvestment Act performance records.

Lenders were further encouraged to purchase the bonds by the guarantee of San Diego Federal Savings to repay its loan to the agency, thus assuring repayment of the bonds. Because its Financial Scene service corporation was part of the Orchard II joint venture partnership, San Diego Federal was precluded by Federal statute from being a purchaser of the bonds. However, its guarantee of the loan made the bonds more marketable to other institutions and assured the construction of Orchard II.

Further complicating the attempt to put together a first-of-the-kind financing effort was the non-subordinated lease with the City. Yet the development moved ahead because of the realization that a cooperative partnership between local government and private developers was a better solution than traditional public housing projects.

"We believe there is a real need for housing of the elderly in San Diego," said Thomas F. Carter, Executive Vice President of San Diego Federal. "There are not enough units being built to provide shelter for the elderly."

"When a developer comes to us with an innovative project, and he's willing to take a little less profit in order to build housing for low and moderate income individuals, then we are willing to do whatever we can to assist them. In the Orchard project, that meant guaranteeing repayment of the bonds so the project could be built with lower financing costs and, consequently, rents could be less expensive."

When completed, Orchard II will have a total of 288 units in 23 buildings, most of which will contain eight or 16 apartments. The development will include 96 studio apartments. The number of studio apartments was substantially raised for the second phase of The Orchard as a means of keeping the highest number of units available at the lowest possible rents. The cost per unit for Orchard II is \$16,300.

Each of the one-bedroom units in the two-story, on-grade apartment complex will contain 465 square feet, slightly larger than the units in the first phase.

Orchard II units also will be equipped with energy-saving devices such as low-flow restrictors on kitchen and bath sinks, faucets and shower heads; water-saver toilets;

fluorescent lighting outdoors; and, individual electric water heaters with on-off switches to enable residents to closely control their own energy consumption.

Apartment construction is being closely monitored to assure that units will be built as rapidly as possible, thus avoiding increased financing costs associated with escalating construction costs. Orchard II construction should be completed in September.

The combination of favorable terms on the lease of the land from the City, the favorable financing terms arranged through the cooperation of the Redevelopment Agency, San Diego Federal and the community spirited financial institutions who purchased the bonds and the good fortune of receiving very favorable bids for the construction of the project, all contributed to successfully providing this additional housing stock to senior citizens at affordable rents.

While The Orchard development is innovative, it is one that can be copied by other developers and other municipalities. Such a project requires a recognition on the part of state and local officials that it will take concerted efforts between the public and private sectors such as this if new apartments are to be constructed and made available at affordable rents.

Rising interest rates, land costs and threats of rent control have virtually shut down apartment construction. At the same time, federally subsidized housing projects appear doomed.

There still, however, remain thousands of acres of land under government control that could be used for projects such as The Orchard. It is up to local and state government to initiate partnerships between government, developers and financial institutions, and provide for the housing needs of the public.●

#### TESTIMONIAL TO JOHN C. COLEMAN

HON. JOHN L. BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. JOHN L. BURTON. Mr. Speaker, it is an honor to pay tribute to a man so well known and respected by his community—one whose competence has inspired confidence in those entrusted to protect the well-being of the people.

John C. Coleman is retiring this month as chief of police of Novato, Calif. He has held this position nearly 8 years, which culminates a career of 25 years in the law enforcement field. His excellent record of service extends back to the Long Beach Police Department and includes an appointment as chief of police in Brawley, Calif.

His dedication to hard work and professional standards is reflected in his activities in police chiefs' associations at the local, State, and international levels. Chief Coleman is also a past president of the Marin County Police Chiefs' Association.

In addition to his busy professional life, Chief Coleman has been actively

involved in community's affairs through the Kiwanis Club and Little League, for which he has managed a team for the past 3 years.

I am proud to commend a man of John C. Coleman's stature.●

# THE CLINCH RIVER BREEDER REACTOR: IT SHOULD BE CONTINUED

HON. ROBERT A. YOUNG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. YOUNG of Missouri. Mr. Speaker, in spite of our conservation efforts, this Nation still imports large quantities of foreign oil. Our dependence on foreign sources of supply for energy has cost our economy and our people heavily. It has had grave implications for our national security.

Fortunately, we have taken steps to alleviate this dependence through conservation and diversion to domestic energy sources. We have begun to plan for a future of secure, plentiful energy supplies which will allow our economy to continue to grow, providing jobs and a high standard of living for our people. The liquid metal fast breeder reactor (LMFBR) is a key element in planning future energy security, and the Clinch River breeder reactor (CRBR) is the next logical step in LMFBR development.

The United States has had an extensive breeder reactor development program for 30 years, and the technological feasibility of the breeder has already been proven. Other countries, such as France, Russia, Great Britain, and Japan, have also recognized the potential of breeder reactors and are rapidly developing the technology. These nations have recognized the vital role of energy in national security, and they are taking steps to tap a virtually unlimited energy source for the future.

During the past few years, the expansion of nuclear power in the United States has been limited, and light water reactors (LWR) have been delayed and even canceled. However, there are now approximately 70 LWR's operating in the United States, providing nearly 12 percent of the Nation's electricity, and the Department of Energy's nuclear power growth projections show clearly that there is still a considerable need for growth of nuclear-powered electric generating capacity.

Fission reactors can convert only a small amount of the energy contained in our uranium resources. In contrast, breeder reactors can extract 50 times more energy, extending our uranium resources for centuries. The Department of Energy has developed estimates of uranium production capability

to meet the near-term nuclear power growth demand. These estimates indicate that even with expanded uranium production capability, LWR uranium consumption will exceed production of readily available high grade uranium resources by the turn of the century. Although lower grade uranium resources exist, they are more expensive to produce.

Additional uranium also exists in the form of speculative potential resources, such as seawater and uranium available through recycling enrichment plant and mill tailings. These sources will be difficult and expensive to develop, and they should not be expected to meet the large LWR requirements.

Considering the uncertainties in uranium availability and costs, the logical, safe and reasonable course to follow is one which will insure that the LMFBR will be available for commercial deployment at the earliest possible date. I hope that we have learned from the last decade the penalties due to a lack of preparation and planning for domestic energy security. Delaying LMFBR commercial viability poses a much greater risk to the United States than any perceived penalty associated with early commercial readings of LMFBR technology. We simply must have this insurance policy, and CRBR is part of the premium.

The challenge currently before us is to determine the LMFBR strategy which will bring the technology to commercial readiness in a timely and cost-effective manner. The most logical course is to pursue a program during the next decade which will build on the existing technical program experience and provide the flexibility to accommodate a range of commercial introduction dates while keeping the breeder team together. This program would include the design, construction and operation of the Clinch River breeder reactor plant and later on a large LMFBR development plant (LDP) along with supporting research and development in vital technical areas including the fuel cycle.

This approach maintains the momentum of the overall program and effectively uses the existing technical experience and expertise. In the late 1990's, the program would reach a point which would allow a decision to proceed directly to a commercial plant early in the 21st century or to adopt a more deliberate approach which would permit later commercial introduction of the LMFBR. In any case, if we proceed now with CRBR and introduce commercial LMFBR's early in the 21st century, nuclear fuel resources will not be affected until at least 2020.

The strategy of proceeding with development of CRBR allows us to build on the strong base of already developed U.S. LMFBR technology. The experimental breeder reactor II, a 20

MW(e) plant located in Idaho, has been operating since the mid-1960's. The fast flux test facility, a 133 MW(e) test reactor in Washington State, began operation in 1980. Both plants are providing valuable performance and operating data. The design of CRBR, a 350 MW(e) project, is more than 80 percent complete, with all major plant components on order and most confirmatory plant research and development nearing completion.

The design, construction, and operation of these plants in progressively larger sizes have brought the technology to a point where the technical feasibility of the LMFBR concept has been proven. The program is now at a stage where engineering scale demonstration of the technology is required to prove LMFBR reliability as a commercial energy production option. Data from this phase of the program is required to support future decisions on whether the LMFBR should be commercially deployed.

Continued development of the LMFBR has been supported by various studies over the years, including the recent Committee on Nuclear Alternative Energy Systems of the National Academy of Sciences, the International Nuclear Fuel Cycle Evaluation, and DOE's nonproliferation alternative systems assessment program.

There are many advantages to continuing LMFBR development, including:

First, helping to insure U.S. energy independence in the future by demonstrating large-scale breeder operation.

Second, maintaining the U.S. technical position among the foreign nations which are rapidly developing the breeder concept. If a commercial LMFBR market develops, American industry will be in a position to successfully compete for a fair market share, and the United States will be better able to influence foreign developments which threaten the proliferation of nuclear weapons.

Third, providing a low-risk insurance policy against future shortages and/or large price increases affecting uranium.

Fourth, receiving benefit from the funds already spent on CRBRP.

The decision to proceed with Clinch River is not a commitment to commercialize the LMFBR concept. It is a commitment to obtaining the design, construction, and operating information necessary for the industry to make rational decisions on the future course of development of LMFBR. I strongly support the continuation of CRBR. It is a step in the right direction to energy security for our country. I urge my colleagues to support this program.●



## ISRAELI ATTACK

## HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. MARKEY. Mr. Speaker, today I introduced with 31 cosponsors a concurrent resolution expressing the sense of the Congress on the Israeli attack against the nuclear reactor in Iraq. The resolution asks that no sanctions or condemnations be applied against Israel for the June 7 incident. In addition, the resolution urges the President to pressure France and Italy not to resupply Iraq with nuclear technology to replace that destroyed by Israel. Finally the resolution asks the President to strengthen U.S. nonproliferation policy and determine the adequacy of the IAEA inspection and safeguard system.

Mr. Speaker, I would like to thank the cosponsors of this resolution and urge my other colleagues to join with us in this effort to halt the spread of nuclear weapons.

Following is the list of cosponsors and the text of the resolution:

## COSPONSORS

Jonathan Bingham, Michael Synar, Stephen Solarz, Martin Frost, Benjamin Gilman, Hamilton Fish, Jim Dunn, John LeBoutillier, Ted Weiss, Ron Wyden, Jim Scheuer, Bob Traxler, Bill Lowery, Henry Waxman, Edwin Forsythe, Les AuCoin, Jim Blanchard, Julian Dixon.

Thomas Foglietta, George Wortley, Barney Frank, Tony Hall, William Lehman, Nick Mavroules, James Oberstar, Claude Pepper, Millicent Fenwick, Joseph Addabbo, Ben Rosenthal, Bill Green, Joseph Minish.

## H. CON. RES. 150

Concurrent resolution expressing the sense of the Congress that the President should take certain actions concerning the supply of further nuclear material and technology to Iraq by certain countries and concerning United States nuclear non-proliferation policy

Whereas Israel is a national security ally of the United States;

Whereas Iraq, despite huge oil reserves, purchased a 70 megawatt nuclear reactor from France which uses substantial amounts of highly enriched uranium as fuel;

Whereas Iraq purchased from Italy nuclear technology and training to aid in the development of a plutonium extraction capability;

Whereas both highly enriched uranium and plutonium can be used directly to manufacture nuclear weapons;

Whereas the President of Iraq has made public statements implying that nuclear weapons could be used against Israel; and,

Whereas the crucial issue facing the United States is not whether Israel did or did not commit a technical violation of our arms sale agreement, but the real issue is the consequence of the spread of nuclear weapons technology throughout the world: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring) That it is the sense

of the Congress that—(1) The President should urge the governments of France and Italy not to sell sensitive nuclear technology or material to Iraq to replace the reactor and equipment destroyed by Israel's action of Sunday, June 7, 1981; (2) the Congress should impose no economic or military aid sanctions against Israel in response to the June 7 action and the President should veto any United Nations condemnation of Israel; (3) the President should strengthen the nuclear nonproliferation policy of the United States and should improve and tighten restrictions on the export of nuclear technology or material which can be used to make atomic weapons; and (4) the President should determine the adequacy of the international system of safeguards and whether they provide sufficient warning of a diversion of civilian nuclear material to military purposes.●

FOLKS ARE GOING TO MISS  
"BIG JIM"

## HON. LAWRENCE J. DeNARDIS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. DeNARDIS. Mr. Speaker, a good personal friend and an outstanding citizen and public servant died suddenly last month. James R. Guthrie, Republican registrar of voters in West Haven, Conn., left many memories—and an enviable number of friends.

The following article in the New Haven Journal Courier is a particularly warm and personal tribute to Jim Guthrie.

## FOLKS ARE GOING TO MISS 'BIG JIM'

(By Vincent C. Carbone)

WEST HAVEN.—The big friendly smile and handshake which were two of Jim Guthrie's trademarks will be missed.

A jovial individual, James R. Guthrie, 47, was a firefighter's firefighter, a politician and a man who spent many hours as a field engineer for the Armstrong Rubber Co., whose job it was to make periodic inspections of tires being tested for trucking companies.

"Big Jim" went away on one of those inspection trips last week and Friday suffered a heart attack and died in Nashville, Tenn., despite efforts of paramedics to save his life.

The word swiftly hit the community, both here and at Armstrong, of Jim Guthrie's passing, and it shocked his many friends.

All of his years, from the day he became 21 and was able to vote, Jimmy Guthrie was a Republican. He worked his way up through the ranks by being a solid party worker, served on the town committee, and when Emmet Simmons retired, he was appointed registrar of voters for the party.

But whether they were Republicans or Democrats, Jimmy treated them all alike. He served in many peace-making roles to resolve issues which developed at election time and was never one to deny an opponent of an answer on a voting question.

"We're shocked. We just can't believe it," Betty Sweeney, who has been a clerk for the GOP in the registrars office for many years, said upon learning of his death.

It was a sad day around City Hall. The gloom was so thick, it could be cut with a razor blade.

Mayor Robert Johnson, a Democrat, worked side by side with Guthrie when the pair served as fire commissioners in the First District.

"I have always had the highest respect for Jim. He has done much for the fire services, not only here, but throughout the state. And, likewise, he was a dedicated registrar and public servant," the mayor said on learning of his passing.

During the years Guthrie served on the fire commission, his main objective was to provide the city with improved fire services. The department was increased, new apparatus replaced antiquated units and better working conditions resulted as the department was upgraded.

But he didn't stop at the local level. Jim spent many days and nights away from home, serving as president of the Connecticut State Firemen's Association, always striving to improve legislation to better protect the families of firefighters. In this direction, he was a super performer, and throughout the state and New England he was recognized as a firemen's fireman.

And today at 9 a.m., at St. John's Vianney Church, many firefighters, politicians and his colleagues at Armstrong Rubber will attend a Mass of Christian Burial for a class gentleman, who could have run for mayor or any other local public office and won hands down.

Jimmy Guthrie came from a special mold. He was a man of outstanding character, strong leadership and a devoted father and family man.●

## ADDRESS OF JACOBO TIMERMAN BEFORE AMNESTY INTERNATIONAL

## HON. TOM HARKIN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. HARKIN. Mr. Speaker, last night the annual general meeting of Amnesty International U.S.A. was held. It was of this organization's ongoing struggle to put an end to torture, abuse, and oppression of human rights, it was very fitting that Jacobo Timerman address a tribute to the gathering.

I have had the opportunity and good fortune to meet with Mr. Timerman on several occasions. Since his release from prison in Argentina, Mr. Timerman has become an invaluable source of information about the realities of oppression in his country, as well as an eloquent proponent for the continual struggle for human rights.

In his tribute to Amnesty International last night, with great insight and concern, he expressed a dilemma facing the human rights cause.

While the people affirm the necessity of fighting for human rights, they create diplomatic and political theories, like the thesis of "Quiet Diplomacy," or the theory of different strategies that should be employed in individual cases, or the difference between authoritarian and totalitarian governments. What they are trying to do is to replace the idea of human rights with a mere tactical or strategic exercise, that is, to sterilize the

basic idea, and create a kind of travesty which dictators on the right and the left quickly interpret as an unlimited license to trample on human rights.

Providing us with more than just an understanding of the problems with human rights policy, Mr. Timerman is also able to offer, from experience, valuable solutions.

All of the former political prisoners with whom I have spoken, whether they be Russians in Israel, Chileans in France, Uruguayans in Spain—insist that the only formula that exists for an effective struggle for human rights is a permanent public denunciation of violations formulated by governments, or private institutions, or the press. . . . There is the original telegram sent by the Swedish diplomat Raul Wallenberg from Budapest, when he was struggling to save the Jews that Eichmann was sending to the gas chambers of Auschwitz. The telegram, dated the 29th of July, 1944, directed to London and Washington via Stockholm, reads: "Foreign press publicity eased the situation here. We need more."

Therefore, I submit to the attention of my colleagues Jacobo Timerman's address of last night and strongly urge them to heed his message.

ADDRESS BY JACOBO TIMERMAN, FORMER PRISONER OF CONSCIENCE IN ARGENTINA

I am grateful to Amnesty International of the U.S.A. for inviting me to speak to this meeting. I speak for myself, as another person in the struggle for human rights, and appreciate this opportunity to present my own views.

Every person who gets out of prison feels an immediate impulse and an urgent need to reconstruct his life. It is not very probable that he can achieve it, because prison has destroyed many of his inner mechanisms. His second impulse, therefore, is to try to construct a new life. For this he needs privacy and the emotional support of his family.

But the prisoner who has been released as a result of the efforts of thousands of people feels other obligations as well. I obtained my liberty as a result of the struggle of organizations and individuals who generously give their time to a world campaign for human rights.

I would like to spend my time in Israel, dedicated to the beautiful adventure of reconstructing a Jewish state, a democratic and peaceful Israel, participating in the enormous endeavor of correcting history and ending the most terrible aggression against human rights recorded by history, the endless barbarism of anti-Semitism. But I have continued to travel around the world and to add my voice to the cry for human rights.

I have taken part in almost all the international meetings of journalists and publishers which have been held in the 20 months since I was released from prison—to tell the world of the first case in memory of a genocide of journalists—the kidnapping by the Argentine armed forces to 100 journalists and their subsequent total disappearance. I have participated in conferences devoted to the problem of the disappearances, especially the International Colloquium held in the French Senate at the beginning of this year under the auspices of the International Federation of Catholic Lawyers. In all those ceremonies in which I have been honored by the Jewish institutions of the United States for my struggle for the securi-

ty of the Jewish community of Argentina—the American Jewish Committee, the United Jewish Appeal, Haddasah, the United Synagogue of America, the Anti-Defamation League of B'nai B'rith—I have presented the case of human rights violations in Argentina. And I have participated in the international campaign for the freedom of the Soviet dissident Ida Nudel, in close cooperation with the sister of that great woman, Mrs. Elena Friedman.

In my house in Tel Aviv, we organized the press conference that Mrs. Friedman gave in Madrid, shortly before the beginning of the Helsinki deliberations at the end of last year, and I maintained the firm position that we must confront the pressure of U.S. State Department officials who insisted on the cancellation of the press conference. Those bureaucrats felt that it might provoke the Soviet Union into deciding not to permit the inauguration of the Madrid gathering. We were abandoned by all those who should have participated in that press conference, but there were two persons, in addition to Mrs. Friedman, who insisted that it was necessary to confront the Soviet Union with the denunciation of the case of Ida Nudel.

One of my most precious awards is the letter sent to me by Ida Nudel's sister, saying: "I am filled with gratitude for the important and timely advice you gave us in a difficult period of decision when we were in Madrid."

My presence here is in response to the same motives, I am not a perfect orator. My English is faulty. I am not an expert on human rights. I am a former political prisoner persecuted for his ideas, a former Jewish prisoner tortured for his origins, a survivor of the clandestine prisons of Argentina. I do not come to present theories. I come to give personal testimony. And I do so before this assembly because I am grateful to Amnesty International, and because this Assembly represents the men and women who maintain the integrity of the humanitarian, moral and political principles that give birth to the United States of America, principles which, in the midst of tremendous upheavals, have guided the course of the history of this nation and this people.

During this long journey of meetings, conferences and ceremonies, I have observed that no one any longer dares to deny the need for governments and private institutions to defend the human rights of individuals and societies. No one, openly, denies that violations of human rights exist under different political regimes, and that it should be condemned, halted, neutralized. Perhaps one of the greatest successes of the marvelous institution that is Amnesty International is its ability to demonstrate that there is no organization today—labor union or professional association, scientific or sports group, cultural or artistic council—that does not have a department or committee dedicated to the protection of human rights. And it is also a great triumph to show that those who used to be openly opposed to the struggle for human rights, now choose to employ mechanisms of deception but not of opposition. While the people affirm the necessity of fighting for human rights, they create diplomatic and political theories, like the thesis of "quiet diplomacy," or the theory of different strategies that should be employed in individual cases, or the difference between authoritarian and totalitarian governments. What they are trying to do is to replace the idea of human

rights with a mere tactical or strategic exercise, that is, to sterilize the basic idea, and create a kind of travesty which dictators on the right and the left quickly interpret as an unlimited license to trample on human rights.

Curiously enough, the thesis of authoritarian governments which are friendly and should be protected, and totalitarian governments that should be openly accused because there is no hope of winning their friendship, does not originate in the recent semantic adventures of American conservatives. It was the Soviet Union that perfected the idea in the case of Argentina. The Soviet Union has been the only important world power never to formulate one single protest against the violation of human rights in Argentina. It has been the Soviet Union that has blocked in the United Nations every attempt by democratic countries to investigate violations in Argentina, to condemn these violations. Every time the Argentine drama was to have been considered by the United Nations Commission on Human Rights, the Soviet Union, with the help of the automatic majority that controls the institutions of the U.N., put forth such a variety of fantasies that even an American delegate was moved to say: "Abuse of human rights is abominable, but we want the same standards applied everywhere." Another delegate, Richard Shifter, said that if the U.N. Commission on Human Rights is worthy of its name, it should be guided by "one standard is assessing violations of human rights and fundamental freedoms." Unfortunately the Reagan administration wishes to modify this policy and apply a double standard.

I have also been able to demonstrate that the conservative ideologues who apply the Soviet semantics, also, in the case of Argentina, apply the mathematical machinations of the directors of the Argentine communist party. The Argentine communists maintain that the support of the so-called moderate military in Argentina has permitted an improvement in the situation of human rights, and they devote themselves to making a count of how many disappearances there are today and how many there were before. That is like feeling sufficiently satisfied with the changes introduced in Russia after the death of Stalin, especially the vindication of many of those murdered by the regime, and at that point considering the matter closed.

The theorists of quiet diplomacy make their reckonings in the following way. Since the Reagan administration has occupied the White House, there has not been one single disappearance in Argentina, giving the impression that this was achieved through silent negotiations with the Argentine military. But if the Argentine military are able to stop the wave of disappearances, that means that they are the kidnappers. How is it possible, then, to maintain absolute silence over the fate of 15 to 20,000 persons whom they kidnapped? Isn't there any moral or religious problem in this to worry the proponents of silent negotiations?

Quiet diplomacy then compares the absence of disappearances in 1981 with the 28 disappearances in 1980, and takes pride in the great success of the present American administration.

But, in my opinion, if we accept this mathematical formula, we can also say that the Carter administration reduced the disappearances from 15,000 to 28, which from the arithmetical point of view is an even greater triumph.



What the new theorists of human rights evidently intend is to pervert the whole concept, emptying it of its moral content. The current president of Argentina, General Roberto Viola, who is so content with quiet diplomacy, was Chief of Staff and Commander in Chief of the Army when thousands of persons disappeared. Since he assumed power, last March, he has not taken a single step to respond to the requests of the families of the disappeared persons, nor a single step to resolve the problem of those imprisoned without charge and without trial, nor to change the situation of those who were illegally condemned by military courts that were created by laws put into force by the same officers, in contravention of the Argentine constitution.

All the former political prisoners with whom I have spoken, whether they be Russians in Israel, Chileans in France, Uruguayans in Spain—insist that the only formula that exists for an effective struggle for human rights is a permanent public denunciation of violations formulated by governments, or private institutions, or the press.

From my own experience, I believe that the most effective action is always that of private institutions supported by the press. And I remember that on a visit I made to the Museum of the Ghetto Fighters, north of the city of Haifa, there is the original telegram sent by the Swedish diplomat Raul Wallenberg from Budapest, when he was struggling to save the Jews that Eichmann was sending to the gas chambers of Auschwitz. The telegram, dated the 29th of July, 1944, directed to London and Washington via Stockholm, reads: "Foreign press publicity eased the situation here. We need more." I think that all the newspapers in the world, all the written and spoken press, should distribute that telegram of Raul Wallenberg to all journalists, so that they may always keep it in mind.

My experience has also shown me that if there is a government that is disposed to have a human rights policy defined as such, this policy will put that country in a prominent position, a position which becomes transformed into a permanent defense of its own interests. In this sense, those of us who were imprisoned, those who are in prison still, will never forget President Carter and his contribution to the battle for human rights. Those who attack his policy as too weak, do so because they cannot find other arguments and must revert to hypocrisy. Those who attack his policy as ineffective, do so because they are seeking a strategy to destroy the policy of human rights and they do not dare to say so openly. Those who say that this policy did not defend the interests of the United States, are trapped by the same obsessions of those who consider that the United States was too generous with the Marshall Plan and that it did not suit American interests.

Once again I shall return to this point. No one dares to dispute the validity of the struggle for human rights. But totalitarians of right and left, pragmatic conservatives, all are seeking a way to change the strategies as a way of neutralizing this struggle.

It is not the only formula that they have copied from the Soviets. I remember the campaigns unleashed by the Soviet Union against the intellectuals who became disillusioned with Russia. The French writer Andre Gide, the Hungarian Arthur Koestler, the Rumanian Panait Istrati, to recall only a few. On returning from the Soviet Union, and after the publication of their books, they were accused of being

police agents, mercenaries, arms traffickers, decadent bourgeois.

The same policy is followed today by the theorists of quiet diplomacy with the prisoners who are released from jail and declare themselves in favor of an open struggle against the violation of human rights—a struggle that should include all nations, condemn all regimes, those of the left and those of the right, those who call themselves friends and those presumed to be enemies. There should be no double standard, because this double standard is part of the strategy of fascists and communists alike. On this point, Amnesty International has surely been the organization that has maintained an independent position with the most courage and which has withstood most of the attacks. Luckily, it is a strong and solid institution. Much more difficult is the situation of individuals who must readapt their lives after being badly battered, in part destroyed, in prison. They feel obliged to denounce what they have seen, but feel themselves attacked by theorists who utilize lies and defamation with the same virulence and immorality as the communist parties of the Third International used them against the intellectuals who were disenchanted by the Soviet Union between the two wars.

But the fact is that we are here. And we are all over the world. Under different designations, in the framework of different institutions or religious or political identities, there are millions of us who are dedicated to this struggle for human rights. Because we are convinced that the defense of these rights is the basis of humanity, the basic principle for which life may be preserved. They cannot murder all of us. They will not be able to torture everyone. They cannot frighten everyone. They cannot deceive everyone, not with false strategic promises, not with false mathematical calculations, not with semantic adventures. The struggle to which we are committed has had, and still has, moments of beauty, sacrifice and glory, that no campaign of attrition, no psychological action, can destroy. Think of the great human epic of the Mad Mothers of the Plaza de Mayo, meeting every Thursday in front of the Casa de Gobierno in Buenos Aires, asking about their children. Imagine them in that plaza, surrounded by "gorillas" in uniform and in civilian clothes, hand in hand, insulted, pawed, pushed, beaten, kidnapped—and none of the valiant generals who ordered the murder of their children dares to confront them. The Argentine president does not dare to receive them. No officer has the courage to assume the responsibility for what he did. Perhaps these soldiers have studied history better than we did. Many conservative theorists do not wish to compare them to the Nazis, and none of those who signed the death warrants of 15,000 persons, thinking of Nuremberg, dares to take responsibility for what he did.

I could give many examples of sacrifice and struggle. Lawyers, threatened with death, have not abandoned their clients. Reporters on the only free newspaper in Argentina, the Buenos Aires Herald, bearing up under harassment, threats, humiliations, accept the challenge of being the only free voice in the nation—young staff members born in England, showing more Argentine patriotism than the army officers.

Thousands of stories. I should like to recount two of them. The efforts of Rabbi Marshall Meyer to enter the jails, the humiliation inflicted on him by the guards, his attempts to discover the whereabouts of the

disappeared persons. The emotion I felt when he visited me for the first time, and how he helped the Catholic prisoners—whom the priest in the prison did not even want to visit on Sundays. At that time, Rabbi Meyer represented for all of us—Catholics, Jews, believers and atheists—something stronger than religion. He represented the total idea of humanity.

And let me read you a paragraph from an article by Professor Fritz Stern of Columbia University that appeared in Foreign Affairs.

Professor Stern writes in the July 1978 edition, after returning from a visit to Argentina: "The Argentine dictatorship faces pockets of opposition from within. The Church, it would appear, is far from indifferent to the violations of human rights. It serves as an occasional shield for those outside as well: prominent lay Catholics told me—and individual Jews confirmed it—that the Jewish community of some 400,000 people, which feels a collective sense of beleaguement, turns first of all to the hierarchy when a specific threat to Jewish rights appears."

These two examples clearly show the depth of solidarity, as they also show that solidarity can confront and resolve problems of every kind created by the violation of human rights. It has an effectiveness which penetrates all nations, which confronts all governments, which worries all regimes.

When we make a count of all the violations that occur in the world today, especially the terrible creations of the inventors of new crimes—the disappearances in Argentina, the boat people and the re-education camps of Southeast Asia—it seems that the task of amnesty is impossible, interminable. Perhaps it is interminable. But it is possible, and for twenty years, Amnesty has been able to prove it.

We have been called together by the men and women of Amnesty International of the United States. This country has witnessed important battles for civil liberties and human rights—fought under many different names and under many different political and religious symbols. The most admired heroes, the names repeated throughout the world, are the names of Americans born in this land. Just a few weeks ago, in this country, in this city, one more battle for human rights was won, and a group of semantic adventurers was prevented from deceiving the people of the United States about the true meaning of human rights. This one event demonstrates the force of this idea in America, the depth to which it has penetrated the conscience of the American people. And it does not much matter what attitude the government adopts, because the strength and the vitality of the struggle will be represented by the American people and by its Congress, and by its humanitarian organizations.

Many times we have conquered fear. We have conquered confusion. We shall also conquer brutality.

I salute the men and women of Amnesty International.●

LETTER FROM MAJ. MICKEY R. CONROY

HON. CLAIR W. BURGNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. BURGNER. Mr. Speaker, all of us in the Congress have received mail concerning the services provided to veterans of the Vietnam era. Some of this mail has come from Vietnam veterans and some from citizens who are concerned. I recently received a letter from a Vietnam veteran who is highly critical of the behavior and demands of some vocal individuals who are frequently presented as speaking for him. He rejects their representation and raises a number of valid points I believe should be of interest to many of my colleagues.

I ask that the letter of retired Marine Maj. Mickey R. Conroy be printed at this point in the RECORD for the consideration of all Members of the House:

ARMED FORCES RETIREES  
ASSOCIATION, CALIFORNIA,  
Santa Ana, Calif., June 1, 1981.

Congressman CLAIR W. BURGNER,  
House Office Building,  
Washington, D.C.

DEAR CONGRESSMAN BURGNER: I am aware of the tremendous pressure that you function under during your deliberations to do that which is right or that which is in the best interest of your constituents. I do not wish to add to that pressure. However, I would like to give you my input on the issue of the continued funding for the Vietnam Veterans Outreach Centers.

As you are certainly aware, there is presently a "Vietnam Veterans" sit-in at the Brentwood Veterans Administration Medical Facility. This sit-in is supposedly being conducted to dramatize the neglect of the Vietnam Veteran. The leading characters are easily recognized "activists" whose history in anti-military activities reach back to the campus anti-war demonstrations of late sixties . . . demonstrations that created the attitudes that caused the people to subdue their respect for those who served when their country called . . . demonstrations greatly assisted by the biased media coverage the activists were given.

These leading characters have made a living at the expense of unfortunate individuals who are easily taken in and then utilized to "perform" for the news media to create an image that "such and such" program is critically needed. Not needed within the structure of the existing system, but something special that only those creators of the problem can administer. Of course, those leaders will receive a nice salary for their efforts, and will also decide who will or will not be permitted to work in the program. This insures that some well meaning, sincere individual will not expose the true operation, and just what is really done.

Let me establish my credentials so that my concern for the Vietnam Veteran issue can be understood. The common media description of a Vietnam Veteran is that he is a "young veteran". Because of this image, I get overlooked because I am over fifty, gray haired, short and dumpy. I did, however, serve thirty-three (33) months engaged in

Vietnam. In fact, I had been deployed to Southeast Asia in 1962, and saw first hand the conflict developing in Siagon. I do not smoke, use drugs, drink beer or hard liquor, just some wine and champagne in moderation. I have more decorations and awards than most of my contemporaries. Decorations and awards accumulated over twenty-one years of service in the Navy and Marine Corps. Four of the decorations were awarded for service during World War II at an age when I was too young to join the Armed Forces. Most importantly, I will give anyone access to my military record as well as a copy of my DD 214. I would only hope that those who are leading and participating in the sit-in would do the same.

I am now, and have been for the past ten years, the President of the Armed Forces Retirees Association, California. I am a member of the California Department Commanders Veterans Council and serve as their Legislative Chairman. I possess a life membership in the National Association for Uniformed Services and the Veterans of Foreign Wars. I maintain memberships in the American Legion, Amvets, The Retired Officers Association, and the Marine Corps Aviation Association. I retired with zero percent disability so am not eligible for membership in the Disabled American Veterans to the best of my knowledge.

I attend various veterans meetings during each month of the year, and spend many hours assisting veterans in many ways. I have been told by the advocates of the Vietnam Veterans Outreach Centers that the Vietnam Veteran is fearful of the VA, and "the system," and will only respond when talking to his "peers"—another Vietnam Veteran. I remind them that I am a Vietnam Veteran—both North and South Vietnam—so why don't I meet these critically ill and deprived veterans. All I ever meet are those who are propagandizing the need for the Centers, and are employed in them.

I am as active as most volunteers who work without remuneration in the legitimate veterans community. I have a deep respect for my government, and a great deal of pride in the Armed Forces of this country as well as a sense of appreciation for all those who served in an honorable manner. I am sick and tired of being degraded by the leadership of the present fiasco as being a failure, spaced out on drugs, drowning in alcohol, or waiting to explode in a psycho episode. I am none of these, and neither are the thousands of Vietnam Veterans I know.

Don't tell me I'm lucky, because I will match the chronic complainers from my broken home in Appalachia through three wars to a successful position in a large, established corporation. I served where they served, went over just as they did, and rotated home on the same basis. I received no parades, and didn't want any. No one spat on me or called me "killer" or other derogatory names. Maybe it all depends on where one spends one's time. If you live in the gutter, then you should expect the dirt that goes with it.

Failures are failures as long as they reach for crutches and excuses. Vietnam was the excuse, and special programs are the crutches. You, as a representative of the people, must function as a mother does, and prepare the "chronic complainers" for the facts of life. The facts being that the Vietnam War has been officially over for six years, and for practical purposes, for ten years. It is time to face the fact that no one as badly off as those orchestrating the Brentwood sit-in say they are, could have suffered so

long without going to the VA for help. If they aren't sitting-in at Brentwood, I personally doubt the status and credentials of those who are sitting-in, and those who are manipulating the media to create an "event".

It was not my intent to write a lengthy letter, but I feel the time has come to challenge the con-artists using veterans as their front. The major organizations will not attack the "anti-establishment" Vietnam veterans because they do not wish to get embroiled in a contest that will only cause them to be painted as being anti-Vietnam Veteran. The Armed Forces Retirees Association does not have that fear. We are military professionals who will never have to take a back seat to any short time participant.

The membership of AFRAC consists of over 50 percent who are Vietnam Veterans. The future holds that every military retiree who retires anytime up to May 8, 1995 will be a bonafide Vietnam Era Veteran, therefore, we feel we have a parochial interest in Vietnam Veteran affairs.

It is respectfully requested that you consider the following recommendations when voting on the Veterans Administration funding:

(a) that the Vietnam Veterans Centers' funding be deleted, and those funds made available to the medical department of the VA; or

(b) that you propose an amendment to limit the users of the Veterans Centers to those who actually served in combat in Vietnam; or

(c) funding be authorized for a period of one year only.

There is much more I could say concerning my personal involvement with the "activists" we hear so much of on radio and television, but I'll save that for another time. I will appreciate your favorable consideration of the recommendations I have set forth, and I would appreciate a response from you.

You can truly assist the Vietnam Veteran by listening to the "silence" of the vast majority who have not joined in the carefully orchestrated sideshow. It tells it all.

Sincerely,

MICKEY R. CONROY,  
Major, USMC (retired),  
President, AFRAC.●

## THE CIGARETTE SAFETY ACT

HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. MOAKLEY. Mr. Speaker, last week the American Medical Association adopted a report expressing support for the concept embodied in the Cigarette Safety Act. I think it is important to note the growing concern people in the medical profession have for the destruction of human lives that occur in cigarette-related fires and that they have called on the Congress to address this serious problem. The text of the report follows:

REPORT OF THE BOARD OF TRUSTEES:  
CIGARETTE SAFETY ACT—RESOLUTION 72, I-80  
Resolution 72 (I-80), which was referred to the Board of Trustees, calls upon the Association to support a cigarette safety act



"to require persons who manufacture cigarettes or little cigars for sale or distribution in commerce to meet performance standards prescribed by the Consumer Product Safety Commission, and for other purposes."

The issue of self-extinguishing cigarette legislation has been before the House previously (Resolution 20 (I-79) and Board of Trustees Report G (A-80)). Resolution 20 called upon AMA to support H.R. 5504 (96th Congress). That bill would empower the Consumer Product Safety Commission to issue regulations establishing standards to ensure that ignited cigarettes and little cigars would self-extinguish if not smoked for a five-minute period. The Board recommended that Resolution 20 not be adopted and that the Association not endorse H.R. 5504 because the legislation was not specific on how cigarettes and little cigars are to be made self-extinguishing in five minutes. The report called for further research into self-extinguishing cigarettes.

The Council on Legislation has reviewed legislation introduced into the current Congress (S. 51 and H.R. 1854). These bills would authorize the Consumer Product Safety Commission to establish regulations that would set standards for cigarettes and little cigars so that they will have a "minimum capacity" for igniting upholstery and mattresses. The regulations would be based upon standards developed by the Commission based upon "objective studies, including studies conducted by the Bureau of Standards of the Department of Commerce." The regulations would be established through notice and comment rule-making with oral presentations being allowed. After promulgation of a final rule, adversely affected parties would have a right to file a petition for judicial review of the regulations. The bill stipulates that the process used to meet the performance standards cannot add additional toxic elements to the cigarette or little cigar.

H.R. 1854 differs from S. 51 in that it requires the Consumer Product Safety Commission to terminate the regulatory proceedings prior to the publication of a final rule if it finds that setting such a standard would be "technologically impractical or economically unreasonable." The Council received information that in 1979 fires started by cigarettes resulted in 2,300 deaths, 5,800 injuries, and \$210 million in property damage.

In its consideration of these bills the Council noted that they differed from the legislation considered in the 96th Congress. In the previous bills, the legislation called for cigarettes and little cigars to be made self-extinguishing during a five-minute period, if not smoked.

The Board believes that the incidence of smoking-related fires and the injury to smokers, as well as to innocent third parties caused when fire spreads to other apartments, hotel rooms, or buildings, could be significantly lessened if an economical and practical means were available to make cigarettes less likely to cause upholstery and mattress fires. However, the Board is concerned with implementation through the Consumer Product Safety Commission to develop the regulations. The Commission is now the center of legislative controversy and is slated for substantial reductions in its funding and staff.

The Board has approved the recommendation of the Council on Legislation expressing support for the concept embodied in S. 51 and H.R. 1854 that calls for objective studies and the development of regulations

requiring the manufacture, if feasible, of cigarettes with reduced capacity for causing fires.

The Board recommends that this report be adopted in lieu of Resolution 72.●

#### FRANK AND BILL MOORE—A TEAM FOR ALL SEASONS

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. LEWIS. Mr. Speaker, at the end of this month, the Redlands Daily Facts, a newspaper in my district, which has been owned and published by the same family for two generations will change hands. The entire community of Redlands will be holding a dinner to honor the two brothers who have run the paper since 1942 and I want to take this opportunity to join their many other friends and admirers in expressing my gratitude and appreciation to Frank and Bill Moore as they retire.

I could, of course, go on at great length about these two gentlemen's achievements over the past 40 years. Between the two of them, they have held almost every civic and community post available and have made monumental contributions both to the community and the surrounding area. However, rather than recite these accomplishments, I would prefer to share my personal recollection of each of them.

I first became aware of Bill Moore when only a neophyte to San Bernardino County politics. The public official I most admired was Stewart Hinckley—then running for reelection to the State assembly after a stint in Washington. I quickly learned that the man he most relied upon for advice and counsel when the going got rough in the chess game of public affairs and political decisionmaking was Bill Moore. The polished publisher of the Redlands Daily Facts was not only a successful businessman, but a tough and sophisticated strategist in one of the roughest businesses in the world. It has been to my great benefit and privilege that Bill has been a friend and adviser from the beginning. For that I will always be grateful.

On a "Moore" personal note, I will never forget the sparkle in his wife Jo's beautiful eyes as she first told me of her love for body surfing on our southland ocean waves. Oftentimes, the charm of a man's lady says more about character than any biography can.

Frank Moore is endless—the editor par excellence. When you think he can amaze you no more, there he is with another probing question that forces you to rethink all of your preconceived notions about a subject you had already put to rest. Frank is a

journalist—with all the positive qualities that reflect the very best of the fourth estate. He really cares about good journalism. He really cares about the importance of an accurate flow of information between what does go on out there and his reading public. He really cares about people.

A keen instinct for what is just, a penetrating intellect, a persistent probing style—Frank Moore has contributed more than he will ever know to my search for what is best in public affairs.

Mr. Speaker, I commend to my colleagues William C. and Frank E. Moore—a classic team in a classic American community—running what will always be remembered as a classic among American newspapers. Their contribution to Redlands will never be replaced and will never be forgotten.●

#### VOTING RIGHTS ACT

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 17, 1981

● Mr. HYDE. Mr. Speaker, when the House Judiciary Subcommittee on Civil and Constitutional Rights first began hearings on the Voting Rights Act extension this spring, I tried to retain an open mind. I must confess that I had, and still have, a decided bias with regard to treating some sovereign States of this Union in a different way than others are treated. Accordingly, I chose to introduce H.R. 3198, later followed by H.R. 3473, both of which were designed to shift the burden of proving a violation of the Voting Rights Act from the States who are accused of violating the law to the complainants who allege that the violation has occurred. It seemed to me then that the administrative process under section 5 of the act was, and still may be, subject to political abuse and manipulation. I felt much more comfortable with a judicial procedure which could ultimately guarantee the same remedy as section 5 could. What was important to me was that the remedy of preclearance would still be available in order to punish those jurisdictions which had acted in a fashion which had the purpose or effect of discriminating against minority voters.

During the course of the hearings, which will be concluded by the end of this month, it has become progressively clear to me that certain areas of this country have not aggressively sought to improve their electoral systems in a way which would permit minorities to become active participants. For these jurisdictions, perhaps administrative preclearance is the proper recourse, as much as it pains me to say so.

In addition it has become clear that the bailout provision now contained in

the law only serves as a disincentive to progressive change while locking in those jurisdictions which have honestly tried to improve conditions and which have abided by the law for nearly 17 years. Under the act, no political subdivision of a covered State may bail out until the State does. That practice smacks of revenge and cannot help but cause frustration and anger among those who want to do the right thing.

It is somewhat misleading to suggest that any part of the Voting Rights Act expires. Most of the act is totally permanent, while that portion which is subject to a term of years does not result in the expiration of section 5—administrative preclearance. What happens after 17 years is that jurisdictions covered in 1965 become eligible to apply for bailout. Under the provisions of section 4(a) a covered jurisdiction may not escape the administrative preclearance requirements of section 5.

Unless the U.S. District Court for the District of Columbia in an action for declaratory judgment brought by such State or subdivision against the United States has determined that no such test or device has been used during the 17 years preceding the filing of the action for the purpose or with the effect of denying or abridging the right to vote on account of race or color.

This means that under present law, on August 7, 1982, some of the jurisdictions now covered by section 5 will be eligible to file for a declaratory judgment in the U.S. District Court for the District of Columbia. Having filed, the United States, in the person of the Attorney General, may oppose bailout on the grounds that such jurisdiction or any part of it has used such a device at some time during the previous 17-year period.

The bill I am introducing today incorporates much of what was contained in those bills which have gone before it. Moreover, it reflects my acceptance of the fact that the guarantees of the 15th amendment supersede the intrusion on traditional federalism which administrative preclearance may make. The Supreme Court said as much in *Katzenbach* against South Carolina and, though witnesses before the subcommittee admit some constructive changes have taken place in the South, the need for such an extraordinary remedy still persists.

My bill would extend the administrative preclearance provisions, indefinitely, subject to the possibility that a covered jurisdiction may bail out effectively immediately. Bailout is not automatic and the test is far stricter than the act now requires. In my view, this change would strengthen the act, not weaken it, because it would provide incentives for jurisdictions to do more than simply maintain the status quo presently required under the 1965 act.

Under my proposal, a covered jurisdiction, no matter whether it is a State or political subdivision of a State, will be eligible to file for bailout immediately if it can satisfy four requirements to the satisfaction of a local Federal court. It must show that one, it has not discriminated by way of a test or device for 10 years preceding the filing of the action, two, that it has not had a substantial objection during that same 10-year period, and three, that it has submitted all proposals which it was legally obligated to submit.

By substantial, I mean not insignificant, and I would leave that definition to report language and to the interpretation of the appropriate Federal judge. By requiring a jurisdiction to submit a proposal which it is legally obligated to submit, I would take into account those issues which were, and are, legitimately under controversy. However, once the law becomes clear, a jurisdiction must submit or be ineligible for bailout.

My bill would also require a jurisdiction filing for bailout to satisfy one last requirement. It must convince a local Federal court that it has made constructive efforts to enhance minority participation in the electoral process. Examples of such efforts could include the lengthening of registration hours, the lengthening of voting hours, the creation of same-day registration, shifts from at-large to single-member districts, the elimination of reidentification procedures, and the like. This last provision is designed to encourage jurisdictions to reevaluate their existing practices with an eye toward making the electoral system more accessible to all eligible voters, particularly those, both black, white, and brown, who are now intimidated from exercising their right to vote by memories of past discrimination.

My bill also provides that the court granting bailout would retain jurisdiction for 5 years and that preclearance can be revived upon motion of the Attorney General or an aggrieved party should any backsliding occur.

I recognize that my newest proposal creates a bailout standard which is more difficult to meet than that which is in the current statute. However, the current statute does not even come into play at the earliest until 1982, and, if H.R. 3112 becomes law, until 1992.

I think we must, in fairness, recognize and encourage progress where it has occurred and provide an incentive for jurisdictions to change. Only when change truly comes will those who have been denied the vote in the past become active participants in the future.

#### SECTION-BY-SECTION ANALYSIS

Section 2. This section creates a prospective "effects" test in subsection 2 of the act. It retains the "intent" test for existing

voting standards and practices, thereby retaining the Supreme Court's interpretation as cited in *Mobile v. Bolden*. However, future changes nationwide will be judged by the effect they have on minority voters.

Section 3. This section amends section 3(c) of the existing act by permitting an aggrieved person or the Attorney General to institute a suit in a Federal court anywhere in the United States for the purpose of protecting the voting rights of minority voters. This section makes reference to a new section 12(g), also created by this bill, and provides that an action prevailing under section 12(g) shall mandate the use of judicial preclearance for "a period of not more than 4 years."

Section 4. This section amends section 4 (a) of the Voting Rights Act of 1965, by eliminating the prohibition against bailout for subdivisions of a covered state. This amendment effectively reverses the Supreme Court's holding in *City of Rome v. United States*, issued last spring, and creates the potential for State governments to be covered by the administrative preclearance provisions of section 5 while their political subdivisions are not.

Subparagraph 2 eliminates the 17-year prohibition against bailout by making a State or political subdivision immediately eligible if it can meet a four-pronged test. If the jurisdiction filing for bailout can convince a local Federal judge that it (1) has used no test or device for the purpose or effect of discriminating for 10 years, (2) has, during that 10-year period, made all the submissions to the Department of Justice which it is legally required to make, (3) the Attorney General has not successfully interposed any "substantial" objection with respect to any submission made during that 10-year period, and (4) has shown through its own efforts that it truly intends to incorporate the minority community in its electoral system.

It is intended that the use of the word "substantial" in the third requirement will mean any objection issued by the Department of Justice to a submission by the filing jurisdiction which, if approved, would have had a highly significant impact on minority voters. Furthermore, it is also intended that the filing jurisdiction is only required to submit those changes in its electoral laws which are not subject to legal controversy.

Subparagraph 3 eliminates the three-judge court for the District of Columbia as the forum for bailout petitions.

Subparagraph 4 permits the federal court granting bailout to retain jurisdiction for period of 5 years so that it might reopen the action, and possibly revoke its bailout order, upon motion of the Attorney General or any aggrieved party. The burden would be on the moving party to show that the State or political subdivision receiving bailout has participated in conduct following bailout which, had it taken place prior to bailout, would have precluded the issuance of a declaratory judgment.

Subparagraphs 5 and 6 are technical changes to the existing act.

Section 5. Section 5 adds a new section 12(g) to the existing act. Under this new section the Attorney General may bring an action in any Federal court maintaining that a "pattern or practice" of voting rights abuse of has taken place and, if he is sustained, implement mandatory preclearance supervised by a local Federal court.

This section also creates a new section 12(h) which permits the Attorney General



to intervene in any civil action which he certifies is of "general public importance."

Section 6. This section eliminates the use, in section 14(b), of the District of Columbia court and permits local Federal district courts to entertain the questions involving the Voting Rights Act.●

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, June 18, 1981, may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### JUNE 19

9:00 a.m.

Commerce, Science, and Transportation  
To resume hearings on S. 898, proposed Telecommunications Competition and Deregulation Act.

235 Russell Building

Foreign Relations

To continue open and closed hearings on the Israeli air strike in Iraq.

Room to be announced

Labor and Human Resources

Employment and Productivity Subcommittee

To continue hearings on employment and training programs in the United States, focusing on objectives of employment and training policy and the relationship between Federal, State and local governments in the funding, design and administration of employment and training programs.

4232 Dirksen Building

Select on Intelligence

To hold a closed briefing on intelligence matters.

Room S-407, Capitol

10:00 a.m.

Agriculture, Nutrition, and Forestry

Agricultural Research and General Legislation Subcommittee

To hold hearings on S. 1295, establishing a Soybean Research Institute for the development of a national soybean policy.

4221 Dirksen Building

Appropriations

Military Construction and Defense Subcommittees

To continue joint hearings to review proposed budget estimates for the MX missile program.

1223 Dirksen Building

Armed Services

\*Preparedness Subcommittee

To resume hearings on S. 906, authorizing funds for the acquisition of strategic and critical materials for the National Defense Stockpile, and S. 1338, prescribing the method for determining the quantity of any material to be stockpiled under the Strategic and Critical Materials Stock Piling Revision Act of 1979.

212 Russell Building

Commerce, Science, and Transportation

Merchant Marine Subcommittee

To hold hearings on proposed legislation to transfer the Maritime Administration from the Department of Commerce to the Department of Transportation.

6226 Dirksen Building

Environment and Public Works

Transportation Subcommittee

To resume hearings on S. 841 and S. 1024, bills authorizing funds through fiscal year 1986 for the construction and safety of Federal highways.

4200 Dirksen Building

Finance

Business meeting, to continue markup of the administration's tax reduction proposal.

2221 Dirksen Building

Judiciary

Criminal Law Subcommittee

To hold hearings on S. 691, strengthening the laws for the criminal infringement of a copyright involving the reproduction or distribution of phonorecords, motion pictures, or audiovisual works.

5110 Dirksen Building

2:00 p.m.

Finance

Business meeting, to continue markup of the administration's tax reduction proposal.

2221 Dirksen Building

Joint Economic

International Trade, Finance, and Security Economics Subcommittee

To hold hearings on United States-Japan economic relations.

2154 Rayburn Building

##### JUNE 22

9:00 a.m.

Commerce, Science, and Transportation

To hold hearings on the nominations of Joseph P. Welsch, of Virginia, to be Inspector General, Department of Transportation, Sherman M. Funk, of Maryland, to be Inspector General, Department of Commerce, and June G. Brown, of Virginia, to be Inspector General of the National Aeronautics and Space Administration.

235 Russell Building

9:30 a.m.

Judiciary

Constitution Subcommittee

To hold hearings to review certain Constitutional restraints upon the Judiciary.

2228 Dirksen Building

10:00 a.m.

Commerce, Science, and Transportation Communications Subcommittee

To hold oversight hearings on the role of the rural telecommunications system in America.

235 Russell Building

Environment and Public Works

To resume oversight hearings on the implementation of the Clean Air Act.

4200 Dirksen Building

1:30 p.m.

Environment and Public Works

Environmental Pollution Subcommittee

To resume oversight hearings on the implementation of the municipal wastewater treatment construction grants program of the Clean Water Act, and to hold hearings on S. 975, revising and extending for 1 year certain provisions of the Federal Water Pollution Control Act, and on other related proposals.

4200 Dirksen Building

##### JUNE 23

9:00 a.m.

Appropriations

Defense Subcommittee

To resume closed hearings on proposed budget estimates for fiscal year 1982 for the Defense Establishment, focusing on the Central Intelligence Agency.

Room S-406, Capitol

9:30 a.m.

Commerce, Science, and Transportation

To hold hearings on S. 49, S. 879, and S. 1151, bills extending the period of daylight savings time.

235 Russell Building

Labor and Human Resources

Aging, Family, and Human Services Subcommittee

To hold oversight hearings on the role of the Federal Government in family planning programs of title X of the Public Health Services Act.

6226 Dirksen Building

Labor and Human Resources

Labor Subcommittee

To resume hearings on S. 1182, improving the administration of the Longshoremen's and Harbor Workers' Compensation Act by removing certain inequities, reducing incentives for fraud and abuse, and assuring immediate compensation benefits and competent medical treatment for injured employees.

4232 Dirksen Building

10:00 a.m.

Environment and Public Works

To continue oversight hearings on the implementation of the Clean Air Act.

4200 Dirksen Building

Governmental Affairs

To resume hearings on S. 1080, improving and modifying the Federal regulatory process, and other related measures.

3302 Dirksen Building

Rules and Administration

Business meeting, to mark up Senate Resolution 20, providing for television and radio broadcasting of Senate Chamber proceedings, S. 778, authorizing additional funds to plan for the development of the area south of the original Smithsonian Institution Building (South Garden Quadrangle), Senate Resolution 146, providing for

the participation in the Senate youth program of the Department of Defense school system outside the United States, proposed legislation establishing a Senate Placement Office within the Office of the Sergeant at Arms, and other legislative and administrative business.

301 Russell Building

#### Select on Indian Affairs

To resume hearings on the substance of S. 1088, authorizing funds for fiscal years 1982 and 1983 to promote the goal of economic and social self-sufficiency for American Indians, and Hawaiian and Alaskan natives (pending on Senate Calendar).

1114 Dirksen Building

2:00 p.m.

#### Environment and Public Works

To hold hearings on the nomination of A. Alan Hill, of California, to be a member of the Council on Environmental Quality.

4200 Dirksen Building

#### Judiciary

To hold hearings on S. 326, prohibiting a refiner, other than an independent or small refiner, from operating a gas station in the United States.

2228 Dirksen Building

### JUNE 24

9:00 a.m.

#### Select on Intelligence

To hold a closed briefing on intelligence matters.

Room S-407, Capitol

9:30 a.m.

#### Commerce, Science, and Transportation

To hold hearings on the nomination of Michael J. Fenello, of Florida, to be Deputy Administrator of the Federal Aviation Administration.

357 Russell Building

#### Commerce, Science, and Transportation

To hold oversight hearings on the activities of the Department of Commerce in the areas of strategic minerals and materials.

235 Russell Building

#### Labor and Human Resources

Business meeting, to mark up S. 755, authorizing funds for fiscal year 1982 for Federal alcohol and drug abuse programs, S. 1085, authorizing funds for fiscal years 1982, 1983, and 1984 for the Head Start program, S. 1086, authorizing funds for fiscal years 1982, 1983, and 1984 for programs of the Older Americans Act, S. 1087, authorizing funds for fiscal years 1982 and 1983 for programs under the Domestic Volunteer Service Act, S. 1090, authorizing funds for fiscal years 1982, 1983, and 1984 for support services and research programs relating to adolescent pregnancy, and S. 1132, authorizing funds for fiscal year 1982 for direct services planning, advocacy, legal representation, research, demonstration, and special projects for the developmentally disabled.

4232 Dirksen Building

10:00 a.m.

#### Commerce, Science, and Transportation Consumer Subcommittee

To hold hearings on the needs of American consumers in the coming decade.

1318 Dirksen Building

#### Energy and Natural Resources

#### Public Lands and Reserved Water Subcommittee

To hold hearings on miscellaneous legislation relating to land conveyances,

studies, boundary changes, and exchanges, S. 146, S. 187, S. 188, S. 512, S. 634, S. 656, S. 763, S. 764, S. 794, and H.R. 618.

3110 Dirksen Building

#### Environment and Public Works

#### Environmental Pollution Subcommittee

To resume oversight hearings on the implementation of the municipal wastewater treatment construction grants program of the Clean Water Act, and to hold hearings on S. 975, revising and extending for 1 year certain provisions of the Federal Water Pollution Control Act, and on other related measures.

4200 Dirksen Building

#### Governmental Affairs

To hold oversight hearings on the Federal Government's firm making procedures.

3302 Dirksen Building

#### Governmental Affairs

#### Energy, Nuclear Proliferation, and Government Processes Subcommittee

To hold hearings on proposed legislation authorizing funds for programs of the Nuclear Non-Proliferation Act.

Room to be announced

#### Small Business

#### Advocacy and the Future of Small Business Subcommittee

To hold hearings on Government competition with small business.

424 Russell Building

2:00 p.m.

#### Environment and Public Works

To oversight hearings on the implementation of the Clean Air Act.

4200 Dirksen Building

#### Governmental Affairs

#### Intergovernmental Relations Subcommittee

To hold hearings on S. 1042, abolishing the Intergovernmental Personnel Act grant program.

3302 Dirksen Building

### JUNE 25

9:00 a.m.

#### Appropriations

#### Defense Subcommittee

To resume closed hearings on proposed budget estimates for fiscal year 1982 for the defense establishment, focusing on the National Security Agency.

Room S-406, Capitol

#### \*Veterans' Affairs

Business meeting, to mark up S. 917, increasing the rates of disability compensation for disabled veterans, and the rates of dependency and indemnity compensation for their survivors; S. 911, authorizing the payment of a special pension to the survivor of persons awarded the Medal of Honor; and S. 779 and S. 112, bills providing for memorials to honor the memory of certain deceased members of the Armed Forces; S. 266, implementing procedures and guidelines for the interagency sharing of health resources between the Department of Defense and the Veterans' Administration; Amendment No. 62, providing for greater coordination and sharing of the medical facilities of the Veterans' Administration and the Department of Defense, of S. 636, proposed Veterans' Administration Health Care Amendments; and S. 415 and S. 416, bills increasing the maximum amount of specially adaptive equipment assistance to certain service-connected disabled vet-

erans, and on other related proposals, including S. 915, S. 917, S. 1297, S. 1315, S. 1316, and S. 1317.

412 Russell Building

9:30 a.m.

#### Energy and Natural Resources

#### \*Energy and Mineral Resources Subcommittee

To hold hearings on S. 1073, authorizing an additional lands lease to the holder of an oil shale lease for purposes that the lessee demonstrates are necessary for such operation.

3110 Dirksen Building

10:00 a.m.

#### Commerce, Science, and Transportation

To hold hearings in conjunction with the National Ocean Policy Study on the substance of Senate Resolution 147, calling for a moratorium of indefinite duration on the commercial killing of whales.

235 Russell Building

#### Commerce, Science, and Transportation

#### Consumer Subcommittee

To continue hearings on the needs of American consumers in the coming decade.

1318 Dirksen Building

#### Environment and Public Works

To continue oversight hearings on the implementation of the Clean Air Act.

4200 Dirksen Building

#### Governmental Affairs

#### Energy, Nuclear Proliferation, and Government Processes Subcommittee

To continue hearings on proposed legislation authorizing funds for programs of the Nuclear Non-Proliferation Act.

Room to be announced

11:00 a.m.

#### Governmental Affairs

Business meeting, to mark up S. 10, providing for creation of a Commission to design a blueprint for improving governmental performance at the Federal level and throughout the intergovernmental system.

3302 Dirksen Building

#### Labor and Human Resources

#### Labor Subcommittee

Business meeting, to mark up S. 398, permitting certain employees to work a 10-hour day in the case of a 4-day workweek; S. 351, providing for the transfer of surface sand, stone, and gravel operations from jurisdiction under the Mine Safety and Health Administration to the Occupational Safety and Health Administration; and S. 496, eliminating the jurisdiction of the Mine Safety and Health Administration of independent construction contractors who are engaged by mine operators to build structures on the surface of a mine site.

4232 Dirksen Building

2:00 p.m.

#### Environment and Public Works

Business meeting, to consider pending nominations.

4200 Dirksen Building

### JUNE 26

9:30 a.m.

#### Finance

#### Taxation and Debt Management Subcommittee

To hold hearings on miscellaneous tax measures, S. 721, S. 791, S. 532, S. 979, and S. 169.

2221 Dirksen Building



## JULY 7

9:30 a.m.  
Commerce, Science, and Transportation  
\*Aviation Subcommittee  
To hold hearings on proposed legislation to provide for an early phaseout of the Civil Aeronautics Board.

235 Russell Building

Labor and Human Resources  
Aging, Family and Human Services Subcommittee.

To hold hearings on the primary intervention in addressing societal problems.

4232 Dirksen Building

Small Business

Innovation and Technology Subcommittee  
To resume hearings on S. 881, to stimulate technological innovation and to increase economic productivity by using small businesses more effectively in Federal research and development programs.

424 Russell Building

## JULY 8

9:30 a.m.  
Commerce, Science, and Transportation  
Aviation Subcommittee  
To continue hearings on proposed legislation to provide for an early phaseout of the Civil Aeronautics Board.

235 Russell Building

Small Business

Innovation and Technology Subcommittee  
To continue hearings on S. 881, to stimulate technological innovation and to increase economic productivity by using businesses more effectively in Federal research and development programs.

424 Russell Building

10:00 a.m.  
Banking, Housing, and Urban Affairs  
International Finance and Monetary Policy Subcommittee  
To hold joint oversight hearings with Finance's Subcommittee on International Trade on U.S. trade policy.

2221 Dirksen Building

Energy and Natural Resources

\*Energy and Mineral Resources Subcommittee  
To hold hearings on S. 859, providing for uniform treatment of certain receipts under the Mineral Leasing laws.

3110 Dirksen Building

Finance

International Trade Subcommittee  
To hold joint oversight hearings with Banking, Housing, and Urban Affairs Subcommittee on International Finance and Monetary Policy on U.S. trade policy.

2221 Dirksen Building

## JULY 9

9:00 a.m.  
\*Veterans' Affairs  
To hold hearings on the prospective nomination of Robert P. Nimmo, of California, to be Administrator of the Veterans' Administration.

412 Russell Building

9:30 a.m.  
\*Commerce, Science, and Transportation  
\*Aviation Subcommittee  
To continue hearings on proposed legislation to provide for an early phaseout of the Civil Aeronautics Board.

5110 Dirksen Building

10:00 a.m.

Veterans' Affairs

To hold hearings on the prospective nomination of Allan B. Clark, Jr., of

Texas, to be Deputy Administrator of the Veterans' Administration.

412 Russell Building

11:00 a.m.

Veterans' Affairs

To hold hearings on the nomination of Frank S. Sato, of Virginia, to be Inspector General, Veterans' Administration.

412 Russell Building

## JULY 14

9:30 a.m.

Small Business

To hold hearings on small businesses' participation in the production element of the defense sector.

424 Russell Building

Select on Ethics

To hold hearings on matters involving Senator Williams.

6226 Dirksen Building

2:00 p.m.

Select on Ethics

To continue hearings on matters involving Senator Williams.

6226 Dirksen Building

## JULY 15

9:30 a.m.

\*Veterans' Affairs

To hold oversight hearings on procedures for the adjudication of certain claims, and to hold hearings on S. 349, providing for limited judicial review of the administrative action of the Veterans' Administration, and for reasonable fees to attorneys representing legal counsel for veterans.

412 Russell Building

Select on Ethics

To continue hearings on matters involving Senator Williams.

6226 Dirksen Building

10:00 a.m.

Energy and Natural Resources

Energy Conservation and Supply Subcommittee

To hold hearings on S. 1166, to provide grants to States for low-income weatherization assistance programs.

3110 Dirksen Building

2:00 p.m.

Select on Ethics

To continue hearings on matters involving Senator Williams.

6226 Dirksen Building

## JULY 16

9:30 a.m.

\*Veterans' Affairs

To continue oversight hearings on procedures for the adjudication of certain claims, and to hold hearings on S. 349, providing for limited judicial review of the administrative action of the Veterans' Administration, and for reasonable fees to attorneys representing legal counsel for veterans.

412 Russell Building

Select on Ethics

To continue hearings on matters involving Senator Williams.

6226 Dirksen Building

2:00 p.m.

Select on Ethics

To continue hearings on matters involving Senator Williams.

6226 Dirksen Building

## JULY 17

9:30 a.m.

Select on Ethics

To continue hearings on matters involving Senator Williams.

6226 Dirksen Building

2:00 p.m.

Select on Ethics

To continue hearings on matters involving Senator Williams.

6226 Dirksen Building

## JULY 20

9:30 a.m.

Select on Ethics

To resume hearings on matters involving Senator Williams.

6226 Dirksen Building

2:00 p.m.

Select on Ethics

To continue hearings on matters involving Senator Williams.

6226 Dirksen Building

## JULY 21

9:30 a.m.

Select on Ethics

To continue hearings on matters involving Senator Williams.

6226 Dirksen Building

2:00 p.m.

Select on Ethics

To continue hearings on matters involving Senator Williams.

6226 Dirksen Building

## JULY 22

9:30 a.m.

Veterans' Affairs

To hold hearings on S. 5, S. 7, S. 25, S. 26, S. 48, S. 105, S. 248, S. 417, and S. 742, bills providing educational assistance to members of the Armed Forces.

412 Russell Building

Select on Ethics

To continue hearings on matters involving Senator Williams.

6226 Dirksen Building

10:00 a.m.

Energy and Natural Resources

Energy Conservation and Supply Subcommittee

To hold hearings on S. 506, reinstating and validating certain numbered U.S. oil and gas leases.

3110 Dirksen Building

2:00 p.m.

Select on Ethics

To continue hearings on matters involving Senator Williams.

6226 Dirksen Building

## JULY 23

9:30 a.m.

\*Veterans' Affairs

To continue hearings on S. 5, S. 7, S. 25, S. 26, S. 48, S. 105, S. 248, S. 417, and S. 742, bills providing educational assistance to members of the Armed Forces.

412 Russell Building

Select on Ethics

To continue hearings on matters involving Senator Williams.

6226 Dirksen Building

2:00 p.m.

Select on Ethics

To continue hearings on matters involving Senator Williams.

6226 Dirksen Building

## EXTENSIONS OF REMARKS

June 17, 1981

JULY 24

9:30 a.m.  
Select on Ethics  
To continue hearings on matters involving Senator Williams.  
6226 Dirksen Building

2:00 p.m.  
Select on Ethics  
To continue hearings on matters involving Senator Williams.  
6226 Dirksen Building

JULY 27

9:30 a.m.  
Select on Ethics  
To resume hearings on matters involving Senator Williams.  
6226 Dirksen Building

2:00 p.m.  
Select on Ethics  
To resume hearings on matters involving Senator Williams.  
6226 Dirksen Building

JULY 28

9:30 a.m.  
Labor and Human Resources  
Aging, Family and Human Services Subcommittee  
To hold hearings on adoption services in the United States.  
4232 Dirksen Building

Select on Ethics  
To continue hearings on matters involving Senator Williams.  
6226 Dirksen Building

2:00 p.m.  
Select on Ethics  
To continue hearings on matters involving Senator Williams.  
6226 Dirksen Building

JULY 29

9:30 a.m.  
\*Veterans' Affairs  
Business meeting to mark up S. 349, providing for limited judicial review of the administrative action of the Veterans' Administration, and for reasonable fees to attorneys representing legal counsel for veterans.  
412 Russell Building

Select on Ethics  
To continue hearings on matters involving Senator Williams.  
6226 Dirksen Building

2:00 p.m.  
Select on Ethics  
To continue hearings on matters involving Senator Williams.  
6226 Dirksen Building

JULY 30

9:30 a.m.  
Select on Ethics  
To continue hearings on matters involving Senator Williams.  
6226 Dirksen Building

2:00 p.m.  
Select on Ethics  
To continue hearings on matters involving Senator Williams.  
6226 Dirksen Building

JULY 31

9:30 a.m.  
Select on Ethics  
To continue hearings on matters involving Senator Williams.  
6226 Dirksen Building

2:00 p.m.  
Select on Ethics  
To continue hearings on matters involving Senator Williams.  
6226 Dirksen Building

SEPTEMBER 16

9:30 a.m.  
\*Veterans' Affairs  
Business meeting to mark up S. 5, S. 7, S. 25, S. 26, S. 48, S. 105, S. 248, S. 417, and S. 742, bills providing educational assistance to members of the Armed Forces.  
412 Russell Building

SEPTEMBER 22

11:00 a.m.  
\*Veterans' Affairs  
To hold hearings on fiscal year 1982 legislative recommendations of the American Legion.  
318 Russell Building

## CANCELLATIONS

JUNE 18

9:30 a.m.  
Labor and Human Resources  
Education, Arts and Humanities Subcommittee  
To continue hearings on S. 1103, authorizing funds through fiscal year 1986 for elementary and secondary education programs, and providing educational support at the State and local level.  
5110 Dirksen Building

JUNE 24

10:00 a.m.  
Labor and Human Resources  
Education, Arts and Humanities Subcommittee  
To resume hearings on S. 1103, authorizing funds through fiscal year 1986 for elementary and secondary education programs, and providing educational support at the State and local level.  
4232 Dirksen Building