

## SENATE—March 29, 1982

(Legislative day of Monday, February 22, 1982)

The Senate met at 12 noon, on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

## PRAYER

The Chaplain, the Reverend Richard C. Halverson, LL.D., D.D., offered the following prayer:

Let us pray.

Lord God of light and life, loving Heavenly Father, "who giveth to all life and breath and all things," we thank Thee for spring. We thank Thee for sunshine bringing light and warmth, for the reminder of resurrection and new life all around us. We thank Thee for fragrant air, for light breezes that caress, for budding trees and bursting flowers, for the joyful, harmonious bird songs, for the awakening of earth from its winter slumber.

Forgive us for ever taking for granted such enormous blessing simply because it is so predictable, so dependable, so familiar. Help us never to allow familiarity with common blessings to breed contempt in us. Help us to be grateful and to see in spring the life which Thou dost promise to those who respond, as does nature, to Thy perfect law. Help those who are lawmakers, of all people, to respect the laws by which Thou dost govern the universe. May we never ignore those laws without which there could be no science, no morality, no justice, nothing predictable or dependable in history. Above all may we honor the law of love which comprehends all law. In the name of Him who is Life and Light and Love. Amen.

## RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

## THE JOURNAL

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

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

## THE GIFT OUTRIGHT

Mr. BAKER. Mr. President, this week's poem, "The Gift Outright," has received much attention and praise since it was authored by Robert Frost. I ask unanimous consent that the

poem be printed in the RECORD, with a special dedication of the last line to a remarkable young woman who celebrated her 26th birthday last Friday.

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

## THE GIFT OUTRIGHT

The land was ours before we were the land's.

She was our land more than a hundred years

Before we were her people. She was ours  
In Massachusetts, in Virginia;

But we were England's, still colonials,  
Possessing what we still were unpossessed

by,  
Possessed by what we now no more possessed.

Something we were withholding made us weak

Until we found out that it was ourselves  
We were withholding from our land of living,

And forthwith found salvation in surrender.  
Such as we were we gave ourselves outright  
(The deed of gift was many deeds of war)

To the land vaguely realizing westward,  
But still unstoried, artless, unenhanced,  
Such as she was, such as she would become.

## ORDER FOR PERIOD FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that, following the recognition of the two leaders under the standing order, there be a period for the transaction of routine morning business to extend not more than 1 hour in length, with Senators permitted to speak therein for not more than 10 minutes each.

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

## APPOINTMENT OF MEMBERS TO SELECT COMMITTEE

Mr. BAKER. Mr. President, last week, the Senate adopted a resolution providing for a select committee to inquire into the facts relating to the targeting and investigative techniques utilized in the Abscam operation and undercover law enforcement operations by the Department of Justice. That resolution provides for the nomination of Members by the distinguished minority leader and myself to the Vice President for appointment to that committee. Mr. President, I now nominate as Members to serve on that committee from this side of the aisle the distinguished Senator from Maryland (Mr. MATHIAS), to be chairman; the distinguished Senator from Idaho (Mr. McCURE), to be a member; the

distinguished Senator from Wyoming (Mr. SIMPSON), to be a member; and the distinguished Senator from New Hampshire (Mr. RUDMAN), to be a member.

Mr. President, I yield to the distinguished minority leader.

The PRESIDING OFFICER (Mr. HATCH). The minority leader is recognized.

Mr. ROBERT C. BYRD. Mr. President, I thank the distinguished majority leader for yielding. There are four Members on this side of the aisle whose names I have presented. They are Senators INOUE, HUDDLESTON, DeCONCINI, and LEAHY.

Mr. BAKER. Mr. President, I hope that, in a moment, the Chair, on behalf of the Vice President, will be in a position to make the appointments on the basis of the nominations submitted.

## APPOINTMENT BY THE VICE PRESIDENT

(Later the following occurred:)

The PRESIDING OFFICER. The Chair on behalf of the Vice President appoints Messrs. MATHIAS, SIMPSON, McCURE, RUDMAN, INOUE, LEAHY, DeCONCINI, and HUDDLESTON to the select committee established by Senate Resolution 350, the Select Committee to Study Law Enforcement Undercover Activities of Components of the Department of Justice.

## ORDER FOR RECESS TODAY UNTIL 9:30 A.M. TOMORROW

Mr. BAKER. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in recess until the hour of 9:30 a.m. tomorrow.

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

## ORDER OF PROCEDURE TODAY

Mr. BAKER. Mr. President, today, it is anticipated that the Senate will begin consideration of the continuing resolution. It is not anticipated that the matter will be finished today. Indeed, I do not expect any work to be done on that measure other than opening statements.

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

Mr. BAKER. Yes, Mr. President, I yield to the distinguished minority leader.

Mr. ROBERT C. BYRD. Mr. President, I believe it was the understanding on this side of the aisle that no amendments would be offered at the desk.

Mr. BAKER. Mr. President, that is the understanding and I do not contemplate that any business will be considered beyond opening statements or general statements Members may wish to make on the resolution itself. If there are amendments to the resolution, and I persist in the hope that there will not be, if there are any to be offered, it is the intent of the leadership to propose that they be considered on tomorrow rather than today.

Mr. ROBERT C. BYRD. Mr. President, it was the understanding that there would be no amendments on this side of the aisle. It is our understanding that there would be no amendments offered today. I join the majority leader in stating that I hope we shall stand by that understanding.

Mr. BAKER. We shall stand by that understanding. That was my understanding and there will be no amendments considered in the Senate today. Today, however, is 1 of the 3 days we have for consideration of the resolution before the resolution presently in effect expires, so I urge that there be not only the opening statements by the managers of the resolution, but also that Senators who have general statements to make may consider doing that today as well. Amendments will not be offered and will not be debated until tomorrow.

#### ORDER FOR CONSIDERATION OF S. 1207 TOMORROW

Mr. BAKER. Mr. President, under an order previously entered, during the day tomorrow, the Senate will resume consideration of the Nuclear Regulatory Commission Authorization Act, S. 1207. Three amendments will be considered on that measure. Mr. President, I believe there is an order in place dealing with those amendments, is there not?

The PRESIDING OFFICER. The Senator is correct.

Mr. BAKER. Will the Chair please state the provisions of that order?

The PRESIDING OFFICER. There are three amendments in order; one offered by the Senator from Colorado (Mr. HART), on which there shall be 1 hour; one offered by the Senators from New Mexico and Wyoming (Mr. DOMENICI and Mr. SIMPSON), on which there shall be 30 minutes; and one offered by the Senator from Pennsylvania (Mr. HEINZ), on which there shall be 30 minutes.

Mr. BAKER. Mr. President, I previously asked the Senate and the Senate has agreed to convene in the morning at 9:30. I ask unanimous consent that at 10 a.m. on tomorrow, the Senate resume consideration of S. 1207 under

the provisions of the order just referred to.

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

Mr. BAKER. Mr. President, it appears that under the order previously entered, the debate on the three amendments which are the only amendments in order can be concluded by noon—no later than 12:30.

Mr. President, it also appears desirable to ask the Senate to consider stacking of votes on those amendments until after 2 p.m.

Mr. ROBERT C. BYRD. Mr. President, I think that probably is desirable. I should like to make sure I have full clearance, and I will get back to the majority leader.

Mr. BAKER. Very well. I will not put the request at this time, but may I advise my friend, the minority leader, that what I am trying to design is to finish the debate on NRC before noon, to recess so that Members may participate in their respective party caucuses off the floor between 12 and 2, to resume consideration of NRC at 2 o'clock, solely for the purpose of voting on any amendments that may have been ordered by rollcall, to have passage, and then to proceed, Mr. President, to resume consideration of the continuing resolution.

Mr. ROBERT C. BYRD. Mr. President, I feel that it will probably be desirable on this side, but I should like to touch another base, and then I will be back in touch with the majority leader.

Mr. BAKER. I will withhold making the request then until I hear from the minority leader, but Senators should be aware that that is the general plan for tomorrow. Assuming that that can be cleared on both sides, I will make that request a little later.

#### POSSIBILITY OF LATE SESSIONS

Mr. BAKER. Mr. President, as I indicated on Thursday last, it is entirely possible that the Senate will be in session late this week in order to complete consideration of the continuing resolution. I do not anticipate that the Senate will be in late tonight, but I do anticipate, I predict, and I urge Senators to take account of the almost certain prospect of a late session on Tuesday night.

It is the hope of the leadership on this side that we can finish the continuing resolution on Tuesday and not wait until Wednesday, the day on which the resolution expires by its terms.

So Senators should be on notice that while Monday night will not be a late evening, Tuesday and Wednesday night almost surely will be late, if that is necessary, to accomplish passage of these measures.

#### THE EXECUTIVE CALENDAR

Mr. BAKER. Mr. President, there are certain items on the Executive Calendar which are cleared on this side for consideration, and after conferring informally with the minority leader, I understand there may be nominations that he is in a position to clear as well. Might that be the case?

Mr. ROBERT C. BYRD. Mr. President, the minority is ready to proceed with all the nominations on the Executive Calendar.

I ask unanimous consent that if and when the distinguished majority leader proceeds with the nominations, a statement by Mr. NUNN in connection with the confirmation of James C. Sanders, to be Administrator of the Small Business Administration, be inserted in the RECORD at the time that nomination is voted on or approved under the unanimous-consent request.

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

Mr. BAKER. Mr. President, I thank the minority leader. He puts me in the somewhat awkward position of having cleared more of the President's nominations than I am prepared to clear on this side of the aisle.

Mr. ROBERT C. BYRD. We are trying to help the President all we can.

Mr. BAKER. I know you are, and I am sure the President is grateful for that and is reassured of those prospects in the future on other issues.

Mr. ROBERT C. BYRD. I would not want to look too far into the future.

Mr. BAKER. Does the minority leader feel that I have overstated the case at this point?

Mr. ROBERT C. BYRD. I would not say that.

#### EXECUTIVE SESSION

Mr. BAKER. Mr. President, I ask unanimous consent that the Senate go into executive session for the purpose of considering the following nominations: Calendar Order No. 680 on page 2 of the Executive Calendar, Calendar Order No. 681 on page 2, Calendar Order No. 684 through 686, inclusive, and all of those nominations placed on the Secretary's desk in the Army, Marine Corps, and Navy.

There being no objection, the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. The nominations will be stated.

Mr. BAKER. Mr. President, I ask unanimous consent that the nominations referred to be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

The nominations considered and confirmed en bloc are as follows:



## DEPARTMENT OF STATE

Herman W. Nickel, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of South Africa.

## U.S. ARMS CONTROL AND DISARMAMENT AGENCY

James L. George, of Maryland, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency, vice Charles N. Van Doren, resigned.

## MARINE CORPS

The following named colonel of the Marine Corps Reserve for promotion to the grade of brigadier general, pursuant to title 10, United States Code, section 5902 and 5912, subject to qualification therefor as provided by law:

Charles S. Bishop, Jr.

## NAVY

The following named rear admirals of the Reserve of the U.S. Navy for permanent promotion to the grade of rear admiral in the line and staff corps, as indicated, pursuant to the provisions of title 10, United States Code, section 5912:

## LINE

Lemuel Owings Warfield.  
Russell William Gorman.  
Joseph Francis Callo, Jr.  
Raymond Roger Couture.  
James Burnett Reap.  
John Rodney Grubb.  
LeRoy Vincent Isaacson.  
Vincent Joseph Anzillotti, Jr.  
Francis Neale Smith.  
George Clark Sayer.

## MEDICAL CORPS

John Francis Kurtzke.  
John Peter Connelly.

## SUPPLY CORPS

Thomas Gerald Lilly.  
Delbert Harry Beumer.

## CHAPLAIN CORPS

Emmett Owen Floyd.

## CIVIL ENGINEER CORPS

Thomas Smothers Maddock.

## DENTAL CORPS

William Harris Molle.

## SMALL BUSINESS ADMINISTRATION

James C. Sanders, of California to be Administrator of the Small Business Administration, vice Michael Cardenas, resigned.

## NOMINATIONS PLACED ON THE SECRETARY'S DESK IN THE ARMY, MARINE CORPS, AND NAVY

Army nominations beginning Gene P. Abel, to be colonel, and ending Harold D. Thompson, to be colonel, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 4, 1982.

Army nominations beginning David L. Edwards, to be lieutenant colonel, and ending Stephen A. Spaulding, to be first lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 4, 1982.

Army nominations beginning Jerry W. Adcock, to be lieutenant colonel, and ending Michael T. Baksic, to be captain, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 4, 1982.

Army nominations beginning Jeffery F. Addicott, to be captain, and ending Daniel V. Wright, to be captain, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 17, 1982.

Marine Corps nominations beginning Kenneth W. Montgomery, to be second lieutenant, and ending Stanley S. Steinbach, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 4, 1982.

Marine Corps nominations beginning Emily L. Baker, to be second lieutenant, and ending Derle G. Hagwood, Jr., to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 17, 1982.

Marine Corps nominations beginning Louis P. Abraham, to be second lieutenant, and ending Robert J. Cox, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 17, 1982.

Navy nominations beginning Timothy S. Farwell, to be ensign, and ending Don Sherman, to be commander, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 1, 1982.

Navy nominations beginning Sidney Martin Blair, to be captain, and ending Jacquelyn Sue Wills, to be captain, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 11, 1982.

Navy nominations beginning William Charles Abbruzzese, to be lieutenant, and ending Samuel Sidney Williams, to be lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 11, 1982.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the nominations were considered and confirmed en bloc.

Mr. ROBERT C. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, I ask unanimous consent that the President be immediately notified that the Senate has given its consent in these matters.

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

## THE CONFIRMATION OF JAMES SANDERS TO BE ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION

Mr. NUNN. Mr. President, I am pleased to support the nomination of James Sanders to be Administrator of the Small Business Administration. I have reviewed his financial disclosure forms and the background security checks. Both of these appear to be in order. I have had several occasions to discuss his views on the roles and responsibilities of the agency and his intentions for it.

His background and experience in managing a large insurance firm are positive attributes that he brings to the difficult job of Administrator. In addition, his testimony before the Senate Small Business Committee during his confirmation hearings indicates that the time he has served as Associate Administrator for Management Assistance in SBA will serve him well as Administrator, should he be confirmed.

Mr. President, the Small Business Administration is again at a cross-

roads. There are increasing rumors of administration interests in substantially trimming the agency's programmatic functions; budget reductions have been proposed and projected which, if sustained, could seriously undermine the capability of the agency to respond to legitimate needs of the small business community.

As a focal point for many in the small business community, the Senate Small Business Committee has a responsibility to insure that the Administrator of SBA is of the highest caliber. I believe Jim Sanders is such an individual.

## CONFIRMATION OF THE NOMINATION OF JAMES C. SANDERS, TO BE ADMINISTRATOR OF THE SBA

Mr. WEICKER. Mr. President, as chairman of the Senate Small Business Committee, I offer my strong support and endorsement of James C. Sanders, whose nomination as Administrator of the Small Business Administration has been confirmed by the Senate.

On March 9, 1982, the full committee held a hearing on Mr. Sanders' nomination. After a full and complete hearing and a careful review of the nominee's financial disclosure statements and the investigative report on his background, the full committee again met on March 25 and unanimously voted to report the nomination to the Senate.

Let me say at the outset that these are hard times for small business. Money is scarce, credit is scarce, and the cost of just about everything is up. The result is that we are now seeing bankruptcies among businesses at their highest level in 40 years.

Now more than ever, small business needs a strong, effective advocate in this administration; someone who can bring the small business viewpoint to the fore of the policymaking process in this country. In my opinion, that advocate can and should be the Administrator of the Small Business Administration.

It is unfortunate that the Small Business Administration has also come on hard times of late. Since late January, with budget cuts looming and the economic situation growing worse by the day, the agency has gone without a permanent Administrator.

The fact is that in the past, the agency—and indeed the small business community which it serves—has simply had a caretaker, when what it needs is a fighter.

The agency is in need of reform. The Small Business Committee over the last year and a half has made oversight of SBA a top priority. While the committee has often been critical of the agency, it has been constructive criticism.

Yes, frustration has been expressed. But it is frustration caused by the realization that the agency's potential

and goals are not being realized. It is frustration caused by the fact that this agency is needed now more than ever—to assist this vital sector of the economy which symbolizes the American experience.

The job Mr. Sanders is being asked to do is not an easy one.

Certainly, the challenges for the new Administrator will be great. But, after meeting with Mr. Sanders and reviewing his qualifications and background, and listening carefully to his testimony at the committee's hearing to consider his nomination, I am confident that he will be able to meet those challenges.

In testimony before the Senate Small Business Committee, Mr. Sanders expressed many of the same concerns about SBA and the needs of the small business community that I have just outlined. As cofounder of his own small insurance agency which later merged with a nationally known insurance brokerage firm of which he became the chief executive officer, Mr. Sanders brings to the agency a wealth of firsthand knowledge about business in general and small business problems in particular.

In our hearing, Mr. Sanders expressed his commitment to maintaining an independent SBA that effectively serves the needs of the small business community. He pledged his energies to insuring that the voice of small business will be heard through his advocacy and leadership in the halls of the administration's policy-makers.

In our hearing, Mr. Sanders also expressed a desire and a willingness to work closely with the Small Business Committee in an effort to jointly address the many problems facing our Nation's small businesses. He has pledged to remain accessible to us, and to assist us wherever he can when questions concerning his agency arise. I welcome this cooperation and regard it as an encouraging sign for the small business community.

As the present Associate Administrator for Management Assistance of the Small Business Administration, Mr. Sanders is already familiar with many of the programs at the agency. This agency background should prove extremely helpful in providing a smooth and rapid transition period with a minimum disruption in agency operations. In addition, Mr. Sanders' private sector management experience along with his recent Government tenure, will be invaluable in understanding the problems and needs of the small business community.

I look forward to working with Mr. Sanders in reshaping the Small Business Administration. I am pleased that the Senate has acted quickly and affirmatively on his nomination.●

#### LEGISLATIVE BUSINESS

Mr. BAKER. Mr. President, I ask now that the Senate return to legislative session.

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

#### ORDER OF PROCEDURE

Mr. BAKER. Mr. President, I advise my friend, the distinguished acting minority leader, that I am prepared to yield the remainder of my time, if any, under the standing order.

I am advised as well that the distinguished minority leader may wish to reserve his time under the order until later in the day.

Mr. MELCHER. That is correct, I might say to the distinguished majority leader.

Mr. BAKER. Mr. President, I thank the acting minority leader. I ask unanimous consent that any time I have remaining under the standing order and the time of the minority leader under the standing order may be aggregated and reserved for his use at any time during the course of this calendar day.

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

#### ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for morning business.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### LIMITATION ON JURISDICTION OF THE SUPREME COURT

Mr. SPECTER. Mr. President, today I wish to address the current efforts being made to limit the jurisdiction of the Supreme Court of the United States.

On March 2, by a vote of 57 to 37, the Senate passed legislation which limits the jurisdiction of the Supreme Court of the United States to deal with the issue of busing. While I concur that busing has been a failure in the United States, it is my view that the underlying issue of limitation of jurisdiction of the Supreme Court of the United States poses a clear and present danger to constitutional government in this country.

If the jurisdiction of the Supreme Court can be limited on busing, then the jurisdiction of the Court can equally be limited on fundamental first amendment rights, such as free-

dom of speech, freedom of religion, and freedom of the press.

It is my belief that if the American people understand the challenge to constitutional government in the United States, the people of this country will reject any effort to limit the jurisdiction of the courts, no matter how strongly they may feel on any single issue or combination of issues.

On Friday of last week, March 26, 1982, I received a letter, as I believe other members of the Judiciary Committee did, from four former Attorneys General and three former Solicitors General addressing this issue in very cogent terms. I ask unanimous consent that the text of that letter be printed in the RECORD.

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

Senator ARLEN SPECTER,  
Russell Senate Office Building,  
Washington, D.C.

DEAR SENATOR SPECTER: We hold varying views on the Supreme Court's decisions in many areas of constitutional law, but on two matters we are unanimous. The first of these is that the Supreme Court was wholly correct in deciding in *Brown v. Board of Education* that "in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal" 347 U.S. 483, 495. The second view which we all share is that Congress is not empowered by the Constitution selectively to restrict the jurisdiction of the federal courts to prevent them from enforcing *Brown* in full measure.

Because we hold these beliefs in common, we oppose S. 1760 and S. 1647. Both of those bills deprive the inferior federal courts of jurisdiction to issue orders essential to the carrying out of the *Brown* mandate, namely, orders requiring the assignment or transportation of public school students. Not only do they do so prospectively but by causing the reopening and truncating of orders in long-concluded lawsuits they would truly reverse the course on which *Brown* set this Nation. These bills would exercise power which we believe the Congress does not possess.

Sincerely yours,

NICHOLAS DEB KATZENBACH,  
Attorney General (1965-66).

RAMSEY CLARK,  
Attorney General (1967-69).

ELLIOT L. RICHARDSON,  
Attorney General (1973).

BENJAMIN R. CIVILETTI,  
Attorney General (1979-81).

J. LEE RANKIN,  
Solicitor General (1956-61).

ERWIN N. GRISWOLD,  
Solicitor General (1967-73).

WADE MCCREE,  
Solicitor General (1977-81).

Mr. SPECTER. Mr. President, earlier this month, I received a letter from the distinguished chancellor of the Philadelphia Bar Association, Robert C. Daniels, enclosing a resolution of the Philadelphia Bar Association, passed by its board of governors on February 25, 1982, declaring its opposition to and condemning any efforts on the part of the U.S. Congress to cur-



tail the jurisdiction of the Supreme Court or lower Federal courts for the purpose of effecting changes in constitutional law.

I ask unanimous consent that the text of that resolution be printed in the RECORD.

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

**RESOLUTION OF THE PHILADELPHIA BAR ASSOCIATION**

Whereas, there are presently in Congress more than 30 bills which would limit the jurisdiction of the Federal courts or restrict their power to grant relief in certain types of cases; and

Whereas, the passage of such legislation would interfere with the fundamental responsibility of the federal judiciary to interpret and enforce the provisions of the United States Constitution and would effectively circumvent the amendment procedures in the Constitution;

Now therefore, it is hereby resolved as follows:

1. The Philadelphia Bar Association hereby declares its opposition to and condemns any efforts on the part of the United States Congress to curtail the jurisdiction of the Supreme Court or the lower federal courts for the purpose of affecting changes in constitutional law.

2. The Philadelphia Bar Association hereby declares its opposition to and condemns any efforts on the part of the United States Congress, for the purpose of affecting changes in constitutional law, to limit the remedies available to the Supreme Court or the lower federal courts.

3. The Philadelphia Bar Association hereby declares its opposition to and condemns any efforts on the part of the United States Congress to circumvent the constitutional safeguards provided by the amendment procedures set forth in the United States Constitution.

Mr. SPECTER. Mr. President, I make these comments and offer the letter from the former Attorneys General and Solicitors General, together with the resolution from the Philadelphia Bar Association, because of my view that it is important to focus public attention on current efforts to limit the jurisdiction of the Supreme Court of the United States, so that the matter may be debated fully and openly when further legislative initiatives are presented to this body, as I believe they will be in the course of the current session.

**QUORUM CALL**

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

**HENRY KISSINGER**

Mr. MOYNIHAN. Mr. President, many Americans—indeed, I cannot but

think all Americans—were delighted and surprised to find on the front pages of their papers last Wednesday morning a beaming and resilient and, indeed, thriving Henry Kissinger presenting the Charles Evans Hughes Gold Medal Award to President Reagan at a reception of the National Conference of Christians and Jews the preceding evening.

Many of us have been concerned for Dr. Kissinger's rapid recovery to his incomparable levels of energy and achievement following his recent heart bypass operation. None of us had the least doubt that he would recover, but the speed with which he has done so is overachievement, even for Henry Kissinger. As his friend and one of his Senators, I can only express a very deep personal satisfaction.

Happily, Henry Kissinger's return to good health comes at a time when the second volume of his extraordinary memoirs has appeared. Only this morning, in the Washington Post, the distinguished columnist, Mr. Philip Geyelin, called attention to the passage describing the events of the Yom Kippur war. It occurred of course, in 1973, when the American Presidency was in a state of unprecedented crisis.

It fell to Henry Kissinger to guide the Nation through a moment of intense peril. The prospect of a Soviet invasion of the Middle East was real, and Dr. Kissinger saw that our own forces were put on nuclear alert. He did do all this with no greater formal authority than that of his position as a member of the Cabinet, a position which does not carry with it any power other than that which is exercised on behalf of the President, who was at the time not capable of exercising it.

I have written before and would repeat now that in the history of the American Nation there has not been an act of such courage and selflessness and success. The Nation and the world owes him a debt. Though we will not repay it, we surely can acknowledge it, as we welcome him back to health and await volume three.

Mr. President, I ask unanimous consent that the article from the front page of the New York Times of Wednesday, March 24, 1982, and Mr. Geyelin's article from the Washington Post of March 29, 1982, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Mar. 24, 1982]

REAGAN SAYS "FACTS PROVE" HE CARES ABOUT NEEDY

(By Michael Oreskes)

President Reagan, accepting an award for humanitarianism that some protesters said he did not deserve, declared in a speech in New York City last night that "the facts prove" that he really does care about the needy.

"Today I'm accused by some of trying to destroy government's commitment to compassion and to the needy," Mr. Reagan said. "Does this bother me? Yes. Like F.D.R., may I say I'm not trying to destroy what is best in our system of humane, free government—I'm doing everything I can to save it: to slow down the destructive rate of growth in taxes and spending; to prune nonessential programs so that enough resources will be left to meet the requirements of the truly needy."

The President delivered the defense of his cuts in social programs in an address at a \$250-a-plate fund-raising dinner of the National Conference of Christians and Jews, which gave Mr. Reagan its annual Charles Evans Hughes Gold Medal for "courageous leadership in government, civic and humanitarian affairs." The dinner was at the New York Hilton Hotel.

It was the latest in a series of appearances around the country in which the President, according to his aides, has sought to counteract the image that he lacks compassion for those who may be hurt by budget cutbacks.

The President also used the appearance to fulfill a commitment he made last November to leaders of major American Jewish organizations that he would speak out against anti-Semitism, which the Jewish leaders warned had tainted the debate over sale of AWACS surveillance planes to Saudi Arabia.

"The obscenity of anti-Semitism and racism must have no part in the national dialogue," Mr. Reagan declared last night.

He said that the United States commitment to Israel "remains unshakable."

Howard Squadron, president of the American Jewish Congress and leader of last November's delegation to the White House, said he had recently reminded the White House of the President's promise that he would speak out against anti-Semitism.

"I'm pleased he's making the statement," Mr. Squadron said of last night's speech. "I wish it had been sooner."

In the speech, which seemed designed almost point by point to answer critics head on, Mr. Reagan also defended his proposed military buildup, saying: "Though not small, the cost of our program represents a historically reasonable share of our resources and is far less than the potential disaster a weakened America could face at the hands of a ruthless, powerful foe."

**DISSENSION OVER AWARD**

The choice of Mr. Reagan as the 30th recipient of the Hughes award stirred dissension both within the National Conference, and among many liberal and radical groups, which planned to join forces to picket outside the Hilton and staged other protests during the day.

Several senior officials of the conference disassociated themselves from the award. The Pittsburgh chapter of the conference sent a letter calling the honor to the President "an unfortunate gesture."

Donald W. McEvoy, the conference's senior vice president, was a featured speaker at an "alternative awards dinner" mocking the black-tie event at the Hilton. He expressed "sorrow and disappointment" over the award to Mr. Reagan.

Guests at the alternative dinner, held at the Lincoln Center campus of Fordham University, were treated to a menu of cheese and ketchup to draw attention to the surplus cheese the Administration has distributed to the poor and the suggestion—later

withdrawn—that ketchup was an appropriate vegetable for school lunches.

Eleanor Guggenheimer, a former New York City Consumer Affairs Commissioner, and Rabbi Arnold J. Wolf of KAM-Isaiah Israel Temple in Chicago, both returned brotherhood awards they had received from the conference.

"If President Reagan is a humanitarian," said Rabbi Wolf, "I'm not."

Harry A. Robinson, vice president of the conference, said the award was "nonpolitical" and that the process of selection had begun nine months ago before some of the current outcry against Mr. Reagan's policies.

Larry Speakes, deputy White House press secretary, said Mr. Reagan would have no comment on the controversy over the award. "They honored him with the award and he's honored to accept it," Mr. Speakes said.

The President did depart from his prepared text to acknowledge the demonstrators outside.

"Just as those outside this hall spoke with such passionate convictions earlier this evening—yes, there will at times be disagreement over the path that we should take," he said. "But can't such a dialogue be carried out with decency and understanding without a tone of hatred?"

In his address, President Reagan cited "facts" that he said demonstrated his Administration's concern for the needy. Most of these were statistics about the Federal budget, such as: that 28 percent of Federal spending in the 1983 budget would go to the elderly; that the Federal Government subsidized 95 million meals a day, 14 percent of all the meals served in the United States, and that the Federal Government would provide medical care for 20 percent of the population, including 99 percent of those over 65.

"The list goes on and on," the President said. "I simply want to point out that we do care and the facts prove it."

The award is named for the late Chief Justice of the United States Supreme Court, who helped found the National Conference of Christians and Jews in 1929 to combat bigotry, particularly anti-Roman Catholic feelings stirred during Al Smith's 1928 Presidential campaign.

President Reagan landed at Newark International Airport aboard Air Force One with Senator Alfonse M. D'Amato and Representatives S. William Green of Manhattan, Norman Lent of Long Island and Guy Molinari of Staten Island.

Deputy Police Commissioner Alice McGillion put the crowd of protesters outside the hotel on the Avenue of the Americas, between 54th and 55th Streets, at "more than 10,000." By the time the President started to speak, the demonstrators, who seemed in a good-natured mood, dispersed.

[From the New York Times, Mar. 24, 1982]

#### EXCERPTS FROM PRESIDENT'S ADDRESS

(Following are excerpts from President Reagan's speech to the National Conference of Christians and Jews)

It is a deep personal honor to be the fourth President and 30th American to receive the Charles Evans Hughes Gold Medal of the National Conference of Christians and Jews.

The purpose of the Hughes Medal is to provide recognition for "courageous leadership in governmental, civic and human affairs." One can only accept it with a heartfelt sense of humility. And I do so in that

spirit. One thing is certain, for more than half a century now, the conference itself has lived up to that ideal, striving with courage, dedication and humanity to promote the ideals of brotherhood and tolerance our nation was founded upon.

Hatred, envy and bigotry are as old as the human race itself, as too many tragic passages in the history of the world bear witness. What is new and daring and encouraging about the American experiment is that, from the beginning, men and women strove mightily to undo these evils and to overcome the prejudice and injustice of the old world in the virgin soil of the new.

The way has never been easy, and even our best efforts have left us far short of Utopia. But generation by generation, year by year, we have come a long way down the road to a just society.

It took a bloody, tragic, civil war to end the abomination of slavery. But it was undone, and the descendants of slave owners and slaves alike today enjoy the same standing under law as free citizens of a free republic.

The battle against discrimination still goes on and much remains to be done, but in a single generation, an entire nation re-committed itself to the cause of equal rights and used the full force of the law to ban for once and for all racial bias in public education, in hiring and in the voting booth.

Nowhere does history offer a parallel to this vast undertaking.

The struggle goes on. To be alive and to be human is to struggle for what is right and against what is not. Our nation today is engaged in a serious and, at times, even acrimonious, debate over what policies will best serve the interests of America and a troubled world.

Today I'm accused by some of trying to destroy government's commitment to compassion and to the needy. Does this bother me? Yes. Like F.D.R., may I say I'm not trying to destroy what is best in our system of humane, free government—I'm doing everything I can to save it: to slow down the destructive rate of growth in taxes and spending; to prune nonessential programs so that enough resources will be left to meet the requirements of the truly needy.

But there is more to brotherhood than government-inspired and administered charity. In recent years too many of us have tended to forget that government can't properly substitute for the helping hand of neighbor to neighbor. And in trying to do so government has to a great extent brought on the economic distress that mires us down in recession.

Out of this economic distress, however, can come opportunity—the opportunity to remember our heritage of brotherhood, our responsibility to care for each other not through impersonal government programs alone but through the giving of ourselves with love and compassion.

For this reason I have asked William Verity, head of Armco, to head up a nationwide effort to recall to all of us our capacity for great and unselfish deeds.

In the field of foreign policy, right now there are differences of opinion about how best to restore America's power and status in the world, and how best to meet the threat of totalitarian aggression. And there is disagreement over how best to deal with volatile, challenging problems in Latin America and the Middle East.

But while we may disagree over tactics in all these areas, we stand united as Americans in our underlying commitment to basic

principles—economic stability and growth at home, peace, freedom and a better life for peoples everywhere.

Restoring both our strength and our credibility is a major objective of this administration.

#### DEFENSE COST IS REASONABLE

I am keenly aware of the costs of our defense program and will in the weeks, months, and years ahead seek true savings and efficiencies. But we must refute the misguided belief that our defense program can be arbitrarily reduced and still guarantee our national security.

The Soviet Union has built up a military machine unequaled in all man's history and that arms buildup gives every indication of continuing. When I took office the Soviet quest for military supremacy, combined with our own unwillingness to maintain American defenses, had produced a very dangerous momentum in their favor.

Though not small, the cost of our program represents a historically reasonable share of our resources that must be devoted to this, and is far less than the potential disaster a weakened America could face at the hands of a ruthless, powerful foe.

The question before us is whether we have the will to make the relatively small sacrifices necessary to preserve our freedom today and our children's freedom tomorrow and for generations to come.

[From the Washington Post, Mar. 29, 1982]

#### WAS NIXON IN COMMAND?

(By Philip Geyelin)

Not even the Pentagon's most inventive war-game players could think it up: war has been raging for three weeks in a vital area between a close American ally and a Soviet client; Moscow and Washington have brokered a cease-fire, but it is breaking down. The Soviets deliver a rough ultimatum: either both sides intervene with peacekeeping forces, or they will move in on their own.

The National Security Council is rushed to the White House "situation room" to plot a quick counter-strategy. But the NSC's statutory chairman, the president is not in the chair. He is incapacitated upstairs in the living quarters; a "paralyzing" domestic crisis has left him "too distraught to participate." The 25th Amendment makes provision for transfer of authority to the vice president when the president is unable to function—but there is no vice president.

Besides, only the secretary of state and the White House chief of staff are aware of the president's condition. A majority of the "principal officers" of the executive branch will have to make the decision.

Not possible? But of course it did happen—on the night of Oct. 24, 1973. By now you may have recognized the occasion, the so-called Yom Kippur War between Israel and Egypt (plus Syria), and the leading figures: Richard Nixon as president, Henry Kissinger as secretary of state; Alexander Haig as chief of staff. The "missing" vice president was Gerald Ford, designated by Nixon but not yet confirmed by Congress to replace Spiro T. Agnew.

What you may not have recognized, in this version of the famous night when the United States went on nuclear "alert," is the characterization of the role of the president (not, that is, if you remember the official line at the time). Yet that is pretty much the way it comes across in a revealing



account in the second volume of Henry Kissinger's memoirs, "Years of Upheaval."

At a time when government and the media are once again in a slanging match over who's telling the truth—about El Salvador or the economy—the Kissinger version of the October War is timely reminder that almost never is either side blameless in these matters. The argument is essentially unwinable. And anything as absolute as truth is unattainable, even with the passage of time.

Kissinger's 162-page account adds enormously, and meticulously, to the record of one of the most controversial and crisscrossed three weeks in American political and diplomatic history. In the period between Oct. 6 (when the war broke out) and Oct. 28 (when the Egyptians and Israelis met to negotiate a disengagement of forces), Agnew resigned in disgrace and Nixon's Watergate fate was sealed by the Saturday Night Massacre and an appeals court ruling that he would have to surrender the Oval Office tapes.

But such is Kissinger's artful ambivalence that it is impossible to determine from one episode to another whether he thinks Nixon, under terrible pressure, was unfit for duty or was in command.

One day, Oct. 24, captures the perils as well as emotions, frustrations, suspicions and generally rancid atmosphere. The cease-fire had collapsed. The Egyptians were calling for intervention by American and Soviet troops. Kissinger was meeting with Dobrynin when Nixon, "as agitated and emotional as I had ever heard him," phoned. His enemies, Nixon told Kissinger, "are doing it because of their desire to kill the president. And they may succeed. I may physically die."

Nixon went on: "What they care about is destruction. . . . The real tragedy is if I move our, everything we have done will crumble. . . . They just don't realize they are throwing everything out the window. I don't know what in the name of God. . . ."

This was enough for Kissinger to decide to take Haig's advice—when three hours later the Soviets threatened to intervene unilaterally—and not "wake up the president," who had apparently "retired for the night." There is no evidence that Nixon talked with anybody (other than Haig) while the decision was being made in the early hours of the following morning to put American forces on alert and put the United States at risk of nuclear war.

That the crisis was real, Kissinger leaves little doubt—though suspicions ran high at the time. That Nixon sought repeatedly to exploit it to demonstrate his "indispensability" (as impeachment loomed) Kissinger amply documents. The Nixon was repeatedly "out touch," "obsessed," "preoccupied," "on the verge" (as Haig cryptically put it), "in the paralysis of an approaching nightmare"—all this Kissinger makes plain. On that score, his account gives the lie to White House accounts at the time.

But as to a clear judgment, Kissinger speaks ambiguously of a Nixon overwhelmed by this "predecessors," of Watergate as "extralegal" activities, of a "nation consuming its authority." The insights and information are spellbinding. But in a matter of historic interest, we are left not all that much closer to the "truth" than we were at the time.

## FRANKLIN DEFEATS JACKSON FOR TITLE

Mr. MOYNIHAN. Mr. President, it was with a great deal of pride and a touch of sadness that I read of Benjamin Franklin High School's victory in the New York City Public Schools Athletic League basketball championship game last week.

As a Franklin graduate (class of 1943), I was heartened to see that my East Harlem alma mater still excels in matters athletic. Benjamin Franklin High School will close its doors forever this June. It shall be sorely missed.

These young men have certainly given a glorious farewell gift to this marvelous school, and I should like to commend each of them, along with Coach Stanley Vinner and Principal Albert Vazquez, for this splendid achievement. Mr. President, I ask unanimous consent that an article from the March 14 New York Times describing Benjamin Franklin's victory be printed in the RECORD.

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

[From the New York Times, Mar. 14, 1982]

### FRANKLIN DEFEATS JACKSON FOR TITLE

(By Al Harvin)

Walter Berry scored a game-high 21 points to lead Benjamin Franklin High School to a 52-48 victory over Andrew Jackson yesterday and its first Public Schools Athletic League basketball championship since 1946.

The title will also be the last one for Franklin, the East Harlem school that is closing in June.

The victory at St. John's University in Queens made Franklin's won-lost record 25-2, kept its slate clean against New York City schools and advanced it to the New York State championship at Glens Falls in two weeks.

Kenny Hutchinson scored 15 points for Franklin, but it was Andre Britton and Eric Singleton who sank one of two free throws apiece with 9 seconds and 4 seconds left, respectively, that finally sealed the victory.

Greg (Boo) Harvey, one of the two freshman guards, led Jackson with 14 points. John Hughley, the senior center, and Ron Edwards, the other freshman guard, had 12 apiece for the Hickories.

The defeat dropped Jackson's record to 20-5. Jackson, which has not won a city championship since 1943-44, was runner-up to Alexander Hamilton last season.

In the boys' B division final, Norman Thomas of Manhattan won for the second straight year, and the third time in the last four years, knocking off Murry Bergtraum, 53-35.

Fred Burgess, 6-foot-5-inch senior center scored a team high of 15 points for Thomas, 24-4.

The high-scorer in the game, however, was Clarence Gordon with 16 points for Murry Bergtraum, which interrupted Thomas's reign as P.S.A.L. B champion two years ago and finished with a 17-6 record.

Phyllis Wright, a reserve, left the bench with 15 seconds to play and scored her only 3 points in the final two seconds to lift undefeated James Madison, 26-0, to a 66-63 victory over John F. Kennedy, the defending champion in the girls final.

Miss Wright made a layup, was fouled by Rhonda Windham and calmly completed the 3-point play to win it.

## MEMBERSHIP IN THE U.N. GENERAL ASSEMBLY

### ADDITIONAL COSPONSORS, SENATE CONCURRENT RESOLUTION 68

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the following Senators be listed as cosponsors of Senate Concurrent Resolution 68, regarding membership in the United Nations General Assembly: Mr. JACKSON, Mr. RIEGLE, Mr. KENNEDY, Mrs. HAWKINS, Mr. WEICKER, Mr. QUAYLE, Mr. SPECTER, Mr. TSONGAS, Mr. MITCHELL, Mr. SASSER, Mr. PACKWOOD, Mr. NICKLES, Mr. DANFORTH, and Mr. MELCHER.

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

Mr. MOYNIHAN. Mr. President, I would take this opportunity to note that there are now 54 cosponsors of Senate Concurrent Resolution 68 which asks the Secretary of State to put the members of the United Nations on notice, that should Israel be denied its right to participate, the United States will withdraw from any further activity or participation in the United Nations General Assembly, or any U.N. body which expels or suspends Israel, and will suspend payments of our assessed contributions to the U.N. It was introduced following adoption by the General Assembly on February 5 of a resolution declaring Israel "not to be a peace-loving state." The choice of words is significant, for article 4 of the U.N. Charter states that membership in the U.N. is open to all "peace-loving states." The resolution, known in the language of the international bureaucracy as resolution ES-9/1, thus called formally into question Israel's right to remain a member of the United Nations.

Mr. President, there is a precedent for the American response Senate Concurrent Resolution 68 urges the administration to embrace.

By 1975, a pattern had emerged in the International Labor Organization which, in effect, excluded Israel from its activities, from its regional groupings, and such like. There was also a high degree of politicized resolutions having to do with matters in no sense germane to the International Labor Organization's charter.

This was important in many respects, for the ILO is a place of special concern to us. The United States joined only one international organization associated with the League of Nations, and that was the ILO. When Franklin D. Roosevelt was President, in 1934, the charter for the ILO was drafted in Paris by a committee headed by Samuel Gompers, of the American Federation of Labor.

Ever since we have kept the closest of ties, by business and labor and our Government, to the ILO. We were thus dismayed with what had become of the ILO by 1975, and we felt that we had to do something about it. It was not because we did not much care about the ILO, but, rather, precisely because we very much cared. Its charter was our charter, and those were matters of deepest concern to the United States.

It happened that in 1975 I was our Ambassador to the United Nations. I proposed to Secretary Kissinger, who fully agreed, that there was no other way to bring about a change than to exercise our rights under the charter; we gave notice that we were leaving the ILO.

We gave that notice. A letter was sent saying that if things were not changed we would, in fact, leave within 2 years.

Two years came and went and the ILO had not changed, and we left. We simply left the ILO, an event no one believed was possible, that no one thought we ever would do or could do.

A budgetary crisis immediately followed. The very fact of the American withdrawal made many nations realize that they were not just losing the participation of the United States in the proceedings of the ILO, but they were losing the role that the ILO does play in the legitimate concerns of working people around the world, while the organization was taken over by a small group of countries and politicized for narrow purposes that had no real bearing on the ILO charter.

As this double loss was realized by those nations that continued to be members, they judged they had indeed been proceeding in a very wrong headed and unproductive, indeed counterproductive, manner. And they changed. They resolved to do exactly what we had asked them to do. But nothing short of our leaving could have persuaded them we were seriously opposed to what they had been doing.

When these changes were made, when the basic question of adhering to the charter of the ILO happened, the United States returned, in 1980.

I should say, about Senate Concurrent Resolution 68, that its 54 cosponsors are not hostile to the U.N. as originally and properly constituted. We have no intention of leaving the United Nations, which is to say the Security Council. We would never do that. Our resolution does not even suggest that. But suspending our activity in the General Assembly until the General Assembly learns to abide by the Charter of the United Nations is something we can do, and should do, if the present efforts to expel a democratic nation are successful. And unless we make absolutely clear what

will be the consequences of Israel's expulsion, it is very likely to happen.

We care about the United Nations which can accomplish worthwhile things in the world. We care about the conduct of the General Assembly. And it is in that spirit that a majority of the Members of the Senate have cosponsored this resolution. I very much hope that the leadership will find it possible to bring the matter to the floor in very short order. There ought to be nothing impeding that.

I would point out that this is a bipartisan resolution. It was originally introduced by myself and Mr. ROBERT C. BYRD in the company of the distinguished occupant of the chair, the Senator from Virginia (Mr. WARNER). In the House of Representatives, it has been introduced by another distinguished bipartisan group led by Representative JACK KEMP, of New York, and Representative JOHN BINGHAM, of New York, who was once our Ambassador to the U.N. Economic and Social Council (ECOSOC).

#### AMERICAN POLICY TOWARD THE UNITED NATIONS

Mr. MOYNIHAN. Mr. President, it happened that I was U.S. permanent representative to the United Nations in 1975, when American dismay with the United Nations was most acute. During the General Assembly session that autumn, America watched in uncomprehending horror as the murderous dictator, Idi Amin, then at the height of his brutal reign in Uganda, was welcomed to New York by the international diplomatic community as a distinguished head of state. In November, the General Assembly adopted a cruelly absurd resolution declaring Zionism to be "a form of racism and racial discrimination."

While a great many persons in the upper reaches of the U.S. Government counseled a studied indifference to these and other disquieting developments at the United Nations, a number of individuals in private life realize that something seriously wrong was happening there and that to ignore this fact was to forsake American interests. A number of distinguished Americans came together then, under private auspices, to study American policy toward the world body.

Under the leadership of Mr. Morris B. Abram, a highly respected lawyer long prominent in the civil rights struggle in this country, more recently distinguished for his service as U.S. Representative to the U.N. Commission on Human Rights, the Ad Hoc Group on U.S. Policy Toward the United Nations was organized. Shortly thereafter, in 1976, the group's first report was issued. Its numerous recommendations were offered in the hope that they might help the United Na-

tions to "become again an environment for useful dialog and constructive action."

The report, however, was not treated very seriously at the Department of State. It is not entirely coincidental that the years since 1976 have seen American influence at the United Nations decline to unprecedented depths.

A few days ago, the Ad Hoc Group on U.S. Policy Toward the United Nations issued another report. It is entitled "The U.S. and the U.N.—A Policy for Today." One hopes it will be received with greater attention than was its predecessor by the Department of State. It is a remarkably insightful document, suggesting broad concepts that should guide our thinking about the utility and the purpose of the United Nations, and offering specific ideas about particular initiatives.

As the report so correctly states at the outset:

What is needed is careful, realistic analysis of where the U.S. can cooperate most constructively and where it must be prepared to act unilaterally or in concert with like-minded nations outside the U.N.

The Ad Hoc Group's report, whose authors include three former Secretaries of State and distinguished Americans such as Leonard Sussman, executive director of Freedom House, provides this much needed analysis.

Mr. Abram and his colleagues discuss the role the United Nations can play in solving the major problems of our era—restricting the spread of nuclear weapons, halting the ever more dangerous strategic arms race, mediating conflict among the nations of the Third World. At the same time, the group warns, we should not expect the United Nations to solve all the problems the world faces. As the report puts it:

Reassessment of policy demands a realistic view of the U.N.: it is not a supergovernment; it cannot make nations behave better than they want to.

The Ad Hoc Group on U.S. policy toward the United Nations also endorses several congressional initiatives with which I have been pleased to be associated during the 97th Congress.

One is Senate Resolution 44, relating to international sanctions against countries which participate in the taking of diplomatic hostages, which I introduced on January 29, 1981. That resolution, Senators will recall, urges the President to convene an international conference that would negotiate automatic diplomatic sanctions against any nation which participated in or condoned the seizing of diplomatic hostages—such as was done in Tehran between November 1979 and January 1981.

Another congressional initiative the Ad Hoc Group endorsed addresses the continuing effort in the United Nations Educational Scientific and Cul-



tural Organization to inhibit the free flow of information and ideas through the device of a "New World Information Order." Last June, the Senate adopted, by a vote of 99 to 0, an amendment I had offered to the State Department authorization bill which called for a reduction in American funding to UNESCO should any part of the order be implemented. The report issued last week by the Ad Hoc Group on U.S. policy toward the United Nations commends "this congressional stand . . . which emphasized that press freedom is a basic human right."

Under the able direction of the current American Ambassador to the United Nations, Mrs. Jeane Kirkpatrick, the United States can yet reassert its authority and regain its influence at the United Nations. And the Congress can continue to play a constructive role in this process, through the timely adoption of amendments and resolutions that effectively state the views and intentions of the American Legislature.

For the information of Senators and staffs, I ask unanimous consent that the full text of "The United States and the United Nations . . . A Policy for Today" be printed at this point in the RECORD.

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

THE UNITED STATES AND THE UNITED NATIONS—A POLICY FOR TODAY  
FOREWORD

This report was prepared by an Ad Hoc Group on United States Policy Toward the United Nations, which is made up of scholars concerned with international affairs, former U.S. representatives to the UN, and leaders of nongovernmental organizations. The Group met for the first time in 1975 in response to several disquieting developments which had deepened the American people's disenchantment with the UN. Its report, issued in 1976, attributed this situation to the "politicized behavior which had undermined the institutional capacity of the [UN] system to deal in an impartial and effective manner with questions of world concern," and posed the question of "whether it is possible to turn around political behavior so that the institution will become again an environment for useful dialogue and constructive action." We saw the appointment of a new U.S. Ambassador to the UN as "an opportunity to define the U.S. relationship to the world organization," and we offered recommendations for a national policy toward it.

Five years later, the dangers to world stability and U.S. security are more acutely perceived. Our apprehensions of 1976 concerning the UN, somewhat allayed about some issues, persist. This report, like its predecessor, is offered in the hope that it will stimulate reexamination and definition of U.S. policy in this important area. Once again, recognizing that our nation is part of an inevitably interdependent world society, we begin with the premise that—

" . . . a central task of U.S. foreign policy in the crucial last quarter of the twentieth century is the building of effective world in-

stitutions to help solve critical world problems of vital importance to the American people and to all peoples and nations. These problems include the danger of the spread of local conflicts, the proliferation of nuclear and conventional weapons, the increasing financial burden of the arms race, the population explosion, the deterioration of the environment, food and energy shortages, underdevelopment, unemployment and mass poverty."

Our troubled interdependent world needs the UN, and the principles enunciated in its Charter. Our purpose here is to identify the tendencies threatening them, and to suggest ways to reverse these trends. We want a UN willing and able to function consistently with the Charter purposes: to maintain international peace and security, to develop friendly relations among nations, to foster international cooperation in solving economic and social problems, to preserve and extend human rights, to serve as a center for harmonizing the actions of nations toward these ends.

The conclusions and recommendations in this report have been endorsed generally by the individuals listed below, who associate themselves, in the main, with the analysis as well, though not necessarily with every specific point or wording.

Morris B. Abram	Leo Nevas
Abraham Bargman	Matthew Nimetz
Thomas E. Bird	Nathan A. Pelcovits
Thomas Buergethal	Ogden Reid
John Carey	Howard T. Rosen
Benjamin B. Ferencz	Dean Rusk
Seymour M. Finger	Bayard Rustin
Richard N. Gardner	Oscar Schachter
Rita E. Hauser	Frederick Seitz
Louis Henkin	Jerome J. Shustack
Philip E. Hoffman	Louis B. Sohn
Sidney Liskofsky	David Squire
Henry Cabot Lodge	William J. Stibravy
Richard Maass	Leonard Sussman
Edmund S. Muskie	Cyrus Vance

THE UN AFTER 35 YEARS: REALISTIC EXPECTATIONS

In 1961 the newly elected President John F. Kennedy, speaking before the General Assembly, proposed a UN Development Decade. This proposal signaled the beginning of a major increase in the operational activities of the world organization and symbolized the position and attitude of the United States, then sure of its economic and military power. The American people were sympathetic toward the goals of Third World countries, and we heartily supported the UN.

In 1981 the picture is starkly different. Militarily, the U.S. is seriously challenged by the Soviet Union, whose armed strength and reach have been extended by a seven-ocean navy, conventional superiority in the European theater, an increasingly powerful nuclear arsenal, a capacity to project its power into volatile Third World areas, the use of Cuban armed forces and other proxies, and so on. The U.S. economy is still far stronger and more stable than any other, but it is nonetheless plagued by persistent inflation, stagnating productivity, huge budget deficits.

In 1961, the then-emerging Third World countries, like India, seemed to lean in the direction of democracy and the West. Today, much of the Third World appears to lean towards authoritarianism and to show an ideological tilt away from the West.

Over the years, Americans have been disappointed by the unwillingness of many UN members to use or permit use of the Securi-

ty Council to restrain and help contain local conflicts before they get out of hand. They object to the double-standard applied to some political crises and human rights problems. They hold that political crises have been distorted and the whole fabric of international cooperation weakened by the injection of biased—often irrelevant—politics into the General Assembly and into a number of specialized agencies and functional conferences. They see how rapidly expenditures throughout the UN system have grown for which American taxpayers provide the largest share. While they know that the decline of the dollar and inflation account for most of this increase, they feel that UN members and the secretariat are not trying hard enough to spend resources wisely.

At the same time that American power in the world has declined relatively—although it remains formidable—world issues have grown more complex, and global institutions have not found responses to them. This new situation requires that the U.S. reassess its policy toward the UN as part of its overall foreign-policy goals. Hard choices need to be made about which international organizations and programs can best advance these purposes. Certainly our overriding concern must be with national security, but security must be conceived in the context of the American people's national ideals and our traditional commitments to peace and global survival measures, to economic and social improvement, and to human rights for all people.

Reassessment of policy demands a realistic view of the UN: It is not a supergovernment; it cannot make nations behave better than they want to; it cannot compel member states to respect their Charter commitment to renounce the use of force against the sovereignty and territorial integrity of neighbors. And yet, the UN has been a useful instrument for containing, then policing, several local conflicts in Asia, Africa and the Middle East, which had threatened to bring the Soviet Union and the U.S. into dangerous confrontation. Undoubtedly such situations will arise again, so it is in the interest of all nations to join in engaging the UN, where feasible, in coping with them. (It is noted, however, that these UN interventions are not always without cost. Aside from the financial implications, UN peace or truce forces may "freeze" unsatisfactory conditions while creating a tolerable, but unstable, status quo.)

At the same time, in view of the dangerous international environment and the UN's inability to prevent the use of force, especially when superpower interests are involved, the U.S. must rely primarily on its own strength and that of its allies for defense. Collective and regional self-defense (as, for example, through NATO and the Rio Pact) is, of course, legitimate under the UN Charter.

Another feature of the situation at the UN is the Third World countries' more-than-two-thirds majority in the General Assembly and specialized agencies and in the functional conferences sponsored by them, which they have frequently used to dominate the agenda and impose grossly biased resolutions. Some Assembly resolutions, passed with the support of the Third World, have been damaging, even sinister. For example, the equation of Zionism with racism has provided an ostensibly respectable basis for efforts to delegitimize the State of Israel—and in the case of some governments, an excuse for thinly-veiled anti-Sem-

itism. There have been resolutions supporting a restrictive "new world information order," others giving moral and political encouragement—and legitimacy—to the use of violent means by national liberation movements, selectively defined as such.

On the other hand, Third World countries have joined with the West to uphold some of the basic principles on which the UN is constructed. For example, over strong opposition from the Soviet Union and its satellites, the Third World provided an overwhelming majority for such sound General Assembly resolutions as condemning the invasion of Afghanistan and calling for withdrawal of Soviet troops. It was with the help of Third World states that Cuba's efforts in 1980 to win a seat on the Security Council were checkmated, that Soviet attempts to win acceptance of the Cambodian regime installed by the Vietnamese invaders were rejected, and that Iran was asked by the international community to release the American hostages. Some Assembly resolutions have launched major constructive enterprises, such as the UN Development Program, the Intergovernmental Maritime Consultative Organization, the UN Environment Program and UNICEF. Most General Assembly resolutions are adopted without vote, by consensus or unanimously, reflecting general agreement on many subjects of common concern to all groups of nations. Although these and many other General Assembly resolutions have been constructive, unfortunately others have assaulted some of the very principles on which the UN is based.

Assembly votes are obviously not an accurate measure of real national power or influence. Furthermore, in some instances, they obfuscate rather than reveal a country's real policies. Except on budget items and elections, Assembly resolutions are nonbinding, so that powers like the U.S., its Western European allies and Japan can ignore them—and do so often on economic issues. And although Security Council decisions are binding, the U.S. and other permanent members can use their veto to block proposed actions. In the absence of workable machinery for compulsory settlement of disputes, the UN system can, at best, provide forums and mechanisms for negotiated consensus-building and cooperation. In sum, when the members cooperate, it works well, but when they are in conflict, it does not.

International cooperation toward international peace and security, economic betterment, global survival and extension of human rights is clearly in the U.S. interest. If we demonstrate consistently that we are willing to cooperate without dominating provided that other nations do their share, we can go far toward inhibiting the dangerous partisanship that has aggravated so many genuinely complex disputes. What is needed is careful, realistic analysis of where the U.S. can cooperate most constructively, and where it must be prepared to act unilaterally or in concert with like-minded nations outside the UN.

UN activities and programs are so numerous, and so vast in scope and reach, that this report can deal only with the most important, and merely skim the surface of the questions they raise. We did not set out to produce a comprehensive survey, but only to highlight major issues and concerns and sensitize U.S. policymakers and other readers to them.

This report is loosely divided into two main parts: The first consists of the Ad Hoc Group's observations on major substantive

areas of UN concern and activity: international peace and security, arms control and disarmament, the Israel-Arab dispute, Namibia and South Africa, the North-South "dialogue," global issues, human rights and international terrorism. The second part comments on two disquieting tendencies in the UN system: "politicization" and the "tyranny of the majority." The report also examines the relationship between multilateralism and bilateralism in U.S. foreign policy and practice. And a final section consists of conclusions and recommendations.

#### 1. International peace and security

The 1980s will be a dangerous decade. A direct Soviet military attack on Western Europe is unlikely. Greater threats to American security appear to lie in instability, which the Soviets can exploit, in the Persian Gulf and other parts of the Third World. The Soviet invasion of Afghanistan and its armed intervention, in concert with its Cuban and East German allies, in South Yemen, Angola and Ethiopia (the latter two by helping the "governments" in a civil war) testify to the lengthened reach of its coercive diplomacy and its growing power to exploit opportunities in the Third World to the detriment of the West.

There is no simple way to counter these threats. Of course, America's strength, its resolve and dependability, are essential, but our unilateral intervention in every unstable situation would be unwise. Concerted action with other nations is desirable, but difficult to achieve with Third World countries because their interests and outlook often do not coincide with ours. Where we can and should unite with both allies and willing Third World countries, is in a renewed dedication to the prohibition of Article 2(4) of the UN Charter against "the threat or use of force against the territorial integrity or political independence of any state. . . ." That states violate this provision is serious enough; it is more serious that the Security Council has repeatedly failed to act against, condemn or even consider many such violations, let alone deal with their underlying causes. The Iraqi invasion of Iran, the Somali invasion of Ethiopia, Libya's foray into Chad and Uganda's attack on Tanzania are only the most recent examples of this failure. If the Security Council's condemnation of Israel's raid that eliminated Iraq's Osirak reactor was understandable, a selective standard has prevented the UN's dealing with the tensions rooted in the deep-seated causes of the raid, namely, Iraq's continued state of war with Israel and the nuclear insecurity of the Middle East region.

We strongly urge that the U.S. as a general rule bring to the Security Council, in cooperation with other countries or alone if necessary, all significant acts which violate Article 2(4). Although the veto may be used to block any proposed response, the Security Council is a forum where world opinion can be focused on such violations, as indeed it was when the Soviets invaded Afghanistan and again when Iran seized U.S. diplomatic personnel and held them hostage. At the least, the world should know where each Great Power stands with respect to Charter violations.

Along with other UN members, the U.S. should examine other possible means to strengthen the role of the Security Council in settling disputes, such as holding private meetings annually at the Foreign Ministers level, sending fact-finding missions to trouble spots, or asking the Secretary-General

to make an inquiry and report. In general, the U.S. should support and encourage the Secretary-General's initiatives to submit conflicts to the Security Council under Article 99, which authorizes him to "bring to [its] attention . . . any matter which in his opinion may threaten the maintenance of international peace and security." It might also request that the Secretary-General be mandated to issue particularized annual reports—modeled on his reports on economic and social issues—on the world political and security situation. These reports might include the world arms buildup, the numbers of killed and wounded—and refugees created—in local wars.

The U.N. has been effective on occasion in dealing with Third World conflicts that threatened to involve the superpowers. In the Congo (Zaire) in 1960-64, and again in the Sinai in 1973, UN peacekeeping operations staved off Soviet-U.S. confrontations and paved the way for arrangements acceptable to the American people and to most of the rest of the world.

It is true that a UN peacekeeping role is possible only when the contending parties and the superpowers accept it. When it is feasible, and when we can be sure a peacekeeping force will be constituted and used impartially, it is decidedly in the interests of the U.S. and of the world to set one up. Therefore, it is essential that the U.S. support measures to strengthen the UN's capacity in this area by establishing a roster of available national contingents trained in peacekeeping functions, arranging for airlifts, and providing for reliable funding. If a constructive proposal for such a force is vetoed in the Security Council, the U.S. should pursue it in the General Assembly.

However, so long as the Security Council's ability to deal with specific threats to peace is limited, and when UN channels have been otherwise obstructed, the U.S. must be willing and able to act outside the UN when it is essential to the national interest—in the case of the proposed Sinai peacekeeping force, for example.

#### 2. Arms control

Disenchantment with the arms-control effort is widespread among both governments and their peoples. Step-by-step progress in the 1960s brought neither the anticipated build-up of East-West confidence nor the disarmament measures expected to follow it. Regrettably, advocates of arms build-up in each nation used each agreement as an excuse to press for new weapons systems which, in turn, increased mutual fears of surprise attack.

The SALT II treaty has been reduced to an informal set of rules which cannot long be sustained; the hoped-for measures to minimize fears of attack have not been forthcoming. Instead, we see competition for technological innovation and a new round in the superpowers' arms race, which add to the sense of insecurity of peoples and governments throughout the world. It is against this background that many governments today hope the UN and its Commission on Disarmament will persuade the U.S. and the USSR to take steps to restore faith in the ability of mankind to stop, or at least limit, the ever-more-dangerous and costly arms race.

The Reagan Administration has declared its preference for strategic arms reduction as the immediate goal of arms control negotiations with the USSR. Conditions are ripe for the U.S. to come forward in the UN with the outline of an arms reduction plan. If, as



is likely, the USSR offers its own plan, the U.S. would do well to be ready with a constructive response; otherwise another opportunity for forward movement in this critical area will have been missed and the international reaction will be one of cynicism and antagonism toward us.

Israel's recent destruction of Iraq's nuclear installation has highlighted the role the UN should try to play with respect to the proliferation of nuclear capability, which is a new source of international dispute. Since these are the kinds of disputes that, if continued, will constitute threats to international peace and security, they are most likely to occupy the Security Council in the future, especially since they necessarily affect the interests of the superpowers.

We recommend that the U.S. consider the desirability of creating, within the framework of the Security Council, a Nuclear Security Planning Committee, in which all nuclear-capable states—the declared nuclear powers, states capable of producing nuclear weapons (Canada, Sweden, India), and states whose advanced technology would make them eligible—would participate. Among other things it would function as an expert fact-finder, provide good offices and mediation services, and cooperate with local parties in planning nuclear-free zones and other arms control measures to defuse threats to the peace. The Committee would work with the expert staff of the International Atomic Energy Agency (IAEA), especially on measures to improve on-site inspections; and a small group of specialists and scientists might be attached to the UN Secretariat and assigned to facilitate this cooperation. Such a staff might also devise simulation exercises dealing with worst-case situations in which hostilities between nuclear-capable states might threaten to unleash widespread harmful radiation.

By encouraging continuing dialogue on nuclear issues, such a standing mechanism could help develop an awareness of their responsibilities among actual and potential nuclear-capable states. It could anticipate and try to head off the further dissemination of nuclear weapons, especially in connection with disputes that threaten international peace and security.

The Ad Hoc Group is aware of and strongly endorses our country's longstanding commitment to non-proliferation and to strengthening the mechanisms to achieve it, such as the IAEA inspection system. Although we recognize that yet another mechanism will not be itself solve the problem, the ever-mounting danger of nuclear disaster demands that no possible preventative measure be overlooked.

One of the most useful measures to prevent the further proliferation of nuclear weapons would be the conclusion of a comprehensive nuclear test ban treaty. Such a treaty is regarded by many non-nuclear states as a test of the seriousness of intention of the nuclear weapons states to slow down the nuclear arms race. Consequently, we urge our government immediately to resume the tripartite negotiations on a comprehensive nuclear test ban which began in 1977 and were suspended last year.

### 3. Middle East

The U.S. will no doubt continue to resist efforts to undermine the Camp David agreement, the most significant step to date toward settlement of a festering conflict. The failure of the UN to endorse this agreement, which brought peace to two countries after decades of war, is at least strange for

an organization whose Charter calls for peaceful settlement of disputes.

The Camp David agreement incorporates the principles of Security Council Resolutions 242 and 338, accepted by Israel and its Arab neighbor states, which affirm the right of Israel to live in peace within secure and recognized boundaries and the principle that territory shall not be acquired by conquest. Still to be negotiated are the status of the Palestinian Arabs on the West Bank and in Gaza, and the establishment of Israel's boundaries on the West Bank and Golan Heights. These issues are difficult enough, and should not be made more so by undermining the principles in these resolutions, the only agreed-upon basis for the negotiations.

The U.S. should continue to support UN peacekeeping forces on the Golan Heights and in southern Lebanon for as long as security considerations require, and to buy time for arduous peace negotiations by restraining violence. These peacekeeping operations should be administered impartially.

Moreover, the continuation of the peacekeeping operations should not be allowed to be seen as a favor the world is doing the U.S. These operations are at least as beneficial to the affected Arab states as to the Israelis and the burden of maintaining them should not be assumed solely, or even primarily, by us.

Because it is a basic UN principle that membership and participation be open to all states, the U.S. must resist any attempt to expel or suspend any country from full participation in the General Assembly, the specialized agencies and functional conferences. Specifically, it must continue to make it clear that if Israel is denied participation, pressure from the Congress and the public may impel the U.S. to reduce its financial support of the UN, perhaps even suspend its participation.

The maintenance of peace and security in the Persian Gulf area will depend less on the UN than on the ability and readiness of the U.S. and its allies, along with governments in the region, to deter Soviet encroachment; but even an ancillary role for the UN could be helpful. Should any country in the region fail to report an act of aggression or threat to peace to the Security Council, the U.S. should do so, alone or in concert with like-minded nations. Where the parties involved are prepared to use UN peacekeeping or peacekeeping instruments, the U.S. should give its full support.

### 4. North-South Dialogue

The Third World has been pressing in UN forums for "new international economic order." The claims and goals embraced in this concept pose a difficult challenge for the U.S. and other Western countries. Though little headway has been made in negotiations on the economic issues involved, the U.S. must be deeply concerned with the UN discussion of them, even when it decides not to negotiate there.

Clashing perceptions of equity have to be taken into account for any effective bargaining on such issues. Some developing countries contend that existing international economic relationships are illegitimate in their origins and inequitable in their effects, and that they impede the growth of poorer nations. They demand as a matter of right massive transfers of wealth from the industrial nations, including direct aid, trade concessions and higher prices for their commodities, as well as a more influential, if not a commanding voice in decisionmaking in the international financial institutions. Al-

though the industrialized countries acknowledge the need for some fundamental changes in the existing pattern of economic relationships and in the management of the financial institutions, they point out that these factors are not the only obstructions to growth in developing nations; inadequate domestic policies and institutions as well as corruption and mismanagement by local elites, often defeat the good works of international institutions, and no "new international economic order" can remedy those ills.

As our 1976 report stated, the best response of the U.S. and its Western allies to the demands of the developing countries is to combine realistic diplomacy with a readiness to accommodate honest grievances and to take into account their real economic needs. Too often the developing countries' positions are determined by the most radical members of the Group of 77 (now more than 120), who block consensus or compromise short of their extreme demands. Negotiators must recognize mutual interests in a healthy world economy, which benefits rich and poor alike. Inflation and recession in the industrialized world impede economic development and increase the debts of the developing countries; and if these countries do not grow, the trade and investments of the industrialized countries are hurt as well.

Robert McNamara, in his valedictory address (September 30, 1980) as president of the World Bank, called attention to the decline in the average annual growth of the developing countries from 3.1 percent in the 1960s to 2.7 percent in the 1970s with the prospect of a decline to 1.8 percent in the coming decade. He cited the especially severe effects of the current global economic situation on the poorest countries, and deplored the "shockingly small" allocation to them of Official Development Assistance.

In a meaningful North-South dialogue, three interacting situations urgently need international attention: (a) the increasing balance-of-payments deficits imposed on oil-importing developing countries by soaring oil prices; (b) the international debt accumulated by some developing countries which borrow in order to maintain their growth rates, and (c) the lag of agricultural production behind rapidly growing domestic demand.

If anything is to come of negotiations on monetary issues, trade and aid, they must concentrate on specifics and avoid becoming enmeshed in grand-design schemes based on ideology and the hyperbole of blame; furthermore, they should be conducted principally through the competent international agencies, i.e., the International Monetary Fund (IMF), the World Bank and its soft-loan affiliate, the International Development Association (IDA), and the General Agreement on Trade and Tariffs (GATT). Where conditions and governmental attitudes warrant, regional approaches, as in the Caribbean-Central American region, can be fruitful.

The U.S. must resist efforts to undermine these major international institutions, which are demonstrably more expert than they are political, and which have voting and negotiating processes that can assure that U.S. concerns will be fairly protected. These institutions have a commendable record in assisting the developing countries. The World Bank and IDA have increased development assistance ten-fold in the past decade and have emphasized aid to the poorest countries and the most needy people. The IMF has increased its assistance

to Third World countries substantially and has adopted a more flexible code on the use of currencies to help poorer nations with balance-of-payments difficulties.

It is vitally important that we maintain our financial support of the World Bank, the IDA and the IMF. Any reduction in U.S. funding of these agencies, which originated in U.S. initiatives and are the major development institutions of the UN system, would diminish the flow of resources to the poorer countries. In addition to considerations of humaneness and equity, reducing the U.S. contribution would impede the recycling of balance of payment surpluses and reduce world demand for American products. It would bring a proportionate loss of U.S. voting power and influence and consequent damage to our national interest.

There must be no question that we will oppose, whether in the General Assembly or at special conferences, any attempt to "legislate" such unrealistic majority "decisions" as those demanding automatic transfer of resources.

The U.S. should resist domestic protectionist pressures, whose success would make it more difficult for developing countries to pay their way, jeopardize the ability of many to serve their debts, and aggravate our one inflation problems.

The U.S., once the world leader in foreign aid, now ranks among the least generous of the industrialized nations. As of 1979, our official development assistance had fallen to 0.20 percent of gross national product, whereas several Western countries were contributing to the UN target amount of 0.70 percent or more. Unpopular as foreign aid is in periods of inflation and budgetary strain, we should resist pressures to reduce it further. Such reductions could hamper the developing countries' economic growth and thus aggravate political instability, as well as damage U.S. markets in the Third World, which now buys about 37 percent of our exports. While we recognize that official assistance is not the sole measure of America's contribution to development (some argue that the U.S. assists more substantially by helping develop the private sector), we believe our official assistance should be increased to compare favorably with that of France and the Federal Republic of Germany, which in 1979 were providing .59 percent and .44 percent of GNP, respectively. (France recently revised its contribution to deduct the amount of aid given to overseas territories considered part of Metropolitan France). At the same time, the U.S. and other Western countries should continue and expand efforts to transfer to the developing countries important resources of capital and technology through private investment.

Any discussion of North-South economic relations must take into account that while the more than tenfold increase in oil prices since 1973 has exacerbated worldwide inflation, inhibited economic growth and drastically underlined Western vulnerability, it was the poorer Third World nations which suffered most. All the nations of the Group of 77, including OPEC, stand together in setting guidelines for North-South negotiations, but there is no such solidarity in sharing burdens, so that the rising debts of the poorer countries—largely attributed to OPEC's price increases—threaten to overwhelm their struggling economies. While aid by OPEC members to these countries (most of them Moslem) now surpasses that of the Organization for Economic Cooperation and Development (OECD), the price of

their oil cancels the assistance, a fact which has elicited no real protest or criticism from the UN. Surely, the OPEC countries should cooperate with the North to ensure adequate oil supplies to the less fortunate countries in the South, even help them solve their debt problems.

In the current critical period of transition toward a new energy era, the economic well-being of most of the world is still dependent on the stability of oil supply and prices. Energy is obviously not only a domestic concern but also an important and integral element of U.S. foreign policy.

With about 5 percent of the world's population, Americans manage to consume about 30 percent of the world's energy production, or almost twice the per capita consumption in the developed European countries. Obviously, then, the U.S. has the greatest potential for conservation, and an equally great responsibility to lead in the development of alternative sources of energy. We have made a good deal of progress toward this end in recent years, but much remains to be done.

Satisfactory arrangements between the oil importing and oil exporting states can only be achieved if the importing states continue to strengthen their bargaining position vis-a-vis OPEC. In addition to continuing to work seriously to reduce its own oil dependence, the U.S. should seek further cooperation with the other importing states on research and development for conservation and alternative forms of energy. To diversify the oil and other energy sources, it should assist developing countries in energy exploration and production through facilitating private U.S. investments as well as by participating in the multilateral financial institutions and in mutually beneficial bilateral government agreements.

#### OTHER GLOBAL ISSUES

Availability of sufficient and affordable energy is only the most immediate of a number of important issues that concern all or most countries. Other issues are the pressure of growing demand on various finite non-renewable resources, the sharing of resources of the seas, seabeds and outer-space, the race between rapidly growing population and food production, the control of epidemic diseases, the safety of international air travel, the allocation of radio frequencies, and the protection of the environment. As technology has generated political and legal problems, these and other global issues have blanketed the agenda of the UN system. International cooperation in dealing with them is vital to assuring a livable world in the decades ahead.

Complete agreement on at least one of these major issues, sharing the uses and resources of the seas, appeared very close as 1981 opened. Six years of hard bargaining had brought nations close to agreement on over 300 articles of a draft treaty. We urge that the U.S. continue to seek agreement on a comprehensive Law of the Sea treaty in the interest of all nations that would fully protect navigational freedom and assured access to seabed minerals.

#### 5. Namibia and South Africa

In Namibia, which presents the last significant problem of decolonization, the U.S. should continue, as it has done in recent years, to take into account long-term trends in Africa, as well as the aspirations of the Africans. Such an approach led to the majority-supported solution in Zimbabwe, which was endorsed by the African frontline states, the United Kingdom and the U.S.

For Namibia, the Security Council has approved a plan worked out by the U.S., the United Kingdom, France, West Germany and Canada after consultations with the concerned parties. In essence, the plan provides for UN-supervised elections to determine what kind of government should rule an independent Namibia. The plan has been accepted by SWAPO at the urging of the African states; and because SWAPO expects to win such an election, South Africa, while giving signs of accepting the plan in principle, has raised various objections to its implementation. In particular, it argues that the General Assembly's endorsement of SWAPO, which is dominated by the Ovambos, casts doubts on the impartiality of the UN.

We believe the U.S. should continue to support the basic principles of the plan and press South Africa to resume negotiations in good faith. The U.S. might also invite the Black African states and South Africa to work out constitutional guarantees to protect Namibia's minority ethnic groups, black, white and mixed.

Apartheid in South Africa proper is a different and more difficult problem. The UN has condemned apartheid as a crime against humanity and virtually all countries have called for its abolition. There has also been great pressure by African countries and others for economic and military sanctions against South Africa through the Security Council. Apartheid is an abomination and we urge that the U.S. cooperate in efforts toward its speedy elimination. But we do not believe that it constitutes the kind of threat to international peace and security which, under Chapter VII of the UN Charter, would justify military action. Nor do we believe the anti-apartheid cause is advanced within the country by refusing South Africa participation in the General Assembly. However, we support selective UN and bilateral pressures, such as the continuation of the arms embargo and the discouragement of new investments.

To equate the problems of the Palestinians with that of the apartheid imposed on the black majority in South Africa is a gross distortion, one more example of bias which damages UN credibility. Privately, the U.S. should make it clear to the Africans and others promoting this distortion, that it harms their interests; publicly we should always take a firm stand against this deplorable equation. One way to counteract it is for the U.S. to participate in special conferences on South Africa, racism and apartheid on the basis of a "gentlemen's agreement" with the sub-Saharan African states that they will oppose resolutely any effort to intrude the irrelevant subject of Zionism.

#### 6. Human rights; international terrorism

At the UN founding conference in 1945 in San Francisco, it was the U.S. which took the lead in launching the post-war international human rights movement. The Nazi experience had demonstrated the close connection between repression of human rights at home and international aggression abroad; and the UN Charter postulated that observance of human rights and "the creation of conditions of stability and well-being" were organically linked to the prerequisites for peace (Article 55).

The human rights principles of the UN Charter and the constitutions of the UN specialized agencies as well as the moral-political declarations and binding conventions emanating from them, have been endorsed by a majority of member states, notwith-



standing that most pay them only lip-service. The principles of the Universal Declaration of Human Rights and the Covenant on Civil and Political Rights place high value on rights rooted in our American tradition such as the rights to freedom of speech, press, assembly and association, fair trial, and other rights and freedoms of individuals. The U.S., in recent years, has been a leading advocate of these principles in the UN bodies and should continue in that role.

Andrei Sakharov has said that "defense of human rights has become a worldwide ideology, uniting on a humane basis peoples of all nationalities and with the most diverse convictions." The U.S. must face the challenge of how to relate to this "worldwide ideology." We believe that America should be identified, for both moral and prudential reasons, with promoting an international rule of law that encompasses human rights values. It would be contrary to our interests to let the human rights mantle be appropriated by political and ideological forces which are in fact inimical to human rights.

The Ad Hoc Group reaffirms its commitment to the human rights ideal and urges the U.S. to work toward its advancement both through international institutions and processes and through bilateral relationships. Because human rights are such an important international issue today, their defense should be a prominent part of the U.S. foreign policy agenda. Further, a strong American policy on human rights would be a powerful counterforce to the ideological appeal of communism in the battle for the hearts and minds of mankind.

International law obligates all governments, notwithstanding the regrettable absence of an international judicial system and enforcing authority, to respect and promote their citizens' basic rights and freedoms. It has established that the way a government treats its people is a legitimate concern of the international community, so that assertions or complaints by one country that another is violating its citizens' human rights are unquestionably legitimate. President Reagan recognized this fact in his remarks at the "Day of Remembrance" ceremony for the victims of the Holocaust, on April 30, 1981 at the White House: "Never shall it be forgotten for a moment," he affirmed, "that wherever it is taking place in the world, the persecution of a people, for whatever reason . . . is a matter to be on [the] negotiating table or the United States does not belong at that table."

Neither authoritarian nor totalitarian regimes should be permitted to subscribe formally to international human rights standards while violating them in practice. When their practices violate the internationally recognized norms to which they claim to adhere, governments should not be allowed to demand "noninterference" in their internal affairs, or to claim that state security dictates the violation; they must be called to account.

While cooperating in promoting the enjoyment of economic and social rights which are also integral to American values (one of Franklin D. Roosevelt's Four Freedoms was Freedom from Want), the U.S. should resist the thesis advanced by some Third World countries that economic and social needs must be met before a state can afford the "luxury" of civil and political freedom. The poor and even hungry can also understand the importance of freedom to speak and organize, of freedom of emigration and of fairness in the criminal justice process. The

General Assembly itself has declared (res. 32/130, December 16, 1977): "All human rights and fundamental freedoms are indivisible and interdependent; equal attention and urgent consideration should be given to the implementation, promotion and protection of both civil and political, and economic, social and cultural rights."

The Administration has recently affirmed that "the protection and enhancement of human rights is a principal goal of [its] foreign policy" and not "a mere afterthought in the foreign policy process;" that "while private diplomacy will be the preferred approach [it] will continue to use . . . [public diplomacy] where it is needed;" that it "opposes the violation of human rights whether by ally or adversary, friend or foe" and will not pursue a policy of "selective indignation."

What Senator Daniel P. Moynihan said of the UN's selective morality applies also to us: "Unless standards or human rights are seen to be applied uniformly and neutrally to all nations, regardless of the nature of their regime or the size of their armaments . . . it will quickly be seen that it is not human rights at all which is invoked when selective applications are called for, but simply arbitrary political standards dressed up in the guise of human rights. From this perception it is no great distance to the conclusion that in truth there are no human rights recognized by the international community."

Of course, our own leverage varies with different nations and, therefore, our effectiveness necessarily varies. Still, to be effective, the U.S. stance on human rights must be coherent and even-handed. Only in highly exceptional circumstances, when overriding security interests are at stake, should there be any exceptions, and these should be justified and explained to the American people.

We commend the Human Rights Commission's recent extension of its concern to patterns of gross violations in parts of the world hitherto insulated from international scrutiny; but the Commission and other UN bodies still have a long way to go toward correcting the prevailing double standard. U.S. representatives in these bodies should vigorously oppose the kind of selective morality which concentrates on violations in a few countries while important violations in Eastern Europe, Africa, Asia and Latin America are ignored or barely noticed. But neither should these representatives condone violations simply because the UN has been selective. They should condemn all violations, whether by leftist or rightist governments.

The U.S. must be a committed participant in the UN's setting of human rights norms, not only in drafting but also by ratifying adopted conventions, with only essential reservations. It is inexcusable that we have not yet ratified the principal human rights conventions and conventions, in particular, the Genocide Convention and the Covenant on Civil and Political Rights, both of which are reflective of our own values. If we ratified at least this Covenant—including the Optional Protocol on the individual's right to petition—and the Convention on the Elimination of All Forms of Racial Discrimination, the U.S. could participate in their implementing bodies and thereby influence their practice and evolving jurisprudence.

Further, the U.S. should participate in UN efforts to adopt new norm-setting principles on, among other things, the ban on torture or other maltreatment of prisoners, the

elimination of religious discrimination, the protection of ethnic minorities, the safeguarding of human rights advocates, and the right to emigrate. The Universal Declaration and the Covenant on Civil and Political Rights recognize the right to leave one's country and return to it as a basic freedom; it is nearly 20 years since the UN Sub-Commission on Discrimination and Minorities proposed a set of principles spelling out this freedom, to be adopted as a declaration or convention. Follow-up action by the Human Rights Commission is long past due.

The U.S. should continue to press for observance of due process in UN fact-finding on human rights. Such standards must exclude preconceived standards and condemnations; and require that fact-finding missions be composed of independent persons respected for impartiality and integrity. These and other proposals for the model rules of procedures adopted at the August 1980 Belgrade conference of the International Law Association merit U.S. supported advocacy.

We should support other efforts to strengthen the UN's implementing capacity, both by improving existing mechanisms and by establishing such new institutions as the proposed office of UN High Commissioner for Human Rights. It would also be helpful, among other improvements, to allow complainants under the Human Rights Commission's confidential Resolution 1503 procedure, access to governmental responses to their allegations, and generally to relax these secrecy restrictions; to preserve and strengthen the mandate of the Commission's working group on disappearances; to empower the Commission to convene emergency sessions on reports of "mass and flagrant violations of human rights of an urgent nature," and to upgrade the status of the UN's Human Rights Division to a Human Rights Center.

Complex modern societies are increasingly vulnerable to international terrorist acts, which not only can, indeed are intended to, damage and destabilize societies, but can dangerously unbalance international relations. Secretary of State Alexander Haig has condemned the human rights violations of "rampant international terrorism." Whether perpetrated by individuals, political groups or governments, terrorism affects basic human rights not only because hostage-taking, bombings and other violent acts inflict death and suffering on innocent victims, but also because it may force both governments and political groups to take countermeasures that often victimize the innocent. And the fact that terrorist groups often wrap themselves in the cloak of human rights complicates countermeasures.

Both a comprehensive strategy and ways to deal with its particular manifestations are needed to combat international terrorism. No form of terror by individuals or counter-terror by governments, for whatever "righteous" reason—as a protest against poverty or political tyranny, in the cause of national liberation, for national security—should be exempt from condemnation. The U.S. must make it clear that every UN failure to speak out and to act against any manifestation of terrorism endangers the entire structure of human rights.

Effective international action against terrorism depends on general agreement that certain acts are crimes, regardless of their alleged motivation. As Yugoslavia declared in a 1972 letter to the UN: "Grave offenses and serious crimes should not be treated as political acts even in cases where the mo-

tives for committing such acts are of a political nature." These and other crimes and offenses have been defined in the International Civil Aviation Organization's conventions against hijacking and other dangerous interferences with civil aviation, in the UN's 1972 convention on the protection of diplomats and other internationally protected persons, and in its 1979 convention against the taking of hostages. Unfortunately, such conventions are undermined by the failure of some countries to ratify them or to comply with them when they have been ratified—for example, when Iran held American hostages for more than a year.

The U.S. should work in the UN and elsewhere to increase the number of ratifications and to develop mandatory procedures for punishing or extraditing offenders and penalizing non-ratifying governments. For example, it should join other nations at the UN, or outside it, to work out an international agreement whereby all nations would promptly and automatically cut off diplomatic and economic relations with any government that takes diplomats as hostages, or fails to protect diplomats on its territory, or fails to try to extradite persons who commit such offenses and seek their sanctuary.

Among other terrorist crimes that could be the subject of new international agreements are the export of violence to countries which are not parties to a conflict and the international mailing of letter bombs and other explosive devices. The U.S. might consider supporting the American Bar Association's proposal to create an international criminal tribunal to try terrorists.

#### *7. Politicization of specialized agencies, functional conferences and secretariats*

U.S. leadership in sponsoring international mechanisms to deal with special economic and social problems long antedates the UN, a prime example being the creation of the International Labor Organization in 1919. It was thought then and in the early years of the UN that clearly defined programs for the general welfare could be insulated from the members' "high politics" and that agreements could be reached on monetary policy, investment, trade, agriculture, labor, health, education, science, culture, communications, nuclear energy, civil aviation, merchant shipping, and other important issues. It was hoped, too, that habits of cooperation in these specialized areas would spill over into such politically sensitive areas as security.

In fact, the opposite has too often happened: The politics of the General Assembly and the Security Council have been replicated in various specialized agencies and functional conferences. Undeniably, many of the specialized agencies have made important contributions to the general welfare. They have contributed greatly to the development of Third World countries and the growth of the international economy. The Food and Agriculture Organization, the World Health Organization and other specialized agencies have contributed enormously in their respective spheres and have largely maintained their specialized and professional character. The Stockholm Conference (1972) sensitized governments around the world to increasingly serious environmental problems and led to the establishment of the UN Environment Program.

Unhappily, the efforts of some of the agencies—UNESCO, ILO, World Health Organization and others—have been threatened by the injection of extraneous political issues ("politicization") that provokes fric-

tion and confrontation and hinders cooperation. Two closely related patterns are involved in this regrettable development: taking action on matters outside the specific functional domain of a given specialized agency or conference, and reaching decisions on matters within their functions competence on the basis of political considerations irrelevant to the technical or scientific problems at issue.

A glaring example was the World Conference on Women, held in Copenhagen in 1980, whose purpose was to analyze the problems and to promote the economic, social, educational, health and other interests of women. Because special resolutions introducing extraneous and divisive political issues were adopted—notably calling for the "elimination" of Zionism, providing for specific UN aid programs to be carried out only for Palestinian women with no specific provision for Somali, Eritrean or the needy women of other countries, citing the predicament of women in El Salvador and Chile but not of those in Afghanistan, Cambodia, Uganda or Saudi Arabia—26 governments, including virtually all the western governments, refused to support the conference's overall Program of Action.

Since the resolutions at such conferences are non-binding recommendations and meaningful only to the extent that they influence government attitudes, it is doubtful that they should be voted on at all. Indeed, voting procedures at such conferences actually encourage the introduction of divisive political issues. When governments whose cooperation is important, or even critical, are outvoted, the consequences can only be counter-productive. We believe the U.S. should seek when feasible to have decisions at specialized conferences made by consensus. In any case, when irrelevant political issues are likely to jeopardize the goals of a conference, the U.S. should consider seriously refusing to attend and share its costs. Obviously, such a policy would be effective to the degree that it is espoused by other governments as well.

Of all the specialized agencies, UNESCO presents perhaps the most troubling case of intrusion of retrogressive ideology and biased politics, with inevitable damage to its reputation and constructive programs. A conspicuous example has been the effort of the Soviet Union and some Third World governments to legitimize, under the rubric of a "New International Information Order," government controls over the collection, transmission and publication of news by the press and other mass media. While calling for a "free and balanced flow of information and news" internationally, these governments maintain a discreet silence about its absence in their own countries, where news usually means government propaganda.

While offering to help Third World countries improve their communications capacity, the Western democracies have stood firm against the insidious assault on freedom of information and expression. The U.S. Senate, by a vote of 99-0, rejected the concept of a "new information order" and called for prohibiting any U.S. funding toward "projects to license journalist or their publications, to censor or otherwise restrict the free flow of information within or between countries, or to impose mandatory codes of journalistic practice or ethics." The House of Representatives approved overwhelmingly resolutions holding that the establishment under UNESCO aegis of a new information order would restrict free-

dom of the press, and calling on it to cease efforts to regulate the flow of news and information around the world.

We endorse this Congressional stand as well as the Administration's intent to pursue at the UN the principles of the Declaration of Talloires (adopted by a Conference of Independent News Media, May 15-17, 1981 at Talloires, France), which emphasized that press freedom is a basic human right.

Like many other UN bodies and agencies, UNESCO has succumbed to the Arab-Soviet strategy of maligning Israel and undermining the Camp David process. In disregard of findings of UNESCO's own experts, every UNESCO General Conference since 1974 has condemned Israel's archaeological projects in Jerusalem, and its educational and cultural practices in the West Bank and Gaza.

We believe the time has come to reassess the capacity of UNESCO, and certain other UN agencies, to function compatibly with their declared ideals and purposes. Where politicization, or gross inefficiency, has seriously impaired this capacity, and remedial efforts fail, the U.S. should consider alternative institutions or mechanisms to provide their intended services. Our preference is that the U.S. stay in UNESCO and aggressively affirm our own interests and ideals, and work to restore the agency to its proper role; but if these efforts fail, we should not exclude the possibility of withholding financial support or even withdrawing from the agency.

In the secretariats of the UN and its specialized agencies, hiring and promotion have been influenced increasingly by political pressure rather than by merit. This has brought many poorly qualified officials to important positions and, as a consequence, eroded confidence in the integrity of international officials in general. The U.S. should take the lead, in cooperation with other governments, in seeking to reverse this damaging trend, for in the decade ahead, it will be crucial that international secretariats be competent and objective. Able Americans and qualified people from other nations should be encouraged to join these secretariats.

#### *8. Voting and decisionmaking: "The tyranny of the majority"*

Every international organization needs a decision-making procedure suited to its objectives. Weighted voting is appropriate for the World Bank, the IDA and the IMF, for without it, the major contributors are not likely to provide the huge resources required. The same principle has been applied to regional development banks. In the International Fund for Agricultural Development, based on a similar principle, the OECD and OPEC jointly provide most of the resources and have one-third of the votes each, with the remaining one-third distributed among all other members. In commodity agreements, it has been accepted as reasonable that producer and consumer countries have equal voting rights subdivided according to relative market shares. In short, some form of weighted voting, with variations, is essential in organizations where some nations contribute most of the resources.

The Law of the Sea Conference has functioned by consensus rather than voting and thus achieved near agreement on more than 300 articles of a draft treaty. Although the consensus procedure is slow and laborious, it is reasonable to apply it in negotiating a



treaty whose effectiveness depends on ratification by governments. For this reason, we would recommend its adoption for treaty-drafting and generally at functional conferences. The UN Institute for Training and Research is appropriately about to publish a study with this same thesis. It should be taken up by our government.

Since the Security Council can make binding decisions to impose economic, political and military sanctions—which could not be effective in the face of determined opposition by a superpower—the veto is indispensable.

The General Assembly has been somewhat grandly called the "Parliament of Man," but in reality it is much less than that. It can give directions to the UN Secretariat and set the budget, but aside from these binding powers it cannot legislate by majority vote, even when it designates a document a "Declaration" or "Charter." (On the other hand, international law may be developed by consensus if the text is carefully and meaningfully worked out. Initiating international law in areas ripe for it is in fact one of the Assembly's important roles.) Nevertheless, although not binding, Assembly resolutions can significantly influence the views of governments, which alone have the power and the resources to make them effective.

More and more frequently, resolutions by the General Assembly and by the assemblies of such specialized agencies as UNESCO and functional conferences like the one at Copenhagen have disturbed the U.S. and other governments, as well as public opinion, with harmful impact on programs of international cooperation. This is because the true value of an Assembly or conference is not measured by the number of resolutions it adopts, nor by the decibels of oratory, but by the success or failure to win the members' cooperation.

It is probably unwise, and certainly difficult, to lay down hard and fast rules for U.S. voting in the assemblies and conferences of the UN system. When we favor a proposal, obviously there is no problem. When we are opposed, the first step should be consultation with other friendly delegations on what to do: Shall we try for an amendment? Call for separate votes on objectionable features? Vote no? Abstain? Not vote at all? Any one of these negative postures should be accomplished by a trenchant explanation. Moreover, the U.S. should not fear to stand alone, if necessary, especially if an important principle is involved. In such cases, we should grasp every opportunity to make our objections known, especially in bilateral communications with the member governments.

Given the importance of Congressional and public acceptance of U.S. cooperation in international programs, Third World countries could help toward this end if they avoided actions that are not in their essential interest but which needlessly offend American public opinion. U.S. representatives ought to explain to them the possible consequences, including curtailment of funding, of flagrant instances of politicization.

#### 9. Synchronizing multilateral and bilateral action

In the course of world events, matters that were traditionally dealt with by bilateral diplomacy or by small groupings of nations have become part of the multilateral agenda. Conversely, it is estimated that multilateral issues now constitute about 70 percent of the content of bilateral diplomacy.

Thus, not just prudence but necessity dictates that the people engaged in bilateral policy in Washington and the U.S. embassies be knowledgeable about multilateral preoccupations and programs, and seek opportunities to advance our objectives through the UN and other multilateral institutions.

Many countries, especially the smaller ones, do not even coordinate their own positions at different multilateral forums. They take sharply different positions, for example, at the annual meetings of the World Bank and IMF and in the General Assembly. The U.S. should watch closely the positions these countries take in various forums and make it clear to them that their multilateral policies are matters we will take seriously into account in our bilateral relationships. We recognize that there can be honest differences between us, but it is another matter when a country takes anti-American positions irresponsibly or demagogically, or under the influence of bloc pressure, even when its real interests are not at stake. Gratuitous attacks on the U.S. should not be cost-free.

Obviously, the U.S. must first coordinate positions within and among its own departments and agencies, not only in the State Department but also the Treasury, the Agency for International Development and the others concerned.

Any viable policy toward the UN has to be solidly grounded in Congressional and public acceptance, particularly when costly international programs are involved. The essence of a prudent, realistic and effective policy is a balance between our domestic and foreign interests, and the building of a consensus on the sacrifices it demands. It is precisely because Congress has no substantial constituency that is interested in international affairs that the U.S. Mission to the UN has the responsibility to inform both the legislative and the executive branches what the rest of the world is concerned about. Though the U.S. must reserve the right to act alone to safeguard its interests where no other course is available, American leaders and officials need to be aware of the advantages that can accrue from collaboration in multilateral institutions. It may be useful to this end to attach to our General Assembly delegations not only occasional members of Congress, as we do now, but also some senior international relations staff attached to key Committees and members.

Any strategy for dealing with the Group of 77 requires consultation with the other OECD countries, but that does not mean the positions must be uniform, as the Soviet bloc demands of its members. Differences and flexibility are not necessarily to our disadvantage, if we want to encourage developing countries to pursue their real interests rather than take rigid bloc positions. Examples of industrialized countries' flexibility should be there to follow! Though the U.S. should not fear to stand alone on fundamental principles, wherever possible we should try hard to enlist support from our allies and friends. Too often, friendly nations have made opportunistic concessions—which they did not really favor—on important issues, because they felt safe in the knowledge that the U.S. would take care of their interest by defending the principle at stake. In trying to work out in advance joint positions with friendly countries, we may be able to give them the courage to express and vote their real convictions.

#### CONCLUSIONS AND RECOMMENDATIONS

In 1981 the UN system, with some good works in the cause of peace, economic and social betterment and human rights, also reflects—and occasionally aggravates—the dangerous international environment in which the U.S. finds itself. In our 1976 report, we attributed the deterioration of the UN's institutional capacity to deal impartially and effectively with important world issues to the opportunistic behavior of some members. Unfortunately, we must ask again "whether it is possible to turn around political behavior so that the institution will again become an environment for useful dialogue and constructive action."

We still believe it is in the American interest to use the UN as a forum for carrying out our country's foreign policy, a long-term goal of which should be active cooperation in working out measures for global survival, economic and social improvement, and human rights for all people. We should cooperate toward these ends when matters of interdependence are involved, but also be prepared to go to other multilateral institutions or combinations, or act alone, when necessary.

The U.S. should be receptive and attentive to the concerns and claims of Third World countries and be ready to cooperate with them in achieving peaceful change. Many of these countries are increasingly important to the U.S. economy and geo-political strategy, and indispensable in cooperative efforts to assure a livable world. Yet even as we cooperate in the quest for economic and social betterment, and even as we reconsider some of our positions, we should make it clear that on occasion the U.S. will be obliged to disregard recommendations voted by a numerical majority rather than arrived at by a process more reflective of the sentiments of the world community. So long as the UN system, other than the Security Council with its veto power, does not have effective means of protecting the interests of minorities, one cannot expect states to accept automatically principles and measures voted by transient majorities, after arrived at in the heat of passionate political debate without due consideration of all the interests at stake.

We should make it plain to UN member states that the Organization's moral integrity is its most precious resource, and that its strength lies in a reputation for fairness, objectivity and effectiveness. Only through a world organization that commands respect will governments be able to solve the complex and threatening problems that lie ahead.

The U.S., in cooperation with like-minded states, should strive to make the UN a stronger and a better mechanism for building a more peaceful and just world. In order to help it serve both international cooperation and our own national interests, we recommend that the U.S.:

Join the UN member nations, indeed offer leadership, in a rededication to cooperation in maintaining international peace and security through the peaceful management of violent conflicts and the balanced reduction of armaments. While we prefer to share responsibility toward this end, we reserve, of course, our right under Article 51 of the UN Charter to act in individual or collective self-defense.

Continue work with other nations to strengthen the UN's peacekeeping capacity to prevent or stop local wars and avoid superpower confrontations.

As a general rule, should bring to the Security Council, in cooperation with other countries but alone if necessary, all significant threats or uses of force against the territorial integrity or political independence of any state. Even if blocked by veto, such initiatives can raise the political cost to violators by exposing them to the pressures of world opinion.

Explore, in cooperation with other UN members, opportunities and means to strengthen the role of the Security Council in the peaceful settlement of disputes. We should encourage the Secretary-General to use more frequently and less selectively his Charter authority to bring to the Council's attention matters threatening international peace and security.

Consider the feasibility of creating, within the Security Council, a Nuclear Security Planning Committee whose functions would be fact-finding, good offices and mediation, devising plans for nuclear-free zones and other arms control measures, and generally encouraging awareness of their responsibilities among actual and potential nuclear-capable states.

Take greater initiatives in seeking verifiable agreements for balanced and mutual reductions of armaments which would increase American security, enhance world peace and release resources and manpower for constructive purposes.

Resist efforts by any party to undermine Security Council Resolutions 242 and 338—the only agreed-upon basis to date for a comprehensive peace in the Middle East—and the peacemaking process initiated in the Camp David Accords. Concomitantly, we should oppose all attempts to deny any member state full participation in the General Assembly, the specialized agencies and functional conferences.

Continue to support an active UN role on behalf of Namibian self-determination and the abolition of apartheid in South Africa.

Strive toward the early conclusion of an equitable and workable treaty on the Law of the Sea.

Continue its strong support of the IMF, World Bank and IDA, including provision of a fair share of the required funding.

Consider the legitimate and realistic economic and social concerns of Third World countries, while making it clear that we will not sacrifice important national interests to the exhortations of majority-voted resolutions in the General Assembly, specialized agencies, or in functional conferences. One cannot expect states to accept automatically recommendations adopted by one-nation, one-vote majorities, often arrived at in the heat of passionate political debate without due consideration of all the interests at stake.

Carry out, in accordance with the ethical values and historical traditions of the American people, a principled policy of promoting and protecting human rights and fundamental freedoms. To this end, we should,

(a) promptly ratify major human rights treaties;

(b) participate energetically, consistently with and in defense of our principles, in the Human Rights Commission and other UN bodies and agencies engaged in human rights programs;

(c) oppose attempts to restrict UN discussion of human rights to a few countries while ignoring violations elsewhere, and take the initiative in broadening the discussion;

(d) insist that all states ratify and fulfill their obligations under existing conventions

against hijacking, hostage-taking and other terrorist outrages, and work for additional international instruments against particularly grievous manifestations of terrorism, including nuclear terrorism. We should insist that states adhere to the spirit of the agreements, which aim to deter offenses regardless of motive.

Seek in UN conferences devoted to various functional problems to replace so far as possible adversarial voting by decision-making through consensus.

Consider not attending or withholding financial support from specialized agencies or functional conferences whose purposes we have found—after careful examination, explanation and warning—to be seriously compromised by the injection of extraneous political issues.

Call on the UN member states and on the Secretary-General to restore "meritocracy" in Secretariat appointments and promotions throughout the UN system, and to ensure efficiency and integrity in staff performance in accordance with the principles in Articles 100 and 101 of the UN Charter.

Intensify efforts and improve procedures in the State Department and other government departments and agencies to utilize bilateral diplomacy more effectively in the service of our national objectives and interests in UN and other multilateral forums. We should coordinate more effectively our bilateral and multilateral diplomacy.

Develop closer cooperation in international matters among the Administration, Congressional committees involved in international affairs, transnational corporations and American nongovernmental organizations active in the international area, in order to ensure coordinated action in matters of common interest.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### ARMY SAVES TAX DOLLARS

Mr. PROXMIER. Mr. President, I wish to praise the U.S. Army for management efficiencies which will result in a saving of over \$4 million to the U.S. taxpayer. At a time of record high military budgets and horror stories, it is good to hear that the Army is showing some old-fashioned frugality and efficiency.

The U.S. Army Finance and Accounting Center, in Indianapolis, Ind., has put into effect three programs which eventually will save over \$4 million.

The first involves matching Army computer files of military retirees receiving retirement checks with computer files from the Veterans' Administration of recently deceased veterans.

Lo and behold, the Army found 159 cases of dead retirees still receiving, and cashing, their checks at a total of \$570,000. Whoever said, "You cannot take it with you?" The Army cracked

down and has collected more than one-third of these funds with more expected soon.

Second, they used the computer to match payments to individuals receiving two different types of Government financial assistance—survivor benefit plan annuities from the Army and dependency and indemnity compensation funds from the Veterans' Administration.

U.S. law requires that the Army's payment must be reduced by the total of the Veterans' Administration payment. But nobody had been checking one against the other. When the finance center ran its computer, it found 262 cases of overpayments going back to 1974 totaling over \$3.7 million. The Army is trying to recover these excess payments, and the computer now weeds out these double payments annually so the situation cannot recur.

Third, the finance center has listed to the advertising that mailgrams have the "impact of a telegram at a fraction of the price."

Instead of using computer letters to collect debts owed the Army, they started using mailgrams. Initial figures indicate that debt collection will be up 7 percent with a potential saving of \$234,000 annually.

Mr. President, these savings project out to over \$4 million and in some cases they will be made year after year.

We are not going to balance the budget with these cost savings nor are we going to reduce the huge increase in defense spending. But they are a fine example for the rest of Government to follow.

If every finance center, base, department, office, and bureau in Government had the same management record, maybe we could put a dent in that deficit.

#### THE REWARDS OF PERSEVERANCE

Mr. PROXMIER. Mr. President, another book on the Holocaust appeared recently. This one, entitled "The Black Book," attempts to convey the emotions of Soviet Jews during the Nazi invasion of the Soviet Union. It is a compendium of stories recounted by survivors of the Hitler extermination campaign.

One of the most vivid and morose accounts is about a man who hid for 26 months in the cellar of his house, unable to lie down or stand up, and then died 2 days before the Red army arrived.

The "Black Book" was compiled 30 years ago but was only published recently. Its release had been blocked in deference to the East Germans. Only after three decades of struggle did the editors gain permission for its release.



Mr. President, this work is laudatory not only because of its literary merit, but also because it calls to our attention the horrors of genocide. Without frequent reminders of the atrocities that transpired under Hitler and others who have committed genocide, lessons may quickly be forgotten. "The Black Book," in its anecdotal style, carries on the instructive tradition in a powerful way.

A book with startling and vivid tales such as "The Black Book" can jar a segment of the population for a period of time. As with any book, however, the effects are neither national in scope nor permanent.

Like the editors of "The Black Book," I have spent much time and great energy attempting to expose the crime of genocide and to see that our Nation goes firmly on record as opposing this heinous crime. It took over 30 years of persistence to have this fine new work published. The fight for ratification has taken as long. It must not take another year. Mr. President, I call on the Senate to ratify the Genocide Treaty at the earliest possible date.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### DEATH OF AUDLEY F. MAHAFFEY

Mr. GORTON. Mr. President, I should like to bring to the attention of the Senate the recent death of Audley F. Mahaffey, a longtime educator and legislator from Washington State.

Mr. Mahaffey and I served many years together in the State house of representatives as members for the same district. In fact, he began an interrupted career in that body in the same year that I started my first term as a State representative. I benefited from his wise counsel and his friendship. He was my close friend and good neighbor.

Mr. Mahaffey's many contributions to State government and to numerous civic organizations will long be remembered, both by those who knew him and by those who will benefit in the future from the acts of his dedicated service.

I ask that each Member of the Senate extend his or her sympathy to his widow, Frances Mahaffey, and to the family.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

Mr. LONG. Mr. President, reserving the right to object, can the Senator tell me what he had in mind doing? If he is not going to do anything, why do we not go home?

Mr. BAKER. Mr. President, the Senator from Louisiana had his hopes up there for a minute, but I am going to dash them and tell him I am very hopeful that we will indeed get started on the continuing resolution making appropriations for three departments of the Government.

Mr. LONG. I have no objection.

Mr. BAKER. Mr. President, before the Chair considers my request, I may say that I understand there may be another Senator or so who has need for time to conduct morning business. I intend to extend that time, assuming the Senate will consent, and then at the close of the time for morning business or as soon as the principals arrive to deal with the continuing resolution we will go on to that.

Mr. LONG. I thank the Senator.

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

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

#### EXTENSION OF ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I ask unanimous consent that the time for transaction of routine morning business be extended for not longer than 30 minutes additional time under the same terms and conditions as the request entered this morning.

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

Mr. BAKER. I thank the Chair.

Mr. President, while we await the arrival of any Senator who may have need for time to transact routine morning business, once again I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### UNANIMOUS CONSENT AGREEMENT—H.J. RES. 409 AND S. 1207

Mr. BAKER. Mr. President, the distinguished minority leader is necessarily absent from the floor, but I have communicated with him and have his approval, I believe, for the request I am about to put. We consulted during the opening moments of the session today, and then our staffs have consulted since that time and appear to have this arrangement worked out to

the mutual satisfaction of both sides of the aisle.

Mr. President, I ask unanimous consent that the majority leader, after first consulting with the minority leader, may proceed to the consideration of House Joint Resolution 409, the continuing resolution, for the purpose of making opening statements and general debate, and at that time S. 1207, the NRC authorization bill, may be temporarily laid aside.

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

#### ORDER OF BUSINESS

Mr. BAKER. Mr. President, I observe that the distinguished chairman of the Appropriations Committee is in the Chamber, as is the distinguished ranking minority member, and I assume that they are prepared now to proceed with the consideration of the continuing resolution.

Before they do so, however, may I announce that we have now an order for the Senate to convene tomorrow at 9:30 a.m., and that it is the intention of the leadership to ask the Senate to resume consideration of the NRC authorization bill at 10 o'clock. We do not now have an order for that, but I will attempt to gain consent for that procedure a little later. But in any event, Senators should be on notice that at approximately 10 o'clock the leadership will ask the Senate to resume consideration of S. 1207, the NRC authorization bill.

I also intend, as soon as we can clear this request, to ask unanimous consent that any rollcall votes on any amendments that may be ordered prior to 2 o'clock will be stacked and occur at 2:10 p.m., providing 10 minutes, to be divided in an appropriate way, for an explanation of the ensuing procedure, and then for final disposition on the vote on any amendments that may be ordered and on passage if the same is required.

After the disposition of the NRC bill and after the intervening technical moves in the nature of the consideration of the House bill or postponing other measures indefinitely, the Senate will resume consideration of the continuing resolution.

With that general overview, Mr. President, of how the leadership hopes that the Senate will proceed with this matter, I wish to express my appreciation to the Senator from Oregon for his willingness to proceed with the continuing resolution at this point, and my appreciation as well to the Senator from Wisconsin.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

# FURTHER CONTINUING APPROPRIATIONS, 1982

Mr. BAKER. Mr. President, under the order entered, I ask that the Chair lay before the Senate House Joint Resolution 409, the continuing resolution.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 409), making further continuing appropriations for the fiscal year 1982.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. HATFIELD. Mr. President, the measure now before the Senate simply extends the date of the existing continuing resolution to September 30, 1982, into this fiscal year.

When we took final action on the existing continuing resolution in December 10, appropriation bills had yet to be signed into law and had to be covered by that measure.

The resolution that we have before us today will extend funding for only three: Commerce-Justice-Judiciary (H.R. 4169), Treasury-Postal Service (H.R. 4121), and Labor-Health and Human Resources-Education (H.R. 4560). All three of these bills, as I say, will be covered by this particular extension.

Mr. President, I am not happy that I have the duty to recommend to the Senate that we again pass a continuing resolution, but we must do so, having failed to enact these regular appropriation bills. I would much rather have the Senate consider the three bills which this continuing resolution covers, but because of the problems of Senate scheduling, threat of legislative riders and our inability to make final budgetary decisions for decisions for fiscal year 1982, this goal seems less and less likely. We then must act on this continuing resolution, and act by Wednesday of this week, or else again hazard massive interruptions of the Federal Government, needlessly costing tens of millions of taxpayers' dollars. For this reason, I strongly urge my colleagues to refrain from offering any amendments to this measure. This will avoid unnecessarily prolonged debate of this simple measure; and, furthermore, will not preclude any Senator from seeking action on their proposals or their amendments or their riders when we take up the urgent supplemental appropriations bill.

I expect that that measure will come before the Senate either later this week or certainly very soon after the recess.

Mr. President, I want to put the Senate on due notice that I shall probably move to table any amendment regardless of the amendment's merits or anything concerning the amendment as to its substance.

I do not believe that we can risk the opening of Pandora's box with the acceptance of any amendment on the continuing resolution, because once we do that, all Senators have equal rights and we will be getting into abortion, school prayer, busing, and all the other things that have traditionally been loaded onto the continuing resolution or the appropriations bill.

Mr. LONG. Will the Senator yield for a question at that point?

Mr. HATFIELD. Yes, I yield.

Mr. LONG. Is the Senator speaking of tabling all nongermane amendments or is he speaking of tabling all amendments, period?

I should think that a Senator who would want to change a figure in the bill with a germane amendment—

Mr. HATFIELD. I draw a distinction with respect to any amendment which is necessary to deal with the bill technically; but any amendment that, in effect, seeks to piggyback, in a sense, on this vehicle is the kind of amendment I will resist strenuously.

Mr. LONG. I am speaking now of germane amendments. I am not talking about adding an appropriation amendment to the bill. I am talking about an amendment that is clearly within the rules and the usual tradition, to make a change in the appropriation, to add or subtract some money for a given function. Is the Senator planning to move to table such amendments that are clearly germane and within the usual practice?

Mr. HATFIELD. I say to the Senator that I will move to table any amendment that will require us to go to conference with the House before Wednesday night and report back to the respective bodies. I think we can handle technical amendments, but I shall resist any amendment of substance that would require us to go to conference.

I say to the Senator that, again, this does not foreclose amendments being offered to the urgent supplemental; and the urgent supplemental appropriations bill is not without its own timeframe as well.

I must be very forthright with the Senator. We have added the word "urgent" to it because there are dates of expiration that it covers in terms of certain programs. So it is not as if we were just going to take up this supplemental and let it drag on and on. Whatever urgency there is to amendments can be added to another vehicle—namely, the urgent supplemental appropriation.

If we get this extension, we will not go to conference, and we can put it on the President's desk; and we will not get into one of these midnight sessions or a situation in which we have to stop the hands on the clock, which I do not think is sound legislative procedure.

Mr. LONG. The Senator from Louisiana merely wants to obtain the un-

derstanding of the manager of the bill, the chairman of the committee, that the other 98 Senators in this body should not be precluded from offering amendments to legislation and that proper legislative procedure is that at some point we have the opportunity to offer whatever amendments we wish to offer.

I hope that is what the Senator has in mind; because if they cooperate in this, I hope there will be a bill some time not too far in the future on which we will have the opportunity to offer any amendments we want to offer.

Mr. HATFIELD. The Senator is correct. We have an opportunity down the road. I am saying that this vehicle, considering the time constraints we are under—having to act before midnight on Wednesday—is not one we can reasonably be expected to handle once we open that Pandora's box to amendments.

Every Senator has an equal right to offer an amendment. Therefore, I shall resist the first one and any others that come along thereafter, because we have another vehicle coming down the track very soon on which we can consider those amendments by any Senator.

This in no way precludes a Senator from offering an amendment to this continuing resolution. I merely put the Senate on notice that, as chairman of the Appropriations Committee, I have a responsibility to try to get this measure acted upon within the time frame that has been created not by my design or by the committee's design; but here we are, and that is the situation we are in, and I have to deal with the reality of this situation.

Mr. LONG. Can the Senator tell us when we will have the opportunity to offer amendments to an appropriations bill, if we go along with the procedure he has recommended to us?

Mr. HATFIELD. The House will have the urgent supplemental on the floor this week. Our committee is ready to meet at any moment we can get it over to this side and deal with the urgent supplemental and get it back to the floor, to be acted upon and be subject to amendments.

As I indicated in my opening remarks, I expect that that could happen before the recess, but I want to leave the caveat that we do not know how many amendments will be discussed in the committee. So if it is not before the recess, it will be immediately thereafter.

I want to add one further matter. I have a letter of March 29 from Mr. David Stockman, in which he says:

The administration supports a simple extension of the continuing resolution to the end of this fiscal year and would oppose any amendment.



In other words, this has been coordinated as well with the executive branch and the other House. Representative WHITTEN, of Mississippi, who is the chairman of the House Appropriations Committee, devised the two-track system, so to speak, or this two-vehicle system, so that he could send to us, as the House has done, a clean, simple extension, with the timing that the committee reported both of them at the same time to the floor, and assuring me that he will have the other vehicle over here probably next week, so that we will then have the second vehicle.

So this was devised by the House leadership, it has the administration's support, and I believe it is a very reasonable approach. Therefore, it has my support.

Mr. LONG. I thank the Senator. I just feel that those of us who are not on the committee should be accorded the opportunity of having amendments considered on their merits.

I will hold with the understanding that the chairman does intend, at some point in the not-too-distant future, to offer us an opportunity to offer whatever amendments we have.

Mr. HATFIELD. Surely, I appreciate the colloquy with the Senator. As one who has sought to amend legislation, I would not want to preclude that in any way. In fact, I would have no way to preclude any Senator from offering an amendment.

I wanted to put the Senate on notice as to the recommendation I am making, in the hope that we can expedite the matter within the restrictions of time. We have been criticized frequently—and I think rightfully so—that the Senate is put in a position of having to be under a time constraint when many Senators wish to offer amendments. But I say to the Senator from Louisiana again that this is not of our creation. Yet, we have to deal with this as circumstances beyond our control create the situation.

I believe this is the only logical and reasonable way to deal with it and at the same time preserve the opportunity to offer amendments on a vehicle that will be with us very shortly following action on this continuing resolution.

Mr. President, I yield to my colleague, the distinguished ranking minority member of the Committee on Appropriations, the Senator from Wisconsin (Mr. PROXMIRE).

Mr. PROXMIRE. Mr. President, as the distinguished chairman of the Senate Appropriations Committee has said, the continuing resolution before us today would extend funding for the Departments and agencies included in the State-Justice-Commerce, Labor-HHS-Education, and Treasury-Postal Service appropriations bills.

Without the extension, funding for a number of key Government depart-

ments and agencies will expire at midnight on Wednesday, a little over 48 hours from now.

The resolution consists of a simple date change to provide funding for the entities in question through September 30 of this year—in other words, through the end of fiscal year 1982.

I join the distinguished Senator from Oregon in his regret that we have to have a continuing resolution. It is a shame that we do. There was no way we could obtain action on these appropriation bills individually, and it is unfortunate that we have to provide for them in this continuing resolution for the remainder of the year. It means that Senators will not be able to vote up or down on these bills on their merits, and they are very important bills. The Labor-HHS-Education bill is by far the biggest nonmilitary bill that comes before us, and it is absolutely critical for millions of Americans. We certainly should be able to act on that legislation on its merits. We should have been able to act on it before last October 1, but we all recognize how difficult that would have been.

Mr. President, the second budget resolution for fiscal year 1982 provides sufficient leeway to support the full year costs of Public Law 97-92, the continuing resolution passed last December.

In fact extending the continuing resolution until September 30 does not affect the current level provided for under this budget resolution or change the amount remaining under the resolution.

The current level and amount remaining are as follows:

The second budget resolution provides \$770.9 billion in budget authority and \$695.45 billion in outlays.

The current level is \$757.1 billion in budget authority and \$694.65 billion in outlays, respectively.

So the budget authority provided by the resolution before us is well within the ceiling set by the second budget resolution and the outlays are barely within it.

Mr. President, I have great respect, of course, for both the distinguished Senator from Louisiana and the Senator from Oregon.

As I understand the Senator from Oregon, he will move to table any amendment that comes up that is not strictly technical in nature, although, of course, we have every right to bring up amendments and to argue for them, and he has assured us, as I understand it, that there will be an urgent supplemental that will be available, hopefully this week, and if not, probably the week after we return, certainly very shortly thereafter, on which we will have an opportunity to add amendments that we would ordinarily place on this particular resolution.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### TRIBUTE TO ALICE FINCH LEE

Mr. HEFLIN. Mr. President, today I pay tribute to a very special Alabamian, a fine attorney, and an even finer person, Miss Alice Finch Lee of Monroeville, Ala.

Alice Lee comes from a very distinguished family there in Monroeville. Her father, Amasa Coleman Lee, was an outstanding lawyer, and a long-time partner in the law firm of Barnett, Bugg & Lee. Her sister, Nell Harper Lee, is better known to the public as Harper Lee, author of the great literary classic, "To Kill a Mockingbird."

Still, as a part of this very distinguished family, Alice Lee has more than held her own, and earned her own measure of distinction. After attending Huntingdon College in Montgomery, she came home to work for the Monroe Journal, a family-owned newspaper. After 8 years of work on the newspaper, Alice moved to Birmingham where she worked for the Internal Revenue Service while going to school at night. After attending the University of Alabama Extension Center and the Birmingham School of Law, Alice passed the bar, and returned to Monroeville to practice with her father's firm.

Alice Lee built her own reputation as an attorney in Monroeville, although it would have been easy to merely rest on the laurels her father had earned. Her reputation, however, has not been built entirely in matters of the law, although she has been a true credit to the legal profession. Much of her life has been and still is, spent in work for the Methodist Church. She was the first woman to lead the administrative board of her hometown church, and the first woman chairman of the Alabama-West Florida Council on Ministries of the Methodist Church. Alice was the leader of the lay delegation to the Methodist General Conference in Indianapolis in 1980, and now heads one district committee while serving on the board of pensions.

I have had the honor of being a friend of Alice's for many years, and I hope that there are still many years to go in our friendship. Alice has led a very dedicated, fulfilling life, and remains a true joy to all who know her.

Mr. President, I ask unanimous consent that an article from the Birming-

ham News about Alice Finch Lee be reprinted in the CONGRESSIONAL RECORD.

Thank you, Mr. President.

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

[From the Birmingham News, Feb. 5, 1982]

**ALICE LEE'S LIFE IN LAW HAS GIVEN HER SATISFACTION AKIN TO HER NOTED SISTER'S**  
(By Clarke Stallworth)

This woman came to me and said she wanted a divorce. Now I get divorces for people, but I don't much believe in divorce. I knew that her husband drank a lot and I knew she had put up with him for a long time. I asked the lady to let it ride for a few days and she wouldn't agree, she wanted that divorce right then.

So I asked her to send him in to see me. And he came in and said: Miss Alice, I love my family. I love my wife. I love my children. I know I have promised in the past to quit drinking and I know I've let her down every time. But this time, I'm going to quit.

I told him I didn't know if I could talk his wife into staying with him or not, but would he promise to take his wife and go into the church? He said he would do anything in the world to keep his family together.

His wife came back to see me, and I asked her to give him one more chance. She didn't want to. She said it would be just like the other times. Well I said, let's set a deadline. If things are no better by then, come back and see me and I'll get your divorce.

Well, things rocked on, and she didn't come back to see me. A year went by, and they built another house. He joined her church, the whole family worshipped together, and they helped him.

One chilly afternoon during the Christmas holidays, I was out walking and I passed by their house. The door flew open and the man walked out. He said: I want to thank you for something. We have a good family life now and our children are growing up in a good family, and I owe it to you. If you hadn't talked my wife into giving me one more chance, we wouldn't be where we are today.

I told him I didn't do it, that he had done it himself. But I told him if he thought I had helped him, I was glad, it made me feel good all over. I was much more proud of him and his family than any fee for a divorce.

The gray-haired woman sat in her law office and talked about her life in Monroeville.

Alice Finch Lee graduated from high school in 1929 and went to college at Huntingdon in Montgomery. But the depression hit hard, and she came home to work.

She and her father and his nephew bought into The Monroe Journal, a weekly newspaper in Monroeville.

Her father, who was a lawyer, edited the newspaper and young Alice Lee wrote stories and read proof and helped out with the job printing.

"Life was not filled with interesting stories, it was filled with where was your next meal coming from," she said, sitting in her law office over the bank. "Banks were closing, times were tough."

She worked on the newspaper until 1937, when she came to Birmingham and went to work with the Internal Revenue Service. At night she went to the University of Alabama Extension Center. And then she decided to become a lawyer, attending classes in the Birmingham School of Law in the

courtrooms at the Jefferson County Courthouse.

She finished law school, passed the bar, and her father—Amasa Coleman Lee—invited her back to Monroeville to practice with him.

I had to answer two questions. If you grow up in a little town, you're always Mr. Lee's little girl. Would I have an identity as Alice Lee, or would I be Mr. Lee's little girl? My father felt I had been gone long enough for people to accept me for myself when I came back.

And the second question was: How would people in a rural area react to a woman in the law? My father was a very gentle person and a wise person. He smiled when I voiced this question and said: You'll never know until you try it.

I came home in January of 1944 and have been here since, and I have never felt any degree of discrimination in my profession. Not from the judges who sat here, or the lawyers who practiced here.

They accepted me as another lawyer, and I think that says something about the community and the people here. But my father was a beloved person here, and the fact that I was his daughter . . . Well, his reputation probably made it easier for me.

Amasa Coleman Lee. As a lawyer, he entered the firm of Barnett, Bugg and Lee and remained a partner in the firm until his death in April of 1962.

When he died, there was a front page article in The New York Times. The article said that Nell Harper Lee (Harper Lee, author of To Kill a Mockingbird) had said the qualities she put into the character of Atticus Finch were qualities she had known and admired in her father.

But except for that, there was no biographical material there. It's difficult to make people accept the fact that the book was not literal. We had a change of ministry in our church, and the minister came to my office.

He wanted me to tell him the year of the trial (in the novel). He said he wanted to go down to the newspaper office and read about it. And I had to say there was no trial. He really was upset. How could anyone write so convincingly about something that never happened? Well, I told him, my sister's an author and we're not.

One lady came to my office and said: I'm so glad Nell Harper put so and so in the book. I asked her which character she was talking about. She told me which one, and I asked her: What makes you think she was the model for that character?

Because, she told me, that character used an expression my aunt used all the time. I had to tell her that Nell Harper never knew her aunt, and therefore could not have used her as a model.

People have to understand that everything about the book belongs to Nell Harper, and none of it belongs to Alice Lee. I am extremely proud of my sister, and we are not competitive.

Even after 20 years, there are still telephone calls through the day and the evening when I'm at home . . . people wanting information about her, wanting to get in touch with her. There's been some invasion of privacy of my whole family, but I guess that's just a by-product of what happened.

My sister spends a great deal of time in Alabama. She was here at Christmas time, and spent a couple of months with my other sister. We are very close as three sisters. I guess you just go about your business and try to detach yourself from anything not part of your life.

Much of Alice Lee's life is spent in work for the Methodist church. She was the first woman to be head of the administrative board of her hometown Methodist church, and the first woman to chair the Alabama-West Florida Council on Ministries of the Methodist Church.

She led the lay Methodist delegation to the general conference in Indianapolis in 1980. She now heads the district committee on superintendency, and serves as a member of the board of pensions.

Last year, she spent about three months on church work, and she's already scheduling her church work for next year.

"I was reared in a home where the church was part of the way of life in that home," she said. "It's a very satisfying thing, personally, to make that kind of commitment to the church."

She said she has given up handling cases on a court calendar. "I cannot conform the court calendar to my church calendar."

So now she is handling things like loan closings, land bank loans, title searches, and other civil matters.

She handled one criminal case, long ago, and she remembers that her client was found guilty and sent to jail.

"He and this man had an argument, and my client went home and got his gun and came back and shot him," she said. "I really didn't have much to work with. But I felt that he deserved the best defense he could have. If you know a client is guilty, there still might be mitigating circumstances that might alter the degree of guilt."

She is the only member of Barnett, Bugg and Lee right now. But the grandson of J. B. Barnett, the original member of the firm, probably is coming back to the firm. John Barnett III is in Cumberland Law School and should graduate in 1983, she said.

"I have told him: John here it is, all waiting for you. It's part of the history of this county, and I love history."

**And retirement?**

"I'm not worried about retirement. I can't knit, I can't sew, I can't do handwork. I have worked all my life and never had time to do these things. But there are lots of unread things that must just be marvelous. If my sight holds out, I'm going to read some of those books I never got around to."

"I'm just going to have a great time. I've enjoyed all aspects of life, and retirement will just be another aspect, and I expect to enjoy it."

"I've had a great life. It hasn't been an exciting life, from the viewpoint of those who like action, but it's been a fulfilling experience. If I did it over again, it probably wouldn't be a bit different."

#### AGRICULTURE—AMERICA'S ACE IN THE HOLE

Mr. HEFLIN. Mr. President, Goodwin Myrick, president of the Alabama Farm Bureau Federation has prepared a statement in the form of a speech entitled "Agriculture—America's Ace in the Hole" which represents the views of the members of the Alabama Farm Bureau relative to the plight of agriculture and related issues today. I ask unanimous consent that this statement by Hon. Goodwin Myrick be printed in the CONGRESSIONAL RECORD.



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

#### AGRICULTURE—AMERICA'S ACE IN THE HOLE

When the United States is described as a world superpower, the reference is typically to military superiority. Actually, the superpower label could just as accurately be applied to agriculture.

Last year, for example, U.S. farmers harvested almost twice as much grain from half the number of acres harvested in the Soviet Union.

In other words, the U.S. gathered 81 million more tons of grain on 138 million fewer acres. But what is most incredible about this comparison is the fact that Soviet production was achieved with a work force of 27 million, while the superior U.S. production required a scant 3.7 million workers.

Achievements like this demonstrate the truly remarkable production efficiency of the American farmer—an efficiency that is unparalleled in the world. And the amazing performance is magnified many times over when you consider the minute size of the farmer population. Agriculture is America's Ace in the Hole.

Farm population in the U.S. stands now at just over 6 million—a mere 2.7 percent of the total population.

In fact, since 1976, over 500,000 have given up farming for a living. Alabama alone has lost over 5,000 farms in just the last three years.

Why the great exodus from America's most vital industry? Well, simply expressed, it's become extremely difficult to realize a profit in farming. And as we all know, you must have a profit to stay in business.

Generally, the prices the farmer receives for his products hardly compensate for his skyrocketing production costs. Why, just from 1979 to 1980, farmers were dealt a 21 percent rise in energy costs, a 20 percent rise in interest expenses, a 10 percent rise in farm services and a 12 percent rise in feed outlays.

All told, the Consumer Price Index for the 11 month period ending May, 1980, revealed that prices paid by farmers were up 10.4 percent, while prices received by farmers were down 7 percent.

Let's zero in closer on the current farm economic situation. In 1980—for the first time in history—total production expenses exceeded total cash receipts in Alabama. Average income per farm climbed to nearly \$10,000 in 1979 but dropped over 50 percent in 1980 to less than \$4,500. This is the lowest average since 1972, and lower than any year in the last two decades after adjusting for inflation.

Let's consider for a moment the cost of getting into farming, and you will see that it is prohibitive. There aren't many folks replacing those going out of business. Inheriting the land and equipment is virtually the only way a young person today can begin tilling the soil. The U.S. Department of Agriculture estimates the average investment per farm including land, machinery, crop and livestock inventory is \$355,000. At today's terms, interest rates are about triple the investment rate of return to the farm.

Finally, during the past four years, total farm indebtedness in Alabama increased 60 percent from \$1.1 billion to \$1.8 billion.

But what does all of this mean? For one thing, it means that despite these adverse economic conditions, the 2.7 percent of the population that farms is still feeding and clothing the remaining 97.3 percent in America, as well as millions of others

around the world. Just since 1960, the number of persons fed by each farm worker has increased from 26 to 68.

The bottom line . . . while U.S. and world food consumption ever increases, and farm population ever decreases, today's farmer has had to become a much better manager and much more efficient than his predecessors.

The American farmer is definitely up to the task. Let's explore the farmer's incredible efficiency further.

In the years 1975-1979, productivity growth in the farm sector registered at 6.3 percent—almost five times greater than the productivity growth for non-farm business.

Our six million farmers supply 45 percent of the wheat, 70 percent of the feed grains and over 60 percent of the soybeans in world markets.

Certainly we're all aware that food prices have been on the increase in recent years. What hasn't? But when you consider the facts, food is still a good buy in this country.

Americans spend only 16 percent of their disposable income for food while in China, 60 percent goes for food and in Russia it's 34 percent of disposable income and 23 percent in Japan.

The Consumer Price Index for the 12 month period ending May 31, 1980, which showed an overall 14.4 percent rise in consumer expenses, revealed that grocery prices rose only 5.6 percent, while energy costs were up 39.3 percent, home financing, taxes and insurance, 34.5 percent, and medical care, 11.5 percent.

On the average, the farmer will receive approximately 5.7 cents of the dollar for producing all of the raw material in the food you buy. The rest of what you spend will go to labor, transportation, processing, storing, brokering, inspecting, selling, taxes and the profits to each of these links in the chain. So you can see where your grocery money goes.

Because a wide variety of high quality food is available in the U.S. at reasonable prices, a large part of our income is left to buy other necessities . . . as well as luxuries. Thus agriculture makes a major contribution to the nation's affluence.

It's important to note that a healthy, viable agriculture benefits all Americans—not just farmers. Its contributions to the progress and economic well-being of this nation are many.

Consider, for example:

U.S. agricultural exports totaled over \$40 billion in 1980, providing a record \$18 billion food trade surplus to help offset an overall balance of trade that would otherwise be billions of dollars in the red. Japan—another leading industrial nation—suffered a negative \$13 billion food trade balance, and the Soviet Union had an \$8 billion deficit. Alabama's agricultural exports for 1980 totaled \$480 million.

Twenty-three million people, one-fifth of the nation's labor force, are employed as a direct result of agriculture which accounts for a full 20 percent of the nation's gross national product.

In conclusion, let me say that farmers accept with great pride the responsibility to feed and clothe the people of this nation and millions of others around the world.

As I have pointed out to you in the past few minutes, America's farmers have overcome devastating economic conditions to attain a level of efficiency that has made America an agricultural superpower.

But how long can the farmer continue at this level when it's becoming more and more

difficult to realize a profit? Not forever. That's for sure. Farmers, like any other businessmen, must realize a reasonable profit to survive.

And if the American farmer doesn't survive, where does that leave us? We certainly can't depend on other countries to supply our food because it is they who depend on us.

But I am an optimist when it comes to agriculture. We've had some tough years in Alabama with drought, high energy costs, embargoes, and interest rates, but the years ahead look good for agriculture as we strive to realize our full potential. America's agricultural strength is just as mighty as the sword. Agriculture is truly America's Ace in the Hole. And I believe the farmer holds that ace.

With consumer support and understanding of the farmer's needs, we can keep farmers farming.

Now, with this situation in mind we would like to make some specific recommendations which we believe will contribute substantially to improved net farm income. They are as follows:

#### INTEREST RATES AND THE FEDERAL DEFICIT

Farmers are suffering even more than other sectors of the economy from high interest rates. By the very nature of the farm economy we are credit dependent and have no recourse except to pay high interest rates from meager profits. Today even last resort "low cost" government loans cost us 14.875% interest under new government policies. It is critical that interest rates be brought down to avoid widespread economic disaster.

Today 13¢ of every Federal budget dollar is paid in interest (almost half as much as the share that goes to national defense). This is an appalling and frightening situation. As long as the government is competing on a large scale with private borrowers for a fixed supply of money, interest will remain high.

The Administration is anticipating a big drop in interest rates during the next few months. If this fails to materialize, Congress will be under mounting pressure to take action, probably by raising taxes to reduce the Federal deficit.

We urge the Administration and the Congress to give the Federal deficit top priority and to make every effort to bring it under control. The requirement that the Federal government borrow heavily from the existing money supply coupled with the tight money policies of the Federal Reserve Board has resulted in a protracted period of high interest rates which exceed any anticipated or potential profit for agriculture. We recognize the economic realities and consequences of continued large money supplies and unlimited Federal borrowing. However, we also view the consequences of economic stagnation caused by high interest rates as equally dangerous and disruptive to the normal commerce of the nation. We therefore recommend a long term policy of gradual and moderate reductions in the money supply. Reduction in unnecessary Federal spending in all areas of the budget and an immediate reduction in interest rates to a point where ordinary businesses can again begin to generate profits, create employment and pay reasonable taxes.

#### FARM DEBT

In 1981, total farm debt in the U.S. stood at \$175 billion, an increase of 329% since 1970. It is projected to reach \$194.5 billion in 1982.

Skyrocketing production costs and deflating land values have led to a deterioration of the equity position of the farm sector forcing more farmers into government loan programs, where they now find their position further jeopardized by tight fiscal policy and high interest rates. It is anticipated that many farmers may be squeezed out of business as they are no longer able to borrow sufficiently to stay in production, even if they were able to pay the current high interest rates. With farm income at the lowest level since the Depression, many farmers are having great difficulty meeting their current obligations.

Budget control initiatives are producing pressure on FmHA to hold delinquency rates down, by foreclosure if necessary. We commend the Alabama FmHA office for its insistence on evaluating each distressed farmer's case individually.

Administration officials are resisting the release of \$600 million in authorized Economic Emergency funds.

We urge FmHA to carry out its stated intention to stand by the farmers of this nation during the current economic crisis. We insist that all reasonable measures, including delays in repayment of loans if necessary, be taken to avoid foreclosure or forced liquidation of farmers in difficulty due to economic factors beyond their control. We are relying on FmHA and the Administration to act in good faith toward the farm community during this difficult period to insure that viable producers have an opportunity to remain in business.

We strongly advocate release of the Economic Emergency funds to avert potential economic disaster.

#### FLEXIBLE SUPPLY MANAGEMENT

We have seen the formation of large surpluses and exorbitant carryover stocks of wheat, feed grains, cotton, rice and soybeans which have resulted in almost total deterioration of world prices for these products.

World prices are a major factor determining domestic farm prices. American farmers export over half their production of wheat, soybeans and cotton and are the largest suppliers of food and fiber in the world market.

The Administration has exercised its authority for set-asides as provided in the Food and Agriculture Act of 1981. However, we question the net effect of the program as currently applied. It appears that the major effect of the present set-asides will be to obviate budgetary exposure rather than a real effort to control supply.

We believe the ultimate solutions to the continued economic crisis in agriculture is improved prices discovered in the marketplace. USDA should establish as its primary goal improved markets and profitable domestic and world prices for American agricultural commodities.

We urge the Administration to pursue a bold policy of flexible supply management as part of its program to improve the economic situation of the farm economy and that of the nation. Two specific requirements must be met before such a policy can be implemented: (1) More accurate estimates of supply and realistic estimate for domestic and world demand must be compiled; and (2) Supply management policy must aim to achieve significant adjustment of actual production, rather than in acreage alone. Producers should be provided economic incentives to implement supply management options to achieve the national supply reduction goals.

National production should be established at a level that will have a significant impact

on world markets. We believe these policies would help to end the depression of world prices caused by past cheap food policies and allow world market forces to establish stronger prices—a true free market. The long run effect of this policy would be to benefit the world economy and help alleviate the problems of hunger by discouraging Western nations from subsidizing their farmers and thus creating artificial trade barriers, and by providing a stimulus to agricultural development in Third World nations.

#### FUNDING CCC REVOLVING FUND—PL 9298, TITLE XII, SECTION 1201

The 1981 Food and Agriculture Act authorized formation of a revolving export credit fund to boost export sales of U.S. farm products. No appropriation has been authorized for the fund. Once funded, it would not require additional appropriations since loan and interest repayments would replace the initial capital.

Budgetary considerations make funding politically difficult. New appropriations for new programs will have little success in the 1982 sessions.

#### EMBARGO PROTECTION

We commend the Congress for recognizing the necessity to protect farmers from the threat of agricultural embargoes and for including this provision in the Food and Agriculture Act of 1981. Experience has shown that agricultural embargoes do not achieve the intended policy goals and serve only to damage American farmers.

Current policy regarding Poland and the Soviet Union has had the effect of a de facto embargo on agriculture. Each statement of the Secretary of State or another responsible official sends deep shock waves into the agricultural markets.

There is a great political temptation as well as pressure from many quarters to use agricultural embargoes, despite their demonstrated ineffectiveness, as a punitive measure against aggressor nations or repressive regimes. We have seen this year that even the hint of an embargo can have the effect of dampening prices while achieving nothing in terms of policy initiatives.

We are unequivocally opposed to any further moves to embargo American products in any foreign markets so long as farmers are encouraged to produce at maximum levels. We are further opposed to any inadvertent manipulation of agricultural markets by statements issued by officials of our government. All statements should be weighed for this effect.

We are opposed to opening American markets to foreign agricultural products for foreign policy reasons until all adverse impacts upon American producers are weighed and proper protections applied.

#### USER FEES

The Administration is proposing "user fees" to cover the costs of construction, maintenance, and operation of the nation's rivers for transportation purposes, under the fallacious assumption that the fees would be paid by importing nations, not by the actual user.

Senator Abdnor of South Dakota and Rep. Richard Roe, Democrat from New Jersey, are holding hearings into various formulas for collecting fees at the present time. James Tolar and John Sharp have testified on behalf of Farm Bureau before a subcommittee field hearing held by Senators Abdnor and Denton. Proposals are also being made to assess user fees to CFTC

transactions, and in other programs in agriculture.

The pressure to find some equitable method of charging user fees will be an issue in this session of Congress. There will be some compromise on the "full recovery" objective of the Administration.

We oppose user fees which will increase the cost of producing and marketing our products. We contend that under present economic conditions the farmers would pay the fees not only to ship his products on the rivers, but also the fees for fertilizer, fuel and chemicals shipped on the system, resulting in double taxation.

#### INLAND WATERWAY AND PORT DEVELOPMENT

Southwestern agriculture needs improved access to river transport and port facilities in order to take full advantage of domestic and foreign market opportunities. When completed, the Tennessee-Tombigbee Waterway will shorten by several hundred miles the barge distance between Mobile and numerous inland trading centers, linking the Tennessee River system with the Mississippi system. It will significantly improve access by farmers in the Southeast to export markets and reduce regional transportation costs for farm products. The benefits to be realized by the region in new revenue, new industries, and new jobs are enormous.

The Tennessee-Tombigbee is now nearly 70% complete and additional study is underway of other waterway development opportunities. Funding for the Tenn-Tom and other existing projects as well as for further feasibility studies is in jeopardy.

Support for funding waterway and port development does not constitute pork barrel politics. The development of critical elements in the nation's navigable waterway system and of its important commercial ports has been delayed by a wide variety of parochial interests represented by environmentalists, railroads, and sectional and regional legislative coalitions. In particular the Tennessee-Tombigbee River system and the Port of Mobile have been a target for these unwarranted attacks.

The development of these systems and adequate modern port facilities in Southern ports is not favored by some. This, coupled with budget considerations cited earlier, makes funding for these projects a delicate and uncertain matter.

We urge approval of the appropriations to complete the Tennessee-Tombigbee Waterway. To deny funds for its completion at this point would be short-sighted and economically unjustifiable.

We favor opening the Coosa-Alabama waterway to barge traffic north of Montgomery through dredging and construction of locks on existing dams in the system for the reasons cited above. We favor development of the Chattahoochee-Flint-Appalachicola (Tri-Rivers) system to provide year-round access to river transport for farm products.

We support passage of Senate Bill 828 which would expedite development in Norfolk, Mobile and New Orleans of deep draft (55 ft.) channels.

#### RESEARCH AND EXTENSION—TITLE XIV—EFFORTS TO REDUCE BUDGETS FOR AGRICULTURAL EXTENSION

Over the past decade funding for agricultural research and extension has been severely cut in terms of real dollars. We commend the Administration for recognizing the importance of research and extension and recommending increased funding.



There are the same budgetary combinations in this issue as in all other areas where funding is involved. Urge your congressmen to stand firm on proposed research and extension budgets.

Agricultural research provides the foundation for the support and advancement of the science of crop and livestock production in this nation. Government involvement in expanded agricultural research represents the best investment in the future prosperity of this nation. We support the efforts of the Administration to direct additional funding into research. The extension of basic research findings to the practitioners of production agriculture represents an integral part of the total research effort and must be maintained. We urge full funding for research and extension.

#### RESOURCE CONSERVATION

We recognize the dire necessity for protecting the integrity of this nation's greatest resource, its soil. Alabama has some of the most friable, erodible soil in the nation, some of which is also among the nation's most fertile. We believe all of this vulnerable resource must be protected to insure productivity adequate to meet future food needs.

The Administration is proposing cuts in funding for soil and water conservation and directing remaining resources at "priority areas," those most severely eroded. This proposal does not adequately address preventive measures to maintain the future productivity of America's soil resource.

We advocate full funding for soil and water conservation as passed in the 1981 Food and Agriculture Act. We believe it is unwise to remove emphasis and effort from areas of need not designated as "priority."

We advocate local control of soil and water conservation projects with incentives for good stewardship. Government programs may cite regions or areas of concern but planning and implementation should be the responsibility of the individual.

#### FEDERAL INSECTICIDE FUNGICIDE RODENTICIDE ACT (FIFRA) REAUTHORIZATION

Administration of this legislation has been inept and has not accomplished many of the stated purposes of the Act. Valuable agricultural chemicals have been removed from use based upon unreliable and unscientific data. Research and development of new and effective pesticides has been impeded by unrealistic regulations, reporting procedures, and exorbitant costs imposed by the labeling process. Yet the systematic scientific screening of basic pesticide ingredients is so far behind schedule that there is no reasonable prospect for completion.

Public fear over pesticides and their effect on the environment has been exaggerated but has the effect of developing large popular support for rigid controls. A shift in these opinions is not easily achieved.

Reauthorization and revision of FIFRA should shift the basic responsibility for preliminary screening, establishment of effectiveness and designation of uses to the scientists in the Department of Agriculture. The Secretary of Agriculture should then be empowered to label the formulation.

Simultaneously, the Administrator of the Environmental Protection Agency should develop information relative to the environmental and health aspects of the compound and the portion of the label issued from this agency should evaluate only these considerations.

Final approval and labeling of pesticides should be the responsibility of the Secre-

tary of Agriculture. Enforcement of the conditions on pesticide labels and certification of applicators should be the responsibility of the states with oversight by EPA.

No pesticide should be suspended or banned without adequate scientific evidence. If substantive scientific evidence offered in the process of suspending or banning is subsequently disproved the pesticide should be automatically re-labeled and placed back on the market.

#### FORESTRY INCENTIVE PROGRAM

We oppose the elimination of funding for the Forestry Incentive Program. The U.S. is now a net importer of forest products, but we have the biological potential to become a net exporter. The Forestry Incentive Program has been effective in achieving its goals; in 1980 in Alabama, FIP was responsible for 62% of all regeneration on non-industrial private forest lands. This kind of incentive is necessary to counteract declining wood supplies in order to meet demand 20 to 30 years in the future and to achieve potential production levels.

#### CLEAN AIR AND CLEAN WATER

We favor a reasonable, streamlined approach to clean air and clean water legislation with due consideration to cost/benefit analysis of regulations.

#### INTERNATIONAL EXPORT CONTRACTS

We urge the U.S. government to adopt a policy of honoring all preapproved contracts for commodity sales to a foreign nation in the event an embargo is imposed. This action would reassure foreign buyers that American contracts will be honored and would dispel the image of the U.S. as an unreliable supplier.

#### STAND-BY AUTHORITY FOR PETROLEUM ALLOCATION

We strongly urge passage of legislation to guarantee priority for agriculture in allocation of fuel in the event of future shortages.

#### NATURAL GAS DEREGULATION

We are opposed to accelerated decontrol of gas prices since it will result in as much as a 40% increase in the price of fertilizer in the next three years. That increase would add another 15¢ per bushel to production costs of corn and an additional 19¢ per bushel of wheat according to USDA estimates.

#### TRIBUTE TO EUNICE JENKINS MERRILL

Mr. HEFLIN. Mr. President, today I am honored to rise in recognition of a very special lady from Huntsville, Ala., Mrs. Eunice Jenkins Merrill.

Eunice is a legend of sorts around Huntsville, and her reputation is certainly well-deserved. The reputation grows out of a little restaurant in the old mill section of Huntsville that's known as Eunice's Country Kitchen.

Eunice opened her country kitchen in 1954 and she has been right in the very same location ever since—and she has always done a landslide business. The restaurant is only open for breakfast, from 4:30 in the morning until 1 in the afternoon. There are only 10 tables, and there is often a long wait—but Eunice has no plans for expansion and her customers never seem to mind the wait.

There is another, almost unbelievable, fact about Eunice's—the restaurant has never advertised. The booming business has been built on word of mouth, not to mention the incomparable biscuits, country ham, sausage and bacon, red eye gravy, grits, honey and sorghum molasses.

I will freely admit that I eat at Eunice's every time I possibly can when I am visiting in Huntsville, and I am certainly not alone. Congressmen, Governors, and just about every possible office seeker in Alabama for the last 28 years has been seen eating biscuits at Eunice's at one time or another. After the first trip almost all of them wind up returning—and most end up with Eunice as a friend.

Not only is her restaurant unique, so is Eunice herself. Her father, Joseph Frank Jenkins, was a minister of the Church of Christ for over 50 years in Madison County. Eunice is 1 of 12 children, each of whom was named for a Biblical character. She has stayed busy through the years, not only with working in her restaurant, but by raising three children—Joseph Donald Merrill of Atlanta, Doris Swain of Huntsville, and Linda Sledge of Athens, Ala.

I am not sure exactly what it was that has made Eunice's Country Kitchen so tremendously popular. The good food is certainly a large part of it. The jars of molasses and honey, the kerosene lamps, the oil cloths on the tables—all contribute to an "at home" country atmosphere.

And there is one other part of Eunice's that might serve to attract certain groups. There is one table for six that Eunice calls the "Liar's Table." The sign over the table invites politicians and other barefaced liars to pull up a chair and sit a spell.

I am sure that each of the Members of this body has their own "Eunice's Country Kitchen" in their home State, but I also know that my visits to Huntsville would not be the same without the biscuits, and, more importantly, the friendship that Eunice dishes out at her "Country Kitchen."

Mr. President, I ask unanimous consent that articles on Eunice and her restaurant from the Birmingham News, the Huntsville News, and the Madison County Record be reprinted in the CONGRESSIONAL RECORD, as well as a copy of Eunice's Liar's License.

Thank you, Mr. President.

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

[From the Birmingham News, Nov. 4, 1980]

EUNICE'S, WHERE THE PLAIN AND POWERFUL MEET TO EAT COUNTRY HAM AND BISCUITS

(By Pat Houtz)

HUNTSVILLE—It's where the elite, and the plain hard-working people, (and also politicians) meet to eat down-home country cookin'.

It won't be described in "Corden Bleu and Barbecue" and it won't be recommended by James Beard.

However, U.S. senators, representatives, governors, farmers, fishermen, housewives and every possible office seeker in the state of Alabama can be seen at one time or another eating country ham and biscuits at Eunice's in the old mill section of Huntsville.

Eunice opened her country kitchen in 1954 and has done a landslide business ever since. There are only 10 tables, and if you want to eat there you often have a long wait—but she has no idea of expanding.

The only thing you can order at Eunice's is breakfast and she starts serving that at 4:30 every morning. She closes shop at 1 p.m.

Officially the restaurant is open every day except Tuesday, but if Eunice wants to see her grandchildren to take a few days off she does not hesitate to put the "Closed" sign up and take off. She knows the customers will be there when she gets back.

"We get lots of politicians and we have a lot of fun with them. Gov. James has been here and U.S. Sen. Howell Heflin comes here every time he is in Huntsville—Ronnie Flippo does too.

"Chip Carter comes when he is here and Sen. Don Stewart and little Jim Folsom have been here lots," Eunice (Mrs. Eunice Merrill) says.

"When Mrs. Jeremiah Denton came to Huntsville, this was the only place she stopped as far as I know," the smiling, ever-cheerful hostess said.

Local politicians and news reporters are steady customers at the old-time restaurant.

"Joe Davis (mayor of Huntsville), most of the City Council members and Jimmy Record (chairman of the Madison County Commission) are in here on a weekly basis. We have a lot of fun with them," she says.

Eunice pretends to be neutral as far as politics goes. She seems to be in favor of voting for whatever candidate is on the premises at the time.

"Last week all of those big wheels in the Carter campaign from Washington came to town and they were all in here for breakfast. The local Democrats came in early and put Carter and Mondale signs all over the walls to cheer those people up," she said recently.

"When they were here, in came the head of the Republican Women of Madison County. She told me the signs were OK but that the Republicans were coming to breakfast later in the week, and she wanted those Democrat signs down. They took them down and we had Reagan signs everywhere.

"That was lucky because the next morning I got a call that Mrs. Denton planned to come here and we left the signs up till after she left."

Last week there were no signs up as the election got closer.

Eunice does have an unusual sign, made by a customer, hanging over what she calls the "Liar's Table." The table seats six and is covered with a plastic tablecloth, campaign literature from assorted politicians, bottles of sorghum molasses and honey.

The sign reads, "Wimmen, biznessfolk and preachers welcome, Iffen you don't lie, yur welcom anyways." The other side of the sign reads "Politishins, fisherfolk and nary other barefaced liars, pull up a chere and set a spell."

The Liar's Table is always occupied. Breakfast at Eunice's is the same every day—and never seems to bore the faithful customers.

She serves eggs any style, biscuits that have no equal, country ham, sausages, bacon, red eye gravy, milk gravy, grits, honey and sorghum molasses.

There are two distinct types of customers. From Monday at 4:30 a.m. until she closes on Friday afternoon the crowd is about 95 percent local Huntsville people. Most of them longtime residents of the city. The restaurant has never advertised.

On weekends the newcomers to Huntsville, people who work at NASA and Redstone Arsenal, line up for hours to get a sample of the country cooking. And they bring their friends and relatives from every part of the country.

Another interesting guest recently was the last member (by name) of the "Jim Beam" whiskey-producing family of Kentucky.

"There were eight of the Jim Beam group. They were visiting people in Huntsville who wanted them to see this place. They called ahead but I don't take reservations and they had to stand awhile, but they didn't seem to mind—and they seemed to really enjoy the ham and biscuits," Eunice said.

No need to dress up to eat breakfast at the restaurant. A coat, tie or vest will make you look, and feel, out of place. It's a spot for jeans and a comfortable old shirt.

"We know people like the ham and biscuits, but I think the best thing they like is the fact that we have a lot of fun here," Eunice says.

One of her faithful customers agrees. "I eat so much when I go to Eunice's that I am dizzy for two days—but I'll never stop going there. If I did, I wouldn't know what was going on in Huntsville," she said.

[From the Huntsville News, Nov. 15, 1976]

#### EUNICE AND THE SIMPLE LIFE

(By Billy Joe Cooley)

There's no place like Eunice's Restaurant out on Andrew Jackson Way when it comes to keeping up with whatever one wants to keep up with. Politicians, public workers, fishermen and other liars swap yarns and generally impress each other daily while sipping coffee and eating fine Tennessee ham at the establishment.

And there's Eunice herself, a legend in Huntsville for the last 20 or 30 years.

"Hey, hi, how y'all," she greets customers as they enter. Then comes a barrage of questions about the wife and kids, crops, water levels and anything else she is interested in learning from the clientele.

We made one of our irregular visits to Eunice's the other morning and it was as though we'd never missed a day. When the hot biscuits, sorghum molasses, honey and butter are plunked down as complements to the breakfast, Eunice swooshes over in her dress, proud as a peacock and just as colorful.

"Look here at the sack of pecans one of my customers brought in," she coos, holding up a handful of tinier-than-ordinary pecans. "They ain't very big, but they sure are flavorful." Her commentary is interrupted by three men entering, dressed in work clothes.

"Hello, Pepsi Cola boys," she greets. "Grab a seat and don't miss your messages under the ash tray there. Y'all have a bunch of orders today."

A couple of city detectives and three health department officers look up to nod to the new arrivals.

Eunice opens her restaurant at 4:30 a.m. every day and closes "around 1 or 2. I don't open at all on Wednesday, but I do on Sat-

urdays and Sundays." She doesn't particularly care to bother with dinners.

"Breakfasts and lunch is all I serve," the genial Eunice says, giving the listener the feeling that evening meals are a waste of time.

Eunice, by virtue of her restaurant being the gathering spot for such a wide variety of people whose business it is to stay on top of things around town, possesses a wealth of knowledge on just about any subject.

"There's this one lady who comes in here about once a week, just to sit back there, drink coffee and observe the different characters that come by," she laughs.

A taste of Huntsville, history is likely to accompany breakfast, especially if Eunice has time to sit and chat a spell. She loves to brag on her hams and biscuits while dropping names of some of her favorite customers as they come through the doors.

Eunice's Restaurant is home . . . and an experience.

[From the Madison County Record, June 17, 1981]

#### AUNT EUNICE IS A LEGEND HERE

(By Betty Smith)

Aunt Eunice, famous for her country style breakfast, greets guest of her country kitchen with a cheerful smile and often a hug.

Aunt Eunice, as she is fondly called by the guests who frequent her establishment, has been in the restaurant business in Huntsville probably longer than any other restaurant in Huntsville.

Eunice's has been open in the same location, 1004 Andrew Jackson Way, for 29 years.

It is a spot where the elite as well as the hard working laborer gather for breakfast. The ditch-digger gets the same warm greeting as the Governor when he walks through the door at Aunt Eunice's.

Seldom does a politician come to this area that he doesn't eat breakfast at Aunt Eunice's.

Such notables as Chip Carter, son of our former President, Gov. Fob James, U.S. Senator Howell Heflin, Donald Stewart, Little Jim Folsom and Mrs. Jeremiah Denton frequent the restaurant when in our area. They often sit at the table in the center of the room, designated as the "liar's table" to indulge in the breakfast of country ham, homemade biscuits and sorghum molasses.

A sign hanging over the "liar's table" reads: "Liar's Table, Wimmens, Biznessfolk and Preechers welcome, Iffen U don't li you welcum ennyways. A turn of the sign and the table is ready for another class of liars. It reads, "Liar's Table, Politichins, Fisherfolk 'n ary other barefaced liars, Pull up a chere 'n set a spell." Incidentally Aunt Eunice declares the fish caught this spring have been bigger and better than any year she can recall and it has got to be fact, she got it straight from "the liar's table."

Another plaque adorning the walls of the small restaurant proclaims, "Our country has the best Politicians money can buy. (a Will Rogers quote).

#### AUNT EUNICE

Aunt Eunice operates on a philosophy that "tomorrow will be better than today," and it always has been she says. There have been some lean times in Aunt Eunice's life, but the Lord has looked out for this hard-working woman.

Aunt Eunice has reared 3 children as well as working full-time in a business she loves.



The biscuits are made by a recipe she learned from her own mother. Eunice grew up in a family of 12 children in the New Hope community in Madison County.

Eunice teaches the girls that work for her how to make biscuits and they take turns making the delicious concoctions.

She tells of the time when 3 men from Nashville were having breakfast with her. They inquired if there was anyway they could get the recipe for the biscuits. Aunt Eunice told them the only way to get the biscuits was "We have 3 biscuit makers here, just take your pick." The men left without the biscuit recipe or biscuit maker.

I couldn't help but ask Aunt Eunice if she believed the old adage, "The way to a man's heart is through his stomach." She answered, "Very definitely, but now the man will have to have a back strong enough to carry the hams before he will qualify for consideration."

The small restaurant does a landslide business, and Aunt Eunice has no intention of expanding. The decor of the place is strictly country. The ten tables in the establishment are covered in oil cloth. The Sand Mountain molasses and honey are served from the jars right on the table. A kerosene lamp hangs from the wall. It is a real at home feeling.

Mayor Davis, County Commission Chairman Mike Gillespie and members of the Commission are frequent guests.

Customers mingle, discussing politics, fishing, grandchildren, etc. When a customer's coffee cup gets low, it is not uncommon for him to go to the pot to serve himself more coffee and then to walk around the room, warming the cups of the other customers.

Eunice Merrill is the mother of: Mrs. Ray (Doris) Swaim of Harvest; Mrs. Larry (Linda) Sledge of Athens; and a son, Donald Merrill of Montgomery. She has six grandchildren.

#### EUNICE'S COUNTRY KITCHEN LIAR'S LICENSE

This is to Certify That \_\_\_\_\_ having by reputation and long practice, coupled with a vivid imagination exhibited all the proper requirements therefor, is hereby empowered to Lie, Prevaricate, and to show every other recklessness with the Truth, considered expedient by him in connection with all matters for current year, subject however to conditions and the state he is in. Lies may be told at any time or place without notice.

In Witness Hereof is attached the Grand Signature of Eunice.

EUNICE.

1006 Andrew Jackson Way NE., Huntsville, Ala. 35801

#### "YEAR OF THE BIBLE"—SENATE JOINT RESOLUTION 165

Mr. HEFLIN. Mr. President, it is my pleasure to join with Senator ARMSTRONG and several more of my distinguished colleagues in cosponsoring a joint resolution authorizing the President to designate 1983 as a national "Year of the Bible."

I am, indeed, very pleased to have the opportunity to cosponsor this resolution. I have long had very strong and deep personal religious beliefs, and hold a special affection for the Bible. Throughout my life, I have often looked to the Bible for advice,

influence, and comfort in times of stress and confusion.

More than 200 years ago, our Nation was begun with a great deal of the foundation laid upon the personal religious convictions of the settlers and pioneers of this country. Those early Americans believed religion to be a very necessary undergirding for a successful societal structure, so much so, in fact, that John Adams could say:

Statesmen may plan and speculate liberty, but it is religion and morality alone upon which freedom can securely stand.

This belief, in large part, led to many of the decisions of consequence made in the formative period of the United States of America. Indeed, the very concept of our form of civil government, the checks and balances system together with the doctrine of enumerated powers, was founded upon the Biblical teaching that man is fallible and capable of doing wrong. Such Biblical relationships are staggering in number, filling the history of our Nation.

As the son of a Methodist minister, I was raised in a very religious atmosphere and quite naturally came to believe in the power and wisdom of the Bible. Throughout my life, I have always tried to organize my schedule to allow time for reading and reflecting upon this magnificent book, the leading bestseller of all time.

I believe, as we face the trying times that await our country, and answer the challenges at home and abroad, economically, defensively, and morally, that it is of the most absolute importance for us to stand and say of the strengthening influence the Bible has had on us as a people and as a nation, "Let this continue." I believe that it is of the utmost importance that we all recognize the vast and varied contributions that the Bible has made in molding and shaping the United States as we now know it. Lastly, I believe it very important that we send a signal of these recognitions through the speedy approval of this resolution proclaiming 1983 as the national "Year of the Bible," and echo the words of President Andrew Jackson, so many years ago, saying that the Bible "is the rock on which our Republic sits."

#### THE TRUE BELIEVER, STILL

Mr. HEFLIN. Mr. President, clearly, the most urgent issue today is shaping a Federal budget that offers realistic hope for economic recovery, with cuts that are distributed equitably.

Since the administration proposed fiscal year 1983 budget was presented to the Congress, a number of alternatives have been offered. A New York Times editorial of February 28, 1982, and the Mobil advertisement to which the editorial refers offer suggestions that I am sure will be discussed during the debate on this critical issue.

I ask unanimous consent to insert these items into the RECORD.

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

[Editorial]

#### THE TRUE BELIEVER, STILL

Every day, it seems, the President loses another ally in his budget battle with Congress. He alone remains a true believer, unshakable in his faith that a healthy recovery can occur and be sustained for years despite huge and unyielding Federal deficits.

Inflation has come down dramatically and the President believes interest rates will follow. If only the nation will trust Reaganomics long enough to work, it will celebrate the vital new era promised a year ago.

Never mind that the knowledgeable Senator Ernest Hollings greeted the President's 1983 budget with a radical alternative. The South Carolinian is a Democrat. But then came the defection of Senator Howard Baker, the majority leader, and he in turn urged the nation's corporate leaders to confront Mr. Reagan with their alarm about his deficits.

That is what the hardly radical Mobil Oil Corporation did last week, paying us good money for space on the opposite page. It pleaded for a reduction of the deficits because they contain "the seeds for renewed excessive inflation, retarded economic growth, and continued high interest rates." And now comes Senator Pete Domenici, the Republican star who skillfully shepherded the President's budget to passage last year, insisting on a rewrite this year—with or without the President's help.

It is thus inevitable that the Reagan budget will be drastically revised. But it is by no means certain that Congress by itself will come up with the best remedies.

Virtually all the suggestions heard so far are improvements. All would shrink deficits more decisively and fairly than the President's plans. But by concentrating on a delay or reduction in the income tax benefits due this July and next, they not only offend the President's proudest achievement but overlook more promising sources of revenue.

There is available a "supply-side" strategy that might yet appeal to Mr. Reagan. It would let stand the incentives provided by the multi-year reduction in tax rates, which are expected to encourage some taxpayers to be more productive.

The revenues that Congress draws from the economy should be in the form of taxes that discourage consumption, not production. A Federal tax on gasoline or a fee on imported oil, for example, would yield both revenue and beneficial energy savings. A value added tax—basically a Federal sales tax—could be imposed as the recession ends to raise revenue and discourage consumption directly. Some tax subsidies, like the deductions allowed for interest on consumer loans, should be withdrawn.

Why does the President stand so rigid against the clamor? Perhaps he is a secret Keynesian, wanting huge deficits to stimulate fast recovery from recession. Perhaps he thinks the recession gives him time to change course next year, after he is through squeezing expenditures on programs he resents.

But in considering tax increases, the country ought to be alert to a crucial difference between urgency and immediacy. There is indeed no need to raise taxes immediately.

No one urges a course that would only prolong and deepen the recession.

There is, however, a need to act against future deficits urgently, to demonstrate that they will be declining, not rising, in the years of recovery. Until that is clear and credible, the financial markets will continue to roll in uncertainty, interest rates will stay high and even the recovery may be aborted.

Does the President really intend to stand idly by while economic policy is reconstructed all around him? His rigidity, or strategy of delay, is now an enemy of recovery and also of the most prudent repair of his budget. A useful economic strategy needs more than a single true believer.

#### [Mobil advertisement]

#### REFOCUSING THE DEBATE

Along with most of the American public, we have been following the current debate over President Reagan's proposed federal budget and the impact and implications of a projected deficit in excess of \$90 billion. With a desire to be constructive we would suggest a change in the focus of that debate.

(A second debate is taking place regarding the propriety and equity of many of the non-defense budget items. Lower interest rates and accelerated economic growth will benefit all including those adversely affected by these changes. Nevertheless, it may well be that some adjustments will be needed; this can be done without disturbing the integrity of the budget.)

There seems to be reasonable agreement regarding four objectives.

First, that it is desirable to reduce income taxes for individuals and corporations.

Second, that the United States needs to regularly and proportionately strengthen its defense capability.

Third, while it may not be as wholeheartedly accepted as the above two propositions, we think there is majority support amongst the public and economic analysts in favor of a free market energy system.

Fourth, that the current budget deficit in excess of \$90 billion needs to be reduced because it contains the seeds for renewed excessive inflation, retarded economic growth, and continued high interest rates.

With substantial majority support for these four concepts, the debate should now focus on the narrower issues of whether current timetables for tax cuts, defense expenditures, and energy price deregulation can be modified in order to reduce the projected deficit.

It is not unusual to adjust timetables as a result of changed economic forecasts without abandoning the long-term achievement of these objectives. Surely, interest rates, unemployment, and the recession have changed the outlook from the time when the President's timetable was first announced. It is both possible and in view of the projected deficit, desirable to adjust the timetables and the rates of expenditures and tax collections in a way that would significantly reduce the deficit and strengthen the economy but at the same time maintain the long-term objectives.

These adjustments would set the stage for eventual achievement of the objectives we all seek. Specifically, we would suggest the following:

1. That the tax rate reductions for individuals and perhaps corporations scheduled to take effect this year be postponed to not earlier than January 1, 1983, thereby causing 1982 income to be treated as it was in 1981.

2. That the extent of increased defense expenditures for this fiscal year be reduced. Increased defense expenditures on a year-by-year basis are desirable and should be at a level in excess of inflation to insure a continuing net improvement in our defense capability. With that criteria in mind we would suggest that the proposed increases in defense expenditures in the current fiscal year, while perhaps desirable from a defense point of view, are simply too large in terms of the projected deficit. Our conclusion is that defense expenditures should be reduced to a level below that projected but in excess of projected 1982 inflation.

3. That all price controls on natural gas be phased out and part of the revenue used to reduce the deficit. We understand and accept the view that the immediate decontrol of natural gas could also have a counterproductive impact on the general economy. Indeed, we have always believed that phased decontrol of natural gas would probably be preferable. This is consistent with our earlier views (as far back as 1975) in favor of phased rather than immediate decontrol of crude oil because of its possible adverse impact on the economy (a view which made us rather unpopular with some of our friends in the oil industry). Again we are not suggesting that the objective of free market pricing of natural gas should be delayed for one day longer than necessary. What ought to be debated is a timetable for achieving that objective.

In our view, natural gas pricing and taxation should contain these ingredients:

First, gas yet to be discovered should not carry any price control mechanism nor any special excise tax which would operate as a disincentive to find such resources.

Second, gas currently flowing and under price controls should have such price controls phased out perhaps over a 36-month period.

Third, a special excise tax, not to exceed 50%, should be enacted on the difference between the controlled price of current production and the decontrolled price, with such tax taking effect at each step of phased decontrol. (This feature probably will also not make us popular with some of our friends in the oil industry.) This tax would contribute substantial new revenues to help close the budget deficit.

Clearly the impact caused by decontrol of natural gas is minimized when, as is now the case, more than adequate supplies of crude oil are yielding declines in the price of petroleum products.

In summary, what we are proposing is a rededication to the objectives of lower taxes, a stronger military, a strengthened free market, and a program which would bring lower interest rates.

At the same time, we are suggesting that the timetables and levels of expenditures and tax collections be reviewed in light of a projected budget deficit and interest rates which could jeopardize the achievement of these objectives and cause politicians interested in short-term gain to propose programs that would set back the achievement of these objectives for many years.

We hope that these suggestions will be viewed in a constructive light.

#### SUPPORT THE OLYMPIC COIN ACT

Mr. KENNEDY. Mr. President, I am pleased to give my strong support to S. 1230, the Olympic Coin Act, which authorizes the Department of the Treas-

ury to mint a series of commemorative coins to honor and support the 1984 Olympic games in Los Angeles.

The Olympics are a forum for recognition of the finest amateur athletic talent in the world. They are the oldest and most truly international of all sports competition, and all Americans take pride that Los Angeles will be the site of the Olympics in 1984. The extraordinary efforts now underway by the U.S. Olympic Committee and the Los Angeles Olympic Organizing Committee to prepare for the games deserve the strongest possible support from all citizens and all sections of the United States.

All too often, American athletes are obliged to enter Olympic competition at a substantial disadvantage because of the blatant financial support that governments of other nations routinely—and often clandestinely—provide their athletes. Sadly, Olympic races sometimes go not to the swiftest or the finest athletes, but to those most heavily subsidized by their governments. That is a path of professionalization down which the Olympic games should not have gone and down which the United States must never go.

In fact, the dramatic achievements of America's amateur athletes in Olympic competition are all the more remarkable because the U.S. Government provides no direct financial support for the enormous costs of training for the games. The independence of our athletes makes voluntary private support all the more essential as a means to ease this financial burden.

The minting of commemorative coins by host nations for the Olympic games is an ancient and honored Olympic tradition that was revived in the postwar era. Under the imaginative legislation now before Congress, that tradition will be carried forward in a way that also seeks to defray the very substantial cost of hosting the games.

The Olympic Coin Act will help to redress the existing unfair financial balance in Olympic competition by providing a reasonable and ethical way for American citizens—at no cost to the Federal Treasury—to support the U.S. Olympic Committee and the city of Los Angeles in their preparations for the 1984 games.

Even now, athletes all across America are giving their personal best as they hone their skills to the limit of endurance for the high honor of representing the United States at Los Angeles in 1984. We cannot and we must not let them down.

For a fortunate and talented few, the impossible dream of an Olympic gold medal will come true at Los Angeles in 1984. And for millions of other young Americans in communities and on playing fields across this land, the



Olympic games will be an event of unparalleled inspiration, teaching qualities of courage and commitment, dedication and discipline, sportsmanship and citizenship that reflect not only the Olympic ideal but the greatest strengths of the American character.

Amid the widespread global tensions on issues ranging from the nuclear arms race to human rights, the Olympic games shine through as a beacon of peaceful international competition and cooperation. None of us will ever forget the enormous lift to America's national spirit when the American hockey team performed its miracle on ice and scored one of the greatest upsets in Olympic history, by defeating the Soviet players to win the gold medal at Lake Placid in 1980.

I hope, therefore, that the Olympic Coin Act, which passed the Senate last December, will receive the prompt approval of the House of Representatives. Preparations for the 1984 games are already well underway in many nations, and the wise support that will become available under this legislation should begin to flow immediately.

In spirit, Chariots of Fire are already bearing the athletes of the world toward Los Angeles in 1984, and America's best must not be left behind.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations and withdrawal received today are printed at the end of the Senate proceedings.)

#### PRESIDENTIAL APPROVALS

A message from the President of the United States notified the Senate that he had approved and signed the following bills:

On March 24, 1982:

S. 2166. An act to provide for the distribution within the United States of the International Communication Agency slide show entitled "Montana: The People Speak."

On March 26, 1982:

S. 2254. An act to temporarily extend the authority to conduct experiments in flexible schedules and compressed under the Federal Employees Flexible and Compressed Work Schedules Act of 1978.

#### MESSAGES FROM THE HOUSE

##### ENROLLED BILL SIGNED

At 12:32 p.m., a message from the House of Representatives, delivered by Mr. Gregory, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 634 An act to authorize the exchange of certain lands in Idaho and Wyoming.

The enrolled bill was subsequently signed by the President pro tempore (Mr. THURMOND).

At 2:57 p.m., a message from the House of Representatives, delivered by Mr. Gregory, announced that the House has passed the following bill, with amendments:

S. 1131. An act to require the Federal Government to pay interest on overdue payments and to take early payment discounts only when payment is timely made, and for other purposes.

#### ENROLLED BILL PRESENTED

The Secretary reported that on today, March 29, 1982, he had presented to the President of the United States the following enrolled bill:

S. 634. An act to authorize the exchange of certain lands in Idaho and Wyoming.

#### PETITIONS AND MEMORIALS

##### APPLICATION

POM-706. A joint resolution adopted by the Legislature of the State of Alaska:

##### "RESOLUTION

"Be it resolved by the Legislature of the State of Alaska:

"Whereas annually the United States moves more deeply into debt as its expenditures exceed its available revenues and the public debt now exceeds hundreds of billions of dollars; and

"Whereas annually the federal budget demonstrates the unwillingness or inability of the federal government to spend in conformity with available revenues; and

"Whereas proper planning, fiscal prudence, and plain good sense require that the federal budget be in balance absent national emergency; and

"Whereas a continuously unbalanced federal budget except in a national emergency causes continuous and damaging inflation and consequently a severe threat to the political and economic stability of the United States; and

"Whereas, under Article V of the Constitution of the United States, amendments to the Constitution may be proposed by Congress or, on the application of the legislatures of two-thirds of the states, Congress shall call a constitutional convention for the purpose of proposing amendments;

"Be it resolved by the Alaska State Legislature that the Congress of the United States is requested to propose and submit to the states an amendment to the Constitution of the United States which would require that within four years after its ratification by the various states, in the absence of a national emergency, the total of all appropriations made by Congress for a fiscal year shall not exceed the total of all estimated federal revenues for that fiscal year; and be it

"Further resolved that, alternatively, this body makes application and requests that the Congress of the United States call a convention for the sole and exclusive purpose of proposing an amendment to the Constitution of the United States which would require that, in the absence of a national emergency, the total of all appropriations made by Congress for a fiscal year shall not exceed the total of all estimated federal revenues for that fiscal year; and be it

"Further resolved that if Congress proposes such an amendment to the Constitution this application shall no longer be of any force or effect; and be it

"Further resolved that this application and request shall no longer be of any force or effect if the convention is not limited to the exclusive purpose specified by this resolution."

(The foregoing resolution was received in the Senate of February 24, 1982, and was referred to the Committee on the Judiciary on that day.)

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation:

James Eugene Burnett, Jr., of Arkansas, to be Chairman of the National Transportation Safety Board;

Rear Adm. Wayne E. Caldwell, U.S. Coast Guard, to be the Commander, U.S. Coast Guard, Atlantic Area with the grade of vice admiral while so serving; and

Rear Adm. Charles E. Larkin, U.S. Coast Guard, to be the Commander, U.S. Coast Guard, Pacific Area with the grade of vice admiral while so serving.

(The above nominations were reported from the Committee on Commerce, Science, and Transportation with the recommendation that they be confirmed, subject to the nominees' commitment to appear and testify before any duly constituted committee of the Senate.)

By Mr. GARN, from the Committee on Banking, Housing, and Urban Affairs:

Preston Martin, of California, to be a member of the Board of Governors of the Federal Reserve System for a term of 14 years from February 1, 1982;

Preston Martin, of California, to be Vice Chairman of the Board of Governors of the Federal Reserve System for a term of 4 years.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MELCHER:

S. 2287. A bill to amend the Poultry Products Inspection Act to increase the number of turkeys which may be slaughtered and processed without inspection under such act, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

S. 2288. A bill entitled "The Emergency Agriculture Act of 1982"; to the Committee on Agriculture, Nutrition, and Forestry.

S. 2289. A bill to provide for the future productivity of the National Forest System; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. PERCY (by request):

S. 2290. A bill to amend the International Communication Agency Authorization Act, fiscal years 1982 and 1983 (Public Law 97-100; Stat. —), to authorize additional appropriations for fiscal year 1983, and for other purposes; to the Committee on Foreign Relations.

By Mr. DIXON (for himself, Mr. HUDLESTON, Mr. LEAHY, Mr. ZORINSKY, Mr. PRYOR, Mr. MELCHER, Mr. BOREN, Mr. HEFLIN, and Mr. EXON):

S. 2291. A bill to require the Secretary of Agriculture to disseminate farm income estimates; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. METZENBAUM:

S. 2292. A bill to amend section 205 of the Federal Power Act (16 U.S.C. 824d) relating to inclusion of construction work in progress in the wholesale rate base of public utilities; to the Committee on Energy and Natural Resources.

By Mr. HEFLIN:

S. 2293. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income subsistence payments to certain law enforcement officers; to the Committee on Finance.

By Mr. JOHNSTON (for himself and Mr. LONG):

S. 2294. A bill to provide for the settlement of the land claims of the Chitimacha Tribe of Louisiana, and for other purposes; to the Select Committee on Indian Affairs.

By Mr. HEFLIN:

S. 2295. A bill for the relief of Elinor Dean Jones; to the Committee on the Judiciary.

S. 2296. A bill to provide that district courts have jurisdiction in Department of Labor Employees' Compensation Appeals Board actions; to the Committee on the Judiciary.

By Mr. HATCH (for himself and Mr. DeCONCINI):

S. 2297. A bill to amend title II, United States Code, to improve the protection for shopping centers and their tenants under the Bankruptcy Code; to the Committee on the Judiciary.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MELCHER:

S. 2288. A bill entitled the "Emergency Agriculture Act of 1982"; to the Committee on Agriculture, Nutrition, and Forestry.

##### EMERGENCY AGRICULTURAL ACT OF 1982

Mr. MELCHER. Mr. President, I am today introducing the Emergency Agriculture Act of 1982.

On March 18, we celebrated National Agriculture Day, a day when politicians say nice things about farmers and ranchers.

But I can assure everyone that farmers and ranchers are not saying many nice things about Congress. They have good reason to question the common-sense of Congress, the Department of Agriculture and the whole Federal Government.

The Government has given agriculture a farm bill that is no good.

The Federal Government has given farmers and ranchers both inflation that raised the price of their costs, and high interest rates that mean they cannot pay their bills.

The Government has embargoed the export of our grain overseas, thereby depressing farm prices, and undermining the confidence of foreign customers that America can deliver the goods.

Just a refresher course on grain embargoes—there was an embargo under President Carter. I would remind everyone that there was an embargo in 1973 under President Nixon; one in 1974 by President Ford; two more in 1975 by President Ford. So that makes it bipartisan, and bipartisan wrong.

President Reagan took his own sweet time in eliminating the Carter embargo, and then within days of doing that he embargoed the shipment of butter to the Russians. And even today there is a shadow embargo on shipment of food to Poland and Russia.

Farmers and ranchers are going broke. The market price for virtually every commodity is less than the cost to produce them.

Let us look at wheat. The parity price for a bushel of wheat these days is \$7.18. The Department of Agriculture says the cost of producing that bushel is \$5.32. The current average national price being received by farmers for that wheat is \$3.67, for a net loss of \$1.65. There is no way the farmers and ranchers can continue to produce with prices below cost of production.

Loan delinquencies and defaults by farmers and ranchers have increased sharply and are getting worse. Bankers are already telling my office that many borrowers will be curtailed on credit and many will have to be turned down.

Farmers and ranchers have been told that they ought to rely on the free market, rather than on Government programs. They surely want to rely on the free market. Only it is not free.

As long as the European Community and others cut the price of their goods for export with subsidies, there is no free market. As long as Japan, the European Community and others refuse to accept our agriculture products there is no free market.

The pricing system for agriculture is not working when producers have to borrow their money from the banks, instead of getting it from the marketplace.

Because of export subsidies by other governments, the United States is a residual supplier of the world's agricultural products. In other words, buyers come to us as a last resort.

Despite this, our country supplies 57 percent of all agricultural products in

international trade. That means that sooner or later, the Russians and other purchasers have to come to us.

Under these circumstances, there is no reason that the United States should not set a price for its commodities that will provide farmers and ranchers with a fair return.

To do less is to court disaster.

This legislation will do just that for grain producers and which I believe will stabilize beef, pork, milk, and poultry at fair prices.

And when I hear from the nervous Nellies who claim that such an approach will cost too much, or might upset our customers, I will take them to see the Alabama cottongrower who last fall could not find a buyer for his cotton at any price, or cattle growers or feeders who lose \$50 per head or more.

I will take them to a couple of shutdown feed lots and packing plants.

I will take them to see the Montana wheat growers who write to me and ask why they should keep producing at a loss.

I will take them to see one of the hundreds of farm and ranch auctions and foreclosures that are occurring right now in rural America.

We have all heard about how the current economic situation is hurting autos, steel, homebuilding, small business, and the timber industry, and it is.

But American agriculture is in a depression, and the sad thing is that the Government does not seem to care.

Finally, the best indication of how bad things are in agriculture comes from USDA. I defy anyone to get a straight story on what the Department expects net farm income to be this year. Two weeks ago I heard they thought it would be \$14.5 billion. Now the rumor is that they expect it to be \$13.2 billion.

If this last figure is right, that is half of what farm income was in 1978. The last time farm income was that low was 1968.

In terms of uninflated, real dollars, it has never been that low since the Department has been keeping track of net farm income.

This bill does four simple things:

It sets the Commodity Credit Corporation loan rate for wheat at \$4.20 and for corn at \$2.90 a bushel. The marketplace will respond to this loan level, establishing a cash grain price 55 to 75 cents a bushel above the federally established loan rate. This will assure that grain farmers do not go broke, and it will tell the world that the United States is prepared to set a fair price for its grain. To do so would improve our trade balance by billions of dollars.

I predict that if these actions are taken, the world price for wheat and feed grains will suddenly become the



price established by the United States. The Canadians and the Australians have told us that they are anxious to join us in setting a fair world price for wheat.

Second, the bill directs the Secretary of Agriculture, immediately upon enactment of the bill, to make loans available to farmers and ranchers under the already authorized economic emergency loan program of the Farmers Home Administration.

It makes no sense whatever that the Department of Agriculture is not acting aggressively to implement this vital program at a time when farmers and ranchers are going broke.

Third, the bill increases the food for peace assistance that will be made available to nonprofit and voluntary agencies for international food distribution. This increase can be used in large measure to make certain that the Catholic Church and the International Red Cross can get needed food aid to the hungry people of Poland. But it can also be used to assist those in nations such as Tanzania, where there is currently famine.

This needed food distribution will help those abroad, while helping American farmers and ranchers at the same time.

Finally, there is a soil conservation component in the bill. The draft program developed by the Department does not call for a policy that would aim its soil and water conservation efforts toward a national nondegradation policy for our soils. The draft program says that to do so would cost too much money.

Maybe that is right, and maybe it is not. But whether it is or not, it seems pretty cynical to me to set out on a course where we know at the outset that more soil is going to be lost than what we save through conservation efforts.

It seems to me that at a bare minimum we have to establish nondegradation as a goal.

There is another problem associated with new Department policies to target technical and financial assistance to the most heavily eroding areas. Its effect is going to be the elimination of a minimum base, conservation program in some areas of the country. I do not think that is what Congress had in mind when it enacted the critical areas conservation program in last year's farm bill. Instead the critical areas program was passed so that the Secretary would have additional authority to target the worst areas.

Further, I think it will be necessary for the Department to take special care in its targeting effort to take into consideration the long-term productivity of land as well as gross erosion in determining which areas to target.

While it is proper to be concerned about large soil losses in Iowa, the top

soil in that State is 40-feet deep in places, and soil losses under these circumstances might not be as bad as it is in areas where losses are less, but where the depth of the top soil is only inches deep. This bill takes care of this problem.

Mr. President, I believe this bill represents a good first step toward moving American agriculture from its current depressed state. I commend it to the Senate, and ask unanimous consent that S. 2289 be printed in the RECORD at this point.

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 107(a) of the Agricultural Act of 1949 (7 U.S.C. 1445b-1(a)), as added effective for the 1982 through 1985 crops of wheat by the Agriculture and Food Act of 1981, is amended by striking out "\$3.55" and inserting in lieu thereof "\$4.20".*

*Sec. 2 Section 105B(a)(1) of the Agricultural Act of 1949 (7 U.S.C. 1444d(a)(1)), as added effective for the 1982 through 1985 crops of feed grains by the Agriculture and Food Act of 1982, is amended by striking out "\$2.55" and inserting in lieu thereof "\$2.90".*

*Sec. 3 That Section 102 of the Food and Agriculture Act of 1977 is amended to add a new subsection (c) as follows:*

*(c) In order to protect and preserve the family farm, the Secretary of Agriculture shall, upon enactment of this subsection, immediately exercise his authority under Section 1605 of Public Law 97-98 to make loans available under the Economic Emergency loan program under terms and conditions which will meet the needs of farm and ranch borrowers.*

*Sec. 4. Section 201 of the Agricultural Trade Development and Assistance Act of 1954 is amended by striking subsection "(b)" and inserting in lieu thereof:*

*"For fiscal year 1982 and each fiscal year thereafter, the minimum quantity of agricultural commodities distributed under this title shall be 2,000,000 metric tons of which not less than 1,700,000 metric tons shall be distributed through nonprofit voluntary agencies and the World Food Program. Provided, That such minimum quantity shall not exceed the total quantity of commodities determined to be available for disposition under this Act pursuant to section 401, less the quantity of commodities required to meet famine or other urgent or extraordinary relief requirements".*

*Sec. 5. (a) Congress finds and declares that it shall be the policy of the United States that it be the goal of all of those programs of the Department of Agriculture pertaining to soil and water conservation to prevent soil degradation insofar as possible.*

*(b) Congress further finds and declares that efforts by the Secretary of Agriculture to areas where there is the most serious soil erosion in the Nation has had the effect of reducing the amount of technical and financial assistance available to landowners in other areas where erosion from wind and water threatens the long-term productivity of the land.*

*(c) Therefore, be it enacted that prior to determining to use federal technical and financial assistance in targeted areas, the Secretary shall first determine that at least a minimum, essential technical and financial*

assistance program is available in all areas of the Nation to meet the requirements expressed in statewide conservation programs developed by and for the States.

*(d) Section 1504(b) of P.L. 97-98 is amended by adding after the first sentence the following: "In making such determinations, the Secretary shall consider the protection of the long-term productivity of the land, in addition to the reduction of gross soil erosion rates."*

By Mr. Melcher:

S. 2289. A bill to provide for the future productivity of the National Forest System; to the Committee on Agriculture, Nutrition, and Forestry.

EMERGENCY NATIONAL FOREST PRODUCTIVITY  
ACT OF 1982

Mr. MELCHER. Mr. President, I am today introducing S. 2289, the Emergency National Forest Productivity Act of 1982.

I do not think there is any secret that the housing industry in the United States is near total collapse, and the prospects that markets will improve are not good.

The National Association of Home Builders projects that there will be fewer housing starts in 1982 than there were in 1981, and last year was the lowest production year for housing since 1946.

It is not difficult to understand why the housing market is depressed, even though the United States has a vast reservoir of potential home buyers, the average mortgage rate as of February 26 was 17.52 percent. People cannot afford to buy houses because the cost of the money they need to borrow is too expensive.

As a result of the poor market for building materials, a total of 51 plywood mills were not operating on February 20, and another 56 mills were operating on curtailed schedules. This means that 58 percent of the plywood industry was affected by closures and curtailments, resulting in 10,194 employees being laid off, or having their workweek reduced.

Among western mills manufacturing lumber, 163 were not operating and another 322 were working reduced schedules. These mills represent 64 percent of all those in the western sawmill industry, and the reductions have led to 65,267 employees being laid off, or working fewer hours.

In the South, 31,240 employees of softwood mills are either laid off or working less than full time.

The Association of American Railroads reports that carloadings of lumber and wood products are down 36 percent from the corresponding week in 1981, and down 50 percent from 1980.

None of these dreary figures take into account closures and curtailments in logging, millwork, particleboard, hardboard, and other segments of the wood products industry.

The deep unemployment in this vital and productive American industry ripples out in tidal wave force into the small communities that are totally reliant on timber to maintain their tax bases and economies. There is an emergency!

My bill attempts to focus on this problem through the employment of out-of-work loggers and mill employees to do work on the National Forest System that will contribute to the future productivity of these lands.

The purpose of the program will be to make these lands more productive through reforestation and timber stand improvement, roadbuilding and the removal of dead trees. The benefit of this work will be to reduce the hazards of wildfire through the removal of fuels, to improve the National Forest System's transportation system, to accomplish more extensive yarding of undesirable materials, to provide employment, and to improve the productivity of the forests, and to provide easier public access to firewood.

When we consider that people employed in this manner will not be drawing unemployment compensation, and when we consider the real dollar value in the improved forest productivity, I believe that this program will not be a high cost factor to the Government, but instead it will be profitable.

We need only look at the proposed budget of the Forest Service to see that the opportunities are there for useful projects that are not make-work.

The budget shows that the Forest Service ought to be spending \$371.4 million for road construction. The budget calls for \$100 million less.

Using Resources Planning Act projections the Forest Service ought to be spending \$20.3 million for trail construction, but the budget calls for \$4.8 million.

The Forest Service ought to be spending \$50.5 million for recreation construction, but the budget calls for \$4.5 million.

The Forest Service ought to be spending \$62.5 million for construction for fire administration and other purposes, but the budget calls for \$16.1 million.

The Forest Service ought to be spending \$49.7 million for land management activities, but the budget only calls for \$17.9 million.

The Forest Service ought to be spending \$25.6 million for maintenance of facilities, but the budget asks for \$13.6 million.

The Forest Service ought to be spending \$119.7 million for forest road maintenance, but the budget calls for \$61.6 million.

The Forest Service ought to be spending \$21.6 million for forest trail

maintenance, but the budget calls for \$7.7 million.

The Forest Service ought to be spending \$141.8 million for reforestation and timber stand improvement, but the budget calls for \$100 million.

These are but a few examples of work that ought to be done to improve the productivity and safety of the National Forest System. Each year the Congress has failed to make the proper investments in these areas, and it is for this reason that the Forest Service has been accused of accomplishing only custodial management of the forests.

With thousands upon thousands of woodworkers unemployed, we should look on the current situation as an opportunity to improve the public lands.

Mr. President, I commend this good bill to the Senate, and I ask unanimous consent that a copy of S. 2289 be included in the RECORD at this point.

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

S. 2289

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the Emergency National Forest Productivity Act of 1982.*

Sec. 2. The Secretary of Agriculture shall establish a special program to remove dead, dying, diseased and downed timber on National Forest System lands. The purpose of this program shall be to make these lands more productive, through reforestation and other forms of enhancement, including road construction; to accomplish additional thinning and other forms of timber stand improvement; to reduce the hazards of wildfire to accomplish more extensive yarding of undesirable materials; to provide employment in and around communities that are dependent on timber production; and to provide easier public access to firewood supplies.

Sec. 3. (a) The Secretary, in carrying out the purpose of this Act, may enter into contracts or other types of agreements with owners of private forest lands or other persons, or may conduct the work himself, if no contractors are available.

(b) The program to be carried out under the authority of this Act shall be judged by its contribution to the long-term productivity and environmental protection of the National Forest System.

(c) Projects and other efforts established under the program authorized by the Act may be carried out in conjunction with projects, contracts or agreements entered into under any authority which the Secretary may possess: *Provided*, That nothing contained in this Act shall abrogate or modify provisions of existing contracts or agreements, including contracts or agreements for the sale of National Forest timber, except to the extent such changes are mutually agreed to by the parties to such contracts or agreements.

Sec. 4. The Secretary may carry out the special program through to procedure under which purchasers of National Forest System timber under contracts awarded prior to October 1, 1986, may be required to remove residues and yard undesirable materials, not purchased by them, to point of prospective use, in return for compensation in the form of residue removal credits. The residue re-

moval credits shall be applied against the amount payable for the timber purchased, and shall represent the anticipated cost of removal. The following guidelines shall apply to projects carried out under this section:

(1) After the material removed from the forest is taken to points of prospective use, it shall be offered for sale at not less than its appraised value for commercial timber uses, such as lumber or pulp. Any wood material that is not sold for commercial purposes shall be offered for public use as firewood.

(2) Except in cases where wood is determined to be necessary for fire prevention, site preparation for regeneration, wildlife habitat improvement or other land management purposes, the Secretary may not provide for removal of wood material in instances where the anticipated cost of removal would exceed the anticipated value, including the estimated long term value of improved management of the National Forest System.

(3) The residue removal credits authorized by this section shall not exceed the amount payable by the purchasers for timber after the application of all other charges and credits.

(4) Wood and wood residues shall be collected from a site so as to avoid soil depletion, erosion and watershed damage, giving full consideration to the protection of wildlife habitat.

(5) For the purposes of the sixth undesignated paragraph under the heading "Forest Service" in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500) and section 13 or the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500) (A) any residue removal credit applied under this section shall be considered as "money received" or "moneys received", respectively, and (B) the "money received" or "moneys received", respectively, from the sales of wood residues removed to points of prospective use shall be the proceeds of the sales less the sum of any residue removal credit applied with respect to such residues plus any costs incurred by the Federal Service in processing and storing such residues.

Sec. 5. The Secretary shall make annual reports to the Congress on the programs authorized by this Act. These reports shall be submitted with the reports required under section 8(c) of the Forest and Rangeland Renewable Resources Planning Act of 1974.

Sec. 6. The Secretary shall issue such regulations as the Secretary deems necessary to implement the provisions of this Act, within 30 days after enactment.

Sec. 7. There is hereby authorized to be appropriated not to exceed \$150,000,000 for each of the fiscal years, 1983, 1984, 1985, and 1986 to (a) carry out the programs authorized under section 3 of this Act, (b) provide for the residue removal credits authorized by section 4 of this Act and (c) carry out the other provisions of this Act. For the current fiscal year, the Secretary is authorized to transfer funds from other National Forest System Accounts to carry out the provisions of this Act.

Sec. 8. This Act shall become effective immediately.

By Mr. PERCY (by request):

S. 2290. A bill to amend the "International Communication Agency Authorization Act, Fiscal Years 1982 and 1983" (Public Law 97- Stat. ), to authorize additional appropriations for fiscal year 1983, and



for other purposes; to the Committee on Foreign Relations.

#### LEGISLATION TO AMEND INTERNATIONAL COMMUNICATION AGENCY AUTHORIZATION

● Mr. PERCY. Mr. President, by request, I introduce for appropriate reference a bill to amend the International Communication Agency Authorization Act, Fiscal Years 1982 and 1983, to authorize additional appropriations for fiscal year 1983.

This legislation has been requested by ICA and I am introducing the proposed legislation in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill be printed in the RECORD at this point, together with a section-by-section analysis of the bill and the letter from the Director of the International Communication Agency to the President of the Senate dated March 18, 1982.

S. 2290

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### AUTHORIZATION OF ADDITIONAL APPROPRIATIONS

That section 202 of the "International Communication Agency Authorization Act, Fiscal Years 1982 and 1983" (Public Law 97- ; Stat. ) is amended by striking out "\$482,340,000" and inserting in lieu thereof "\$640,000,000".

#### CHANGES IN ADMINISTRATIVE AUTHORITIES

Sec. 2. Section 804(1) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1474(1)) is amended by striking out the word "suitably" and replacing it with words "equally or better."

Sec. 807. Notwithstanding the provisions of 31 U.S.C. 484 or any other law or limitation of authority, tuition fees or other payments received by or for the use of the International Communication Agency from or in connection with English-teaching programs conducted by or on behalf of the Agency under the authority of this Act or the Mutual Educational and Cultural Exchange Act of 1961 may be credited to the Agency's applicable appropriation."

#### SECTION-BY-SECTION ANALYSIS—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS

This proposed amendment to the "International Communication Agency Authorization Act, Fiscal Years 1982 and 1983" increases the authorization of appropriations for the International Communication Agency in fiscal year 1983 from \$482,340,000 to \$640,000,000. The amended amount is included in the President's budget for fiscal year 1983.

The increase is requested primarily to cover added requirements for construction of new Voice of America relay stations overseas, international education and foreign language activities to be transferred from the Department of Education and added costs of Agency operations attributable mainly to overseas wage cost increases.

#### SECTION 2 (EMPLOYMENT OF FOREIGN NATIONALS)

Public Law 96-60, passed in August of 1979, amended Section 804(1) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1474(1)) by broadening considerably the Agency's authority to employ foreign nationals to meet its various programming responsibilities. In addition to translation and narration, the law now allows the use of foreign nationals for preparation and production of programs "where suitably qualified U.S. citizens are not available." The principal advocate and beneficiary of this change was the Voice of America.

The presently proposed amendment to Section 804(1) would delete the word "suitably" and replace it with the words "equally or better" so that the section would read in pertinent part "employ, without regard to the civil service and classification laws, aliens within the United States and abroad for service in the United States . . . when equally or better qualified United States citizens are not available. . . ." (Emphasis supplied.)

As the law is now written and interpreted, minimally qualified U.S. citizens must be given preference for jobs over highly qualified and experienced foreign national employees. This frequently has resulted in hiring less than the best qualified candidates for language programming and has led to language broadcasts of a poorer quality than is needed. In the highly competitive international broadcasting environment in which the VOA operates, language and journalistic skill must be of the highest quality when judged by the foreign listener.

#### SECTION 2 (ENGLISH TEACHING PROCEEDS)

The Agency is seeking authority to use the proceeds from its English teaching programs abroad. We anticipate the following beneficial results:

(1) Greater quality control of educational aspects of these programs since they would be removed from local educational requirements such as teaching host country history and culture in addition to the English language, and local labor law requirements, such as the need to hire a certain percentage of host country nationals as teachers, rather than the pedagogically preferred native speakers of English.

(2) Greater administrative control of programs, such as uniform bookkeeping requirements, the ability to recycle funds received into ELT program enrichment, the option to dismiss employees who are not maintaining academic standards or who have been found to siphon off funds for improper use.

(3) Greater continuity of programs since oversight would not be left in the hands of constantly changing volunteer members of Boards of Directors of umbrella organizations.

(4) Greater flexibility for posts as to the most effective ways to enhance each program in light of the academic and socio-cultural needs of the local population should income exceed expenditures, such as subsidizing highly desirable seminars for secondary-school teachers associations such as local chapters of TESOL.

(5) The ability to get ELT materials which contain a substantial amount of "Americana" into national school systems and local institutions willing to pay modest costs for these materials, since this would eliminate the current drain on posts' DSA accounts, a factor inhibiting the size of current posts orders.

#### INTERNATIONAL COMMUNICATION AGENCY,

Washington, D.C., March 18, 1982.

DEAR MR. PRESIDENT: There is transmitted herewith proposed legislation to authorize appropriations for the International Communication Agency to carry out in Fiscal Year 1983 international communication and educational and cultural exchange programs. These activities are mandated by the United States Information and Education Exchange Act of 1948, as amended; the Mutual Education and Cultural Exchange Act of 1961, as amended, and Reorganization Plan No. 2 of 1977. The authorization of our appropriations is required by Section 701(a) of the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1476(a)).

The legislation also proposes to amend some of the provisions of the Agency's basic enabling authorities. An analysis explaining the proposed legislation is enclosed.

It should be noted further that the proposed legislation would amend the request submitted last year for Fiscal Year 1982 and 1983. This legislation has passed both the House and Senate, but has not yet been agreed upon in conference.

The Office of Management and Budget has informed us that there is no objection to the presentation of this proposed legislation and that its enactment would be in accord with the program of the President.

Sincerely,

CHARLES Z. WICK,  
Director.●

By Mr. DIXON (for himself, Mr. HUDDLESTON, Mr. LEAHY, Mr. ZORINSKY, Mr. MELCHER, Mr. PRYOR, Mr. BOREN, Mr. HEFLIN, and Mr. EXON.):

S. 2291. A bill to require the Secretary of Agriculture to disseminate farm income estimates; to the Committee on Agriculture, Nutrition, and Forestry.

#### FARM INCOME ESTIMATES

Mr. DIXON. Mr. President, the bill I am introducing today will correct what appears to be an inappropriate policy decision of the Department of Agriculture to embargo the release of information on farm income.

The income statistics have virtually disappeared from the Department's publications in recent weeks. Policy officials of the Department decline to answer questions related to the 1982 farm income forecast.

By failing to publish, or even talk about, the farm income outlook, the Department has generated fears among farmers that the income outlook is so bad that the administration is reluctant to give an estimate.

My bill will require the Secretary of Agriculture to publish each month his Department's estimate of gross farm receipts, agricultural production expenses, and net farm income.

Mr. President, I am concerned that this is yet another step by this administration to politicize vital functions of the Department of Agriculture that should be left to professionals. Certain activities of the Department simply

must be left outside the political arena; otherwise the people of this Nation will suffer.

I would like to quote O. V. Wells, who was Chief of the Bureau of Agricultural Economics in the Department from 1946 to 1953, and served in the Department of Agriculture from 1929 to 1961. Mr. Wells delivered a bicentennial lecture at the Department of Agriculture on September 24, 1976, in which he said:

Over the years that I was with the Department (1929-61), my standard argument was that the best contribution that we could make was to see that the several farm groups, the agribusiness and consumer interests, the action agencies and their administrators, the White House advisers (including the Council of Economic Advisers and the Budget Bureau), and the Congressional leaders and committees all started their arguments from the same basic facts and analyses. I assume that this is still a guiding principle within the Department.

I agree with Mr. Wells argument. All the parties concerned must have some basic agreement on economic situation for agriculture in order for discussion of agricultural policy to be informed and productive. Because the Department of Agriculture will not provide its analysis of farm income in 1982, nor will even discuss the farm income outlook for 1982, we have no agreement on the basic facts as a starting point for discussion.

Mr. President, I would also like to quote from the bicentennial lecture delivered by M. L. Upchurch, who was Administrator of the Economic Research Service from 1965 to 1971. Mr. Upchurch notes that the Economic Research Service, the agency charged with producing the farm income estimates and forecasts, has "a venerable history of accomplishment . . . its integrity in developing the publishing economic intelligence for agriculture has always been unassailable. I am sure it will remain so."

The recent actions, or more appropriately the inaction of the Department, brings Mr. Upchurch's conclusion into question.

Monthly publication of current economic statistics is hardly an unusual occurrence. Most major indicators of the state of the economy are published monthly. We receive labor statistics, such as the unemployment rate and estimates of the number of people employed. We receive price statistics, such as the consumer price index and the producer price index. We receive national income statistics, such as gross national product and personal income statistics. Why should we not have knowledge of the current status of the farm income?

In fact, the Department, until January of this year, routinely published farm income statistics, including forecasts. These statistics have been published most prominently in the De-

partment's Agricultural Outlook magazine.

USDA now claims that it is too early to be able to estimate farm income for 1982 accurately. Yet every other administration has faced the same uncertainties and still published a forecast prepared using the best professional expertise available within the Department. Their forecasts have been of great value to Congress in overseeing the operations of the Department and in evaluating legislative proposals.

The professionals at the Department and the users of the farm income estimates are aware of the uncertainty inherent in forecasts. As long as the inaccuracies are the result only of statistical estimating procedure, the public interest is served.

Mr. President, the level of farm income is an important indicator of the health of rural America. The level of farm income helps Congress to evaluate whether or not legislative action is required to preserve our vital food and fiber producing industry, an industry that contributes more to our balance of payments than any other. It is intolerable that we in Congress should be denied the information available to the Secretary of Agriculture.

Mr. President, I ask unanimous consent that the text of my bill be printed in the RECORD.

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

#### S. 2291

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 526 of the Revised Statutes (7 U.S.C. 2204) is amended by adding at the end thereof a new subsection (c) as follows:*

"(c) The Secretary of Agriculture shall, by the fifteenth day of each month, make and disseminate estimates of gross farm receipts, production expenses of farmers, and net farm income for the past calendar year, the current calendar year, and, in the months of October through December, the forthcoming calendar year, based on the most recent data available to the Secretary."

#### By Mr. METZENBAUM:

S. 2292. A bill to amend section 205 of the Federal Power Act (16 U.S.C. 824d) relating to inclusion of construction work in progress in the wholesale rate base of public utilities; to the Committee on Energy and Natural Resources.

#### WHOLESALE RATE BASE OF PUBLIC UTILITIES

Mr. METZENBAUM. Mr. President, this administration is rapidly developing a policy of requiring consumers to pay for the cost of energy, years before they receive any service. The first evidence of this policy came last year, when President Reagan proposed a series of waivers for the Alaska natural gas pipeline. Those waivers require consumers to pay for the principal and interest on \$32 billion of debt capital

for the pipeline before they receive any gas, and even though the project might never be completed.

Now this administration is seeking to bring this outrageous new policy to the electric utility industry through a highly technical accounting regulation known as construction work in progress, or CWIP. The Federal Energy Regulatory Commission presently is considering a regulation to allow utilities to include CWIP in their regulated rate base. If put into effect, this regulation would create a major new loophole that will permit utilities to require their customers to begin paying—with profit—for new electric generating plants before such plants are providing service.

Mr. President, the legislation I am introducing today is designed to prevent the adoption of this outrageous regulation that would force the Nation's consumers to massively subsidize the electric utility industry.

Utilities subject to Federal regulation were not permitted to use CWIP until 1975, when the Federal Power Commission, FERC's predecessor agency, issued order 555. That order permitted a utility to place CWIP in its rate base only in three situations:

First, to cover the cost of installing pollution control equipment;

Second, to cover the cost of converting an existing oil- or gas-fired generator to burn a more plentiful fuel, such as coal; and

Third, to cover the cost of constructing new generating facilities for utilities in severe financial difficulty.

I believe that the first two exceptions—pollution control and fuel conversion—are entirely reasonable. My legislation would retain them. But, Mr. President, this bill will definitely close the door on any inclination that may exist at FERC to substantially expand the ability of utilities to pass on CWIP charges to their customers. Specifically this legislation amends the Federal Power Act to prohibit FERC from allowing, except for purposes of pollution control or fuel conversion, the inclusion of CWIP in the rate base of any utility subject to Federal regulation.

There is ample reason to believe that unless the Congress intervenes, FERC will, in fact, take a permissive approach to CWIP.

On July 27, 1981, for example, FERC issued a notice of proposed rulemaking that would broaden the "severe financial difficulty" exception to permit a utility to use CWIP whenever its first mortgage bond rating for Moody's is Baa or lower or BBB or lower under Standard and Poor's, and when CWIP makes up at least 40 percent of the dollar amount of its rate base.

But FERC did not stop there. When the proposed rulemaking was noticed in the Federal Register, FERC also so-



licit additional comments on a number of issues designed to further expand the use of CWIP. It should surprise no one that dozens of private utilities, as well as Edison Electric Institute (EEI) asked that the final regulations allow CWIP in a utility's rate base regardless of circumstance. Speaking for the administration, the Department of Energy endorsed that position.

FERC appears eager to accommodate the request of the industry and the administration. Speaking before a utility conference sponsored by EEI on October 27, 1981, FERC Chairman C. M. Butler III, told utility executives that the proposed rule did not go far enough. According to Mr. Butler, consumers, not utilities, should bear the burden of demonstrating that CWIP should not be included in any given rate base.

It is clear, Mr. President, that what began as a narrow exception for CWIP is rapidly becoming a floodgate through which utilities will be permitted to take consumers' money now in exchange for providing them with new service in 8 to 10 years. The American Public Power Association, which represents municipal electric systems that purchase electricity at wholesale rates from private utilities, points out that a broadened CWIP regulation at FERC will add at least \$1.17 billion to the electric bills of consumers each year.

But \$1.17 billion a year is only part of the story. FERC regulates only wholesale sales, which account for approximately 10 percent of all the electricity generated each year in the United States. State public service commissions, which regulate the remaining 90 percent of sales, look to FERC for guidance in many instances. Were a broad CWIP rule adopted by the States, consumers would pay an additional \$12 billion annually without receiving any additional service.

The utility industry has argued that CWIP is needed in order to counter severe financial difficulties. But is that true?

According to Standard and Poor's, over two-thirds of the Nation's utilities have a bond rating of A or better.

George Anders, writing in the November 12, 1981, Wall Street Journal stated that, "electric utility stocks have become one of this year's star performers."

Analysts for Smith Barney Harris Upham recently concluded, "overall, electric stocks for the past year have substantially outperformed the market and fixed income securities. . . ."

Argus Research predicts that "many electric utility stocks will prove attractive vehicles in the period ahead" and "warrant the favorable attention of investors today."

The Washington Post of January 31, 1982, quotes a market forecast by Bache Halsey Stuart Shields, Inc. as

saying, "As the year 1982 unfurls, we are optimistic that a favorable market climate for electric utilities will evolve." Bache predicted that utility stock investors will earn a profit "of close to 18 percent per annum."

Even if, for the sake of argument, we accept the industry's claims of poor financial health, there is still no evidence that allowing CWIP in rate base would improve their condition. The American Public Power Association points out that many utilities have bond ratings of AA in States that do not allow CWIP. Conversely, States that allow CWIP have utilities with bond ratings of BBB. Standard and Poor's lists the quality of utility management and State regulation, not CWIP, as the two most important factors in rating a utility's bonds.

Allowing a utility to place CWIP in its rate base would only heighten the opportunity for bad management decisions. CWIP would increase a utility's rates without consideration being given to whether a utility's management made a prudent investment in going forward with the construction of a new generating facility. If a utility can immediately recoup its costs and earn a profit on new construction, there is no incentive to hold down costs or to explore less costly alternatives, such as increased power pooling and wheeling, as well as innovative load management and conservation programs.

It is time, Mr. President, to put an end to this ever widening loophole through which consumers will be forced to pour billions of dollars each year. It is time to return to the "used and useful" principle established by the Supreme Court almost 100 years ago by making certain that consumers are not required to pay for the cost of a new facility until it is complete and service is being provided.

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

By Mr. HEFLIN:

S. 2293. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income subsistence payments to certain law enforcement officers; to the Committee on Finance.

#### SUBSISTENCE PAYMENTS TO CERTAIN LAW ENFORCEMENT OFFICERS

Mr. HEFLIN. Mr. President, I am pleased today to introduce legislation which would allow State troopers, and other State law enforcement officers, to exclude from gross income subsistence allowances paid to them by the State.

For many years now, in Alabama, our State troopers and other State law enforcement officers have been given a subsistence allowance provided by statute of \$5 per day. This cash allowance, which is generally used for meals, is not viewed by the State as compensation. It is considered a reim-

bursment for work-related expenses which are vital to the performance of the troopers' duties.

Section 119 of the Internal Revenue Code, which was enacted in 1954, excludes from an employee's gross income the value of employer-furnished meals if they are provided for the employer's convenience, on its business premises, and for substantially noncompensatory reasons. For several years, this provision was interpreted to include subsistence allowances paid to State troopers.

In 1972, the Internal Revenue Service ruled that subsistence allowances provided to State troopers do not fall within this statute and, therefore, may not be excluded from gross income for taxable purposes. The U.S. Tax Court reviewed the Service's decision and, with six members dissenting, also held against the troopers. While the Tax Court conceded that the meal allowances were furnished because it was more convenient to provide a meal allowance than to provide meals for the troopers, the court interpreted section 119 as excluding from tax meals received in kind, and not meal allowances. The case was then taken before the U.S. Court of Appeals for the Third Circuit. The appeals court agreed with the troopers' contention that such meal allowances are not taxable income. However, the Supreme Court, in Commissioner against Kowalski, reversed the appeals court ruling and declared that meal allowances paid to State troopers are taxable income and do not fall within section 119 of the code.

The Internal Revenue Service applied the Kowalski decision retroactively and held State troopers liable for taxes on their meal allowances back through 1971. The retroactive enforcement of that decision would have resulted in severe financial hardships for State troopers had it not been for the efforts of the late Senator Jim Allen of Alabama. Senator Allen sought to alleviate this financial burden, which would have proved disastrous to most troopers, by introducing legislation to exclude from taxable income the statutory subsistence allowance paid to State law enforcement officers. Through his efforts, legislation was passed amending section 119 of the Internal Revenue Code stating that Kowalski could not be applied retroactively by the Internal Revenue Service. However, the provisions of Senator Allen's bill which dealt with the prospective application of Kowalski were not adopted.

Mr. President, I do not believe it was the intent of Congress to exclude subsistence allowances to State troopers from section 119. The purpose behind this section is to allow an employer to provide meals to employees for substantially noncompensatory employ-

ment related reasons. The regulations for this section state that a noncompensatory purpose exists where employees must be present to deal with emergencies during work hours. It is unfair and unjust to exclude a State trooper's subsistence allowance from the benefits of this important provision of the Tax Code simply because meals are not provided on official premises and are in the form of an allowance.

Alabama, and many other States, instituted the cash allowance system in order to permit troopers to remain on call in their assigned patrol areas during their break. Often, the troopers' law enforcement duties carry them far from home. Since these officers are assigned on a countywide basis, many cannot return to their offices or homes for meals because of their responsibilities. An officer cannot call for relief at mealtime if his duties demand his presence. In fact, it is not uncommon for a trooper to order a meal and then be called away for an emergency before the meal is even set before him. He must remain at accident scenes, at scenes of disorder, at traffic congestion, at crime scenes, often eating a sandwich as he runs to an emergency call.

There can be little question that our State troopers perform one of the most difficult and demanding jobs imaginable. Our citizens' safety and well-being depend on their swift action in enforcing the law. State troopers take their meals only when and where the time allows because of the nature of their jobs. In essence, these officers must serve their State's needs before then can serve their own. I see no reason why this allowance for meals should not be excluded from their taxable income.

The bill I am introducing today would simply amend section 119 to specifically provide that subsistence allowances to State troopers are not taxable. I feel strongly that there is every need for this legislation, which will aid the State law enforcement officers of our Nation. Let me stress that this bill will benefit not only the State troopers in Alabama, but also those law enforcement officers of every State who receive subsistence allowances.

In conclusion, Mr. President, I urge the support of my colleagues for this legislation, and ask for its timely consideration, and I ask unanimous consent that the bill be printed in the RECORD.

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

S. 2293

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (b) of section 119 of the Internal Revenue Code of 1954 (relating to special*

*rules with respect to meals and lodging furnished for the convenience of the employer) is amended by adding at the end thereof the following new paragraph:*

*"(4) SUBSISTENCE PAYMENTS TO CERTAIN LAW ENFORCEMENT OFFICERS.—*

*"(A) IN GENERAL.—There shall be excluded from the gross income of a law enforcement officer an amount equal to the amount paid to such officer by his employer for meals if such payment is—*

*"(i) required or authorized by the laws governing the employment of such officer, or*

*"(ii) required by a contract negotiated in accordance with such laws.*

*"(B) \$5 PER DAY LIMITATION.—The amount excludable from gross income under subparagraph (A) shall not exceed five dollars per day.*

*"(C) LAW ENFORCEMENT OFFICER.—The term 'law enforcement officer' means an individual who—*

*"(i) is an elected or appointed, full-time employee of a State, a political subdivision of a State, or a territory or possession of the United States,*

*"(ii) has the power of arrest, and*

*"(iii) is required by the terms of his employment to investigate, apprehend, or detain individuals suspected or convicted of criminal offenses."*

*"(b) The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1981.*

By Mr. JOHNSTON (for himself and Mr. LONG):

S. 2294. A bill to provide for the settlement of the land claims of the Chitimacha Tribe of Louisiana, and for other purposes; to the Select Committee on Indian Affairs.

#### CHITIMACHA CLAIMS SETTLEMENT ACT

Mr. JOHNSTON. Mr. President, I am pleased to introduce today with the senior Senator from Louisiana companion legislation to H.R. 5358 introduced earlier this year by Congressman TAUIZIN to settle the Chitimacha land claim.

A federally recognized tribe, the Chitimachas have, since time immemorial, owned and occupied parts of the present State of Louisiana and were one of the larger aboriginal groups in Louisiana at the beginning of the European settlements. Both French and Spanish sovereigns recognized the Chitimachas and their right to the lands they occupied. Moreover, this sovereign protection was carried forth in the Louisiana Purchase Treaty and the Indian Nonintercourse Act (25 U.S.C. sec. 177).

Since 1977, seven class action suits were initiated by the tribe in the eastern, middle and western Federal district courts to recover recognized and aboriginal title to over 1 million acres of land in St. Mary, Iberville, Ascension, St. Martin, Iberia, and Assumption Parishes. Unlike other eastern land claims, these claims are based on the loss of property to individuals, rather than on a taking by the State. These suits are being held in abeyance pending the outcome of legislation

pending in the House and the bill I am introducing today.

The compromise contained in this measure provides for a Federal appropriation of \$7.5 million to be used by the tribe to purchase additional land for the present 250-acre reservation and for tribal development. The legislation will also extinguish all Chitimacha land claims and provide clear title to the defendant landowners.

All parties—the Chitimacha Tribal Council, the various defendants, the State of Louisiana, and the landowners associations—support this compromise. I believe this is a fair settlement and I urge the Senate to act on it as quickly as possible.

By Mr. HATCH (for himself and Mr. DeCONCINI):

S. 2297. A bill to amend title 11, United States Code, to improve the protection for shopping centers and their tenants under the Bankruptcy Code; to the Committee on the Judiciary.

#### SHOPPING CENTER TENANTS IMPROVEMENTS ACT OF 1982

Mr. HATCH. Mr. President, I rise today to introduce the Shopping Center Protection Improvements Act of 1982, a bill which is designed to implement needed changes in the Bankruptcy Reform Act of 1978.

#### REASONS FOR THE BILL

Mr. President, in 1978, Congress enacted the Bankruptcy Reform Act, which included the Bankruptcy Code. The new code makes numerous substantive changes in the law of bankruptcy and in the administration of debtor's estates.

One of these changes adversely affected the ability of shopping centers to protect their interests and the interests of their nonbankrupt tenants in the event of the bankruptcy of any tenant. Prior to the enactment of the code, in the case of the bankruptcy of a tenant, a shopping center was able to protect these interests by enforcing lease clauses permitting the lessor to regain control of the lease. This was done by terminating the lease, changing it to a month-to-month tenancy, waiving or terminating an option to renew the lease, or terminating the lease if the debtor was unable to maintain a certain sales volume or net worth. Such provisions enabled the shopping center to avoid the adverse consequences of vacancies, curtailed operations, or assignment to tenants with inappropriate uses.

Under the Bankruptcy Code, such clauses were made unenforceable. However, Congress recognized the unique nature of the relationship between the shopping center and its tenants, and among the tenants of the shopping center. In order to protect the shopping center and its nonbankrupt tenants regarding the assumption



or assignment by a trustee or debtor in possession of an unexpired lease, Congress included in the code requirements that the trustee makes certain specified assurances of future performance under the lease.

Unfortunately, however, in practice, these assurances have not proved adequate to provide the protections which Congress intended. This situation has only recently come to light because significant numbers of tenant bankruptcies were not filed until last year and because it was not apparent until several months after these bankruptcy petitions were filed that the protections of the code were not working. Therefore, it is appropriate to amend the code to strengthen those provisions and thereby provide the protections which Congress intended in 1978. This would be accomplished by amending sections 365 and 362 of the code.

The amendment to section 365 would accomplish the following:

First, impose a 60-day limit on a trustee's acceptance or rejection of an unexpired lease in all bankruptcy cases, with the right to request additional time for cause. If the premises are not vacated within 30 days after a court order, the trustee will be required to perform all of the obligations under the lease currently.

Second, require the trustee to perform all of the obligations of the tenant under the lease, including payment of rent and other charges specified in the lease, until the lease is assumed or rejected.

Third, delete the word "substantially" from the provisions requiring that an assignment of a shopping center lease would not breach other agreements and would not disrupt tenant mix.

Fourth, require the trustee to find that an assignee of a shopping center lease would have a financial standing similar to that of the original tenant.

Fifth, allow the lessor, in the event of a lease assignment, to require his customary security deposit from the new tenant.

Sixth, clarify that any assignment of a lease is subject to all of the provisions of the lease being assigned as well as assuring no breach in any other relevant document.

Seventh, provide that the special provisions for assignment of shopping center leases apply whether or not there has been a default under the lease.

Eighth, clarify that leases that have been terminated under State law will not be treated as property of the debtor subject to bankruptcy.

The amendment to section 362 would delete from the automatic stay provisions of that section, a proceeding to obtain possession of property subject to a lease which has expired

by its own terms without regard to the bankruptcy proceedings.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

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

#### S. 2297

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Shopping Center Protections Improvements Act of 1982."

Sec. 2. Section 365 of title 11, United States Code, is amended to read as follows:

"(a) Except as provided in sections 765 and 766 of this title and in subsections (b), (c), and (d) of this section, the trustee, subject to the court's approval, may assume or reject any executory contract or unexpired lease of the debtor. The trustee shall timely perform all the obligations of the tenant arising from and after the date of the order for relief, under an unexpired lease (including payment of the rent and other charges specified in such lease) until such lease is assumed or rejected, notwithstanding the provisions of § 503.

"(b)(1) If there has been a default in an executory contract or unexpired lease of the debtor, the trustee may not assume such contract or lease unless, at the time of assumption of such contract or lease, the trustee—

"(A) cures, or provides adequate assurance that the trustee will promptly cure, such default;

"(B) compensates, or provides adequate assurance that the trustee will promptly compensate, a party other than the debtor to such contract or lease, for any actual pecuniary loss to such party resulting from such default; and

"(C) provides adequate assurance of future performance under such contract or lease.

"(2) Paragraph (1) of this subsection does not apply to a default that is a breach of a provision relating to—

"(A) the insolvency or financial condition of the debtor at any time before the closing of the case;

"(B) the commencement of a case under this title; or

"(C) the appointment of or taking possession by a trustee in a case under this title or a custodian before such commencement.

"(3) For the purposes of paragraph (1) of this section and paragraph (2)(B) of section 1, adequate assurance of future performance of a lease of real property in a shopping center includes adequate assurance—

"(A) of the source of rent and other consideration due under such lease with a financial standing, including guarantors, similar to that of the original tenant when the lease was executed;

"(B) that any percentage rent due under such lease will not decline substantially;

"(C) that assumption or assignment of such lease is subject to all the provisions thereof, including (but not limited to) provisions such as a radius, location, use, or exclusivity provision, and will not breach any such provision contained in any other lease, financing agreement, or master agreement relating to such shopping center; and

"(D) that assumption or assignment of such lease will not disrupt any tenant mix or balance in such shopping center.

"(4) Notwithstanding any other provision of this section, if there has been a default in

an unexpired lease of the debtor, other than a default of a kind specified in paragraph (2) of this subsection, the trustee may not require a lessor to provide services or supplies incidental to such lease before assumption of such lease unless the lessor is compensated under the terms of such lease for any services and supplies provided under such lease before assumption of such lease.

"(C) The trustee may not assume or assign any executory contract or unexpired lease of the debtor, whether or not such contract or lease prohibits or restricts assignment of rights or delegation of duties, if—

"(1)(A) applicable law excuses a party, other than the debtor, to such contract or lease from accepting performance from or rendering performance to the trustee or an assignee of such contract or lease, whether or not such contract or lease prohibits or restricts assignment of rights or delegation of duties; and

"(B) such party does not consent to such assumption or assignment; or

"(2) such contract is a contract to make a loan, or extend other debt financing or financial accommodations, to or for the benefit of the debtor, or to issue a security of the debtor.

"(3) such contract or lease has been terminated under state law prior to the order for relief.

"(d) In all cases under this title, if the trustee does not assume or reject an executory contract or unexpired lease of the debtor within 60 days after the order for relief, or within such additional time as the court, for cause, within such 60-day period, fixes, then such contract or lease is deemed rejected, and in the case of a lease, the court shall order the premises to be vacated immediately. If the premises are not vacated within 30 days after such order, the trustee shall perform all of the obligations under such lease currently. Acceptance of such performance shall not constitute a waiver or relinquishment of the lessor's rights under the lease or Bankruptcy Code.

"(1) If an unexpired lease is assigned pursuant to this section, the lessor of the property may require a deposit or other security for the performance of the obligations under the lease substantially the same as would have been required by the landlord upon the initial leasing to a similar tenant."

Sec. 3. Section 362(b) is amended by adding a new paragraph (9) to read as follows—

"(9) under subsection (a) of this section, of a proceeding to obtain possession of property subject to a lease which has expired by virtue of its own terms without regard to the bankruptcy proceedings.

#### ADDITIONAL COSPONSORS

##### S. 1698

At the request of Mr. DENTON, the Senator from Massachusetts (Mr. TSONGAS), and the Senator from Washington (Mr. JACKSON) were added as cosponsors of S. 1698, a bill to amend the Immigration and Nationality Act to provide preferential treatment in the admission of certain children of U.S. Armed Forces personnel.

##### S. 2000

At the request of Mr. DOLE, the Senator from Nevada (Mr. LAXALT) was added as a cosponsor of S. 2000, a bill

to amend title 11, United States Code, to establish an improved basis for providing relief under chapter 7, and for other purposes.

S. 2155

At the request of Mr. KASTEN, the Senator from Wyoming (Mr. WALLOP) was added as a cosponsor of S. 2155, a bill to require a foreign country be declared to be in default before payments are made by the U.S. Government for loans owed by such country or credits which have been extended to such country which have been guaranteed or assured by agencies of the U.S. Government.

S. 2158

At the request of Mr. DANFORTH, the Senator from Alabama (Mr. HEFLIN), the Senator from Georgia (Mr. NUNN), and the Senator from Kansas (Mrs. KASSEBAUM) were added as cosponsors of S. 2158, a bill to amend title 23, United States Code, to authorize and direct the payment of an incentive grant for highway safety programs to any State in any fiscal year during which the statutes of the State include certain provisions relating to driving while intoxicated; to establish a national driver register, and for other purposes.

S. 2159

At the request of Mr. DANFORTH, the Senator from Alabama (Mr. HEFLIN), the Senator from Georgia (Mr. NUNN), and the Senator from Kansas (Mrs. KASSEBAUM) were added as cosponsors of S. 2159, a bill to amend the Bankruptcy Act to provide that judgment debts resulting from a liability which is based on driving while intoxicated shall not be discharged.

S. 2174

At the request of Mr. THURMOND, the Senator from California (Mr. CRANSTON), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Illinois (Mr. DIXON), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Delaware (Mr. BIDEN), and the Senator from Massachusetts (Mr. TSONGAS) were added as cosponsors of S. 2174, a bill to recognize the organization known as American Ex-Prisoners of War.

S. 2226

At the request of Mr. LUGAR, the Senator from South Dakota (Mr. ABDNOR), the Senator from South Carolina (Mr. THURMOND), the Senator from Mississippi (Mr. COCHRAN), the Senator from Pennsylvania (Mr. SPECTER), the Senator from North Dakota (Mr. BURDICK), and the Senator from Iowa (Mr. JEPSEN) were added as cosponsors of S. 2226, a bill to amend the National Housing Act to provide for emergency interest reduction payments and for other purposes.

S. 2270

At the request of Mr. LUGAR, the Senator from New Hampshire (Mr. HUMPHREY) was added as a cosponsor

of S. 2270, a bill to amend section II of the Social Security Act to provide generally that benefits thereunder may be paid to aliens only after they have been lawfully admitted to the United States for permanent residence, and to impose further restriction on the right of any alien in a foreign country to receive such benefits.

#### SENATE JOINT RESOLUTION 161

At the request of Mr. THURMOND, the Senator from Georgia (Mr. MATTINGLY), the Senator from North Dakota (Mr. BURDICK), and the Senator from Minnesota (Mr. DURENBERGER) were added as cosponsors of Senate Joint Resolution 161, a joint resolution to designate the week commencing with the fourth Monday in June of 1982 as "National NCO/Petty Officer Week."

#### SENATE JOINT RESOLUTION 163

At the request of Mr. KENNEDY, the Senator from Montana (Mr. MELCHER) was added as a cosponsor of Senate Joint Resolution 163, a joint resolution on Nuclear Weapons Freeze and Reductions.

#### SENATE JOINT RESOLUTION 169

At the request of Mr. HOLLINGS, the Senator from Arizona (Mr. DECONCINI), the Senator from Mississippi (Mr. STENNIS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Arkansas (Mr. BUMPERS), the Senator from Missouri (Mr. EAGLETON), the Senator from Georgia (Mr. NUNN), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Louisiana (Mr. JOHNSTON), the Senator from Florida (Mr. CHILES), the Senator from North Dakota (Mr. BURDICK), the Senator from North Dakota (Mr. ANDREWS), the Senator from Michigan (Mr. LEVIN), the Senator from Tennessee (Mr. SASSER), the Senator from Connecticut (Mr. WEICKER), the Senator from Indiana (Mr. LUGAR), the Senator from Alaska (Mr. STEVENS), the Senator from South Dakota (Mr. ABDNOR), the Senator from South Carolina (Mr. THURMOND) were added as cosponsors of Senate Joint Resolution 169, a joint resolution to designate the week of April 18, 1982, as "National Architecture Week."

#### SENATE CONCURRENT RESOLUTION 68

At the request of Mr. MOYNIHAN, the Senator from Tennessee (Mr. SASSER), the Senator from Oregon (Mr. PACKWOOD), the Senator from Oklahoma (Mr. NICKLES), the Senator from Missouri (Mr. DANFORTH), the Senator from Montana (Mr. MELCHER), the Senator from Washington (Mr. JACKSON), the Senator from Michigan (Mr. RIEGLE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Florida (Mrs. HAWKINS), the Senator from Connecticut (Mr. WEICKER), the Senator from Indiana (Mr. QUAYLE), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Massachusetts (Mr. TSONGAS), and the Senator from Maine (Mr. MITCHELL) were

added as cosponsors of Senate Concurrent Resolution 68, a concurrent resolution regarding membership in the United Nations General Assembly.

#### SENATE RESOLUTION 299

At the request of Mr. WEICKER, the Senator from Texas (Mr. TOWER), the Senator from Illinois (Mr. DIXON), the Senator from Ohio (Mr. METZENBAUM), the Senator from Nebraska (Mr. EXON), and the Senator from South Dakota (Mr. PRESSLER) were added as cosponsors of Senate Resolution 299, a resolution to designate May 4, 1982, as "International Franchise Day."

#### SENATE RESOLUTION 325

At the request of Mr. DIXON, the Senator from Louisiana (Mr. LONG), the Senator from Washington (Mr. JACKSON), and the Senator from North Dakota (Mr. BURDICK) were added as cosponsors of Senate Resolution 325, a resolution expressing the sense of the Senate that a supplemental appropriation should be enacted to restore full funding of the WIN program.

#### SENATE RESOLUTION 340

At the request of Mr. ROBERT C. BYRD, the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of Senate Resolution 340, a resolution to express the sense of the Senate that no action be taken to terminate or otherwise weaken the Community Service Employment Program under title V of the Older Americans Act of 1965.

### AMENDMENTS SUBMITTED FOR PRINTING

#### AMENDMENT NO. 1343

(Ordered to be printed and to lie on the table.)

Mr. PRESSLER submitted an amendment intended to be proposed by him relating to budget outlays for Pell grant, guaranteed student loan, and campus-based aid programs.

● Mr. PRESSLER. Mr. President, I am today submitting an amendment which is designed to insure adequate funding for student financial aid programs. The number of letters and phone calls I have received in response to the President's proposals for these programs has been overwhelming. Eighty percent of the postsecondary students in my State of South Dakota received some form of financial assistance during the 1980-81 school year. The message from them has been clear: They could not afford to go to college if the President's proposals were enacted.

Much has been said about waste and abuse in these programs, and I think that in cases in which the student and his or her family can afford to pay for a college education, they should do so. There may be measures which we can undertake to tighten up eligibility standards in some of these programs. Across-the-board cuts such as those



that have been proposed, however, do not solve this problem.

Low- and middle-income students will be unjustly penalized if this Congress approves the administration's proposals for student financial aid. It has been estimated that in South Dakota alone, the number of students receiving Pell grants would drop from over 13,000 to some 8,000. Nationally, over 1 million students would be eliminated from this program. In addition, severe cuts in the guaranteed student loan and campus based aid programs would destroy all hope of a college education for many more students. I do not think that we in Congress wish to send the message to our constituents that we no longer care about the education of this country's youth. I firmly believe that these programs are some of the best investments that we can make in the future, and I will do all that is within my power to see that they are restored to adequate funding levels.●

#### AUTHORITY FOR COMMITTEES TO MEET

##### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. BAKER. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations, of the Governmental Affairs Committee, be authorized to meet during the session of the Senate at 10 a.m., on Wednesday, March 31, to discuss the Federal Employees Compensation Act.

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

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. BAKER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Monday, March 29, at 10 a.m., to hold a hearing on the food stamp reauthorization program for fiscal year 1983.

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

Mr. BAKER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Wednesday, March 31, at 10 a.m., to hold a markup of S. 2109, a bill reauthorizing the Commodity Futures Trading Commission, and other pending legislation.

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

##### SUBCOMMITTEE ON SOIL AND WATER CONSERVATION

Mr. BAKER. Mr. President, I ask unanimous consent that the Subcommittee on Soil and Water Conservation, of the Committee on Agriculture, Nutrition, and Forestry, be authorized to meet during the session of the Senate on Tuesday, March 30, at 10:30 a.m., to hold a hearing to review the

administration's proposed soil and water conservation program.

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

##### SUBCOMMITTEE ON REGIONAL AND ECONOMIC DEVELOPMENT

Mr. BAKER. Mr. President, I ask unanimous consent that the Subcommittee on Regional and Economic Development of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Monday, March 29, at 1 p.m., to hold a hearing on the status of the Appalachian Regional Commission.

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

##### SUBCOMMITTEE ON ENERGY CONSERVATION AND SUPPLY

Mr. BAKER. Mr. President, I ask unanimous consent that the Subcommittee on Energy Conservation and Supply of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, March 30, at 9 a.m., to hold an oversight hearing to discuss the budget for energy conservation and related programs within the jurisdiction of the subcommittee.

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

#### ADDITIONAL STATEMENTS

##### A STRONG STEP IN THE RIGHT DIRECTION

● Mr. PELL. Mr. President, the Senate Commerce Committee today unanimously reported S. 2158, a bill I have sponsored with Senator DANFORTH to encourage the States to mount a comprehensive attack against the Nation's No. 1 highway safety problem—drunk driving. No State or region is spared the loss of life and crippling injury brought about by drunk drivers, who are responsible for at least half of the 50,000 to 55,000 deaths that occur on our highways each year.

The legislation adopted by the Commerce Committee is a major step in the direction of improved highway safety for all Americans. It provides the incentive for each State—through modest highway safety grants—to enact stronger laws and establish comprehensive programs dealing with this problem. In order to obtain the additional highway safety grant, each State must meet several minimal—but absolutely essential—alcohol safety standards, specifically:

First. Provide for the automatic, administrative suspension of the license of any driver found operating a vehicle while under the influence of alcohol, as determined by a breath or blood test. The mandatory suspension must be for a 90-day period for the first in-

cident, and at least 1 year for the second and subsequent offenses.

Second. Provide for the administrative impoundment of any vehicle operated by a person whose driving privilege has been suspended for drunk driving.

Third. Provide for a minimum, 48-consecutive-hour jail sentence, which cannot be suspended or probated, for any person convicted of drunk driving for a second time within a 5-year period.

Fourth. Provide for the enactment of comprehensive alcohol safety programs, including programs designed to achieve better enforcement of drunk driver laws, alcohol treatment programs for problem drinkers, and improved State record systems capable of identifying repeat offender drunk drivers.

Fifth. Establish a blood alcohol content of 0.10 percent as conclusive, per se proof of intoxication.

These minimum standards are the essential elements of a comprehensive attack on the drunk driving problem in each State. They provide the police, prosecutors, and judges with the weapons they need to keep drunk drivers off our highways.

The supplement these provisions, title II of S. 2158 brings about the long-overdue computerization of the National Driver Register. This now dormant system allows motor vehicle registrars to identify new license applicants whose driving privilege has been suspended or revoked in other States. Replacing the archaic mail system currently in use with constantly updated computer records will allow State motor vehicle registrars to identify drivers with bad records in other jurisdictions—and prevent them from obtaining a new license simply by crossing State lines.

Mr. President, I commend Senator DANFORTH for his able leadership of this legislation in the Commerce Committee, which adopted the bill unanimously less than 4 weeks after Senator DANFORTH introduced S. 2158 on March 2. This bill has been cosponsored by Senators BOSCHWITZ, PACKWOOD, PRESSLER, GLENN, GOLDWATER, MOYNIHAN, FORD, HEFLIN, and HOLLINGS. I would urge all of my colleagues to join with us in sponsoring this legislation, and seeking prompt Senate passage of this very reasonable approach to reducing the decades of needless slaughter on our highways caused by the actions of drunk drivers.●

#### VIETNAM VETERAN MEMORIAL

● Mr. CHAFEE. Mr. President, last Friday, March 26, groundbreaking ceremonies for the memorial to Vietnam War veterans took place here in Washington. Such a memorial is long

overdue, and I am happy to see that construction has finally begun.

The design of this memorial, as we all know, had created some controversy, but those controversies are behind us now. We should not let some minor differences over the design obscure the fundamental significance and importance of this memorial, which is to honor those who served—and especially those who gave their lives—in the war in Southeast Asia.

Mr. President, the State of Rhode Island was represented at the groundbreaking by Mr. Thomas Suprock, a Vietnam veteran who is partially disabled as a result of a shrapnel wound received in Vietnam. His thoughts on being selected for this task were published in the Providence Journal on March 25, 1982. I believe his ideas are a profound statement on this matter and are worthy of the attention of the Senate. I ask that his statement be reprinted in the RECORD at this point.

The statement follows:

[From the Providence Journal, Mar. 25, 1982]

**VIETNAM VETERAN MEMORIAL**  
(By Thomas G. Suprock)

I have had the great honor of being asked to represent Rhode Island at the groundbreaking ceremony for the Vietnam Memorial in Washington, D.C. Of course, I accepted the offer made by the gentleman acting as the regional coordinator of this event by the Vietnam Veterans Memorial Commission. I realized the responsibility of representing a state with the highest veteran per capita ratio in the country.

My intent is to represent the Vietnam Veterans of Rhode Island with the greatest dignity and respect possible. There has been much said, pro and con, about the design and location of the memorial, but now further arguments are meaningless. The official groundbreaking will be held tomorrow and construction will begin immediately thereafter.

The memorial will bring honor and respect to more than 58,000 who did not return from Southeast Asia. As a 40 percent disabled combat helicopter pilot, I don't need a memorial to remember their sacrifices, as I am sure no other Vietnam vets or their families need to be reminded. But certainly the people of this country do, now and 300 years from now.

For myself, this dedication has a singular meaning; for all those who served, dead and alive. There is no political statement involved. I will represent Rhode Island with the greatest pride and solemn humility befitting the event. ●

**ST. PATRICK'S DAY IN SOUTH BOSTON**

● Mr. TSONGAS. Mr. President, on St. Patrick's Day in South Boston there is an event that deserves recognition. It is the annual breakfast of corned beef and cabbage, beer and barbs presided over by the Honorable William M. Bulger, president of the Massachusetts Senate.

This 3-hour marathon of hot food, cold beer, and jokes in between was recently featured in the Boston Globe. I

believe that Chris Black, the Globe writer, did an admirable job of capturing the spirit of this unique happening and the spirit of Billy Bulger—who is a Massachusetts institution himself. Mr. President, I ask that this article be printed in the RECORD.

The article follows:

[From the Boston Globe, Mar. 15, 1982]

**BULGER HAS HIS WAY IN SOUTHIE**  
**WHITE, THE GLOBE TARGETS (ALONG WITH OTHERS) AT TRADITIONAL BREAKFAST**  
(By Chris Black)

The Senate President looked incredulous; the mayor looked pained.

"We in South Boston are so honored. He is here in person," said Senate President William M. Bulger. Sarcasm wrapped every syllable. Boston Mayor Kevin H. White smiled wily.

"Mr. Mayor, you're as popular as scarlet fever," Bulger said. He began to warm to the subject. "My wife Mary is here. She never had a mayor for breakfast before."

Bulger served up Mayor Kevin H. White with the traditional corned beef and cabbage at his annual St. Patrick's Day celebration of beer and barbs at the Bayside Club in South Boston. When he finished with White, Bulger roasted the three Democratic gubernatorial candidates: Gov. Edward J. King, former governor Michael, S. Dukakis and Lt. Gov. Thomas P. O'Neill 3d; The Boston Globe, and any legislator, judge, political candidate or civil servant unlucky enough to catch his eye. For those in the overcrowded function hall, it was three hours of nonstop one-liners, Irish songs and Irish stories.

Bulger seemed delighted to see the mayor. "You are like a delicious hors d'oeuvre," he said. White rarely attends political functions other than his own. Unlike nearly every other prominent Democratic politician in Massachusetts, he never attends Bulger's annual St. Patrick's Day party.

"I cannot believe it," marveled Bulger. He looked at White again to make sure his eyes weren't playing tricks on him. "You know, you're crazy coming over here. Are you smoking or what?"

"Tell us what is ahead for Bawston," asked Bulger in an exact mimicry of White's accent.

"Would you like to sing a song, Mr. Mayor, so you can remember when you were Irish?" asked Bulger before launching into a rousing chorus of "Rising of the Moon."

"Enjoy your meal, Mr. Mayor," he said as the waitresses began to pass out plates of corned beef. "It's your last."

White sensed trouble right away. He said he left his wife, Kathryn, and children at home, "saying the rosary so I'll return alive."

Then the mayor decided to dish out a few lines of his own. "I think Billy is nervous that I might run one of my guys against him," he suggested alluding to the plethora of mayoral-backed legislative candidates of previous election years. All of White's candidates have lost. Bulger feigned great concern.

Of the state Legislature, White said, "How could you not like a lot of guys whose motto is Live Free or Die."

He had an answer for critics who complain about Deputy Mayor Katherine Kane's free lunches. "She can't help it, she's a former rep."

"Actually," conceded White, "Billy is being pretty easy on me."

"So far," interjected House Speaker Thomas W. McGee, who looked like an Irish leprechaun in a Kelly green hat, tie, sweater, jacket and white trousers with green shamrocks.

If White was the hors d'oeuvre, The Globe was the main course. "Have you read The Globe today?" asked Bulger, parroting the Globe's advertising jingle. "Then why do you look confused?"

He used White, who has been endorsed by The Globe on occasion, as his straight man. "They were with you, weren't they," he accused White. "Own up to it."

"They don't like nepotism at the Globe. Ask any of them, John Taylor, Davis Taylor, William Taylor, the June Taylor dancers," he added. [The Taylor family owns The Globe.]

He mentioned the \$100 contribution made to the Dukakis campaign by Elizabeth Winship, the author of The Globe's Ask Beth column and wife of The Globe's editor. [Saying she wanted to avoid embarrassing the paper, Mrs. Winship requested that the donation be returned. It was.]

After describing her as a "sex consultant at The Globe" he noted, "She must be quite a woman because she got the \$100 back. Anybody who gets a C note from Dukakis is good. I'd find it easier to touch the third rail."

A mock front page of The Globe featuring a huge photograph of Mrs. Winship was presented to King, who is suing the newspaper, two of its columnists, and its editorial cartoonist. The headlines read: Probe Started on Winship Campaign Gift. Winship Fails to Return Phone Calls. Beth Winship Declines Interview. Beth Winship says—Don't Ask Me.

Then Bulger spotted Martin F. Nolan, editor of The Globe's editorial page. He invited him to the microphone. Nolan looked as though he would rather be somewhere else. But he valiantly offered a few quips of his own.

"Pretty tough without Szep, isn't it," asked Bulger with a leer. [Szep is The Globe's editorial cartoonist.]

Nolan looked down at former California Sen. George Murphy, a special guest yesterday, and sighed, "I wish I worked for the LA Times."

"This bum went to BC now he's got an accent," Bulger called out. Nolan gave up. As a St. Patrick's Day present," he said, "The Globe will endorse Bill Bulger for anything he wants."

Others destroyed by a deft one-liner were: John Winthrop Sears, the former Boston city councilman and current Republican candidate for governor. "I never met a Protestant this early in the morning."

Secretary of State Michael J. Connolly who "landed on the roof." "Don't worry. I'll hold your hand so you won't blow away."

Lt. Gov. O'Neill who is "mooching along on the good name of his father, Dapper O'Neill . . . I told Tip, if Tommy makes it, it will be further proof of the power of prayer. Tip said to me, 'Look, if anything happens to me, tuck him away in the Boston Housing Court.'"

O'Neill rejoined, "I don't mind being the fire hydrant to Billy's kennel."

"If you were my boy you'd get a good spanking," scolded Bulger. "Lucky thing for you, O'Neill, your father never had a lap. You could end up on the Housing Court, kid." O'Neill's father is House Speaker Thomas P. O'Neill Jr.

Impressed by Bulger's performance, Murphy, the former movie actor and Sena-



tor, said, "If Billy had got to Hollywood ahead of Jimmy Cagney. Jimmy never would have made it." ●

#### MORE VISION NEEDED IN PUBLIC POLICY

● Mr. BAUCUS. Mr. President, I insert today two articles from yesterday's Washington Post highlighting a growing lack of vision by our Nation's policymakers.

The first article, written by Haynes Johnson, focuses on the plight of a senior civil servant in the U.S. Department of Labor who was recently "rified."

The second article, from the Sunday Post's business section, discusses recent cutbacks in a high technology firm in Bethesda, Md.

Allow me to describe briefly both articles and to explain why they should be looked at together.

Mr. Johnson's article presents a brief analysis of the growing political movement against Federal civil service servants. He is correct when he says that the last two Presidents ran effective campaigns against the Washington bureaucracy. And these campaigns were not run in isolation. Indeed, outside of the Washington, D.C., metropolitan area, it is a rare political candidate who can successfully run supporting Federal employees. But just because it may be good politics to run against the Federal bureaucracy, it certainly does not mean it is good public policy.

Quite frankly, I am alarmed at the number of first-rate civil servants who are electing for early retirement. I recently saw figures indicating that the percentage of civil servants who elected early retirement has risen over the past 10 years from a relatively small percentage to nearly 100 percent.

When I came to Washington, I expected to see a lot of lazy, uninformed, unimaginative, unresourceful, and unresponsive civil servants. Not surprisingly, I did see some. What did surprise me was that stereotype of the lazy, wasteful Federal employee was the exception and not the rule.

Over the past 50 years our Nation's universities have produced some of the top public policy analysts in the world. Public service in the 1930's, 1940's, 1950's, and even the 1960's was not a dirty word. However, beginning with the antiwar movement in the late 1960's and continuing on through the Watergate revelations and then to the Presidential campaigns of 1976 and 1980 there has emerged a very strong negative bias against public service. If that bias succeeds in keeping the best of our Nation's young policy analysts from entering Government, and if the trend continues where our best managers now in public service opt for early retirement, we will have seen laid to waste an extraordinarily effective Federal bureaucracy.

There is an old saying that a chain is only as strong as its weakest link, and I am concerned that the ability of the Federal Government to respond to crises may be filled with weak links unless there is a change of attitudes toward the value of public service.

Many residents of Fort Wayne, Ind., responded favorably in earlier campaigns to political promises to "get government off their backs." However, I suspect today that many of these same residents are grateful that the Federal Government and its employees have responded so quickly to the ravaging damage caused by recent floods.

I would be the last to say that the Federal Government is without its faults. However, I will be among the first to say that we need a Federal Government, and we need to have the best people—the most honest, the best educated, the most responsive and efficient—working for the Federal Government. If present trends continue, we will fall far short of that goal.

#### HIGH TECHNOLOGY

The second article, which deals with the recent reorganization of a genetic engineering firm, dramatically reveals how the "bottom line" stock market mentality of investment analysts requires visionary business executives to limit the scope of their operations. While I know almost nothing about the operation of genetic engineering companies, it would seem to me that the research done by such companies is essential to keep the United States on the worldwide "cutting edge" of technological innovations. Yet, this article seems to applaud the recent decision to lay off more than one-third of a company's employees and to cancel most of its long-term research projects. To me, that does not sound like a decision that will improve America's position in high technology research.

I do not mean to suggest that it is not a good thing to have profits. I do mean to suggest that something must be wrong when a society encourages behavior that avoids effective planning for the future.

And that is what the two articles have in common. They both highlight the potential problems that decision-making for the short term—for the politically expedient, for the financially expedient—will have on our Nation's long-term capacity to compete in international commerce.

Mr. President, at this point I include both articles in the RECORD.

The articles follow:

#### WASTE IN THE U.S. GOVERNMENT: WASTING THE CIVIL SERVANTS

(By Haynes Johnson)

Burke Walsh is a friend of long-standing, and, as always with true friends, it doesn't really matter whether you continue seeing each other. In the nature of our busy lives, years have passed without contact. Still we

find ourselves easily picking up the threads of the old friendship when thrown together again.

I say this up front to acknowledge that what I write about Burke here is colored by that personal relationship.

We first met, as members of the same platoon, falling out of the same barracks during infantry basic training at Indiantown Gap, Pa., more years ago than I care to recall. Aside from being new draftees just out of college, we had other things in common, among them an interest in history and writing. I much appreciated his wry and humorous, yet thoughtful, cast of mind. We became close. Then, in the way of the Army, we separated. Burke stayed in the infantry. While I made a bypass for further artillery training, he went directly to the front lines in Korea. Some years and many experiences later we found ourselves in Washington, both married, starting families, and in different lines of work. Occasionally our paths would cross; more often they would not.

I recite this background only because I have known him well enough to be able to persuade him to talk openly about the painful situation in which he now finds himself. He agreed to do so, at my urging, because he knows his case is far from uncommon and believes useful lessons may be drawn from it. Typically, he speaks with remarkably little bitterness and anger, considering his circumstances, and from a broad perspective.

His story deserves telling for other compelling reasons.

Aside from the personal anguish he and his family are experiencing, the example of Burke Walsh illuminates a critical public question: the working of the federal government. It underscores one of the Reagan administration's blackest marks, the mindless wholesale destruction of the career public service, one I believe will cause damage to the country for years to come.

Two weeks before Christmas, Burke was informed he would be dismissed from his federal government job, effective New Year's Eve.

He was a victim of a sweeping government reduction in force—or RIF, in Washington parlance—sharply cutting back the Labor Department's Employment and Training Administration, the so-called CETA program. In particular, the information office in which he was working was being drastically reduced in size. He, and others, were out.

The dismissal meant more than the loss of his \$50,000, Grade 15 government job, with all the obvious hardship for his family, the children's education, the mortgage payments and the rest. It meant the end of a government career for which he had been recruited, and in which he had performed well.

And, Burke quickly found out, it also meant a severe problem he had not anticipated. Including his Army time, he has 17 years of government service, three years shy of qualifying for a pension. Yet, under the present system, he will not be eligible for any pension payments for nine more years when he reaches the age of 62.

What's more, he has found the government is singularly unconcerned about what happens to the career people it is dismissing, for no fault of their own.

"To my knowledge," he says, "there is absolutely no real assistance that you get once you are dismissed. No official representative of the government has ever contacted me. There has never been any official

prescription of jobs or availabilities afforded me from the government for placement. There is no effort by the government to help me find jobs in private industry or in government. There's no government-wide policy to help someone in my circumstance, and that is the truth.

"As far as my department is concerned, there was no review of my situation taking into consideration of the length and effectiveness of my service. No one ever really reviewed to see what kind of work I had done. I fitted into a slot that was official and I was dismissed. I had no recourse as far as that dismissal was concerned. There was no consideration of the fact that I was what in the government is called a five-point veteran. My wartime service in Korea did me no service at all. There was no panel that I could go to and say, 'Look, I've been here for 17 years counting my service time. Maybe you'd like to take a look at this thing and ask whether you really intend to dismiss senior officials in their fifties.' But this was not done for me, and it was not done for anyone as far as I know."

Recently, a number of news stories have recounted the obvious personal anguish of people suddenly rified from government service. Burke's is no less severe. Perhaps, though, he expresses the hurt more eloquently than some. He always was good at putting feelings into words.

"There's perhaps an unnecessary but pervading embarrassment that attends this situation," he says. "There's an embarrassment that you personally feel. There's an embarrassment that you feel with your peers and your family. You know they're feeling an embarrassment for you that you try to avoid as far as your dealings with them are concerned."

"You're embarrassed for yourself, and you're embarrassed for them. You can't avoid the feeling that the people around you have the feeling that there was some inadequacy on your part that led to your dismissal. You failed somehow. You failed them, and you failed yourself. All at a point in your career when you can't expect to have to come to grips with failure. You've done all the right things, made all the right moves. You've driven yourself to this point in a career—a career, not a job—and someone comes along and says you've done nothing wrong, but now you're out. And people look at you and they're embarrassed for you, and you are for yourself. It's a two-way street, and it's the damndest two-way street you've ever been on."

"I've talked to people on the phone about this. I've talked to them face to face and, Haynes, this is the God's honest truth, I've had at least three or four people say, to me, 'I could not take it.' They come just short of saying, 'Burke, I don't know how you haven't put a bullet in your head.'"

Burke is a proud man, and he remains proud of what the government has been and should be.

"I come from a family that's been in Washington for 135 years," he says. "They came here from Ireland, through Philadelphia. My great-grandfather was the maitre d' in the Willard Hotel during the Civil War. He was a Confederate, friend of Jubal Early. Used to go out in the weeds and talk to him. That's the last time that we had a subversive in the family that I know of. All of our family have been—well, we've got our military heroes. My grandfather and his group of Emmett guardsmen charged up San Juan Hill with Teddy Roosevelt. Literally did. One of the few people that actually got to

shoot a Spaniard during the Spanish-American War. He went on to the Philippines. My father was in naval intelligence, so I have all kinds of Washington credentials, and rather honorable ones, I would think."

"I have a background that gives a sense of government. I didn't work for Ronald Reagan or Jimmy Carter or anyone else. From the day I came in, I felt that I had an obligation to the United States government. And if you want to know the truth, I feel the United States government has let me down, because I never broke faith with them. I was encouraged to come in. They asked me. I joined the government as a career station in life, not to get rich. I must confess I joined it for the security of government, plus the fact I was told my talents would enhance government."

"As I've said to you before, there is waste in government. There's no question about it. But the way waste has been addressed is abysmal. It's ridiculous. Two administrations in a row have run against the government worker. What they've done is contribute to what they're trying to undo. The danger is that the kind of milieu we're developing now in the government could be translated into a much larger hurt for this nation."

"We've got to stop picking on the government. First of all, we created the government service. This nation created it. It's like the separation of church and state. It's an abiding thing there. It's part of the United States. It's like the Army and the Defense Department which are held in such reverence. It's there. It's part of what makes this whole thing go. Yet we've attacked it like it's a bastard child. If we don't stop this we'll be killing ourselves."

I would not air Burke's story, nor would he want me to, in this space if it were seen only as one more personal account of hardship, valuable though such renderings may be. The larger point involves the damage now being done the government service.

A day will come, if it isn't already here, when the United States will need its most capable citizens to serve. How can the government possibly expect to attract such people when it, and its highest leaders, treat them so miserably?

To ask the question is to answer it.

**WEAK GENES: BRL SEES RECOVERY—BUT COMPANY SAYS ITS CLOSE CALL SHOULD BE WARNING TO INDUSTRY**

(By Peter Behr)

Until December, Bethesda Research Laboratories Inc. had been one of the wonders of the biotechnology field, its sales multiplying like the busy cells in its genetic experiments.

Then the recession caught up the company and abruptly it began dying. "It could all have been lost," said Stephen Turner, the founder and president of BRL.

The company that Turner and two other employees started in 1976 had sold more than \$10 million in products for genetic research last year, but at year's end it was losing money and becoming dependent on greater and greater infusions of outside financing—a demand that Turner says he couldn't keep up with.

Last month came the amputation. BRL laid off 180 of 460 employees—one-third of its work force—and canceled most of its long-term research projects. It was a devastating blow to a staff that had been expanding rapidly and riding on the highest hopes. "There were a lot of unhappy people," Turner said.

BRL, which operates out of about a dozen locations in Gaithersburg and Rockville, stopped construction on a \$7 million headquarters building in Frederick Research Park and has put its 22-acre site up for sale.

These cutbacks and \$7.5 million in new financing obtained recently have put BRL back on its feet, Turner says. By eliminating speculative research projects whose payoffs were three or more years in the future and concentrating instead on research materials that have an immediate market, BRL is no longer in jeopardy, he adds.

"We did \$1.1 million in sales in February, and that clearly represents growth from January," he said. By June, the company should be profitable again.

But it has had a close call that should be a warning for the 200 other firms in the biotechnology field, he says. "The door is closed for exciting new companies that don't have a fundamental operating history," Turner predicts.

The market for the research materials BRL sells has cooled off because the rapid increase in research labs has slowed down, Turner said. At the same time, the sources of investment funds for new biotechnology ventures are drying up. The publicly owned companies traded on stock exchanges performed below the averages for all stocks last year, ruling out that path for most companies looking for capital. Turner said.

Large corporations are not as interested in taking speculative stakes in biotechnology firms now, when high interest rates make conventional investments so rewarding.

That leaves the vast majority of the biotechnology companies dependent on the specialized venture capital groups that lend money in return for shares of private stock.

In the first blush of enthusiasm for the biotechnology business, companies like BRL could get such equity financing from venture groups that were prepared to wait years for research breakthroughs. Because of the recession, however, this source of equity financing is also disappearing, at least for the foreseeable future, he said.

Turner found himself in a losing race to raise enough money to close the gap between BRL's expanding research costs and its sales revenue. Most of the money BRL raised last year wound up financing operating losses. "It was painfully evident to me at Christmas time that the longer I stayed in the equity markets, the more potentially dangerous it was becoming."

"I was chasing something that was receding from me," Turner said.

With that realization came the conclusion that BRL had tried to grow too fast, he says. "We were trying too many different ways of becoming a large company. We were committed in too many areas."

The biotechnology field was set for a fall because of reckless expansion, says Thomas J. Perkins, chairman of Genentech and a general partner of Kleiner, Perkins, Caulfield & Byers, a venture capital firm. "This crazy, mindless stampede to get into the technology ignored business and patent realities," he told the Wall Street Journal recently.

The cutbacks eliminated much of BRL's research work in genetic engineering, pharmaceuticals and animal products.

BRL maintained its medical diagnostics research, and some genetic and immunology work that is expected to lead to products soon. And it is also continuing to develop materials that will separate the protein products that result from cloning.



"BRL will not be the company that makes interferon," Turner said. "But we will make the separation materials that permits companies to purify interferon."

And BRL will manufacture its newly designed machine that analyzes genetic materials, the first of its kind in the industry, says Turner. The company hopes to sell 300 of them this year at \$11,000 each.

In obtaining \$7.5 million in new private financing, BRL added two members to its board of directors—William H. Janeway of the investment banking firm F. Eberstadt & Co., representing European investors, and Frederick R. Adler, an investor in high technology firms—who will provide aid in BRL's financial management, said Turner.

"Over \$20 million has been put into BRL over the last three years," Turner said. These investors do not have majority of BRL's board, but they have a significant voice in the company's future.

Turner said the new investors did not insist on the sharp reductions in research and personnel, but he was convinced it was necessary to make those steps to demonstrate the company's credibility. "People were impressed the company was able to exercise that kind of discipline and move that fast," he said. Before making the reductions, he consulted BRL's outside scientific advisers, who evaluated the company's research programs, he said. "You can't just fire every third person." The reductions had to follow a plan, or else the remaining employees could not have pulled together. ●

#### UNANIMOUS-CONSENT AGREEMENT

Mr. BAKER. Mr. President, I am prepared in a few moments to ask the Senate to recess over until tomorrow. Before I do that, I have some few housekeeping chores to attend to, so any Senators who may have further business to transact today may be on notice of the fact that shortly the Senate will recess for the day and will resume its deliberations tomorrow at 9:30 a.m.

Mr. President, I have submitted the request I am about to make for the consideration of the minority leader. I believe it is satisfactory on his side to him and to his side of the aisle. It has been cleared on our side. I will now put the request for the consideration of the Senate.

RESUME CONSIDERATION OF S. 1207 AT 10 A.M.  
TOMORROW

Mr. President, I ask unanimous consent that after the Senate reconvenes tomorrow at 9:30 a.m. it resume consideration of S. 1207, the Nuclear Regulatory Commission authorization bill, at 10 a.m., and that the Chair lay S. 1207 before the Senate at that time.

Any rollcall votes ordered before the hour of 12 noon on tomorrow be deferred to begin at 2:10 p.m., with the time between 2 and 2:10 p.m. to be equally divided between the Senator from Colorado (Mr. HART) and the Senator from Texas (Mr. TOWER).

At 2:10 any votes ordered shall occur back to back without further debate, point of order, appeal or motion except for a motion to reconsider on

which there shall be no time for debate on any such vote and a motion to table any such motion to reconsider.

RECESS BETWEEN 12 NOON AND 2 P.M.  
TOMORROW

I further ask unanimous consent that between the hours of 12 noon and 2 p.m. on tomorrow that the Senate stand in recess.

SENATE TO PROCEED TO THE CONSIDERATION OF  
H.R. 2330

I further ask unanimous consent that after third reading of S. 1207 the Senate proceed without debate to the consideration of the House companion bill, H.R. 2330; that the text of S. 1207, as amended, be substituted without debate for that of H.R. 2330, and that third reading of H.R. 2330 and final passage of the bill follow immediately thereafter without debate, and that the Senate insist on its amendments.

Mr. President, I further ask unanimous consent that in connection with H.R. 2330 no debate, no further amendment, motion, point of order, or appeal shall be in order.

SENATE TO RESUME CONSIDERATION OF HOUSE  
JOINT RESOLUTION 409

Finally, Mr. President, I ask unanimous consent that when H.R. 2330 is disposed of, S. 1207 be indefinitely postponed, and the Senate without further action resume consideration of the continuing resolution, House Joint Resolution 409, and that no call for the regular order serve to take any of these measures off the floor.

Mr. LONG. Mr. President, reserving the right to object, would the Senator please identify those bills?

Mr. BAKER. Mr. President, S. 1207 is the Nuclear Regulatory Commission Authorization Act, which will be up tomorrow for the consideration of three amendments that remain which could not be disposed of when the matter was addressed last week. House Joint Resolution 409, as the distinguished Senator from Louisiana knows, is the continuing resolution. The bill, H.R. 2330, is the House-passed companion measure to the NRC authorization bill, which is at the desk. These are the measures that were referred to.

Mr. President, I ask unanimous consent that paragraph 4 of rule XII be waived in connection with this rule.

The PRESIDING OFFICER. Without objection, the several requests of the majority leader are granted.

Mr. BAKER. Mr. President, I must say it is almost anticlimactic after putting all those requests. But I am grateful to the Chair and I am grateful particularly to the minority leader and the managers of these measures on both sides of the aisle.

#### ORDER OF PROCEDURE

Mr. BAKER. Mr. President, for a variety of reasons, it is not possible to

finish the continuing resolution today and it is not possible to complete action on the three amendments remaining on the NRC authorization bill. This unanimous-consent request has placed us in a position, I believe, to do, certainly, one of those two bills, and I hope both of those bills, before the close of business tomorrow.

I have indicated on two previous occasions that there is a strong probability that the Senate will be in session late tomorrow. I reiterate now my hope that we can finish the continuing resolution tomorrow, even though we may have to stay late in the evening to do so.

Mr. President, on tomorrow, I will be prepared to initiate and to offer an adjournment resolution, but I do not propose to do that until we have a clearer idea about the outcome of the continuing resolution. I think our responsibility is so clear and our duty is so high in respect to the continuing resolution that I would be reluctant to offer the adjournment resolution until that matter is disposed of. No Member of the Senate, I am sure, will take that as a threat nor intimidation, but rather simply stated as a fact.

(Later the following occurred:)

Mr. BAKER. Mr. President, in connection with the request that I made a few moments ago arranging the sequence of events for the consideration of the NRC authorization bill and the continuing resolution, I would like to add to that request, and I now ask unanimous consent that after third reading of H.R. 2330 and final passage of the bill, the Senate insist on its amendments, request a conference with the House of Representatives on the disagreeing votes of the two houses, and the Chair be authorized to appoint conferees.

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

(Conclusion of later proceedings.)

Mr. BAKER. There is one other matter, Mr. President, that I believe has been cleared by the distinguished minority leader. I refer to a House message on H.R. 5708. Could I inquire of the minority leader if he is prepared for the Senate to proceed to the consideration of that measure?

Mr. ROBERT C. BYRD. Yes, Mr. President, that matter has been cleared on this side.

Mr. BAKER. I thank the minority leader.

#### NATIONAL HOUSING ACT AMENDMENT

Mr. BAKER. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House on H.R. 5708, a bill to amend section 235 of the National Housing Act.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:  
A bill (H.R. 5708) to amend section 235 of the National Housing Act.

The PRESIDING OFFICER. Without objection, the bill will be considered to have been read twice, and the Senate will proceed to the consideration of the bill.

The Senate proceeded to consider the bill.

#### UP AMENDMENT NO. 856

Mr. BAKER. Mr. President, on behalf of the Senator from Indiana (Mr. LUGAR) and the Senator from California (Mr. CRANSTON), I ask that the clerk report an unprinted amendment which is at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Tennessee (Mr. BAKER), on behalf of the Senator from Indiana (Mr. LUGAR), for himself, Mr. CRANSTON, Mr. GARN, Mr. TSONGAS, Mr. RIEGLE, Mr. DIXON, Mr. PROXMIER, Mr. KENNEDY, Mr. HOLLINGS, Mr. LEVIN, Mr. BRADLEY, Mr. ROTH, Mr. HEINZ, Mr. PERCY, Mr. HATFIELD, and Mr. WEICKER, proposes an unprinted amendment numbered 856.

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

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

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu:

#### TITLE I—SECTION 235 AMENDMENTS

##### EXTENSION AND AMENDMENT TO SECTION 235

SEC. 101. (a) The fourth sentence of section 235(h)(1) of the National Housing Act is amended by striking out "March 31, 1982" each place it appears and inserting in lieu thereof "September 30, 1982".

(b) Section 235 of such Act is amended by adding at the end thereof the following:

"(r)(1) Except as provided in the fourth sentence of subsection (h)(1), any commitment (other than a firm commitment) to make and to contract to make assistance payments under this section which is in effect on March 31, 1982, shall—

"(A) in the case of a commitment (other than a firm commitment) issued prior to October 1, 1981, remain available for a firm commitment until May 1, 1982; or

"(r) in the case of a commitment (other than a firm commitment) issued on or after October 1, 1981, remain available for a firm commitment until June 1, 1982, or until July 15, 1982, in the case of a commitment (other than a firm commitment) relating to a unit in a condominium.

"(2) Any authority described in paragraph (1)(A) which is not made subject to a firm commitment within the period specified by paragraph (1)(A) shall be available for new commitments by the same area office of the Department of Housing and Urban Development which made the prior terminated commitment until June 1, 1982.

"(3) Any authority referred to in paragraph (1) which is not subject to a firm commitment issued pursuant to paragraph (1) or (2) as of the close of the applicable period specified in such paragraph shall be

reallocated by the Secretary among the States on the basis of—

"(A) population;

"(B) the relative decline in the number of one- to four-family housing starts since 1978; and

"(C) the relative ability of the States to make use of such authority in an expeditious manner; taking into account the achievement of regional equity.

"(4) Any authority reallocated pursuant to paragraph (3) which is not subject to a firm commitment on August 1, 1982, shall be reallocated again by the Secretary in such manner as will result in the full utilization of the remaining authority."

#### TITLE II—OLYMPIC COINS

##### SHORT TITLE

SEC. 201. This title may be cited as the "Olympic Coin Act of 1982".

##### STATEMENT OF PURPOSES

SEC. 202. The purposes of this title are—

(1) to provide for the minting of commemorative coins to honor and commemorate the 1984 Los Angeles Olympic Games; and

(2) to help finance those games and amateur athletics without the use of tax revenues in recognition of the importance and national significance of the Olympics and of amateur athletics.

##### AUTHORIZATION FOR MINTING

SEC. 203. (a) Notwithstanding any other provision of law, the Secretary of the Treasury shall mint—

(1) not more than 25,000,000 one dollar coins comprised of two identical outer layers of an alloy of 75 per centum copper and 25 per centum nickel which shall constitute at least 30 per centum of the weight of the coins, metallurgically bonded to an inner layer of copper, a total weight of 22.68 grams, and a diameter of 38.1 millimeters;

(2) not more than 15,000,000 ten dollar coins with a weight of 33.625 grams, and a diameter of 38.1 millimeters and consisting of an alloy of 92.5 per centum silver and 7.5 per centum copper;

(3) not more than 1,000,000 fifty dollar coins with a weight of 4.937 grams, and a diameter of 19.0 millimeters and consisting of an alloy which shall contain 90 per centum gold, and 10 per centum silver and copper in such proportions as shall be determined by the Secretary of the Treasury; and

(4) not more than 1,000,000 one hundred dollar coins with a weight of 9.874 grams, and a diameter of 23 millimeters and consisting of an alloy which shall contain 90 per centum gold, and 10 per centum silver and copper in such proportions as shall be determined by the Secretary of the Treasury.

(b) The coins minted pursuant to subsection (a) shall have an aggregate face value which is not more than \$325,000,000.

(c) The coins authorized by this title shall bear—

(1) a designation of the value of the coin;

(2) an inscription of the year the coin was minted or issued; and

(3) an inscription of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum".

(d) The designs of coins authorized by this title shall be determined by the Secretary of the Treasury, in consultation with the Los Angeles Olympic Organizing Committee, and shall be emblematic of the Olympics, United States participation in the Olympics, United States athletes, and other symbols consistent with the purposes of this title. All coins minted under this title shall have a common reverse design.

(e) All coins minted pursuant to this title shall be legal tender as provided in section 102 of the Coinage Act of 1965 (31 U.S.C. 392).

(f) No coins shall be minted or issued pursuant to this title after December 31, 1984.

##### MINTING SPECIFICATIONS

SEC. 204. (a)(1) The one dollar coins authorized by this title shall be issued in a single design and shall be of brilliant-uncirculated quality.

(2) The ten dollar coins authorized by this title shall be issued in three series with four designs for each series and shall be of brilliant-uncirculated and proof qualities.

(3) The fifty dollar coins authorized by this title shall be issued in two series with a different design for each series and shall be of brilliant-uncirculated and proof qualities.

(4) The one hundred dollar coins authorized by this title shall be issued in two series with a different design for each series and shall be of brilliant-uncirculated and proof qualities.

(b) The Secretary of the Treasury may reduce the number of designs for each series of coins specified in subsection (a) if such reduction will not reduce—

(1) the estimated net proceeds to the Los Angeles Olympic Organizing Committee of the sale of such coins; and

(2) below \$30,000,000 the net proceeds of such sale guaranteed to the Los Angeles Olympic Organizing Committee;

except that this subsection shall not apply if the coins are marketed pursuant to the existing marketing agreement, as defined in section 208(a), and if the existing marketing agreement has not been modified pursuant to section 208(e).

(c) The Secretary of the Treasury shall obtain gold and silver for the coins authorized by this title pursuant to his authority under law.

##### SALE AND DELIVERY

SEC. 205. (a) All coins minted pursuant to this title shall be delivered as requested by the Los Angeles Olympic Organizing Committee for distribution and sale to the public in accordance with the terms of the implementation agreement provided for by section 209 of this title.

(b) The Secretary of the Treasury shall begin delivery of the one dollar coins authorized by this title not later than January 1, 1984. The Secretary of the Treasury shall begin delivery of the three series of ten dollar coins authorized by this title not later than January 1, 1983, for the first series; not later than July 1, 1983, for the second series; and not later than January 1, 1984, for the third series. The Secretary of the Treasury shall begin delivery of the two series of fifty and one hundred dollar coins authorized by this title not later than January 1, 1983, for the first series of each such coin and not later than January 1, 1984, for the second series of each such coin.

##### PRICE

SEC. 206. The Secretary of the Treasury shall furnish the coins authorized by this title to the Los Angeles Olympic Organizing Committee at a price agreed to pursuant to the implementation agreement provided for by section 209, which price shall be equal to the greater of—

(1) the face value plus manufacturing and engraving costs; or

(2) the market price of the metal plus strip and blank fabrication charges, plus manufacturing and engraving costs including a 15 per centum surcharge.



The cost of metals and strip and blank fabrication charges shall be excluded from the cost for the purpose of calculating the surcharge. Amounts received pursuant to this section shall be deposited into the Treasury after reimbursements have been made for the Mint's appropriation and bullion fund costs.

#### PROCEEDS

SEC. 207. All of the proceeds received by the Los Angeles Olympic Organizing Committee from the commercial sale of the coins authorized by this title shall be used for the purpose of staging and promoting the 1984 Los Angeles Olympic Games and assisting the United States Olympic Committee and amateur athletics.

#### MARKETING AGREEMENT

SEC. 208. (a) As used in this section—

(1) the term "coins" means all the coins minted under this title;

(2) the term "marketing organization" means a firm or joint venture which proposes to purchase coins from the Los Angeles Olympic Organizing Committee and resell such coins to the public;

(3) the term "marketing agreement" means a contract for the marketing of coins;

(4) the term "existing marketing agreement" means a marketing agreement between the Los Angeles Olympic Organizing Committee and a marketing organization which is in existence on the effective date of this title; and

(5) the term "existing marketing organization" means the marketing organization which is a party to the existing marketing agreement.

(b) As promptly as practicable after the effective date of this title, the Los Angeles Olympic Organizing Committee shall invite, in accordance with procedures specified by the Secretary of the Treasury, proposals from marketing organizations for an exclusive, worldwide marketing agreement.

(c) Within forty-five days after the effective date of this title, the Los Angeles Olympic Organizing Committee shall (1) consider all proposals received from marketing organizations pursuant to subsection (b) of this section, (2) compare such proposals to the existing marketing agreement, and (3) initially select, subject to the provisions of subsection (e) of this section, a marketing organization (which may be the existing marketing organization under its existing marketing agreement) for the marketing of the coins.

(d) In selecting a marketing organization pursuant to subsection (c) of this section, the Los Angeles Olympic Organizing Committee, in consultation with the Secretary of the Treasury, shall select the marketing organization which offers the most favorable terms for the marketing of the coins, considering factors including, but not limited to, the following:

(1) the financial resources and coin marketing experience of the marketing organization;

(2) the estimated proceeds to the Los Angeles Olympic Organizing Committee from sale of the coins;

(3) the commitment of the marketing organization to guarantee to the Los Angeles Olympic Organizing Committee proceeds from the sale of the coins in an amount not less than \$30,000,000;

(4) the terms and conditions for the marketing of the coins, including, but not limited to (A) proper and equitable distribution of the coins, (B) accurate and otherwise appropriate advertising materials to be used in

promoting the coins, and (C) wholesale and retail price ranges of the coins; and

(5) the commitment of the marketing organization to provide to the Los Angeles Olympic Organizing Committee, upon execution and delivery of a marketing agreement, a sum equal to the advance royalty fee paid to the Los Angeles Olympic Organizing Committee by the existing marketing organization, the amount of such sum to be certified to the Secretary of the Treasury by the Los Angeles Olympic Organizing Committee.

(e) If the marketing organization initially selected by the Los Angeles Olympic Organizing Committee under subsection (c) of this section is not the existing marketing organization, then such existing marketing organization shall have not more than ten days after notice of such initial selection to agree to modify the existing marketing agreement. If within such ten-day period, the Los Angeles Olympic Organizing Committee, in consultation with the Secretary of the Treasury, concludes that the existing marketing agreement, as so modified, offers terms to the Los Angeles Olympic Organizing Committee more favorable than those offered by the marketing organization initially selected, then the existing marketing organization shall be selected to market the coins.

(f) No provisions of law of the United States Government governing procurement or public contracts shall be applicable to the selection of a marketing organization under this title.

#### IMPLEMENTATION AGREEMENT

SEC. 209. (a) The Secretary of the Treasury shall enter into an agreement with the Los Angeles Olympic Organizing Committee which shall provide for the implementation of the purposes of this title and which shall include, but not be limited to, agreement on—

(1) the amounts to be advanced pursuant to section 210 of this title;

(2) the price and schedule of payments for the coins;

(3) the number of each type of coin to be minted, and schedules and other provisions for the delivery of the coins;

(4) the quality and tolerance of the coins; and

(5) the proportions of proof and brilliant-uncirculated ten, fifty, and one hundred dollar coins.

(b) The agreement between the Secretary of the Treasury and the Los Angeles Olympic Organizing Committee shall identify the designs of the coins as determined pursuant to section 203 (d).

(c) The agreement between the Secretary of the Treasury and the Los Angeles Olympic Organizing Committee shall insure that the minting of coins authorized by this title shall result in no net cost to the United States Government.

(d) The agreement between the Secretary of the Treasury and the Los Angeles Olympic Organizing Committee shall be concluded within ninety days of the date of enactment of this title.

(e) The Secretary of the Treasury may not enter into an implementation agreement with the Los Angeles Olympic Organizing Committee unless the selection of a marketing organization has been made pursuant to section 208.

(f) If the Secretary of the Treasury finds that such action is necessary or appropriate and in the best interests of the United States, the Secretary may terminate the implementation agreement and cease minting

and delivery of the coins authorized by this title, upon the occurrence of either of the following events:

(1) the Los Angeles Olympic Organizing Committee materially breaches the terms of the implementation agreement, or

(2) any person or organization which enters into a contract or agreement with the Los Angeles Olympic Organizing Committee providing for the marketing or distribution of the coins authorized by this title materially breaches the terms of such contract or agreement.

#### FUNDING

SEC. 210. The Secretary of the Treasury is authorized to receive from the Los Angeles Olympic Organizing Committee and disburse such sums as are necessary to carry out the provisions of this title. Such funds are to be deposited in a trust fund which shall be subject to and administered in accordance with the provisions of section 20 of the Permanent Appropriations Repeal Act, as amended (31 U.S.C. 727s), to be used solely for the purpose of carrying out the provisions of this title. Any sums advanced pursuant to this section shall be deducted from the amount the Los Angeles Olympic Organizing Committee is required to pay the Secretary of the Treasury for the coins authorized by this title.

#### REPORTS TO THE CONGRESS

SEC. 211. The Secretary of the Treasury shall prepare and submit to the Congress within forty-five days of the end of each calendar quarter a report concerning the sale of the coins authorized by this title. The Los Angeles Olympic Organizing Committee and the marketing organization shall furnish to the Secretary of the Treasury in a timely manner such information as the Secretary may request which is necessary in order to submit the reports hereunder. No report need be submitted for any quarter beginning after June 30, 1985.

#### AUDITS

SEC. 212. The Comptroller General of the United States shall have the right to examine all books, records, documents, and other data relating to the use of coins or funds made available pursuant to the title of (1) the Los Angeles Olympic Organizing Committee, (2) the United States Olympic Committee, and (3) any person or organization with which the Los Angeles Olympic Organizing Committee enters into a contract for the marketing or distribution of coins minted under this title.

#### RELATION TO OTHER LAWS

SEC. 213. In carrying out the provisions of this title, the Secretary of the Treasury shall not be subject to any provision of law of the United States governing procurement or public contracts.

#### TITLE III—GOLD MEDALLIONS

##### GOLD MEDALLION ACT AMENDMENT

SEC. 301. Section 406 of the American Arts Gold Medallion Act is amended by adding at the end thereof the following:

"(d) Not later than sixty days after the date of enactment of this subsection, the Secretary of the Treasury shall provide for bulk sales of gold medallions struck under the authority of this title to be made to the general public through dealers, and if appropriate, through the Department of the Treasury. The Secretary shall make such bulk sales at a reasonable discount to reflect the lower handling costs of such sales, at a price to be determined by the Secretary."

Mr. LUGAR. Mr. President, today, I rise to introduce legislation with Senator CRANSTON and many of my colleagues to extend the HUD section 235 program for 6 months. This program which assists low- and moderate-income families purchase a home will expire at the end of March. If the program does expire at the end of March, 3,000 to 5,000 families will lose the opportunity to purchase a home under this program. We have already appropriated the funds and the budget assumes full expenditure of the funds. Thus, we will not worsen the budget situation by extending this program for 6 months and allow these families to purchase a home.

Moreover, by passing the legislation we will provide a small amount of stimulus to the depressed housing industry. The remaining funds will be used to build new houses and thus will help create a few new jobs in the Nation. We have tried to improve the ability of this program to provide some stimulus by changing the allocation formula to reflect the percentage decline in housing starts from 1978 to 1981 from State to State and the ability of States to use the funds promptly. The current formula reflects housing need rather than the ability of a State to use the funds or the economic condition of the State.

Our new formula gives builders a minimum of 60 days to find a qualified buyer and then reallocates the funds to other builders if the original builder has been unable to find a buyer. In this way we will be able to fully utilize the remaining funds in the shortest amount of time.

Title II of this bill authorizes the Secretary of the Treasury to mint gold, silver, and copper-nickel coins designed to commemorate the 1984 Olympic games. The Senate last year passed S. 1230 to accomplish this purpose, and to help finance amateur athletic activities and the staging of the Los Angeles Olympic games. Title II of this bill is a very similar version of S. 1230, which reduces the number of coin designs to 17, and modifies S. 1230 in some very minor ways which Senator CRANSTON will describe.

I want to point out that this legislation enjoys the support of the administration, and many Members in both Houses, on both sides of the aisle. I hope that Congress would act expeditiously on this matter so that the objectives of the legislation can be accomplished.

(By request of Mr. ROBERT C. BYRD, the following statement was ordered to be printed in the RECORD:)

● Mr. CRANSTON. Mr. President, this amendment, that I am offering for myself and others, provides for a 6-month extension of authority for HUD to make commitments under the section 235 homeownership assistance

program. Also included in this measure is a revision of the Olympic Coin Act of 1981.

#### 235 EXTENSION

Title I of this amendment provides for an extension of a housing assistance program that is due to terminate as of March 31, 1982. The extension of the program is necessary so that funds already appropriated and available for this program will not lapse during one of the worst housing recessions since World War II.

The section 235 program subsidizes mortgage interest to as low as 8 percent on moderate-priced, FHA-insured homes. Eligible buyers may earn no more than 95 percent of the median income for their area, and must pay at least 20 percent of their income toward their mortgage. Typically, section 235 buyers move off the subsidy within a 5-year period as their income rises. In 1980, the law was changed so that the Federal Government could recapture the subsidy upon sale of the home.

At last count, about \$30 million in previously appropriated funds is currently available, sufficient to aid about 8,000 home buyers. However, these funds will lapse by March 31, 1982, under the Housing and Community Development Amendments of 1981, which prohibit the Secretary of Housing and Urban Development from entering into new contracts for section 235 assistance except pursuant to a firm commitment for FHA insurance issued to a prospective buyer on or before that date. There are two additional but minor exceptions to the March 31 deadline. The money has not been used for several reasons. In some cases, the money was originally reserved on behalf of buyers who have lost their jobs and now cannot purchase a new home. In other cases, builders received preliminary reservations for units in late fall, 1981, after others had surrendered their reservations, and because of the particularly harsh winter have been unable to move to construction within the 6 months allowed for preliminary reservations. The unused money has been recaptured and redistributed to HUD field offices, but in the several days remaining before the March 31 deadline it is unlikely that more than a few home buyers will receive assistance from these redistributed funds.

Title I of the legislation I am offering will extend to September 30, 1982, the Secretary's authority to enter into contracts pursuant to firm commitments issued after March 31 to allow more time for the money to be used. The period of extension coincides with the normal building season. The 8,000 units that could be assisted under this legislation are only a small fraction of the number needed for general stimulus of the housing industry. But for many builders struggling to keep their

businesses open and their construction crews together, these units can mean the difference between economic survival and bankruptcy.

Included in title I, at the request of the able chairman of the Housing Subcommittee, Senator LUGAR, is a new formula that will change the allocation of the 235 funds. Population, the relative decline of housing starts since 1978, and the relative ability of the State to make use of the funds, are to be among the factors that HUD must use in reallocating these funds. Additionally, a scheme designed to encourage full use of the funds after allocation is also included. This plan sets forth specific dates upon which funds that have been firmly committed must be recaptured and recycled.

I want to reemphasize that this legislation does not involve new appropriations. It only extends the deadline so that badly needed appropriations already available can be put to use. With the housing industry in desperate straits, it would be a serious mistake if these funds were lost.

#### OLYMPIC COIN ACT

Titles II and III of this measure contain a revision of the Olympic Coin Act of 1981. Another version of this legislation, S. 1230, passed the Senate by voice vote on December 9, 1981. Last week, Congressman JERRY PATTERSON introduced a companion bill in the House with over 40 cosponsors. Time is growing short. If Congress wishes to maximize the profit that the Olympics will receive from a commemorative coin program, it must act swiftly but thoughtfully on this legislation.

Title II alters the Senate passed Olympic Coin Act in several ways. This version, endorsed by the Department of the Treasury, incorporates the following changes from the Senate passed version:

First, the number of coins is reduced from 25 to 17;

Second, sales will begin in 1983, rather than in 1982;

Third, the amount guaranteed to the Los Angeles Olympic Organizing Committee by the marketing organization, regardless of sales levels, is reduced from \$50 to \$30 million;

Fourth, the maximum number of coins is reduced from 50.4 to 42 million;

Fifth, the maximum aggregate face value of the coins is reduced from \$425 to \$325 million;

Sixth, the price that the Los Angeles Olympic Organizing Committee must pay for the coins is changed, at Treasury's request, so that at minimum the price must be equal to the face value of the coins plus manufacturing and engraving costs. Previously, the cost was the greater of the face value of the coins or the manufacturing cost plus a 15-percent surcharge.



I recently received a resolution from the Association of National Olympic Committees calling for the expeditious enactment of a coin program to commemorate the XXIII Olympiad. I ask that it be printed in the RECORD.

The resolution follows:

#### RESOLUTION

Whereas it is highly desirable that a coin program be implemented commemorating the XXIII Olympic Games,

Whereas coin programs commemorating the Olympic Games have become a long standing tradition and a valued source of income to the 149 NOCs of the world,

Whereas revenue generated from the coin programs provide a much needed source of funds which assists many countries in sending representatives to the Olympic Games thus assuming maximum participation of the NOCs of the world,

Whereas ANOC recognizes the great financial assistance a coin program will be to the U.S. Olympic Committee and LAOC in fulfilling their commitments to stage the Games,

Therefore ANOC respectfully request the assistance of all persons and entities in the expeditious implementation of the coin program in commemoration of the XXIII Olympiad.

I hereby certify that above stated resolution is a true and verbatim copy of the one unanimously approved by the Executive commission of the Association of ANOC at its meeting of March 22, 1982, in Paris, France, with the attendance of 19 members representing Africa, America, Asia, Europe and Oceania.

Mr. CRANSTON. Mr. President, I sincerely hope that for the good of the Olympics, our American athletes and the beleaguered housing industry that the House acts expeditiously on this measure.

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

The amendment (UP No. 856) was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read a third time and passed.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ROBERT C. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BAKER. Mr. President, I move that the Senate insist in its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate.

The motion as agreed to, and the Presiding Officer (Mr. ANDREWS) appointed Mr. GARN, Mr. TOWER, Mr. LUGAR, Mr. RIEGLE, and Mr. CRANSTON conferees on the part of the Senate.

#### ORDER FOR RECOGNITION OF SENATOR CHAFEE ON TOMORROW

Mr. BAKER. Mr. President, I ask unanimous consent that on tomorrow, after the recognition of the two leaders under the standing order, the distinguished Senator from Rhode Island (Mr. CHAFEE) be recognized on a special order not to exceed 15 minutes.

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

#### ORDER FOR RECOGNITION OF SENATOR SYMMS ON WEDNESDAY

Mr. BAKER. Mr. President, I ask unanimous consent that on Wednesday, after the recognition of the two leaders under the standing order, the distinguished Senator from Idaho (Mr. SYMMS) be recognized on a special order not to exceed 15 minutes.

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

#### ORDER FOR RECORD TO BE HELD OPEN UNTIL 5 P.M. TODAY

Mr. BAKER. Mr. President, I ask unanimous consent that the RECORD remain open until 5 p.m. today for RECORD inserts, introduction of bills, amendments, and resolutions.

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

#### EXTENSION OF TIME FOR ROUTINE MORNING BUSINESS

Mr. BAKER. Mr. President, I am prepared to ask the Senate to create additional time for the transaction of routine morning business. I ask unanimous consent, Mr. President, that there now be a brief period for the transaction of routine morning business to extend not past the hour of 2:30 p.m., in which Senators may speak under the same terms and conditions as earlier today.

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

#### NEEDLESS GOVERNMENT SPENDING

Mr. NICKLES. Mr. President. Many of us agree with President Reagan that we no longer can afford the luxury of needless Government spending. We must attack waste wherever we find it. Who among us doubts that we could literally save the taxpayers billions of dollars if we seriously set out to run the Government the way we run our own households? We should look for opportunities to save. If everybody in Government made it a point to ferret out wasteful spending—even where the savings seem trivial—the results could be astounding.

I would like to bring to the attention of my colleagues just one example of

what I am talking about. Some time back, Secretary of Labor Raymond Donovan called for a survey in his Department to determine if the number of newspapers, magazines, and other publications being purchased with Department funds had not grown to the point of abuse. Each agency in the Department was asked to continue only those publications essential to their operations and cancel all others. The savings were gratifying: \$391,094 all told. But Raymond Donovan went further. He ordered contracts with newspaper clipping services canceled (this function would now be performed by regional offices), directed that news releases be singlespaced and printed on both sides of a page to save paper, eliminated a duplicative wire service printer, and set in motion a move to consolidate three audiovisual studios. These economies will result in a one-time savings of about \$1.2 million.

Secretary Donovan says:

While these may seem like inconsequential savings in a multi-billion-dollar budget, I can assure you that every conscientious taxpayer will understand what we are doing.

I know most of you are aware that Secretary Donovan is no newcomer to the field of trying to reduce Government spending. In fact, he has helped spearhead such actions. Last year, when President Reagan called for his first \$35 billion in budget cuts, \$10 billion of those cuts came from the Labor Department. And that represented one-third of the Department's overall budget of \$33 billion.

In announcing the results of these cost-saving programs Secretary Donovan commented:

What we have done here is simply take a hard look at some relatively innocuous budget items only to find that they had spiraled out of control.

I am convinced that if every department of Government took the same kind of hard look at its spending practices we could further ease the burdens of the taxpayers of this country.

I urge my colleagues to read these three newspaper accounts of Secretary Donovan's accomplishments, and ask unanimous consent that they be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Sacramento Bee, Feb. 11, 1982]

#### LABOR SECRETARY CANCELS SUBSCRIPTIONS

WASHINGTON.—A costcutting order by Labor Secretary Raymond Donovan to eliminate "unnecessary and duplicative" newspapers, periodicals and specialty magazines has resulted in cancellation of \$391,094 in subscriptions, it was revealed Wednesday.

Those who implemented the move estimated that "tens of millions of dollars" could be saved on a government-wide basis.

"A few extra newspapers here, and another magazine or two there, and before you

know it, you're looking at thousands of dollars," Donovan said.

He said while the savings may seem inconsequential in a multibillion-dollar budget, "I can assure you that every conscientious taxpayer will understand what we are doing."

"There will be some grumbling," said Earl Cox, the department's director of public affairs, but "those thousands of people that got these papers didn't necessarily need them."

Cox said the cancellations are part of \$591,000 in savings already achieved by the department in measures ranging from eliminating news clipping services to printing news releases on both sides of a page.

Information supplied by the department indicated the Bureau of National Affairs, an independent firm that publishes the Daily Labor Report and other specialty magazines, received a massive number of subscription cancellations.

Many cancellations were also ordered for the Official Airline Guide, a publication with all airline flight information.

One of two United Press International printers in Labor Department headquarters was taken out. The sole Associated Press machine was not affected.

The largest reduction in subscriptions came in the Occupational Safety and Health Administration, where Assistant Labor Secretary Thorne Auchter said 1,200 subscriptions were cancelled.

Auchter said the \$279,290 cost for subscriptions in 1981 would drop to \$65,810 in 1982.

OSHA spokesman James Foster said subscriptions to the weekly Occupational Safety and Health Reporter, which cost about \$300 each, were cut from 300 to 25.

"We distinguished need to have from nice to have," he said.

Donovan's Dec. 17 order, said expenditures for newspaper and periodical subscriptions should be reduced "to the absolute minimum."

[From the Washington Post, Feb. 16, 1982]

#### DONOVAN STRIKES AT SUBSCRIPTIONS (By Warren Brown)

Labor Secretary Raymond J. Donovan has canceled government-paid newspaper and magazine subscriptions for all agency officials below the assistant secretary level in a round of cost-cutting he says will save the department \$391,184 a year.

Donovan also plans to clip the department's clipping service, consolidate its three television production studios into one unit, and take away most executive television sets to achieve a total cost saving of more than \$1.2 million annually.

"In typical Washington fashion, some spending molehills had grown to hillock size and were on their way to becoming small mountains. A few extra newspapers here and another magazine or two there, and before you know it, you're looking at thousand of dollars," the secretary said.

None of the canceled publications is expected to suffer irreparable harm from Donovan's economies. The Washington Post, for example, will lose 36 subscriptions, The New York Times will lose 58, and the Wall Street Journal 78.

But costly periodicals specializing in government regulations, such as the weekly Occupational Safety and Health Reporter published by the Bureau of National Affairs Inc., will be stung. The department is knocking off 275 of its 300 yearly subscriptions to the BNA publication, which costs \$300 for a year's subscription.

"That's a hell of a hunk of change to lose," a BNA official said last week. "We certainly don't like losing that many subscriptions at once. But we won't be crippled."

Cancellation of newspaper and magazine subscriptions won't hurt the department's public relations functions or the intellectual growth of its executives, departmental spokesman Earl Cox said.

"We have in no way cut back on the tools that are essential to the job. But there's no reason why government should have to pay for subscriptions" to help officials "satisfy their curiosity," Cox said.

He said some officials already have grumbled about elimination of the perks. "But they can buy their own newspapers," he said.

[From the Salt Lake Tribune, Feb. 11, 1982]

#### LABOR CANCELS SUBSCRIPTIONS

WASHINGTON.—A costcutting order by Labor Secretary Raymond Donovan to eliminate "unnecessary and duplicative" newspapers, periodicals and specialty magazines has resulted in the cancellation of \$301,004 in subscriptions, it was revealed Wednesday.

Those who implemented the move estimated that "tens of millions of dollars" could be saved on a government-wide basis.

"A few extra newspapers here, and another magazine or two there, and before you know it, you're looking at thousands of dollars," Donovan said.

#### BILLION DOLLAR BUDGET

He said while the savings may seem inconsequential in a multibillion dollar budget, "I can assure you that every conscientious taxpayer will understand what we are doing."

"There will be some grumbling," said Earl Cox, the department's director of public affairs, but "those thousands of people that got these papers didn't necessarily need them."

Cox said the cancellations are part of \$591,000 in savings already achieved by the department in measures ranging from eliminating news clipping services to printing news releases on both sides of a page.

#### CANCELLATIONS MASSIVE

Information supplied by the department indicated the Bureau of National Affairs, an independent firm that publishes the Daily Labor Report and other specialty magazines, received a massive number of subscription cancellations.

Many cancellations were also ordered for the official airline guide, a publication containing information on all airline flights.

United Press International was not spared from Donovan's order. One of two UPI printers in Labor Department headquarters was taken out. That sole Associated Press machine was not affected.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Mr. BAKER. Mr. President, there does not appear to be further morning business. I see no Senators seeking recognition.

#### RECESS UNTIL 9:30 A.M. TOMORROW

Mr. BAKER. Mr. President, in accordance with the order previously en-

tered, I move that the Senate stand in recess until the hour of 9:30 a.m. on tomorrow.

The motion was agreed to; and, at 3:19 p.m., the Senate recessed until Tuesday, March 30, 1982, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate March 29, 1982:

##### DEPARTMENT OF JUSTICE

Francis M. Mullen, Jr., of Virginia, to be Administrator of Drug Enforcement, vice Peter B. Bensinger, resigned.

Gary Loy Richardson, of Oklahoma, to be U.S. attorney for the eastern district of Oklahoma for the term of 4 years vice Julian K. Fite, resigned.

##### INTERNATIONAL COMMUNICATION AGENCY

Ronald L. Trowbridge, of Michigan, to be an Associate Director of the International Communication Agency, vice Alice Stone Ichman.

##### DEPARTMENT OF DEFENSE

Richard L. Wagner, Jr., of California, to be Chairman of the Military Liaison Committee to the Department of Energy, vice James Paul Wade, Jr., resigned.

##### IN THE AIR FORCE

The following-named officers for permanent promotion in the United States Air Force, under the appropriate provisions of chapter 36, title 10, United States Code, as amended, with dates of rank to be determined by the Secretary of the Air Force.

##### LINE OF THE AIR FORCE

##### To be lieutenant colonel

Adams, George L., xxx-xx-xxxx  
Allerheiligen, James E., xxx-xx-xxxx  
Arnsdorff, Alton G., Jr., xxx-xx-xxxx  
Baertl, Charles E., xxx-xx-xxxx  
Bennett, William G., xxx-xx-xxxx  
Bigelow, James N., xxx-xx-xxxx  
Buckenmyer, David W., xxx-xx-xxxx  
Childress, Guy P., Jr., xxx-xx-xxxx  
Cullen, James A., Jr., xxx-xx-xxxx  
Cunningham, Robert G., xxx-xx-xxxx  
Fisher, Robert W., xxx-xx-xxxx  
Harden, William D., III, xxx-xx-xxxx  
Harris, Robert E., xxx-xx-xxxx  
Hauschild, Wallace D., Jr., xxx-xx-xxxx  
Idehara, George M., xxx-xx-xxxx  
Johnson, David C., xxx-xx-xxxx  
Johnson, Laurie R., xxx-xx-xxxx  
Kaiser, Lyman L., xxx-xx-xxxx  
King, Henry A., III, xxx-xx-xxxx  
Mark, John W., xxx-xx-xxxx  
Marsh, Melvin E., Jr., xxx-xx-xxxx  
McCannon, Jerry D., xxx-xx-xxxx  
Myers, David J., xxx-xx-xxxx  
Okane, John, Jr., xxx-xx-xxxx  
O'Neal, Donald O., xxx-xx-xxxx  
Payne, Edwin R., Sr., xxx-xx-xxxx  
Potter, John R., xxx-xx-xxxx  
Ransom, William R. P., Jr., xxx-xx-xxxx  
Reiling, Frederick A., xxx-xx-xxxx  
Russell, John F., xxx-xx-xxxx  
Sharp, Jimmy F., xxx-xx-xxxx  
Smedley, Gerald F., xxx-xx-xxxx  
Spencer, Jimmie L., xxx-xx-xxxx  
Vanore, Armand R., xxx-xx-xxxx  
Ward, James F., III, xxx-xx-xxxx

##### CHAPLAIN CORPS

Dabrowski, George J., xxx-xx-xxxx  
Elliott, Harold, xxx-xx-xxxx  
Fuemmel, James R., xxx-xx-xxxx  
Hartsell, Franklin D., xxx-xx-xxxx  
Wilson, Theodore J., xxx-xx-xxxx



## NURSE CORPS

Kepner, Sheila A., xxx-xx-xxxx

## MEDICAL SERVICE CORPS

Rhode, John F., xxx-xx-xxxx

## LINE OF THE AIR FORCE

## To be major

Aanstad, William L., xxx-xx-xxxx

Anderson, Ronald A., xxx-xx-xxxx

Austin, James R., xxx-xx-xxxx

Ball, David K., xxx-xx-xxxx

Barrett, Donald E., xxx-xx-xxxx

Barrett, Ewing D., Jr., xxx-xx-xxxx

Bates, Francis C., xxx-xx-xxxx

Baxa, Jon E., xxx-xx-xxxx

Christian, Bobby G., xxx-xx-xxxx

Coman, Robert L., xxx-xx-xxxx

Crisuolo, John A., xxx-xx-xxxx

Cummings, James H., xxx-xx-xxxx

Eyler, Jimmie T., Jr., xxx-xx-xxxx

Folsom, Charles P., xxx-xx-xxxx

Fujimoto, Thomas K., xxx-xx-xxxx

Giacomazza, Robert., xxx-xx-xxxx

Hobbie, Richard H., xxx-xx-xxxx

Holmes, David R., Jr., xxx-xx-xxxx

Houtkooper, Jon C., xxx-xx-xxxx

Huff, Jimmy L., xxx-xx-xxxx

Johnson, James R., xxx-xx-xxxx

Jorgenson, Loren W., xxx-xx-xxxx

Knobler, Harry A., xxx-xx-xxxx

Luisi, Thomas., xxx-xx-xxxx

McCoy, Brian R., xxx-xx-xxxx

Osborn, Harold L., xxx-xx-xxxx

Shrote, Roy L., xxx-xx-xxxx

Shulhan, Ilko P., xxx-xx-xxxx

Snyder, William M., xxx-xx-xxxx

Sotak, Michael A., xxx-xx-xxxx

Swiech, Francis A., xxx-xx-xxxx

Thompson, Kenneth R., xxx-xx-xxxx

Vandyke, Thomas J., xxx-xx-xxxx

Wenrick, Steven C., xxx-xx-xxxx

Wiley, Jerold W., xxx-xx-xxxx

## NURSE CORPS

Israel, Nyland R., xxx-xx-xxxx

## BIOMEDICAL SCIENCES CORPS

Hiatt, Victor E., xxx-xx-xxxx

## LINE OF THE AIR FORCE

Gifford, David L., xxx-xx-xxxx

Whitlow, Mark D., xxx-xx-xxxx

## IN THE NAVY

The following-named Naval Reserve Officers Training Corps candidates to be appointed permanent ensign in the line or staff corps of the U.S. Navy, subject to qualification therefor as provided by law:

Abbott, Christopher L.	Anderson, Emile R.
Abraham, Louis P.	Anderson, Jeffrey C.
Abrahamson, David D.	Anderson, Kenneth J.
Adams, Robert S.	Anderson, Richard T.
Adams, William	Anderson, Scott D.
Adams, William L.	Andrews, Duane C.
Addison, Vernon J.	Andrews, Michael T.
Afong, Danford S.	Andrews, Peter J.
Albert, Michael R.	Angel, Kenneth T.
Aldridge, Ron E.	Angel, Roger D.
Alexander, Scott H.	Angelini, Phillip T.
Alley, Charles G.	Ansley, Keith G.
Allred, John M.	Antonellis, James A.
Alzheimer, Lance W.	Apgar, Charles K.
Alvick, Robert A.	Araki, Robert M.
Amarello, Joseph M.	Archer, Billy J.
Ames, Gregory H.	Ard, Henry G.
Amicangioili, Frederick M.	Ariel, Alan D.
	Armstrong, John T.
	Arnold, David R.

Artis, Jeffrey L.  
Askey, Charles F.  
Atkinson, Timothy  
Auestad, Craig A.  
Avery, Kenneth E.  
Bacheller, John S.  
Bacon, Bartholomew P.

Bahler, Carol D.  
Bailey, Lindley A.  
Ball, Jeffrey R.  
Bancroft, Richard A.  
Baranek, Thomas  
Barber, Christopher J.

Barge, Thomas H.  
Barker, Bradley  
Barnaby, Steven L.  
Barnes, James W.  
Barnes, Roy T.  
Barrett, Robert B.

Barrett, Sean P.  
Barthallow, Henry D.  
Bass, Cullen  
Bates, Thomas M.  
Batsel, Brian D.  
Battles, Jeffrey W.

Baucom, David F.  
Bauman, Robert A.  
Baxter, James D.  
Beach, Fred C.  
Beachy, Phillip L.  
Bebb, Bryan T.

Beck, Richard R.  
Beernink, Kathleen A.  
Beers, David F.  
Beintema, Daniel D.  
Belcourt, Llewellyn  
Belote, Monte E.

Bender, James B.  
Benn, David P.  
Bennett, William J.  
Benson, Gregory G.  
Bernard, David J.  
Berry, Jerald L.

Betts, Kenneth S.  
Biamonte, Brian N.  
Bianchi, Robert J.  
Bigot, Patrick C.  
Billeter, Peter J.  
Bird, James F.

Bittingmaier, Steven W.  
Blair, James L.  
Blais, John A.  
Blanchette, Bryan M.  
Blanton, Kathleen M.

Bleyer, Peter M.  
Bloom, Stuart B.  
Blount, Edward  
Blount, Phillip A.  
Bobola, Matthew E.

Boehl, Robert F.  
Boggs, Craig L.  
Bookwalter, Richard E.  
Born, Robert B.  
Boronkay, Peter H.

Bose, David V.  
Bourgeois, Brian S.  
Bousquet, Rick L.  
Bowden, Anita M.  
Bowditch, Randall G.

Bowers, Mark D.  
Bowlin, Sean M.  
Boyajian, Charles A.  
Boyd, Frank W.  
Boyd, John M.

Boyd, David J.  
Boyle, James S.  
Boyle, Patrick K.  
Bradley, William J.

Branch, Gary W.  
Brandenburg, Eric H.  
Brantley, Sheila L.  
Brauchler, David A.  
Braunsdorf, Robert  
Brenstuhl, Thomas K.

Brey, David P.  
Briggs, Robert P.  
Brintzenhofe, Kurt  
Broadaway, Ronny T., Jr.

Browder, Stephen E.  
Brower, Jeffrey O.  
Brown, Albert H.  
Brown, Daniel P.  
Brown, Lyle C.

Brown, Peter P.  
Browne, Christopher E.  
Browne, Peter R.  
Bruce, David S.  
Buchiarelli, Philip A.

Budler, Helen R.  
Buelow, Douglas J.  
Buoni, Frederick B.  
Burke, Edmond J.  
Burke, Kevin P.

Burnett, William N.  
Burton, Richard T.  
Butchkovitz, Mary L.  
Butler, Albert G.  
Butler, Frank H.

Butler, Matt L.  
Butler, Scott, R.  
Buziak, John P.  
Byrd, Stuart E.  
Byrne, James J., Jr.

Cahill, Mark D.  
Caldwell, Robert K.  
Camara, Frank R.  
Camarato, Carmeline M.

Cameron, Robert R.  
Campbell, Hugh T.  
Campbell, Lamar  
Cann, David W.

Cantrell, Mark E.  
Carew, Kevin J.  
Carlitti, Justin P.  
Carpenetti, Ben W.  
Carr, Ray E.

Carr, Timothy M.  
Carroll, Mary F.  
Carver, Christopher, J.  
Casas, Julio C.

Casciato, Gregory S.  
Casey, James V.  
Cashin, David F.  
Castleberry, Charles K.

Chamberlain, Christopher J.  
Chamberlin, James M.  
Chandler, Kathryn L.

Chase, Stephen L.  
Childs, James L.  
Childs, Rickie L.  
Chin, Calvin A.

Chin, David R.  
Christie, Neil M.  
Christophersen, Eric R.  
Chung, David Y.

Churchman, Daniel L.  
Ciccateri, James L.  
Cizmar, Michael A.

Clarkson, Edward M.  
Clay, Louis C.  
Clement, Joseph A.  
Clements, Joseph A.  
Cleveland, Ronald L.

Cobb, Gary D.  
Cobb, Michale D.  
Cochrane, John C.  
Cockrell, Jeffrey B.  
Cody, Mark T.

Coffman, Russell L.  
Cogdell, Wayne E.  
Cohen, Robert B.  
Colabatistto, Gennaro

Cole, Robert J.  
Coleman, William D.  
College, Dean K.  
Collins, Dwight T.

Coming, Michael W.  
Compere, Kenneth J.  
Conde, Dominick A.  
Cook, Eugene W.

Cook, Thomas V.  
Cooke, Vincent E., Jr.  
Cooper, Joseph A.  
Copeland, Gregory K.

Coray, John P.  
Corbett, Michael J.  
Corey, Patrick J.  
Corso, Joseph A.

Council, Willis A.  
Coutley, Raymond L.  
Cowden, Anthony T.  
Cowden, Cole V.

Cowden, Craig A.  
Cox, George A.  
Crittenden, Dianne K.

Crow, John L.  
Crowley, William M.  
Cruz, James G.  
Cuchetto, Ricardo F.

Cunningham, Thomas M.  
Curran, Thomas P.  
Currie, Iain A.  
Curry, James T.

Curtin, Lawrence M.  
Curtis, Frederick G.  
Cutter, David M.  
Daniel, Edward D.

Dantonio, Paul A.  
Dart, Steven G.  
Dash, William R.  
Daus, William B.

Davenport, Charles R., Jr.  
Davidson, John C.  
Davidson, Charles N., Jr.

Davis, Marsden S.  
Davis, Norman C.  
Davison, James D.  
Davy, Bradley K.

Dees, Robert C.  
Deitch, Andrew S.  
DeJesus, Carlos J.

Dockins, Harold L.  
Doherty, Daniel A.  
Donnelly, Mark J.  
Donovan, George D.

Dougherty, Patrick J.  
Douglass, Michael W.  
Dow, Randall P.  
Dowling, Hampton H.

Downing, George R.  
Doyle, John R.  
Doyle, Philip G.  
Dreves, Martin P.

Drew, Alex D.  
Dreyfus, Patrick D.  
Dubois, Richard W.  
Duepner, Gregory D.

Duffy, John F.  
Dumas, Richard A.  
Dunn, Bruce E.  
Dunn, Francis M.

Dunn, Katherine M.  
Dunne, Elizabeth G.  
Dunning, Robert L.  
Durey, Thane D.

Durkin, John P.  
Eager, Rose M.  
Ebert, Brian V.  
Eccles, Paul D.

Edgren, Denis H.  
Edwards, Michael  
Elder, Dwaine C.

Elie, Thomas E.  
Ellefsen, Eric R.  
Elliott, James W.  
Elliott, Joseph M.

Ellrich, Christopher R.  
Emerson, Michael B.  
Emerson, Sylvia

Emery, Stephen J.  
Engen, Marvin R.  
Engleman, Eric E.

Erickson, Lawrence D.  
Ernst, Kevin M.  
Eskew, Mitchell A.

Etheridge, Robert J.  
Evanoff, Michael J.  
Evans, Douglas J.

Evans, Troy C.  
Ewell, Allen E.  
Ewing, Michael R.

Fairburn, Thomas S.  
Faith, David C.  
Faley, Timothy P.

Fanshaw, Charles W.  
Farmer, Jay A.  
Farmer, Thomas E.

Farris, Kevin L.  
Farris, Samuel H.  
Farwell, Timothy S.

- Foggan, John  
Foley, Thomas A.  
Folk, Gary L.  
Forristall, Michelle J.  
Forsberg, Roy W.  
Fox, William A.  
Frailley, Lisa E.  
Franklin, Randall B.  
Frazier, Jeanne E.  
Frazier, Jerry W.  
Fredette, Steven R.  
Freedman, David M.  
Freeman, Brian D.  
French, Timothy F.  
Fulligni, Paul T.  
Fuller, Brian J.  
Furbush, Angela S.  
Forrows, Clive  
Furtado, Charles C.  
Gaines, Leonard  
Gallagher, Christopher J.  
Gallagher, Thomas M.  
Gallagher, William P.  
Gallimore, Richard H.  
Galluzzo, Mark R.  
Garant, Pierre C.  
Garcia, Joel T.  
Garfield, G. G.  
Garner, Harold J.  
Garvey, Paul G.  
Gast, William A.  
Gastler, Laura F.  
Gearhard, Glenn E.  
Gehin-Scott, Charles E.  
Gehring, George G.  
Geisen, David C.  
Gentzler, David B.  
Gerichten, Glenn  
Germany, Karen P.  
Gierhart, Michael L.  
Giertz, Andrew E.  
Gilbert, Christopher G.  
Gilbert, John B.  
Gill, Thomas L.  
Ginnetti, Raymond B.  
Glass, Richard E.  
Gleason, James J.  
Glenn, Daniel E.  
Glenn, John M.  
Glodosky, John P.  
Godfrey, William J.  
Goebel, Thomas E.  
Golden, James E.  
Goldfinger, Jeffrey S.  
Goldstein, Al R.  
Gomez, Richard M.  
Goodsell, Anthony J.  
Goodsell, Paul B.  
Goodwin, Jeffrey A.  
Gordon, Nelie  
Gosnell, Ralph E.  
Goudreau, Robert R.  
Goudsward, Douglas P.  
Grace, William R.  
Graczyk, Donald A.  
Grady, Thomas S.  
Graft, Patrick W.  
Graham, Scott A.  
Grause, Peter F.  
Gray, Robert P.  
Greenlee, Raymond V.  
Greer, Daniel S.  
Greiner, Carl F.  
Gridley, Stanley T.  
Griffin, Leroy A.  
Griffin, Thomas P.  
Grimes, Nathan M.  
Grip, William G.  
Gromme, Michele  
Gross, Michael R.  
Gross, Steven J.  
Grumney, Wayne N.  
Gryzbowski, Edward P.  
Gubanc, Paul F.  
Gunhus, James L.  
Guptill, Murray T.  
Guzik, Dennis M.  
Gwinner, John D.  
Haase, William H.  
Haberbosch, Curtis E.  
Hack, Steven J.  
Hagan, Timothy P.  
Hagwood, Derle G.  
Haigh, Patrick J.  
Hale, Rodney M.  
Halferty, James P.  
Hall, John A.  
Hall, Mark W.  
Hall, Michael D.  
Hall, Patrick D.  
Hamilton, Paul E.  
Hamilton, Robert V.  
Hanley, Jean M.  
Hanson, Craig D.  
Hanson, Michael A.  
Hardgrave, Stephen W.  
Harding, Kenneth L.  
Hargis, Gregory R.  
Harned, Robert L.  
Harper, Jeffrey M.  
Harraby, David P.  
Harris, Mark A.  
Harrison, Grady A.  
Hart, Garrett J.  
Harvey, Mark D.  
Hawkins, William H.  
Hawley, Jeffery W.  
Hayes, Mark  
Hayes, Timothy R.  
Heft, Stephen M.  
Heidenthal, Dennis P.  
Heineman, Stephen P.  
Hemstreet, Hugh R.  
Henderson, Donald L.  
Heneghan, William J.  
Henk, David R.  
Henn, Terence  
Henery, Laura A.  
Hensel, Craig E.  
Herbert, Ronald G.  
Herzog, Bradley F.  
Hess, William J., III  
Heysel, Harrison F.  
Hickey, William J.  
Hicks, Gary F.  
Hicks, John D.  
Hicks, John N.  
Higman, Kevin N.  
Hildebrand, Stephen F.  
Hildebrandt, David A.  
Hileman, Randall K.  
Hill, Charles R.  
Hill, Paul L.  
Hill, Roger L.  
Hillenbrand, Paul G.  
Hinckley, Scott P.  
Hinger, Eric R.  
Hitchner, Kenneth W., III  
Hoener, William J.  
Hofmeister, Francis J.  
Hogan, John G.  
Hogan, Thomas R.  
Hogan, Ronald R., Jr.  
Hogenkamp, Harry P.  
Holden, Kevin T.  
Holder, Nicholas P.  
Hollenbeck, Alan J.  
Hollman, William J.  
Holly, Mairread E.  
Holman, Nicholas H.  
Holman, Scott D.  
Holstrom, Steven J.  
Horan, Kevin J.  
House, Michael L.  
Howard, Eugene S.  
Hoyt, Jennith S.  
Hoyt, Roger B.  
Hubbs, Dean M.  
Huckabee, Arthur G.  
Huff, Michael D.  
Hughes, George L.  
Hughes, Michael W.  
Hughes, Robert E.  
Hulcher, Michael E.  
Hull, Clarence G.  
Hull, Daniel V.  
Hulse, David C.  
Ingersoll, Alvah E.  
Irey, Donald F.  
Isgrig, Katherine A.  
Jackson, Richard T.  
Jacobs, Herbert G.  
Jagusch, Thomas D.  
James, Darryl W.  
Jenista, James M.  
Jensen, Patrick T.  
Jensen, Steven C.  
Jicka, Mark R.  
Joe, Henry J.  
Johnson, Blake M.  
Johnson, Chris A.  
Johnson, Gary  
Johnson, Gary L.  
Johnson, Gordon A.  
Johnson, Richard T.  
Johnson, Scott D.  
Johnson, Thomas J.  
Johnson, William A.  
Johnston, Marc L.  
Jones, Evan S.  
Jones, Mark J.  
Jonson, William R.  
Jordan, Douglas J.  
Jovanovic, Nickolas S.  
Joyner, John A.  
Juergens, Jurgen E.  
Kaemmerer, Glen E., Jr.  
Kahan, Steven M.  
Kain, William W.  
Kaiser, James W.  
Kaish, Terri  
Kammerer, Keith A.  
Kane, William  
Kaneb, Peter M.  
Kanegae, Timothy T.  
Kaplan, Bruce J.  
Karell, Eric J.  
Karl, Gregory S.  
Karner, Alan L.  
Karten, Luke V.  
Kasiski, Eric J.  
Kause, Charles W.  
Keenan, Patrick J.  
Kellebrew, John A.  
Kellenher, Patrick S.  
Keller, Raymond J.  
Kelly, Daniel B.  
Kelly, Linus J.  
Kelly, Steven J.  
Kennedy, Charles B.  
Kenyon, Victoria L.  
Kerat, Dieter A.  
Keutmann, Kevin M.  
Kidd, Michael E.  
Kiestler, Richard F.  
Kilian, Joseph K.  
Kimbell, Reed A.  
King, Donald A.  
King, Joel D.  
Kisela, John C.  
Kitchen, Rocky R.  
Klenke, Robert H.  
Klinge, Wayne D.  
Klooster, Alan T.  
Kneemiller, Jeffrey, A.  
Koch, Karl J.  
Koenig, John A.  
Koenig, Robert A.  
Kogge, Chris S.  
Kohanowich, Karen M.  
Koppel, Peter J.  
Korycinski, Paul M.  
Koval, Jeffrey R.  
Krams, Michael C.  
Kratovil, John B.  
Krochmal, Dana F.  
Krusemark, Edward E.  
Kuldell, Randall B.  
Kuprenas, Michael A.  
Kuth, George P.  
Kuziak, Richard O.  
Lagay, Christopher P.  
Landis, Scott J.  
Landrum, Bruce D.  
Lang, James T.  
Latas, John B.  
Latorre, John P.  
Lauer, David S.  
Lausten, Perry R.  
Laverty, Michael J.  
Lawson, Donald W.  
Lear, Lynnette M.  
Leary, Michael P.  
Legaspi, Albert K.  
Legore, Gregory S.  
Leingang, David W.  
Lemon, Anthony L.  
Leslie, Stephen W.  
Lester, Mark A.  
Levis, John F.  
Lewandowski, Steven E.  
Lewis, Gerard M.  
Lewis, Kenneth A.  
Lewis, Patrick K.  
Lewis, Robert G.  
Lilly, Mark F., Jr.  
Lindsay, John J.  
Lindsey, Kevin A.  
Lloy, Daniel T.  
Lissner, Kenneth X.  
Litherland, John J.  
Little, Daniel K.  
Little, John D.  
Litz, James S.  
Lloyd, David R.  
Locke, Thomas T.  
Lockler, John L.  
Lohr, Peter J.  
Londergan, Richard J.  
Looney, Brian T.  
Lotz, W. G.  
Loukides, Timothy A.  
Lucas, Larry E.  
Lucas, Steve A.  
Lucy, Dan F.  
Lund, Rolf G.  
Lundgren, Keven M.  
Luthiger, Walter E.  
Lutz, Edward J.  
Lynch, Daniel J.  
Lynn, Stephen C.  
Lyons, Thomas S.  
Lysek, Kraig M.  
Maass, Peggy A.  
Macaulay, Bruce A.  
Machut, Roger R.  
Mackie, Steven C.  
MacMurray, Jane  
Madsen, Karen J.  
Magner, Lawrence R.  
Malloy, Steven A.  
Maloney, Thomas C., Jr.  
Manigo, Johnathan J.  
Marboe, Richard C.  
Markewitz, Martin A.  
Marks, Michael J.  
Markunas, Dennis J.  
Marrow, Bruce E.  
Martin, Michael  
Martinez, Javier F.  
Martinez, Paul R.  
Martini, Robert E.  
Martino, Patricia A.  
Mason, Bradley  
Mason, Cynthia M.  
Massa, William R.  
Masterson, Richard K.  
Matich, Nicholas T., III  
Matlow, Jaron B.  
Mattes, Victor R.  
Matthews, Barry G.  
Mau, Robert J.  
Maxwell, Richard L.  
May, James J.  
Mayer, Jeffery M.  
Mazelsky, Jonathan J.  
Mazza, Ralph C.  
McAllister, Raymond J.  
McAvoy, John W.  
McBrearty, John J.  
McBroom, Joel S.  
McBryant, John C., Jr.  
McCarthy, Laura J.  
McCarthy, Michael F.  
McCathern, William W.  
McClave, Patrick D.  
McCollom, Kyle L.  
McConnell, Theresa A.  
McCracken, Teresa L.  
McCrory, James K.  
McCreight, Michael S.  
McCullough, Jeffrey R.  
McDermott, Elysa J.  
McDermott, Michael R.  
McDonald, Kevin W.  
McDonnell, Michael S.  
McGarry, John D.  
McGhee, Deborah A.  
McGinnis, Edward K.  
McGrath, John F.  
McGuckin, Sean A.  
McGuinn, Phillip B.  
McHale, Peter  
McKenzie, Garrett J.  
McKewen, Bonnie G.  
McKinney, William E.  
McLaughlin, James J.  
McLean, David S.  
McMahon, Michael J.  
McManus, Dennis A.  
McNulty, Rock E.  
McPeck, Roger M.  
McShea, Peter J.  
McSheery, Tracy D.  
McVey, Mark A.  
Meiser, Ford D.  
Melin, Peter B.  
Melton, William G.  
Mercer, Stephen T.  
Michaels, William N.  
Mickelson, James J.  
Miller, Brad C.  
Miller, Bryan J.  
Miller, Douglas P.  
Miller, William  
Milowic, Christopher Y.  
Minnick, Michael E.  
Mitchell, Ellen C.  
Mitchell, John S.  
Mobilia, Ross F.  
Mock, Frederick C.  
Moebius, William F.  
Moertl, Harald A.  
Monaghan, Mark E.  
Monos, Dean G.  
Montgomery, Kenneth W.  
Mooney, James B.  
Moore, Daniel E.  
Moreland, Mark A.  
Morgan, Michelle A.  
Morgan, William  
Morowski, Peter J.  
Morrison, Donald M.  
Morrison, Robert B.  
Morrisey, Desmond  
Morro, Robert H.  
Morsch, Jeffrey J.  
Morton, Ulysses L.  
Morua, Michael L.  
Moseley, Tim G.  
Mosher, John M.  
Mosley, Kenneth D.  
Moyer, William J., Jr.  
Moynihan, Patrick J.  
Mueller, Harold E.  
Mueller, Stephen T.  
Mule, Paul, III  
Mulkin, Richard S.  
Mullan, Martin W.  
Mullen, Jeffrey A.  
Mulloy, Stephen P.  
Murdock, Gary L.  
Murphy, James C.  
Murphy, John F.  
Murphy, Patrick J.  
Murphy, Robert F.  
Murray, William G.  
Musteller, Roy H.  
Myers, Brian D.  
Myran, Jon K.  
Nadeau, Stephen E.  
Naackel, Arno T.  
Nash, Francine B.  
Nagle, Kenneth A.  
Needham, David J.  
Neely, Jeffrey C.  
Nelson, Edward J.  
Nelson, Percy M.  
Nelson, Richard A.  
Nelson, Todd L.  
Nerino, Alfred R.  
Neve, Douglas A.  
Neve, Laurence J.  
Newlin, Marcia M.  
Newport, Bruce A.



- Ney, Mark D.  
 Nichols, Jamon M.  
 Nichols, William C.  
 Nickens, Patrick D.  
 Nicoli, Kathryn L.  
 Nivison, William  
 Nixon, Timothy D.  
 Noonan, Patrick D.  
 Nordstrom, Neal C.  
 Norris, Paul D.  
 Novack, James H.  
 Nuss, Gary M.  
 Nuttall, Frederick L.  
 Nuzzaco, Jeffrey T.  
 O'Sullivan, John P.  
 Oberza, Edmar Y.  
 Obenholzer, Vincent J.  
 Oblenes, Scott T.  
 O'Connell, Joseph M.  
 Oddersto, Eric S.  
 Officer, Lyn R.  
 O'Hara, Carolyn J.  
 Olaes, Eric S.  
 Olson, Allen S.  
 O'Mera, Francis X.  
 Orawczyk, Maria E.  
 Oregan, Gerard  
 Oshirak, Alan  
 Ossman, William J.  
 Osterhout, Karol E.  
 Osterman, Joseph L.  
 Ostmann, Kenneth G.  
 Oukrop, Kenneth J.  
 Owen, Donald F.  
 Owens, Vickie L.  
 Pace, Charles C.  
 Pachankis, Richard W.  
 Painter William C.  
 Palanzuela, Paul F.  
 Palmer, Brian D.  
 Palmer, Jon C.  
 Parker, Douglas F.  
 Parlier, Terry L.  
 Parlin, Joseph D.  
 Parrish, Darrell B.  
 Paskvan, Joseph K.  
 Patterson, Shawn R.  
 Paul, Michael S.  
 Paulmann, Russell D.  
 Pauloski, Thomas J.  
 Pearl, Daniel R.  
 Pearson, William C.  
 Peck, John A.  
 Pedro, Elizabeth Y.  
 Pegg, David N.  
 Pensak, Christopher J.  
 Perkins, George W.  
 Perry, Noel C.  
 Petrie, William S.  
 Pfederer, Raymond F.  
 Phillips, William G.  
 Pickerall, Brian M.  
 Pierson, Gregory J.  
 Pinckney, Michael E.  
 Pippins, Martin L.  
 Plude, John R.  
 Portnoy, Richard R.  
 Post, Michael V.  
 Postera, Richard J.  
 Poulter, Thomas A.  
 Powe, Carl M.  
 Powell, Ross C.  
 Powers, Jeffrey T.  
 Powers, William J., Jr.  
 Pressey, Tim E.  
 Pride, Marionette D.  
 Pritchett, David F.  
 Proudfoot, Christopher
- Purdy, Joan T.  
 Quarterman, John W.  
 Rabinovitz, Michael  
 Rafferty, Paul J.  
 Rand, Wayne H.  
 Randazzo, Marco S.  
 Ranum, James T.  
 Ranzau, Richard H.  
 Ratliff, Daniel M.  
 Rau, Ronald C.  
 Rebholz, Joel L.  
 Reddick, Charles A.  
 Reese, John E.  
 Reeve, Charles K.  
 Regan, Mark J.  
 Reiff, Gregory S.  
 Reiling, Christopher D.  
 Rein, Scott D.  
 Reina, Gerard J.  
 Reisch, Richard A.  
 Reisenfeld, Jeffrey  
 Ren, Stephen J.  
 Renaud, Thomas M.  
 Reneau, Barry W.  
 Rich, Markham K.  
 Richard, Mark R.  
 Richards, Jeffrey H.  
 Richards, Ricky V.  
 Richards, Robert J.  
 Richardson, Diana  
 Richardson, John G.  
 Richardson, Samuel B.  
 Righi, Dino W.  
 Riley, Timothy G.  
 Rimkus, Andrew J.  
 Risinger, Jeffrey C.  
 Ritenour, John E.  
 Rizzi, John A.  
 Roberts, Fred  
 Roberts, Lawrence J.  
 Roberts, Russell W.  
 Robins, Derek A.  
 Robinson, Fredrick P.  
 Robinson, Harry M.  
 Robinson, John R.  
 Robinson, Robert C.  
 Robinson, Scott A.  
 Robinson, Scott E.  
 Robson, Alan J.  
 Rockwell, Mark E.  
 Rodenbeck, Neil H.  
 Rodgers, Philip D.  
 Rogers, Michael A.  
 Rolaf, Eric L.  
 Rollinger, Martin G.  
 Ronald, Meachle A.  
 Ronan, Christopher J.  
 Rooney, John J.  
 Rosato, Michael R.  
 Rose, James W.  
 Ross, John R.  
 Ross, Warren R.  
 Rothwall, Vincent E.  
 Rousseau, Stephen H.  
 Rowe, Donald E.  
 Rozier, Elena  
 Rozul, Alex V.  
 Rucinski, Fred C.  
 Ruehlin, Richard J.  
 Rule, Randol D.  
 Rusk, Richard R.  
 Rutherford, Gordon B.  
 Rutland, Kirk A.  
 Ryan, Bernard T.  
 Ryan, Michael D.  
 Ryans, Dwayne L.  
 Sadler, John C.  
 Sadorf, Kurt R.
- Sage, Scott E.  
 Salm, David R.  
 Salmons, James D.  
 Salvino, George N.  
 Sampsel, Kirby L.  
 Sanders, Robert D.  
 Sandlin, Mark J.  
 Sanfratello, Michael G.  
 Santora, Frank  
 Sarbou, Gregory P.  
 Sawanobori, Thomas K.  
 Scanlan, Steven R.  
 Scarski, Kevin L.  
 Scavone, Michael D.  
 Schaefer, Craig W.  
 Scheidegger, Michael F.  
 Scheller, Ronnie J.  
 Schiele, Charles C.  
 Schifani, Joseph G.  
 Schleicher, Joel A.  
 Schmidt, Eric J.  
 Schmidt, Timothy E.  
 Schneider, Mark K.  
 Schouten, Dennis M.  
 Schrenk, Jeffery L.  
 Schroeder, Douglas S.  
 Schubert, Dean M.  
 Schubert, Ronald P.  
 Schwartz, James S.  
 Schwartz, Karen E.  
 Seaton, James B., III  
 Seeley, Larry F.  
 Seerden, James A.  
 Segal, Mark B.  
 Seita, Gregory J.  
 Seitz, Stephen G.  
 Selby, Vernice B.  
 Sellers, James K.  
 Semple, Norah A.  
 Serrano, Denise A.  
 Severin, Frederick M.  
 Shadwell, Damian E.  
 Shanle, Leland C.  
 Shannon, Laron D.  
 Shannon, Thomas K.  
 Sharp, Kevin F.  
 Sharp, Louis J.  
 Shea, Michael G.  
 Sheall, Ivan L.  
 Shelton, Lloyd O.  
 Shen, Abbie J.  
 Sherbak, Michael J.  
 Sherman, Kevin B.  
 Sherrod, Barry H.  
 Shifflette, Mark J.  
 Shogren, Charles E.  
 Shue, Jeffrey P.  
 Sigman, Mack A.  
 Silver, Ann C.  
 Simek, Paul R.  
 Simpson, Steven S.  
 Singer, Karl W.  
 Skafidas, Christopher  
 Skardon, Taylor W.  
 Skinner, Albert W.  
 Slagle, William H.  
 Slivka, Pamela A.  
 Sliwa, David J.  
 Smellow, Joseph A.  
 Smith, Clayton R.  
 Smith, David D.  
 Smith, Douglas W.  
 Smith, Douglas E.  
 Smith, Gerald L.  
 Smith, Irene M.  
 Smith, Jeffrey R.  
 Smith, Judy G.  
 Smith, Neil S.  
 Smith, Robert E.
- Smith, Rodger M.  
 Smith, Johnnie, III  
 Smith, Kenneth E., Jr.  
 Snider, Stephen D.  
 Snider, Steven J.  
 Snyder, Brian P.  
 Snyder, Murray R.  
 Snyder, Scott A.  
 Snyder, Timothy R.  
 Sohl, James D.  
 Soltis, John T.  
 Solum, Janice M.  
 Sommerfield, Mark R.  
 Sorensen, Eric H.  
 Soriano, James C.  
 Spangler, Steven R.  
 Spears, Joseph M.  
 Speer, David W.  
 Spencer, Albert E.  
 Sperbeck, James D.  
 Spikes, Arnetta  
 Spitz, Joseph D.  
 Spitznagel, Christina F.  
 Sproule, Stuart M.  
 St. Clair, Albert L.  
 Stadnik, Andrew G.  
 Stanberry, Thomas W.  
 Stanczak, Dennis C.  
 Steele, Glen D.  
 Steenson, Wayne R.  
 Stegeman, Brian R.  
 Stein, David P.  
 Stein, James C.  
 Steinbach, Stanley S.  
 Sterling, John C.  
 Stevens, Curtis R.  
 Stevenson, Keith C.  
 Stewart, Kevin D.  
 St. Germain, Richard E.  
 Stokes, Kirby A.  
 Stone, Jennifer  
 Stouffer, Bruce B.  
 Stover, Terrance L.  
 Stowe, Michael L.  
 Strachan, Jeffrey D.  
 Strickland, Mark R.  
 Stroh, Joseph C.  
 Studds, Gregory A.  
 Stuebe, John A.  
 Suarez, Jose J.  
 Sullivan, Craig L.  
 Sullivan, James R.  
 Sullivan, Linda D.  
 Sullivan, Michael T.  
 Sullivan, Patrick B.  
 Sullivan, Sean T.  
 Suttle, Perry M.  
 Swartz, Peter B.  
 Sweeney, James J.  
 Sweeney, James P.  
 Sweeney, Michael J.  
 Swenson, David W.  
 Swoboda, David M.  
 Tabenken, Lee M.  
 Taborsky, Lawrence E.  
 Taggart, Christopher S.  
 Tarabochia, Lydia M.  
 Taylor, Chester A.  
 Taylor, David C.  
 Terhorst, Philip M.  
 Terry, Kelly S.  
 Tharp, John J.  
 Thayer, George D.  
 Thomas, Delbert D.  
 Thomas, Joseph G.  
 Thomas, Mark C.  
 Thomas, Scott A.
- Thomas, Scott E.  
 Thomas, William E.  
 Thomas, William R.  
 Thompson, David C.  
 Thompson, William H.  
 Thorsen, Timothy J.  
 Thrasher, James R.  
 Thrower, Thomas R.  
 Tinker, Frank J.  
 Tittle, Matthew D.  
 Tompkins, Bruce A.  
 Toole, Shawn A.  
 Townley, Richard W.  
 Townsend, Charles D.  
 Townsend, Schuyler J.  
 Traaen, Thomas C.  
 Tracey, Douglas A.  
 Treadwell, Mark B.  
 Trombetta, Christopher J.  
 Trumpoldt, David W.  
 Tucker, Brian J.  
 Tucker, Timothy T.  
 Tullai, Jason S.  
 Turner, Andrea  
 Turnley, Andrew J.  
 Tutt, Valerie L.  
 Tyminski, William B.  
 Uphoff, Kurt T.  
 Urbanek, Richard A.  
 Urzi, Russell E.  
 Utz, Michael J.  
 Valentine, Michael  
 VanBuer, Michael G.  
 VanCleve, David S.  
 Vaughner, George  
 Vavoso, Thomas G.  
 Vendrasco, Robert A.  
 Vergara, Isaac S.  
 Verrochi, Mark  
 Viloudaki, William S.  
 Vitali, Henry R.  
 Volkert, Richard E.  
 Waddell, Theodore J.  
 Wade, James P.  
 Waine, Seth A.  
 Wait, Marcus P.  
 Walden, Robert P.  
 Walker, Stephen B.  
 Walker, William B.  
 Wallace, Kurt A.  
 Walters, Tony L.  
 Walton, Gordon T.  
 Waring, Gary K.  
 Warren, Dwayne C.  
 Warriner, Victor G.  
 Was, Joseph E.  
 Washington, Barbara D.  
 Wasiak, Joseph M.  
 Waugh, Max J.  
 Weatherby, Gerald C.  
 Weed, Daniel L.  
 Wegmann, David G.
- Wells, David C.  
 Welsh, Mark S.  
 Wenner, David A.  
 Wereszczynski, James M.  
 West, Lloyd D.  
 Westropp, Christopher  
 Wheeler, Charles L.  
 White, David D.  
 White, Deborah L.  
 White, Peter S.  
 White, Richard S., IV  
 Whitman, Gary D.  
 Whittaker, Scott E.  
 Willard, Thomas J.  
 Willey, Dale F.  
 Williams, Dudley C.  
 Williams, John D.  
 Williams, Michael D.  
 Williams, Michael C.  
 Williams, Richard R.  
 Willstatter, Kurt  
 Wilson, David S.  
 Wilson, James A.  
 Wilson, Mark C.  
 Wimberly, Branson L.  
 Winfield, D'Juannia D.  
 Winn, Michael C.  
 Witek, Kyle M.  
 Witt, Linda S.  
 Wojt, Jerry J.  
 Wolf, Suzanne M.  
 Woltman, Clyde M.  
 Wood, Christopher M.  
 Wood, Mark S.  
 Wright, Vincent T.  
 Wyant, Marvin, Jr.  
 Wyka, Theodore A., Jr.  
 Wyly, Robert P.  
 Yackle, Timothy R.  
 Yaple, Steven A.  
 Yarbrough, Jerry L.  
 Yee, John J.  
 Yetka, Brian C.  
 Yodzis, Joseph B.  
 Young, Eddie D.  
 Young, Jack W.  
 Young, Jeffrey A.  
 Young, Patrick W.  
 Zabarsky, David M.  
 Zaccone, Michael  
 Zatt, David K.  
 Zavala, David C.  
 Zeleznik, Brian A.  
 Ziegler, Ralph C.  
 Zietz, Carl E.  
 Zimmerman, David O.  
 Zini, Stephen E.  
 Zolkowski, John A.  
 Zotto, Clement J.  
 Zrioka, Joseph A.

Linda J. DeLoach, U.S. Naval Reserve Officer, to be appointed a permanent lieutenant in the Medical Corps of the U.S. Navy, subject to qualification therefor as provided by law.

The following named Navy enlisted candidates to be appointed permanent chief warrant officer, W-2, in the U.S. Navy, subject to qualification therefor as provided by law: Clarence R. Evans

Joseph C. Visco

Harold J. Alfert, medical college graduate, to be appointed a permanent commander in the Medical Corps in the Reserve of the

U.S. Navy, subject to qualification therefor as provided by law.

The following named U.S. Navy officers to be appointed permanent commander in the Medical Corps in the Reserve of the U.S. Navy, subject to qualification therefor as provided by law:

William J. Lewis

Robert P. Randolph

#### WITHDRAWAL

The nomination of F. Keith Adkinson, of West Virginia, to be a Federal Trade Commissioner for the unexpired term of 7 years from September 26, 1975, vice Robert Pitofsky, resigned, which was sent to the Senate on February 8, 1982.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate March 29, 1982:

##### U.S. ARMS CONTROL AND DISARMAMENT AGENCY

James L. George, of Maryland, to be an Assistant Director of the United States Arms Control and Disarmament Agency.

##### DEPARTMENT OF STATE

Herman W. Nickel, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of South Africa.

The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

##### IN THE MARINE CORPS

The following named colonel of the Marine Corps Reserve for promotion to the grade of brigadier general, pursuant to title 10, United States Code, section 5902 and 5912, subject to qualification therefor as provided by law:

Charles S. Bishop, Jr.

##### SMALL BUSINESS ADMINISTRATION

James C. Sanders, of California, to be Administrator of the Small Business Administration.

##### IN THE NAVY

The following named rear admirals of the Reserve of the U.S. Navy for permanent promotion to the grade of rear admiral in the line and staff corps, as indicated, pursuant to the provisions of title 10, United States Code, section 5912:

##### LINE

Lemuel Owings Warfield  
Russell William Gorman  
Joseph Francis Callo, Jr.  
Raymond Roger Couture  
James Burnett Reap  
John Rodney Grubb  
LeRoy Vincent Isaacson  
Vincent Joseph Anzillotti, Jr.  
Francis Neale Smith  
George Clark Sayer

##### MEDICAL CORPS

John Francis Kurtzke  
John Peter Connelly

##### SUPPLY CORPS

Thomas Gerald Lilly  
Delbert Harry Beumer

##### CHAPLIN CORPS

Emmett Owen Floyd

##### CIVIL ENGINEER CORPS

Thomas Smothers Maddock

##### DENTAL CORPS

William Harris Molle

##### IN THE ARMY

Army nominations beginning Gene P. Abel, to be colonel, and ending Harold D. Thompson, to be colonel, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 4, 1982.

Army nominations beginning David L. Edwards, to be lieutenant colonel, and ending Stephen A. Spaulding, to be first lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 4, 1982.

Army nominations beginning Jerry W. Adcock, to be lieutenant colonel, and ending Michael T. Baksic, to be captain, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 4, 1982.

Army nominations beginning Jeffrey F. Addicott, to be captain, and ending Daniel V. Wright, to be captain, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 17, 1982.

##### IN THE MARINE CORPS

Marine Corps nominations beginning Kenneth W. Montgomery, to be second lieutenant, and ending Stanley S. Steinbach, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 4, 1982.

Marine Corps nominations beginning Emily L. Baker, to be second lieutenant, and ending Derle G. Hagwood, Jr., to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 17, 1982.

Marine Corps nominations beginning Louis P. Abraham, to be second lieutenant, and ending Robert J. Cox, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 17, 1982.

##### IN THE NAVY

Navy nominations beginning Timothy S. Farwell, to be ensign, and ending Don Sherman, to be commander, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 1, 1982.

Navy nominations beginning Sidney Martin Blair, to be captain, and ending Jacquelyn Sue Wills, to be captain, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 11, 1982.

Navy nominations beginning William Charles Abbruzzese, to be lieutenant, and ending Samuel Sidney Williams, to be lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 11, 1982.



## HOUSE OF REPRESENTATIVES—Monday, March 29, 1982

The House met at 12 o'clock noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Amid the hours and days of deliberation ahead, cause us, O Lord, to see those issues that touch people in the depths of their souls, that we may respond with wisdom and concern. In spite of the intense activity that surrounds those who labor in this place, may we keep before us the human needs that cry for solution—that war will be put aside as a vehicle for solving dispute, that we will cling to the goal of justice between individuals and nations. We pray that Your creation will know Your peace in their hearts, in their homes, and in the world—that peace that passes all human understanding. In Your holy name, we pray. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 100. Concurrent resolution expressing the sense of the Congress with respect to the situation of two Russian families who have sought refuge in the U.S. Embassy in Moscow because of the suppression of their Pentecostal faith by the Government of the Soviet Union.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 634. An act to authorize the exchange of certain lands in Idaho and Wyoming.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 1080. An act to amend the Administrative Procedure Act to require Federal agencies to analyze the effects of rules to improve their effectiveness and to decrease their compliance costs; to provide for a periodic review of regulations, and for other purposes;

S. 1640. An act to amend certain provisions of title 18, United States Code, relating to the procedures for interception of wire or oral communications; and

S.J. Res. 111. Joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas.

## PEOPLE OF EL SALVADOR DEMONSTRATE THEIR LOVE OF FREEDOM

(Mr. WRIGHT asked and was given permission to address the House for 1 minute.)

Mr. WRIGHT. Mr. Speaker, yesterday the people of El Salvador gave a convincing demonstration that they love freedom, value the democratic process, and yearn for a chance to govern their country's affairs by ballots rather than by bullets.

Literally hundreds of thousands of Salvadoran citizens braved gunfire and threats of violent death to walk many miles by little-used roads and country trails, avoiding terrorist roadblocks and ambushes. Many stood in long lines for periods of hours in towns and villages throughout that violence-wracked country to demonstrate their thirst for liberty and their disdain for the threats of the violent minority who had boycotted the elections and had vowed death to any who participated.

The unprecedented numbers participating in yesterday's election surely must prove beyond any doubt that the terrorists and guerrillas do not speak for the people of that nation, and that democracy can be made to work if given half a chance.

While the outcome of the voting is uncertain, our own Government stands committed to support and work peacefully with the people of that war-ravaged country and with the government of their choice to be created by the constituent assembly whom the people have chosen.

We should call upon the terrorists to lay down their arms and join the brave people of El Salvador in the peaceful search for a better future under the orderly processes of constitutional democracy, and we should call upon the Government to encourage that resolution of the conflict by offering amnesty to all who will lay arms aside and join together in good faith to build a peaceful democratic future for the people to whom it has been so long denied and who obviously wish for it so strongly.

## LEGISLATION INTRODUCED TO REINSTATE LOW INTEREST DISASTER RELIEF PROGRAM LOANS

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

Mr. FITHIAN. Mr. Speaker, I have introduced legislation to alter the disaster relief program and to change it back to where it was prior to last year's legislation that we handled here in the House.

There are people in four counties in Indiana now who need a helping hand from our country to get back on their feet. The four counties include Marshall, LaPorte, Allen, and DeKalb. The recent floods which were highlighted on national television brought disaster to small businesses in the area and to individuals and homeowners. The change we made in the law last year will force those people to obtain as much as 15.5 percent interest rate money for the homeowners, and as much as 16 percent for small businesses.

I have introduced a bill to lower the interest rates on disaster loans back to a level where they will help citizens in those counties and in other States. I point out, however, that this is applicable to States in which we have depression-like numbers of unemployment, that is, unemployment rates of 10 percent or more. It would restore back to the pre-1981 level, so for homeowners it would mean that their interest rates would be 3 percent. For small businesses who could establish the fact that because of the economic conditions they would not be able to attain credit elsewhere, that they would then qualify for a 5-percent interest rate.

This was the law prior to the 1981 budget passage. It should be the law today. I urge my colleagues to carefully consider this legislation, to take a long and close look at the change and the difficulties that change is bringing about, and to consider this legislation for the relief of those persons, wherever they are, in States where unemployment remains that high, which is a clear indication that the economy of those communities cannot stand to undergo the increased interest rates on repairing and restoring their lives and their businesses.

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

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

## LEVITAS VETO

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

Mr. ALEXANDER. Mr. Speaker, most Members of Congress work very hard, averaging 12 hours each day in Washington, traveling to their home districts over the weekends for more work and most receive little credit outside their own constituencies for laboring in the vineyard of the people—Congress.

Thus, I was pleased to read the article by Steven Roberts published in the New York Times, Sunday, March 28, 1982, giving credit to my colleague from Georgia, Representative ELLIOTT H. LEVITAS, for his outstanding work over the last several years to institute a "legislative veto" for Congress over proposed regulations by the executive branch.

Few things are more frustrating to a Congressman than to helplessly witness the intent of Congress craftily circumvented by an unelected public servant unaccountable at the ballot box. As a rule, the voters hold the Members of Congress accountable for abuses of power by the bureaucracy.

Right on, ELLIOTT! You have rendered the Nation an invaluable service for which you deserve the praise of your colleagues.

I enclose a copy of the article for the RECORD.

[From the New York Times, Mar. 28, 1982]  
CONGRESSMEN SEEKING TURF THE EXECUTIVE  
CALLS ITS OWN

(By Steven V. Roberts)

WASHINGTON.—Soon after Representative Elliott H. Levitas came to Congress, he was visited by a group of Atlanta businessmen who objected to a new regulation issued by the Federal Trade Commission. They had tried to argue their case with a commission official, they told their Congressman, and the bureaucrat, has told them to get lost. "They were enraged," the Georgia Democrat recalled. "They had no means of holding that man accountable, and they came to me angry and frustrated."

Encounters of this sort had helped spur a movement on Capitol Hill to enact legislative vetoes, laws that give Congress the power to review and reject regulations adopted by independent agencies such as the trade commission, and executive branch departments. Mr. Levitas, a leading exponent of the veto, summed up the issue: "The question is who is going to run the country—the guys you elect or the guys you don't elect."

The movement may have reached a high point last week as the Senate voted, 69 to 25, to make almost all regulations issued by Government agencies subject to a veto by both chambers of Congress. Despite such decisive margins, the legislative veto remains a highly controversial idea. Several Federal courts have ruled the device unconstitutional; the Supreme Court has heard arguments on one case but hasn't yet issued a decision.

Opponents say that the veto provision would swamp Congress with extra work, in-

crease the power of staff members and provide a field day for special interests that would try to reverse regulations through political contributions and pressure.

No matter how lawmakers feel about the legislative veto, most agree that it is a significant development in the continuing struggle for power between the legislative and executive branches. It also reflects the frustrations with Big Government often expressed by citizens who feel their lives are controlled by "faceless decisionmakers" in Washington, as Senator Carl Levin, Democrat of Michigan, described them.

The first legislative veto was adopted in 1932, but of the 200 or so vetoes now on the books more than half have been adopted since 1970, and more than one-third have passed in the last five years. In Mr. Levitas's view, the device became more popular as the growing complexity of issues coming before Congress forced the lawmakers to delegate more responsibility to bureaucratic rule-writers. It also became a handy device for legislative compromise, as contending sides could paper over sticky issues by assuring themselves that they would always have another shot after the regulations were drafted.

But the main motivation was probably experience. Senator Levin recalled last week his days on the Detroit City Council, when Federal rule-writers "ignored local conditions" in implementing a program to deal with mortgage foreclosures and "made a mockery" of Congress's intent, in the Senator's view. "We created a class of people," the Michigan Democrat argued, "who were insulated from the political process and then we turned over to them the most important and sensitive of political issues involving the implementation of our laws."

Some of the arguments over the legislative veto are legalistic. Opponents contend that the device violates the separation of powers. Advocates retort that "rule-making is intrinsically a legislative power," as Representative Levitas put it, and that executive agencies are only carrying out functions delegated to them by Congress.

Moreover, many lawyers feel that the veto violates the "presentment" clause of the Constitution, the section of Article I that says that all laws must be "presented" to the President for his approval. The counter-argument holds that the presentment clause does not apply, because no new law is being made when a veto is exercised. Only an interpretation of the original law is being changed, not the underlying statute.

Many lawmakers share the concern of Senator Howard W. Cannon, Democrat of Nevada, that if every rule became subject to a veto, the lawmakers would be "swamped with proposed regulations and would not be able to give them the deliberation they require."

The basic issue is political power. Ronald Reagan, for instance, championed the legislative veto as a candidate, and then changed course when, once in the White House, he saw his authority threatened.

When Jimmy Carter scattered consumer activists throughout the regulatory agencies, the legislative veto became a favorite device of outraged businessmen who suddenly found themselves faced with stiffer rules and regulations. To take one example, when the Federal Trade Commission made the funeral industry provide an itemized list of services to its clients, the industry mounted a lobbying campaign on Capitol Hill and succeeded in jettisoning the rule.

The issue has dimmed a bit when Mr. Reagan's appointees now in place, but the expe-

rience of recent years led Senator John C. Danforth, a Democrat from Missouri, to argue that a widespread use of the veto would vastly increase the "special pleading" that deluges Capitol Hill.

Representative Thomas P. O'Neill Jr., the Speaker of the House, is a long-time foe of the legislative veto but he promises to allow the issue to come to the floor when the House takes up its own version of the regulatory reform bill, probably later this spring. But what bothers many lawmakers the most is the possibility that the Supreme Court will throw out the whole concept, no matter what Congress does. That could lead to "total chaos" on Capitol Hill, warned Senator Charles McC. Mathias, Republican of Maryland, since about 200 laws would have to be redrafted.

# TRIBUTE TO UDC CHAMPION BASKETBALL TEAM

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

Mr. FAUNTROY. Mr. Speaker, Members of the House of Representatives: I have the proud honor today of paying tribute to the Nation's No. 1 National Collegiate Athletic Association Division II basketball team—the University of the District of Columbia Firebirds.

On March 20, 1982, the UDC team reached the pinnacle of college athletics by winning a national championship defeating Florida Southern College 73 to 63.

The victory gives the District of Columbia the enviable distinction of being the national college basketball capital of our Nation.

I want to commend and congratulate the UDC players and coaches for their commitment to excellence. The teamwork UDC developed and utilized with impeccable skill and intelligence is a model for success in athletic achievement.

I am especially proud of the UDC team's accomplishments because many of the players come from the neighborhoods in the shadow of the U.S. Capitol Building. I hope their success at UDC will inspire young people throughout Washington, D.C., to renew faith in themselves and their ability to reach the heights of greatness.

The success of the UDC Firebirds is a great joy to me because the team's Coach, Wil Jones, is a graduate of my high school alma mater in the District—Dunbar.

Coach Jones is a skilled technician who has molded an incomparable fine-tuned athletic machine which is at once precise in its workings, awesome in its size and beautiful in action.

I want to further share with you some of the background of the coach and team of the UDC Firebirds, NCAA Division II basketball champions and



submit herewith a description of the team and its players for inclusion in the RECORD.

**COACH WIL JONES AND THE UNIVERSITY OF THE DISTRICT OF COLUMBIA FIREBIRDS**

Wil Jones is a native of the Capital City, and a product of Dunbar High School, where he was an All-Metropolitan player in both basketball and baseball. He led the city of Washington, D.C. in scoring during his senior year of high school. From Dunbar, he matriculated to American University where he gained All-American honors in both basketball and baseball. He set all scoring and offensive records at American, while in attendance, scoring over 1,900 points in 3 years of play. He is presently in the Hall of Fame at American University. After graduation from American, Wil Jones was the second draft choice of the Lakers of the NBA—behind Jerry West—but he played the majority of his pro career for the Washington Tapers—Eastern League—and the Virginia Squires—American Basketball Association.

Jones began his coaching career at Robinson High School in Fairfax, Va. in 1970, taking over a problemed program that some said was sure to fail. But Wil Jones proved them wrong, as he guided the team to a 17-6 record his first year, and a District championship. After five seasons, Wil Jones' record stood at 98-21, and included five District championships. From Robinson High School, Jones moved to the University of Maryland as an assistant coach to Charles "Lefty" Driesell in 1975. While at Maryland, in his capacity as a scout and recruiter, Wil Jones showed his talent for recruiting by bringing such players as Jo Jo Hunter, Albert King, Ernest Graham, Greg Manning, Buck Williams, Reggie Jackson, and others to the Maryland basketball program.

Jones accepted the position of head coach of the University of the District of Columbia basketball program in 1979, a program only 2 years old, with no tradition of winning, and began building his own program from the ground up. He started in motion what he called a 5-year plan to "Build a firm foundation for future basketball greatness." The first block in his firm foundation was the signing of 6'7" forward Michael Britt of Suffolk, Va., 6'3" guard Greg Carson of Washington's Spingarn High School, and 5'10" guard Mike Daniels of Cardozo High School. With these three new players and the returning veterans, Wil Jones' 1979-80 squad finished with a respectable 16-11 record.

Following that initial season, Wil Jones shocked the basketball world with the second block in his building foundation, the 6'10" center Earl Jones, the top high school prospect in the Nation. The Earl Jones signing was all the more astounding in that the University of the District of Columbia had no gymnasium of its own and the team had played its games in area high schools. But after the addition of Earl Jones, the Firebirds played their home contests in the municipal arena known as the D.C. Starplex-Armory.

During Wil Jones' second season (1980-81) at the University of the District of Columbia, his team played 17 of its 26 games on the road, but still managed to finish the season with an 18-8 record. The Firebirds, however, were disappointed when they were not extended a bid for post-season play.

In this, Wil Jones' third season, UDC set out with a goal of winning 20 games, and the aspiration of attaining a bid to NCAA post-season play. An attractive new gymna-

sium was completed on the University of the District of Columbia's new Van Ness campus and the Firebirds opened the new facility by going undefeated (16-0) on their home floor. The team finished the regular season with a 20-5 record, a No. 3 national ranking, and a bid to the NCAA South Atlantic Regional Tournament in which they were seeded as the No. 1 team. This was the first year any UDC squad has participated in post-season competition, and the first time the All-American tandem of Earl Jones and Michael Britt have had national exposure together.

The University of the District of Columbia Firebirds are now the NCAA Division II National Basketball Champions, having defeated defending champion Florida Southern College, 73-63, in Springfield, Mass., this past March 20, 1982. The team finished the season with a record of 25-5, and had both Earl Jones and Michael Britt named as All-Americans. The University of the District of Columbia is the only team in the Nation to have two of its players named to All-American status in division II.

In 3 short years, Wil Jones has coached himself to a 59-24 record (.710 percent), won a national championship, nabbed the top high school prospect in the Nation, and coached two All-Americans. His basketball program has enhanced the identity of a new university and given a city that prides itself on basketball, its first national college basketball championship.

**1982 MEN'S BASKETBALL TEAM NCAA NATIONAL CHAMPIONS**

Wil Jones, head coach, William Robinson, assistant coach, Cheryl Roberts, assistant coach, Linwood Wellington, trainer, Wallace Dooley, sports information director, George Gibb, student coach, Anthony Stewart, student manager, Orby Moss, Jr., director of athletics, Lisle C. Carter, Jr., president.

**ALPHABETICAL ROSTER**

- 44, Weaver Blondin, guard, 6'4", 200 lbs., Woodstock, Va.
- 21, Michael, Britt, forward, 6'7", 185 lbs., Suffolk, Va.
- 13, Cedric Caldwell, forward center, 6'9", 225 lbs., Washington, D.C.
- 24, Greg Carson, guard, 6'4", 180 lbs., Washington, D.C.
- 11, Jeff Carmichael, forward, 6'7", 180 lbs., Southern Pines, N.C.
- 10, Mike Daniels, guard, 5'10", 155 lbs., Washington, D.C.
- 30, Al Holland, center, 6'11", 210 lbs., Suffolk, Va.
- 31, Earl Jones, center forward, 7'0", 210 lbs., Washington, D.C.
- 15, Phillip Morgan, guard, 5'10", 170 lbs., Washington, D.C.
- 25, James Neal, forward, 6'6", 195 lbs., Washington, D.C.
- 12, Kenny Payne, guard, 6'1", 175 lbs., Washington, D.C.

**NUCLEAR ARMS DEBATE SCHEDULED FOR TUESDAY, MARCH 30**

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

Mr. McHUGH. Mr. Speaker, tomorrow during the time set aside for special orders, there will be an extended discussion on the subject of nuclear arms control, including the advisability of a nuclear arms freeze. Regard-

less of one's particular approach, there can be little doubt that this is the overriding issue of our time, and I would certainly urge all of our colleagues to attend and participate in this discussion.

I also want to thank you, Mr. Speaker, for arranging to show the film, "The Last Epidemic," over our House Broadcasting System. It can be seen tomorrow at 10 a.m. on channel 6. The film was produced by Physicians for Social Responsibility, and it is well worth the Members' time to see.

Mr. Speaker, our activities tomorrow will be an effort to foster national debate on the critical issue of arms control. In recent months, hundreds of thousands of Americans have signed petitions and voted in town meetings for a bilateral freeze on all United States and Soviet nuclear weapons. Similarly, special opinion polls have demonstrated overwhelming support for renewed arms control negotiations and a growing concern over the prospect of nuclear war.

All of this reflects the growing sense among Americans and others that we must control nuclear weapons. I share that view, and thus urge all of my colleagues to join with us tomorrow in debating solutions to the nuclear arms race.

**VIETNAM VETERANS RECEIVE OVERDUE RECOGNITION**

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

Mr. WON PAT. Mr. Speaker, I was privileged to attend the groundbreaking ceremonies on March 26 for the Vietnam Memorial ceremony here in Washington, D.C.

As a member of the House Armed Services Committee and the House Veterans' Affairs Committee, I have long urged that this Nation establish a memorial to those who fought, and all too often died serving the United States in Vietnam. These brave men and women have in many respects become the forgotten soldiers of America. In our efforts to forget that terrible and undecided war we tend to forget the heroic deeds of those who went into combat for their country.

One of the most remarkable aspects of the Vietnam veterans is that they served without question in a war that was widely questioned at home. This was particularly true of the hundreds of veterans from Guam who gave of themselves unselfishly in Vietnam. The fame of Guam's soldiers is justly widespread, but few know that more Guamanians died in combat in Vietnam based on total population figures than did the residents of any other American State or territory.

Those from Guam who died in Vietnam will have their names engraved on the memorial along with the names of over 50,000 other Americans who died in that tragic war.

The time has come for this Nation to stand up and honor our Vietnam veterans. They deserve our appreciation no less than the veterans of other conflicts. I am proud of their love for this Nation and am pleased to salute the veterans of Guam and every State and territory. Thank you.

#### CONGRESS MUST MATCH PUBLIC INTEREST IN NUCLEAR ARMS FREEZE

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

Mr. SEIBERLING. Mr. Speaker, following the close of the regular business tomorrow, various Members are joining under the leadership of Congressman LEACH of Iowa to discuss the issue of the nuclear arms race and what we can do about it. There are various resolutions pending; the so-called nuclear freeze resolution, and others that we will be discussing at that time, as well as the nature of the terrible threat hanging over mankind.

I think the Members of the House might be interested to know that I have just completed tabulating 7,000 individual returns from my annual questionnaire to the voters of my district, and the number who support a nuclear arms freeze is 80 percent. This is an amazing development.

This survey is, if anything, biased in a conservative direction, since those who cannot afford or do not wish to spend 20 cents on a stamp or are not particularly interested in public issues do not bother to fill out the form. I believe this reflects a tremendous interest throughout the country, on this issue, and I hope it will be met by a similar interest here in the House.

Mr. Speaker, the Washington Post for Sunday, March 21, contained an outstanding article by Roger Molander, a former nuclear strategist on the staff of the National Security Council. Mr. Molander, after years of working on nuclear strategy, concluded that nuclear war could occur far more easily than people in the White House, in Congress, and in the country seemed to realize.

I offer the full text of Mr. Molander's article following these remarks.

[From the Washington Post, Mar. 21, 1982]

#### HOW I LEARNED TO START WORRYING AND HATE THE BOMB

(By Roger Molander)

I was introduced to nuclear war in the mid-1950's, hiding under my school desk during civil defense drills, hoping the Russian bombers would never come. It never

crossed my mind then that I would someday be working on nuclear strategy at the White House, hoping still that nuclear war would never come—and realizing how easily it might.

I came to Washington in the 1960's to work for a defense think tank, and within a few months I found myself at an Albuquerque conference, sitting in a Holiday Inn bar listening to war stories. Nuclear war stories. That's part of the nuclear trade—making fun of yourselves, trying to find ways not to take yourself too seriously, even having a good time now and then.

My favorite tale that night was about Rarotonga, a dreamy island in the South Pacific. For several months in the early 1960's it was an outpost for a two-man crew manning a radar that observed atmospheric weapons tests, clearly a hardship assignment. The men's only contact with civilization was a weekly supply plane, which kept breaking down on the island.

In fact, it broke down so often that the regional military commander sent a special mission force to find out what was up. The special mission discovered that Rarotonga was a Polynesian paradise with lush tropical fruits and affectionate maidens straight out of a Gauguin painting. Rarotonga was taken off the hardship duty list.

Within a year or so, my think-tank studies of weapons effects gave way to studies of the weapons themselves and to communications systems and missile warning systems. Then came nuclear "exchange" calculations: our missiles against their missiles, their missiles against our bombers, their subs against our bombers—endless combinations.

There were no people involved in these "exchanges," only calculations. It was a curious fiction, never discussing the humans at the military installations or the industries or the cities. I guess that made it easier on the targeters in Omaha, the people there in charge of launching the missiles or the bombers, and the analysts like me.

I recall one Saturday a colleague came into the think tank office with his wife to find me sticking different-colored pins—representing different-sized weapons—into a map of the Soviet Union. Add a pink pin for Minsk—another 200,000 dead. My colleague's wife was horrified. But when the pin went into Minsk or Moscow, I didn't see people working or children playing. I assumed that someone above me in the system thought about those things. I just stuck in the pins.

In 1969, the Strategic Arms Limitation Talks (SALT) began, and I found myself trying to find the combinations of weapons limitations and verification provisions that would be acceptable to us and our allies as well as to the places where the pins were being stuck. At first blush the problem looked easy to me. But an older colleague told me I had a lot to learn. He was, of course, correct.

Within a month I had met the first of a small but not unimportant community of people who violently opposed SALT for a simple reason: It might keep America from developing a first-strike capability against the Soviet Union. I'll never forget being lectured by an Air Force colonel about how we should have "nuked" the Soviets in the late 1940s before they got The Bomb. I was told that if SALT would go away, we'd soon have the capability to nuke them again—and this time we'd use it.

As the SALT negotiations began in earnest, I dug into studies at the think tank for the Pentagon—and immediately came face

to face with the ultimate questions of the nuclear war trade: How much is enough? What is the "threshold of pain" for the Soviet decision-makers? What level of destruction will deter Soviet attack? Is it measured in industrial capacity? In war machines? In Soviet citizenry? In some arcane combination of these and other factors which a careful reading of Russian history and of recent articles in Red Star would divine?

My rite of passage was complete. The scientist—whose main interest in graduate school was trying to obtain commercially useful energy from controlled fusion—had become the policy analyst playing nuclear war. The policy analyst went to the White House.

I was at the White House's National Security Council only a few months when it was time for a SALT negotiating session to begin in Geneva. One of Secretary of State Kissinger's division heads asked me to draft a set of instructions for the American delegation. I asked what to put in the instructions—and was told just to do a draft on my own, with one cover memo to Kissinger and another from Kissinger to the president.

Three days later I got the package and the instructions back. The person who had asked for the draft had not changed a word. Nor had Kissinger. Nor had the president. The instructions were on their way to Geneva. I swallowed hard.

Those people above me who were supposed to be thinking about the Big Questions were relying on me to think about those things. I was to make decisions in the nuclear war trade, not just stick in pins. So I began to think about many things.

I thought about the fact that nobody else around the White House seemed to understand nuclear war issues better than I did; knowing my limitations, that did not reassure me. I thought about the organizational chaos at the White House, the haphazard way decisions often were reached. I thought about the minimum amount of time the president had to spend on nuclear war issues, his ultimate responsibility. I thought about the former presidential science adviser, similarly struck by the way major decisions are made, who asked, "Where are the grown-ups?"

His comment is apt. There is a good deal of childish behavior in the White House, including temper tantrums. The last place I expected to find adults losing control of themselves was in White House rooms with nuclear war planners. But there the tantrums were—directed at officials of other countries, at briefing books, at staff, at other high U.S. officials, at almost anything you can think of. I had hoped that the White House's nuclear war business was in the hands of people who were rational and calm under pressure. I was learning.

In time I learned to live with all of this. But to friends—who asked questions like "Not going to get blown up soon, are we?"—I confided that it was the ultimate example of "in the land of the blind, the one-eyed man is king." Many thought I was joking. I wasn't.

As the shock of these experiences wore off, I joined with some of the most dedicated people I have ever met in trying to help the president perform the hardest job in the world. I watched three presidents who were deeply concerned about the problem of preventing nuclear war leave the White House with a sense of frustration. Each sought to leave the American people with a legacy of security with respect to nuclear



war, a confidence that nuclear war would not happen. Each failed.

I felt that same sense of frustration and failure, especially in early 1980, when the struggle to save SALT II and the work of three administrations ended with the Soviet invasion of Afghanistan. I had expected to spend the first few months of 1980 carrying the case for the treaty—"modest, but useful," in the words of the Joint Chiefs of Staff—to the Senate floor. I knew it would be a real challenge: I had discovered that most of the senators on the Armed Services and Foreign Relations committees—those making critical decisions, to say nothing of endless speeches—lacked even a rudimentary understanding of the nuclear war business.

When SALT II was defeated, I had some time to ponder how we had gotten ourselves into the awful mess we were in.

The factor that stood out in my mind was the seeming lack of understanding of just how great the chance of nuclear war really was.

I had seen how the White House and the so-called chain of command operated—and assumed the Russians were probably worse. I knew how poorly we understood the Russians—and how poorly they understood us. I could see the rising problem of nuclear proliferation vastly increasing the risk of superpower confrontation.

Adding it all up was unsettling. There was altogether too much opportunity for machine error, for human error, for errors in judgment. Nuclear war could occur far more easily than people in the White House, in Congress and in the country at large seemed to realize.

In Thomas Pynchon's prize-winning novel "Gravity's Rainbow," two of the major figures, a statistician and a Pavlovian psychologist, debate the driving force behind human events. The statistician claims it's mostly random and unpredictable—a lot of balls bouncing off each other governed primarily by the laws of probability. The Pavlovian argues for a world dominated by cause and effect, stimulus and response. I vote with the statistician.

If nuclear war comes and any historians survive, they will marvel at the role of chance in its genesis, its escalation, its grim conclusion.

Some chance events—which have taken us closer to the brink than is realized—have of course already occurred. There was the mid-1960s incident in which U.S. radar mistook the rising of the moon for a missile attack. There was the 1979 mishap in which a computer with a practice Soviet missile attack tape on it was accidentally introduced into an operating missile warning system. There was the 1980 accident in which a microchip failed in a computer at Strategic Air Command headquarters in Omaha and the B52s almost took off.

These unintended happenings can be multiplied by presumed mishaps on the Soviet side and by additional mistakes in other nations which have acquired, or are in the process of acquiring, nuclear weapons. It is by no means inconceivable that next time, rather than on a calm day when we and the Soviets are merely at our normal levels of enmity, a false alarm will occur in an atmosphere of crisis, with somebody suddenly heading for the Hot Line and trying to explain that it was just a mistake.

Ah, yes, the Hot Line. How many people know that it's a slow teletype machine, and that its use suffers from the usual problem of getting a good translation? I had wit-

nessed two incidents in the SALT negotiations in which the United States and the Soviet Union had profoundly misunderstood each other in this fashion.

The first was at Vladivostok in 1974, when President Ford and Secretary Kissinger had come home in triumph with an agreement that was found to be no agreement at all when the sides tried to write it down in agreed language. A similar incident took place in the early months of the Carter administration, when an agreement on limiting new types of ICBMs evaporated into thin air over a language disagreement.

What if one of these "misunderstandings" took place in a crisis as the sides tried to control further escalation, rather than in the midst of a seven-year negotiation? In the nuclear war business, we cannot afford to lose anything in the translation.

It was also chance that these thoughts coincided with the birth of my second child.

There's something in the birth of a child—or the death of a loved one—that is a reminder of both the miracle and the fragility of life. Now there she was, a new person, a new being, demanding the right to live, to find out "why she came." And here I was, thinking of the risks of nuclear war.

I held forth on all this to a friend late one night when most sensible people have gone home or to bed. I railed away at the absurdity of the situation we Americans found ourselves in—living in an imperfect world with imperfect machines and imperfect people making decisions on subjects they only partially understood. Something had to be done.

Clearly, at the root of the problem is that the public has scarcely any reliable information with which to develop thoughtful opinions about American nuclear policy. Policymakers, therefore, have little serious sense of public opinion to guide them.

Sure, there are polls on the nuclear questions. But nowhere do these polls tell us about the difficult decisions and trade-offs involved. We know from polls, for example, that two-thirds of the nation wants to pursue arms control with the Soviet Union—and that at the same time two-thirds doesn't trust the Russians to adhere to such accords. Do Americans, therefore, want arms control negotiations or not? The polls, in their simplicity, have been part of the problem.

A larger part of the problem is that no effort has been made by the government to maintain public concern and understanding about the fundamental questions of nuclear war. Perhaps this is understandable. What president is going to send a message to the nation that he and his colleagues are losing their grip on the nuclear war issue? Public interest groups have made some effort, but they are small, uncoordinated, often suspected of being "softheaded lefties," and expend most of their energy in Washington.

It was clear that something was wrong, that the link between policymakers in Washington and the people we served was far too weak. We didn't understand their fears and frustrations; they didn't understand the complicated bases of our decisions. Only by providing careful and thorough information to public and to officials can we avoid the hysteria we often find on both the extreme left and right.

My interest in doing something about all this waned as daily life took over again—until chance intervened once more in the form of the abortive attempt to rescue the American hostages held in Iran in April 1980.

The day after the raid, as we waited to see how the Iranians would react and what fate held in store for the hostages, I encountered a friend, a general, in the halls of the Old Executive Office Building. We both knew all too well that the favorite Pentagon war game scenario for the start of World War III was a crisis in Iran. Now we had one. What if the Iranians killed the hostages? What would the Russians do if we retaliated?

We talked about the uncertainties, and as the conversation drew to a close, he said, "You know, I called my kids last night." He hesitated and then continued, "I never call my kids." His kids were grown up, and I knew what he was saying: Was this it?

The final chance event that confirmed my determination to help correct our flaws involved another military officer. It happened at a meeting in the Pentagon when a Navy captain offered the view that people in this country and Europe were getting much too excited about the consequences of nuclear war. He argued that people were "talking as if nuclear war would be the end of the world when, in fact, only 500 million people would be killed."

Only 500 million people. I remember repeating it to myself: Only 500 million people.

Then he went on to argue that within a generation, genetic engineering would make people immune to radiation. I reached for my hat, suddenly knowing how Woody Allen felt in "Annie Hall" when he excused himself from a conversation with the plea that he had "an appointment back on planet Earth."

□ 1215

#### SOVIET ESPIONAGE ON CAPITOL HILL

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

Mr. BROOMFIELD. Mr. Speaker, I want to note for my colleagues' attention the article which appeared in last Sunday's Washington Post by Howie Kurtz concerning Soviet espionage activities on Capitol Hill. I am outraged that Soviet agents are permitted to roam through offices and meeting rooms of this body without so much as notifying a central office in the Congress, the Attorney General, and the State Department. This article reminds me of an episode presented on "60 Minutes" on January 28, 1980, which described, in detail, Soviet espionage activities in the United Nations. Those activities, including the infiltration of the U.N. Secretariat, subsidized by the U.S. taxpayer, are a disgrace.

Regarding Soviet attempts to gather information in Congress, I will be sending letters to the appropriate Federal Government authorities demanding a tightening up of our security procedures on Capitol Hill and calling for an enhanced monitoring of Soviet activities. Security is far too lax in the Congress. Members and staff alike do not fully appreciate the complete

scope of Soviet operations against this body.

At a time when our own legitimate diplomats are denied normal access to policymakers in Moscow, I find it outrageous that Soviet spies are allowed to infiltrate the Congress of the United States.

#### A TRIUMPH FOR DEMOCRACY

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

Mr. MICHEL. Mr. Speaker, It would appear that the voter turnout in El Salvador has exceeded the expectations of even the most optimistic observers.

The only ones who are disappointed by this turnout are those who have been trying to hand over El Salvador to the Marxist-Leninist terrorists and those who demanded that these same terrorists be included in a government before elections were held.

No one can say with certainty what will happen next in El Salvador. But history will record that for one brief, shining moment amidst the darkness of war, the people of El Salvador spoke.

They spoke of their faith in democracy over violence they spoke of faith in themselves rather than in totalitarians who would rule by force.

We have heard it said that it is contradictory or hypocritical for the United States to support Duarte's government while we condemn the Government of Poland.

To that I say: Let the current Government of Poland hold such elections as we have seen in El Salvador, and it will have this gentleman's support tomorrow.

#### PARITY FIRST, THEN NUCLEAR FREEZE

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

Mr. CARNEY. Mr. Speaker, there is a growing frustration throughout this country about the nuclear arms competition between the superpowers.

We in Congress share that frustration and are deeply concerned about its dangerous implications.

A nuclear war would cause incomprehensible destruction and human misery. The prevention of such a catastrophe is one of the greatest challenges facing our planet.

During the past 15 years, the Soviet Union has undertaken the largest military buildup in the history of the world. As a result, there exists an imbalance in the nuclear forces of the United States and Soviet Union which is destabilizing and could increase the likelihood of nuclear war.

The imbalance is even more pronounced in the areas of conventional

weaponry, where the Soviet Union's historical edge is ever expanding.

This current imbalance is dangerous and unacceptable. Therefore, I am introducing a bipartisan concurrent resolution calling for a long-term mutual and verifiable nuclear weapons freeze at equal and sharply reduced levels of forces.

A freeze at current levels would perpetuate the current instability. This is not enough. A mutual and verifiable freeze must occur at equal and substantially lower levels of forces, if it is to contribute to peace and stability.

It is important to note that I share the concern of those members who have sponsored or signed other resolutions. My difference with them is not in our ultimate goal of a more stable and peaceful world, but in the means toward achieving that goal.

This resolution has been introduced in the Senate by Senators JACKSON, WARNER, BYRD, NUNN, LUGAR, BENTSEN, and COHEN, and it has attracted better than 30 cosponsors.

I urge my colleagues to join myself, Mr. MICHEL, Mr. LOTT, Mr. MURTHA, Mr. STRATTON, Mr. CHENEY, Mr. EMERY, Mr. RINALDO, Mr. GILMAN, Mr. DICKINSON, and Mr. MADIGAN in cosponsoring this resolution.

#### AN OPPORTUNITY FOR REASSESSMENT OF AMERICA'S POLICY

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

Mr. LEACH of Iowa. Mr. Speaker, yesterday's election in El Salvador, with its stunningly high voter turnout, provides the administration a momentous opportunity to reassess American policy in Central America.

Now is the time to remove our advisers, to rule out U.S. military or paramilitary intervention, and to endorse forthrightly President Lopez Portillo's offer to negotiate a political solution to regional differences. As the El Salvador election proved, even in revolutionary settings people prefer the ballot box to decisions based on resorting to the use of force.

Tomorrow, Mr. Speaker, a series of special orders has been taken out to discuss the arms race and conflict resolution in general. It is designed to provide an opportunity for wide-ranging perspectives to be reflected, and I hope as many Members of the House as possible will participate.

#### PRESIDENT SIGNS FLEXTIME EXTENSION

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

Mr. PARRIS. Mr. Speaker, on last Friday, March 26, the President signed

into law an extension of the flexible and compressed workweek program which was set to expire today. This was an important victory for Federal employees and the extension will give us 120 days to finalize the details of a permanent program.

While I am elated that we adopted this extension, I am concerned that some Federal agencies may decide to drop out of the flexitime program. I urge agency officials to continue their participation in this very beneficial program. The Federal Government benefits from the program because of increased morale and productivity. The general public benefits from flexible work schedules because increased operational hours has meant greater accessibility to services being offered by the various agencies.

Although a permanent agreement on flexitime has not yet been finalized, this was an important first step and I am optimistic and confident that a permanent solution will be found within the extension period if OPM, the employee unions, and leaders in Congress continue their negotiations in good faith.

#### INTRODUCTION OF THE ENERGY EQUITY ACT OF 1982

The SPEAKER pro tempore (Mrs. SCHROEDER). Under a previous order of the House, the gentleman from Illinois (Mr. CORCORAN) is recognized for 15 minutes.

Mr. CORCORAN. Madam Speaker, I am pleased today to introduce the Energy Equity Act of 1982. This legislation is the result of extraordinary cooperation among the members of the Energy and Commerce Committee and the Banking Committee, and joining me as original cosponsors are my colleagues, Mr. EVANS of Delaware, the ranking Republican on the International Institutions Subcommittee of the Banking Committee; Mr. BROYHILL, the ranking Republican on the Energy and Commerce Committee; Mr. RINALDO, the ranking Republican on the Select Committee on Aging; and Mr. MADIGAN, the ranking Republican on the Health and Environment Subcommittee of the Energy and Commerce Committee.

I would also like to mention a few of the numerous organizations which have been involved in the drafting or have been asked to review this important bill: The National Oil Jobbers Council, the National Association of Homebuilders, the Environmental Policy Center, the Northeast Coalition for Energy Equity, the National Association of Realtors, the National Consumer Law Center, and the National Council of State Housing Agencies, among others.

The Energy Equity Act is a break from the past. I might remind my col-



leagues on the other side of the aisle who are born-again budget balancers—it was President Carter in 1979 who first told the American people the windfall profits tax revenues would not go to help the poor pay fuel bills but would instead go to pay for the \$88 billion Synthetic Fuels Corporation.

I remind my colleagues it was the Democratic leadership of this House—in particular, my friend and distinguished colleague, the majority leader from Texas—who in 1980 asked us to agree with the Carter administration's request and increase Federal synfuels subsidies from a \$3 billion demonstration program to a massive \$88 billion Government corporation. Under pressure from President Carter and the majority leader, the House passed the Energy Security Act in June 1980.

I remind my colleagues that it was the Democratic leadership again which, in early 1981 when the Reagan administration was considering abolishing the Synthetic Fuels Corporation, wrote the President and asked him to spare synfuels from the slash of OMB.

As our former colleague, Bob Eckhardt, wrote at the time:

If the House Democrats do not wish merely to win a few battles and badly lose the war which is now being waged against the poor, they had better choose their priorities more carefully. . . . it will be hard enough to save programs essential to a humane and developing society without taking on the burden of defending programs which guarantee profitable sale of even unprofitably produced synthetic fuel.

In 1980 the synfuels bulls were on stampede, but today it appears the Synfuels Corporation has been put out to pasture as a sacred cow.

The Energy Equity Act will not let that happen.

The Energy Equity Act will not let synfuels developers get high on the hog at the public trough while Congress continues to cut social programs. The Energy Equity Act will not let the Synfuels Corporation subsidize multinational companies and the Governments of Kuwait and Japan while our Nation's homebuilders and realtors face catastrophe and the needy get no help with their fuel bills. The time has come to abolish the Synthetic Fuels Corporation and allocate our whole resources to the critical problems at hand.

For this reason, we have written the House leadership asking that the Energy Equity Act be given the same accelerated consideration that Congress gave the Synthetic Fuels Corporation legislation in 1979. The emergencies we face in 1982 in social programs and in the housing industry are every bit as critical as the gaslines in 1979—especially since gaslines were caused by Government regulation in the first place, not lack of synfuels.

The purpose of the Energy Equity Act is simple: It will do three things:

No. 1, the Energy Equity Act will once and for all restore the promise and repair the breach of faith between Congress and the American People which occurred in 1980 when President Carter and the Democratic Congress—including the Democratic leadership of this House—created an \$88 billion synfuels boondoggle and then took the money to fund it from the windfall profits tax revenues which they had promised to the poor.

Our bill will impose an "energy equity fee" on all sponsors of synfuels projects who receive Federal subsidies from the U.S. Synthetic Fuels Corporation prior to September 30, 1982. The "energy equity fee" will be 20 percent of the amount of Federal financial assistance awarded each project. The proceeds will be deposited in an "energy equity account" in the Treasury and made available only for low-income home energy assistance, weatherization assistance, and an emergency program of aid to our Nation's housing industry.

In other words, we are saying the Federal trough is off limits to the energy greedy unless they aid the energy needy.

We estimate, if \$5 billion in synfuels subsidies are awarded before September 30, 1982, our "energy equity fee" will raise \$1 billion in extra funds to help the needy pay fuel bills next winter and help pull our Nation's housing industry out of its catastrophic slump by the end of the year.

No. 2, the Energy Equity Act will reduce the Federal budget deficit by reducing Federal subsidies to big corporations to build uneconomic synthetic fuels plants. Our bill will immediately repeal \$68 billion in funding authorized for the U.S. Synthetic Fuels Corporation in the Energy Security Act and terminate all other funding authority for Federal synfuels subsidies by September 30, 1982. This will reduce the immense intrusion of the Corporation into credit markets, and thus will assure that more private capital is made available this year for currently economic and energy-efficient activities, rather than for uneconomic synfuels projects. We estimate abolishing Federal credit assistance to synfuels boondoggles will this year alone free millions of dollars into the economy which otherwise would be tied up in the lines of credit set aside for these huge projects.

Synfuels were a pig-in-a-poke in 1980, and they are a pig in the taxpayers' pockets now. When interest rates are high and we are trying to control Federal spending, it is absolutely outrageous, preposterous, and idiotic that the Federal Government is making \$15 billion available to subsidize synfuels follies.

No. 3, the Energy Equity Act will automatically transfer to the energy equity account 50 percent of synfuels funds uncommitted to synfuels projects by September 30, 1982. These uncommitted funds—which could total as much as \$5 billion by September 30, 1982—would then be available for loans and loan guarantees to States and local governments for fuel assistance, low-income weatherization, and even an emergency program of mortgage interest subsidies to help American home buyers.

The other 50 percent of uncommitted funds would be returned to the Treasury as miscellaneous receipts and thus help reduce Federal borrowing. I am pleased that Mr. Evans of the Banking Committee has joined with me on the Energy Equity Act, and it was with his sound advice that we included this set-aside of Federal credit for housing assistance as an integral element of the legislation.

I would like to remind my colleagues that by itself abolishing the Synthetic Fuels Corporation will have a positive effect on the economy, on jobs creation, and on the Federal budget deficit. The big companies which have applied for Federal synfuels subsidies are right this minute asking the U.S. Treasury to guarantee that up to \$15 billion in commercial credit will be set aside for uneconomic synfuels projects—when that \$15 billion would otherwise be available for home mortgages, credit to home heating customers, new businesses, car loans, plant modernization, or to finance the Federal budget deficit without crowding out private borrowing.

For this reason, I have cosponsored H.R. 5404 introduced by Mr. Brown of Colorado 2 months ago to abolish the Synthetic Fuels Corporation. The Energy Equity Act recognizes that abolishing the corporation is the ultimate goal, by including a section stating that the Energy Equity Act will not be effective if the corporation is repealed by prior enactment. I commend my colleague, Mr. Brown, for his leadership on this issue.

The Energy Equity Act, however, is designed to immediately address the short-term mischief the Synthetic Fuels Corporation is causing in the credit markets. If this Congress does not enact the Energy Equity Act in the next few months, we will witness nearly \$5 billion in synfuels subsidies awarded to turkey projects at the same time this Congress is struggling to reduce the budget deficit and maintain critical social programs. And if we in Congress sit still for this outrageous boondoggle 1 minute, I would say we should get what we deserve: a posse of 200 million strong to descend on Capitol Hill to "throw the rascals out."

I commend the Energy Equity Act to my colleagues as a start toward fiscal integrity.

I include herewith a copy of the Energy Equity Act and a section-by-section analysis, as follows:

H.R. 5977

A bill to amend the Energy Security Act to finance low-income home energy assistance and weatherization through an additional fee on awards of financial assistance provided by the Synthetic Fuels Corporation, to terminate activities of the Corporation by September 30, 1984, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SHORT TITLE

SECTION 1. This Act may be cited as the "Energy Equity Act of 1982".

#### FINDINGS AND PURPOSES

SEC. 2. (a) The Congress finds—

(1) that, in enacting the Windfall Profit Tax Act of 1980, Congress entered into an understanding with the American people that at least one-quarter of the Federal tax revenues from the windfall profit tax would be allocated for aid to low-income households, including a program of emergency energy assistance;

(2) that, in establishing the Synthetic Fuels Corporation in title I of the Energy Security Act, Congress provided for authorizations of \$88 billion in Federal tax revenues for financial assistance to corporations and individuals for the development of a domestic synthetic fuels industry;

(3) that reductions in the Federal budget deficit and in Federal borrowing are in the vital national interest at a time of high interest rates;

(4) that expenditure of \$88 billion in Federal revenues for aid to the synthetic fuels industry would constitute a breach of the understanding the American people have with Congress concerning the allocation of revenues from the Federal windfall profit tax for aid to low-income households; and

(5) that such Federal expenditure of \$88 billion for aid to the synthetic fuels industry would also increase the budget deficit, raise interest rates to the average American family, and unfairly subsidize currently uneconomic energy sources at the expense of low-income fuel aid and weatherization assistance.

(b) The purposes of this Act are to—

(1) assure emergency energy assistance and weatherization assistance consistent with the commitment of Congress under the Windfall Profit Tax Act of 1980, and to provide funds for housing assistance;

(2) reduce the Federal budget deficit, Federal borrowing, and Federal intrusion in the credit markets;

(3) require recipients of Federal synthetic fuels subsidies to contribute private earnest money as a condition precedent to obtaining Federal financial assistance;

(4) require private earnest money collected by the Synthetic Fuels Corporation under this Act to be deposited in an Energy Equity Account in the Treasury and made available for low-income energy assistance and weatherization assistance and for housing assistance; and

(5) repeal congressional authorization for \$68 billion in additional Federal synthetic fuels subsidies under section 126 of the Energy Security Act and terminate the Syn-

thetic Fuels Corporation by September 30, 1984.

#### ENERGY EQUITY FEE

SEC. 3. Section 139(b) of the Energy Security Act (42 U.S.C. 8739(b)) is amended by inserting "(1)" after "(b)" and by adding at the end thereof the following new paragraphs:

"(2) The Corporation shall also prescribe and collect a fee prior to the awarding of any financial assistance pursuant to this part equal to 20 per centum of the amount of such financial assistance, as computed in accordance with section 152. Sums realized shall be deposited in the Energy Equity Account and shall be used solely for low-income home energy assistance and weatherization and for housing assistance, as provided in section 5 of the Energy Equity Act of 1982.

"(3) Any fee under paragraph (2) shall not be considered under this title as a cost for purposes of determining the total cost of any synthetic fuel project or otherwise taken into account in determining the amount of financial assistance which may be provided."

#### SYNTHETIC FUEL FUNDS UNOBLIGATED AT END OF FISCAL YEAR 1982

SEC. 4. Section 195 of the Energy Security Act (42 U.S.C. 8795) is amended by adding at the end thereof the following new subsection:

"(d)(1) Amounts appropriated under this section may be used only to purchase notes and other obligations of the Corporation necessary for awards and commitments for financial assistance made on or before September 30, 1982.

"(2)(A) 50 percent of all other amounts appropriated under this section, including amounts allocable to awards and commitments made on or before such date but which are nullified or voided after such date and before September 30, 1983, shall be deposited as miscellaneous receipts of the Treasury.

"(B) The remaining 50 percent of such amounts shall be deposited in the Energy Equity Account and shall be used solely for low-income home energy assistance and weatherization and for housing assistance, as provided in section 5 of the Energy Equity Act of 1982."

#### ENERGY EQUITY ACCOUNT

SEC. 5. (a) The Secretary of Treasury shall establish in the Treasury of the United States an account to be known as the "Energy Equity Account" (hereinafter in this subsection referred to as the "Account"), which shall consist of—

(1) amounts transferred to the Account under section 139(b) of the Energy Security Act (relating to the energy equity fee), and

(2) amounts transferred to the Account under section 195(d) of such Act (relating to amounts unobligated by the Synthetic Fuels Corporation).

(b) Subject to subsection (c) and any applicable authorization of appropriations and as provided in advance in appropriation Acts—

(1) two-thirds of the receipts of the Account shall be available—

(A) for low-income home energy assistance under the Low-Income Home Energy Assistance Act of 1981 (95 Stat. 893 and following), and

(B) to the Secretary of Treasury to provide grants to States for residential weatherization or other energy-related home repairs for low-income households in accordance with regulations prescribed by the Sec-

retary of Treasury (after consultation with the Secretary of Health and Human Services and the Secretary of Energy); and

(2) one-third of the receipts of the Account shall be available for providing assistance (either directly or as offsets for revenue reductions) to encourage the production and sales of housing (including mortgage revenue bond programs) in accordance with regulations which the Secretary of Treasury shall prescribe (after consultation with the Secretary of Housing and Urban Development).

(c) Amounts in the Account referred to in subsection (a)(2) may be used for assistance under subsection (b) only in the form of loans or loan guarantees.

#### SYNTHETIC FUELS CORPORATION TO TERMINATE AFFAIRS SEPTEMBER 30, 1984; NO FURTHER APPROPRIATIONS AUTHORIZED

SEC. 6. (a) Section 191 of the Energy Security Act (42 U.S.C. 8791) is amended to read as follows:

#### "DATE OF TERMINATION

"SEC. 191. Notwithstanding any other provision of law—

"(1) the Corporation shall make no new awards or commitments for financial assistance under subtitle D for synthetic fuel projects after September 30, 1982;

"(2) the Corporation shall terminate on September 30, 1984: *Provided, however,* That the President, on recommendation of the Board of Directors, may by Executive order terminate the Corporation at an earlier date; and

"(3) no funds are authorized to be appropriated after the date of the enactment of the Energy Equity Act of 1982."

(b) Section 126 of the Energy Security Act (42 U.S.C. 8722) is amended—

(1) in subsection (b), by striking out paragraph (4);

(2) in subsection (c)(5), by striking out "and — dollars are hereby authorized to be appropriated" and all that follows down through "Corporation", and by striking out ", and the second blank space therein being filled with the appropriate dollar figure";

(3) in subsection (c)(9)(A), by striking out all that follows "(A)" and inserting in lieu thereof "No amendments except pro forma amendments shall be in order."; and

(4) in subsection (c), by striking out paragraphs (10) and (11).

#### DISTRIBUTION EFFICIENCY IN LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM

SEC. 7. (a) Section 2605(b) of the Low-Income Home Energy Assistance Act of 1981 (95 Stat. 898) is amended by striking out "and" at the end of paragraph (12), by striking out the period at the end of paragraph (13) and inserting "; and" in lieu thereof, and by inserting after paragraph (13) the following new paragraph:

"(14) consider, and utilize to the extent feasible, a system under which vouchers are distributed to participating households and used by such households to obtain home energy from home energy suppliers."

(b) The amendment made by subsection (a) shall apply with respect to allotments for assistance under such Act for fiscal years beginning after September 30, 1982.

#### EFFECTIVE DATE

SEC. 8. (a) Subject to subsection (b), this Act (including the amendments made by this Act) shall take effect on the date of the enactment of this Act.

(b) This Act shall not take effect if part B of title I of the Energy Security Act (estab-



lishing the Synthetic Fuels Corporation) is repealed before such date of enactment.

#### FACT SHEET—HOW THE ENERGY EQUITY ACT WILL WORK

The Energy Equity Act will abolish the Synthetic Fuels Corporation and make \$3-\$7.5 billion available for low-income energy assistance, weatherization, and an emergency program of aid to the Nation's housing industry. Here is how it will work:

The Energy Security Act of 1980 established the Synthetic Fuels Corporation ("SFC") and authorized it to provide up to \$88 billion in financial assistance to synthetic fuels projects.

The Fiscal 1980 Interior-Related Agencies appropriations bill appropriated \$20 billion which was deposited in the Treasury and made available for financial assistance to synfuels projects by the Synthetic Fuels Corporation.

The Synthetic Fuels Corporation currently has \$14.6 billion in unobligated and uncommitted funds available to it for assistance to synfuels projects. The Corporation is currently considering awarding \$4.5 billion in financial assistance by September 30, 1982 to projects whose sponsors have applied under the Corporation's first solicitation. The Corporation has published a second solicitation for projects; however, awards under the second solicitation are unlikely before the end of 1982.

The Energy Equity Act would do 5 things: Immediately repeal \$68 billion in funding authorized for the SFC in the Energy Security Act and terminate all other financial authority of the SFC by September 30, 1982. The SFC itself would be repealed effective September 30, 1984. This would reduce the immense intrusion of the Synfuels Corporation on credit markets and thus would assure that more private capital is made available for currently economic and energy efficient activities, rather than for uneconomic synfuels projects.

Impose an "energy equity fee" on all sponsors of synfuels projects who receive financial assistance from the SFC prior to September 30, 1982. The "energy equity fee" will be 20% of the amount of Federal financial assistance awarded each project, and in effect would increase the minimum private participation required of each project sponsor from 25% of the total costs of the project to 37.5%.

The proceeds of the "energy equity fee" will be deposited in an "Energy Equity Account" in the Treasury.

If all \$15 billion in uncommitted SFC financial assistance were awarded by September 30, 1982, the "energy equity fee" would raise \$3 billion.

50% of all SFC funds which have not been committed to synfuels projects by September 30, 1982 will automatically transfer to the Energy Equity Account as authority for loans and loan guarantees. The remaining 50% of uncommitted SFC funds will be returned to the Treasury to reduce Federal borrowing.

For example, if \$8 billion in synfuels funds remained uncommitted as of September 30, 1982, \$4 billion would be transferred to the Energy Equity Account and \$4 billion would be returned to the general Treasury.

Two-thirds of the funds deposited in the Energy Equity Account will be available for low-income home energy assistance and for weatherization assistance to low-income families.

As an example, if the "energy equity fees" and transferred SFC funds deposited in the Energy Equity Account totaled \$6 billion as

of September 30, 1982, \$4 billion would be available for low-income home energy assistance and weatherization assistance in Fiscal 1983.

One-third of the funds deposited in the Energy Equity Account will be available for emergency assistance to the American housing industry, including revenues to off-set revenue losses under any mortgage revenue bond program for low and moderate income home buyers.

As an example, if the funds in the Energy Equity Account total \$6 billion as of September 30, 1982, \$2 billion will be available for assistance to the American housing industry, homebuilders, and home buyers in Fiscal 1983.

The Energy Equity Act will not bust President Reagan's budget since all funding under the Act will come from private sources or from uncommitted SFC funds which were authorized and appropriated in Fiscal Year 1980.

In fact, the Energy Equity Act will reduce the Federal budget deficit by imposing "energy equity fees" on synfuel project sponsors and reduce Federal borrowing by repealing \$68 billion in Synthetic Fuels Corporation budget authority.

#### THE SYNTHETIC FUELS CORPORATION: HIGH INCOME ASSISTANCE FOR ENERGY, MAYBE

On Friday, March 26, the Synthetic Fuels Corporation announced which of ten candidates will advance to the Phase Two consideration for possible funding assistance. If these ten projects represent the best that synthetic fuels can offer, it is time to take a new look at the value of this whole program.

Information collected by the Environmental Policy Institute on five of the original eleven candidates selected in January raises serious questions with respect to each one. Not surprisingly, one of those projects, Wycoal, Inc., has now been scrapped.

##### 1. NORTHERN ALABAMA

This venture was first known as the Murphy Hill project. In that incarnation, it has received \$125 million in federal appropriations since 1980. Currently the project is sponsored by Santa Fe International (the company recently acquired by the Kuwaiti national energy company), Kidder Peabody, and Air Products & Chemicals. Loan guarantees \$197 million and price guarantees of \$1 billion are sought for the purpose of turning coal into methanol.

The large price guarantee sought reflects the sponsors' understanding that even if this perennial federal supplicant is actually completed, there will be no market for its output. Should the American people be asked to subsidize a product market for Corporate Kuwait, Kidder Peabody and Air Products Corporation?

##### 2. PARAHIO

This oil shale project in Utah is also no stranger to federal assistance. More than fifty-five percent of Paraho's technology development has been funded by the Federal Government. The sponsors now seek a \$1.83 billion loan guarantee and a price guarantee of \$200 million. Consistent with the cosmopolitan nature of many project sponsors, the sole equity participant in this project is now Davy McKee, a subsidiary of Davy Corporation, Ltd., London, England. Judging from the federal assistance already required for this project, the question appears to be not whether support should be given to develop new technologies which appear to offer promise but whether good money should be thrown after bad.

##### 3. HAMPSHIRE

Located in Gillette, Wyoming, the key problem with this project is that it has not yet obtained any of the necessary water permits or, according to the Environmental Policy Institute, even come up with a plausible plan to provide the water supply which will be necessary for this coal gasification and gasoline project. Standard Oil of Ohio is one of the participants in this project, but has requested no federal assistance. Those who have requested SFC aid (amounts not revealed) are Kaneb Services, Inc.; Koppers Co., Inc.; and Northwestern Mutual Life Insurance Co. Since water rights is one of the key maturity criteria by which the SFC evaluates applicants for assistance, it is not clear why this project is still being considered.

##### 4. TSA—OAK RIDGE, TENNESSEE

Citgo Synfuels withdrew from this project in February leaving Koppers Synfuels as the only sponsor. In addition, the location of this project so close to the Clinch River Breeder Reactor raises serious environmental concerns which thus far have not been addressed by the project sponsors.

##### OTHER PROJECTS

These four cases are not atypical of all the current synthetic fuel program candidates. Other applicants include "Coolwater" sponsored by Texaco, Southern California Edison, General Electric, a consortium of Japanese companies and others; and "Breckinridge" sponsored by Ashland and Bechtel Petroleum companies.

Paraho has been put forth by many as one of the best projects currently before the Corporation, much the same as the Tosco-Exxon Colony project has been praised. After the disclosures on Wednesday that Colony may run as much as \$1.8 billion over original cost estimates, there remains no Synfuel star untarnished.

#### SECTION-BY-SECTION ANALYSIS OF "THE ENERGY EQUITY ACT OF 1982"

Section 1 states the short title as the "Energy Equity Act of 1982".

Section 2 sets forth the Congressional findings and purposes for the Act.

Section 3 requires the Synthetic Fuels Corporation to collect a fee from an applicant prior to awarding financial assistance to any synthetic fuels project. The fee must equal 20 percent of the amount of the financial assistance awarded to the project. The proceeds from the fee shall be deposited in an "Energy Equity Account" in the Treasury and used solely for low-income home energy assistance, weatherization, and housing assistance.

Section 4 requires that 50% of all budget authority under Phase I of the Synthetic Fuels Corporation (50% of \$15 billion) which remains uncommitted as of September 30, 1982, or which becomes uncommitted before September 30, 1983 due to termination of a project receiving financial assistance, shall be deposited in the Energy Equity Account and available for loans and loan guarantees for the same purposes stated in Section 5. The remaining 50% of budget authority shall be rescinded.

Example: If \$10 billion in Synthetic Fuels Corporation Phase I budget authority remains uncommitted as of September 30, 1982, this Section would make available \$5 billion in loans and loan guarantee authority for fuel assistance, weatherization and housing assistance in FY 1983.

Section 5 establishes the Energy Equity Account in the Treasury. Subject to applicable authorization and appropriations, two-thirds of the receipts in the Energy Equity Account shall be available for grants to States for low-income home energy assistance and weatherization assistance, and one-third shall be available for housing assistance, including revenues to off-set revenue losses to the Treasury due to mortgage revenue bonds.

Example: If the Corporation awards \$15 billion in assistance in FY 1983, the "Energy Equity" fees would raise a total of \$3 billion—\$2 billion for fuel assistance and weatherization and \$1 billion for housing assistance.

Example: If the Corporation has \$10 billion in uncommitted and unobligated funds as of September 30, 1982, \$5 billion would be transferred to the Energy Equity Account and \$5 billion returned to the Treasury. Of the \$5 billion transferred to the Energy Equity Account, two-thirds would be available for loans or loan guarantees for fuel assistance and weatherization, and one-third available for loans or loan guarantees for housing assistance.

Section 6 terminates the authority of the Synthetic Fuels Corporation to make awards or financial commitments to synthetic fuels projects beyond September 30, 1982, and terminates the Corporation altogether on September 30, 1984. Section 6 also repeals contingent authority contained in the Energy Security Act for the Synthetic Fuels Corporation to make an additional \$68 billion in Federal synfuels subsidies available. However, the mandate for the Corporation to prepare a comprehensive synthetic fuels strategy is retained.

Section 7 amends the Low-Income Home Energy Assistance Act of 1981 to require State fuel assistance plans to consider and use to the extent feasible a voucher system for distributing home energy assistance. Voucher systems reduce waste and fraud in the distribution of fuel assistance.

Section 8 establishes the effective date of the Act as upon enactment unless the Synthetic Fuels Corporation is repealed by prior enactment, such as by H.R. 5404 introduced by Representative Hank Brown (R-Colo.) and six co-sponsors on February 2, 1982.

#### THE FOUR COSTS OF THE FEDERAL SYNTHETIC FUELS PROGRAM

##### A. DIRECT OUTLAYS

##### 1. Administrative Expenditures—Projected Outlays:

FY 1982—\$24.5 million.

FY 1983—\$35.5 million.

Authorized Expenditures:

FY 1982—\$41.6 million.

FY 1983—\$44.9 million.

CBO estimates up to \$186 million in administrative costs alone can be saved—FY '83 through FY '87—by abolishing the SFC.

##### B. LOAN GUARANTEES

FY 1982—\$469.8 million will be outlayed through Federal Financing Bank for Tosco and Great Plains.

FY 1983—\$915.1 million.

Employing FFB to finance these large obligations has same impact on the federal debt as direct loans issued by on-budget agencies.

This is only the beginning. In addition to cost overruns, current developments in the world oil market push back to the date when the products of these subsidized projects will be cost competitive, and the

billions of dollars of price guarantee assistance to be awarded by the corporation encourage construction of uneconomic projects.

#### C. INCREASED PRESSURES ON FINANCIAL MARKETS

The \$17.5 billion available to the SFC for obligation FY '81-'83 represents 14.2% of the total net increase in federal primary loan guarantees during the same period. Meanwhile, FY '83 budget proposes a \$5 billion cut in FHA loan guarantees and a reduction of \$2.379 billion in the Rural Housing Insurance Fund.

#### D. CAPITAL DIVERSION AND PRODUCTIVITY DECREASES

SFC is a distortion of the market's assessment of risk and return causing a misdirection of investment and a decline in future growth and productivity.

□ 1230

### THE IRS AND THE INSTITUTE OF AMERICAN RELATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. BINGHAM) is recognized for 15 minutes.

Mr. BINGHAM. Madam Speaker, 3 years ago, in 1979, I contacted the Internal Revenue Service to protest the granting of tax-exempt status to the Institute of American Relations, a rightwing foundation that is run by two staffers of a member of the other body. At that time, I sent the commissioner of the IRS evidence that the Institute of American Relations was actively involved in lobbying for the defeat of the SALT II Treaty. I questioned whether the institute was entitled to hold its tax-exempt status while lobbying Congress on SALT and other matters. It was my understanding that an organization would lose its tax-exempt standing if it engaged in a substantial amount of lobbying activity.

On October 4, 1979, I received a response from IRS. I was reminded that section 501(c)(3) of the Tax Code, that section which governs tax exempt foundations, states that "no substantial part of an organization's activities may be devoted to carrying on propaganda or attempting to influence legislation. If an organization is involved in a substantial amount of legislative activity, its tax-exempt status could be revoked." I was assured that the IRS "maintains an examination program to review the activities of exempt organizations, and if we find that an entity is not operating within the provisions of the tax laws, we take appropriate action to modify or revoke its exempt status."

In the case of the Institute of American Relations, the IRS appears to have taken no action. In fact, thanks to a probing report by the ABC news magazine 20-20, we have learned that the Institute of American Relations has continued its lobbying activities while, at the same time flatly denying

to IRS that it does any lobbying whatsoever. 20-20's investigation shows that in 1978 the institute asked for contributions to "Help the Institute in the vital work of making a case against the disastrous SALT treaty \* \* \*." In 1979, the institute urged the public to "demand that the United States proceed with development of the B-1 bomber, the cruise missile, and the neutron bomb." In 1981 the institute appealed for help "against the Kennedy and O'Neill forces" and, in a "thank you" letter to contributors said, "You have helped our efforts to win public support for President Reagan's military budget."

In short, the Institute of American Relations is a lobbying organization despite its affidavits to the contrary. On 20-20, two of the institute's three directors, John Carbaugh and James Lucier, denied that the institute is engaged in lobbying on the grounds that its letters do not cite specific bill numbers. That is an absurd argument. Lobbyists pressuring Members of Congress on amendments to the Clean Air Act or natural gas deregulation frequently do not refer to specific bills by number. Likewise lobbyists attempting to influence Members of Congress to vote for or against SALT, the Panama Canal Treaty, or the B-1 bombers do not refer to specific bill numbers but to substantive programs. They are lobbying all the same. So is the Institute of American Relations.

Madam Speaker, I call upon the Internal Revenue Service promptly to examine the activities of the Institute of American Relations. This is not a minor issue. It may be true, as Mr. Carbaugh claims, that the average tax deductible contribution to the institute is only \$14 per family. But, it is also reported that billionaire Nelson Bunker Hunt gave the institute \$90,000 tax deductible dollars. The IRS should not sit by and allow the creation and proliferation of what Common Cause's director calls "a modern day slush fund." I intend to continue my efforts, which began in 1979, to see that the Institute of American Relations is examined and audited by the IRS.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PETRI) to revise and extend their remarks and include extraneous material:)

Mr. MARKS, for 60 minutes, March 31, 1982.

Mr. JEFFORDS, for 60 minutes, March 30, 1982.



Mr. COLLINS of Texas, for 60 minutes, March 30, 1982.

Mr. GREGG, for 60 minutes, March 30, 1982.

Mr. PARRIS, for 60 minutes, today.

Mr. HILER, for 60 minutes, March 30, 1982.

(The following Members (at the request of Mr. MINETA) and to include extraneous matter:)

Mr. BINGHAM, for 15 minutes, today.

Mr. FAUNTROY, for 10 minutes, today.

Mr. GONZALEZ, for 15 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. COELHO, for 5 minutes, today.

Mr. MAVROULES, for 60 minutes, March 30, 1982.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. PETRI) to revise and extend their remarks and include extraneous material:)

Mr. GINGRICH in four instances.

Mr. NELLIGAN.

Mr. PHILIP M. CRANE in two instances.

Mr. MICHEL.

Mr. LOWERY of California.

Mr. GOODLING.

(The following Members (at the request of Mr. MINETA) and to include extraneous matter:)

Mr. RODINO.

Mr. STOKES in two instances.

Mr. MAZZOLI.

Mr. BARNES in three instances.

Mr. EDWARDS of California in two instances.

Mr. PEPPER.

Mr. SKELTON in two instances.

Mr. LAFALCE.

Mr. ANDERSON in 10 instances.

Mr. GONZALEZ in 10 instances.

Mr. BROWN of California in 10 instances.

Mr. ANNUNZIO in six instances.

Mr. JONES of Tennessee in 10 instances.

Mr. BONER of Tennessee in five instances.

Mr. FASCELL in five instances.

Mr. JONES of Oklahoma.

Mr. YATRON.

Mr. MILLER of California.

#### SENATE BILL AND A JOINT RESOLUTION REFERRED

A bill and joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1640. An act to amend certain provisions of title 18, United States Code, relating to the procedures for interception of wire or oral communications; to the Committee on the Judiciary.

S.J. Res. 111. Joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas; to the Committee on Energy and Commerce.

#### ENROLLED BILL SIGNED

Mr. HAWKINS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4482. An act to establish a U.S. Court of Appeals for the Federal circuit, to establish a U.S. Claims Court, and for other purposes.

#### SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 634. An act to authorize the exchange of certain lands in Idaho and Wyoming.

#### ADJOURNMENT

Mr. BINGHAM. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 35 minutes p.m.) the House adjourned until tomorrow, Tuesday, March 30, 1982, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3509. A communication from the President of the United States, transmitting proposed supplemental appropriations for fiscal year 1982 for the International Security Assistance Agency (H. Doc. No. 97-161); to the Committee on Appropriations and ordered to be printed.

3510. A letter from the Secretary of Defense, transmitting 12 reports of violations of the Anti-Deficiency Act, pursuant to section 3679(i)(2) of the Revised Statutes, as amended; to the Committee on Appropriations.

3511. A letter from the Comptroller General of the United States, transmitting a special message on deferral of budget authority for the Coast Guard's acquisition, construction, and improvement account, pursuant to section 1015(a) of Public Law 93-344 (H. Doc. No. 97-160); to the Committee on Appropriations, and ordered to be printed.

3512. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to extend the authorization for appropriations under the International Travel Act of 1961 through fiscal year 1984; to the Committee on Energy and Commerce.

3513. A communication from the President of the United States, transmitting a report on progress toward conclusion of a negotiated solution of the Cyprus problem, pursuant to section 620(c) of the Foreign Assistance Act of 1961, as amended (H. Doc. No. 97-159); to the Committee on Foreign Affairs, and ordered to be printed.

3514. A letter from the Chairman of the Commission on Security and Cooperation in Europe, transmitting the annual report for 1981, pursuant to section 6 of Public Law 94-304; to the Committee on Foreign Affairs.

3515. A letter from the Director, Office of Legislative Affairs, U.S. International De-

velopment Cooperation Agency, transmitting the executive branch's 1982 report on economic conditions in Egypt and the ability of that country to meet its debt service obligations, pursuant to section 723 of Public Law 97-113; to the Committee on Foreign Affairs.

3516. A letter from the Acting Assistant Secretary of the Interior for Indian Affairs, transmitting a proposed plan for the use and distribution of the judgment funds awarded to the Gros Ventre Tribe of the Fort Belknap Reservation, Mont., by the U.S. Court of Claims in docket 649-80L, pursuant to sections 2(a) and 4 of Public Law 93-134; to the Committee on Interior and Insular Affairs.

3517. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to amend title 38, United States Code, to remove the bar against payment of servicemen's group life insurance and veteran's group life insurance proceeds in the event the claim is filed late and to clarify that such proceeds may not escheat to a State; to the Committee on Veterans' Affairs.

3518. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to amend chapter 19, of title 38, United States Code, to permit the unrestricted assignment of a beneficiary's interest in the proceeds of a Government life insurance policy in cases involving contested claims; to the Committee on Veterans' Affairs.

3519. A letter from the Secretary of Health and Human Services, transmitting a report on the aid to families with dependent children (AFDC) homemaker/home health aide demonstration project, pursuant to section 2156 of Public Law 97-35 and section 5 of Public Law 97-123; to the Committee on Ways and Means.

3520. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislative authority to raise the salary level of the Counselor of the Department to Executive Level III from Executive Level IV; jointly, to the Committees on Foreign Affairs and Post Office and Civil Service.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEREUTER:

H.R. 5976. A bill to provide for the development of a comprehensive program for the evaluation and management of the natural and cultural resources of the national park system; to the Committee on Interior and Insular Affairs.

By Mr. CORCORAN (for himself, Mr. EVANS of Delaware, Mr. BROYHILL, Mr. RINALDO, and Mr. MADIGAN):

H.R. 5977. A bill to amend the Energy Security Act to finance low-income home energy assistance and weatherization through an additional fee on awards of financial assistance provided by the Synthetic Fuels Corporation, to terminate activities of the Corporation by September 30, 1984, and for other purposes; jointly to the Committees on Banking, Finance and Urban Affairs and Energy and Commerce.

By Mr. FITHIAN:

H.R. 5978. A bill to amend the Small Business Act to provide that prior law provisions relating to interest rates on disaster loans shall continue to apply to disasters occurring in States with high unemployment; to the Committee on Small Business.

By Mr. KEMP (for himself, Mr.

ROSENTHAL, Mr. ADDABBO, Mr. ALBOSTA, Mr. ANDREWS, Mr. ANNUNZIO, Mr. ARCHER, Mr. ASHBROOK, Mr. ASPIN, Mr. ATKINSON, Mr. AUCOIN, Mr. BAILEY of Pennsylvania, Mr. BAILEY of Missouri, Mr. BARNES, Mr. BEARD, Mr. BEDELL, Mr. BEILSON, Mr. BENEDICT, Mr. BENJAMIN, Mr. BURGNER, Mr. BIAGGI, Mr. BLANCHARD, Mr. BILEY, Mr. BOLAND, Mr. BONER of Tennessee, Mr. BONIOR of Michigan, Mr. BRODHEAD, Mr. BROWN of Ohio, Mr. BROWN of California, Mr. CHAPPELL, Mr. CHAPPE, Mr. CLAY, Mr. CLINGER, Mr. COATS, Mr. CONTE, Mr. CONYERS, Mr. CORCORAN, Mr. COUGHLIN, Mr. JAMES K. COYNE, Mr. WILLIAM J. COYNE, Mr. PHILIP M. CRANE, Mr. ROBERT W. DANIEL, JR., Mr. DANNEMEYER, Mr. DASCHLE, Mr. DAVIS, Mr. DAUB, Mr. DECKARD, Mr. DE LA GARZA, Mr. DELLUMS, Mr. DENARDIS, Mr. DERWINSKI, Mr. DIXON, Mr. DONNELLY, Mr. DORNAN of California, Mr. DOUGHERTY, Mr. DOWDY, Mr. DWYER, Mr. DUNN, Mr. DYMALLY, Mr. EARLY, Mr. EDGAR, Mr. ERDAHL, Mr. EVANS of Georgia, Mr. FASCELL, Mr. FAZIO, Mrs. FENWICK, Mr. FIELDS, Mr. FISH, Mr. FLORIO, Mr. FOGLIETTA, Mr. FOLEY, Mr. FORD of Michigan, Mr. FORSYTHE, Mr. FRANK, Mr. FRENZEL, Mr. FROST, Mr. GEJDENSON, Mr. GIBBONS, Mr. GINGRICH, Mr. GILMAN, Mr. GINN, Mr. GOLDWATER, Mr. GRADISON, Mr. GREEN, Mr. GUARINI, Mr. HAGEDORN, Mr. HALL of Ohio, Mr. HAMILTON, Mrs. HECKLER, Mr. HENDON, Mr. HERTEL, Mr. HILLIS, Mr. HOLLENBECK, Mrs. HOLT, Mr. HORTON, Mr. HOWARD, Mr. HOYER, Mr. HUGHES, Mr. JEFFRIES, Mr. JONES of North Carolina, Mrs. KENNELLY, Mr. KILDEE, Mr. KRAMER, Mr. LAFALCE, Mr. LAGOMARSINO, Mr. LANTOS, Mr. LEBOUTILLIER, Mr. LEE, Mr. LEHMAN, Mr. LENT, Mr. LEVITAS, Mr. LEWIS, Mr. LONG of Louisiana, Mr. LOWERY of California, Mr. LOWRY of Washington, Mr. LUJAN, Mr. LUNGREN, Mr. MARKEY, Mr. MARTIN of North Carolina, Mr. MAVROULES, Mr. McDADE, Mr. McDONALD, Mr. McEWEN, Mr. McGRATH, Mr. McHUGH, Mr. McKINNEY, Mr. MILLER of Ohio, Mr. MINETA, Mr. MOAKLEY, Mr. MOFFETT, Mr. MOLINARI, Mr. MOTT, Mr. MURPHY, Mr. NOWAK, Mr. OBERSTAR, Mr. O'BRIEN, Mr. OTTINGER, Mr. PEPPER, Mr. PEYSER, Mr. PICKLE, Mr. PORTER, Mr. PRITCHARD, Mr. PURSELL, Mr. RAILSBACK, Mr. RANGEL, Mr. REUSS, Mr. RHODES, Mr. RICHMOND, Mr. RITTER, Mr. RODINO, Mr. ROE, Mr. ROEMER, Mr. ROUSSELOT, Mr. RUDD, Mr. RUSSO, Mr. SABO, Mr. ST GERMAIN, Mr. SAWYER, Mrs. SCHNEIDER, Mr. SCHEUER, Mr. SCHUMER, Mr. SEIBERLING, Mr. SHAMANSKY, Mr. SHANNON, Mr. SHARP, Mr. SILJANDER, Mr. SIMON, Mr. SKELTON, Mr. SMITH of New Jersey, Mr. SMITH of Pennsylvania, Mr. SMITH of Iowa, Mr. SOLARZ, Mr. SOLOMON, Mr. STRATTON,

Mr. STUDDS, Mr. SUNIA, Mr. SWIFT, Mr. TAYLOR, Mr. TRAXLER, Mr. TRIBLE, Mr. UDALL, Mr. VENTO, Mr. WALGREN, Mr. WALKER, Mr. WAXMAN, Mr. WEBER of Ohio, Mr. WEBER of Minnesota, Mr. WHITTAKER, Mr. WHITEHURST, Mr. WILSON, Mr. WINN, Mr. WIRTH, Mr. WOLFE, Mr. WORTLEY, Mr. WYLIE, Mr. YATES, Mr. YATRON, and Mr. YOUNG of Missouri):

H.J. Res 447. Joint resolution to authorize and request the President to issue a proclamation designating April 4, 1982, as the "National Day of Reflection"; to the Committee on Post Office and Civil Service.

By Mr. CARNEY (for himself, Mr. MICHEL, Mr. LOTT, Mr. CHENEY, Mr. DICKINSON, Mr. EMERY, Mr. GILMAN, Mr. MADIGAN, Mr. MURTHA, Mr. RINALDO, Mr. STRATTON, and Mr. WALKER):

H. Con. Res. 297. Concurrent resolution to express the sense of the Congress that the United States and the Soviet Union should engage in substantial, equitable, and verifiable reductions of their nuclear weapons in a manner which would contribute to peace and stability; to the Committee on Foreign Affairs.

By Mr. OTTINGER:

H. Con. Res. 298. Concurrent resolution expressing the sense of the Congress that the cost-of-living adjustments in social security benefits which are provided for under existing law should be allowed to occur as scheduled; to the Committee on Ways and Means.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 835: Mr. MAZZOLI.

H.R. 846: Mr. SABO, Mr. ERDAHL, and Mr. STANGELAND.

H.R. 1968: Mr. BLANCHARD, Mr. JOHN L. BURTON, Mr. PHILLIP BURTON, Mr. DUNCAN, Mr. DWYER, Mr. EDGAR, Mr. FAZIO, Mr. FISH, Mr. HERTEL, Mr. HOYER, Mr. MINISH, Mr. MOAKLEY, Mr. OTTINGER, Mr. PEPPER, Mr. SCHUMER, and Mr. WASHINGTON.

H.R. 3364: Mr. WILLIAMS of Ohio.

H.R. 4895: Mr. EVANS of Georgia.

H.R. 4896: Mr. MITCHELL of Maryland, Mr. SCHUMER, and Mr. GARCIA.

H.R. 5147: Mr. BAILEY of Missouri.

H.R. 5160: Mr. GINGRICH.

H.R. 5329: Mr. PURSELL, Mr. JAMES K. COYNE, Mr. WHITEHURST, Mr. BONIOR of Michigan, and Mr. KRAMER.

H.R. 5507: Mr. BEVILL, Mrs. BOUQUARD, Mrs. KENNELLY, Mr. DUNCAN, Mr. DWYER, Mr. FAUNTROY, Mr. HUTTO, Mr. JEFFRIES, Ms. MIKULSKI, Mr. MINETA, Mr. WINN, Mr. WOLFE, Mr. DICKINSON, Mr. FINDLEY, Mr. FORD of Michigan, Mr. GRAY, Mr. KILDEE, Mr. LEACH of Iowa, Mr. MILLER of California, Mr. MINISH, and Mr. WILLIAMS of Montana.

H.R. 5535: Mr. RATCHFORD.

H.R. 5552: Mr. MURPHY, Mr. WON PAT, Mr. MARKEY, Mr. VENTO, Mr. FOGLIETTA, Mr. RODINO, Mr. KILDEE, Mr. FAZIO, Mr. FAUNTROY, Mr. MITCHELL of Maryland, Mr. FRANK, Mr. HOWARD, Mr. CORRADA, Mr. SCHUMER, Mr. RATCHFORD, Mr. LONG of Maryland, Mr. HOYER, Mr. GRAY, Mr. LOWRY of Washington, Ms. MIKULSKI, Mr. WEAVER, Mr. LEHMAN, Mr. PHILLIP BURTON, and Mr. KASTENMEIER.

H.R. 5629: Mr. MITCHELL of Maryland, Mr. GIBBONS, Mr. FAUNTROY, Mr. GOODLING, Mr. BEILSON, Mrs. SCHNEIDER, Mr. ERDAHL, Mr. CROCKETT, and Mr. WAXMAN.

H.R. 5682: Mr. MITCHELL of Maryland.

H.R. 5800: Mr. RAILSBACK, Mr. BUTLER, Mr. HERTEL, and Mr. HAGEDORN.

H.R. 5834: Mr. RAHALL, Mr. WHITLEY, Mr. OBERSTAR, Mr. MOLLOHAN, Mr. BROOMFIELD, Mr. VOLKMER, Mr. NATCHER, Mr. HATCHER, Mr. BROOKS, Mr. DASCHLE, Mr. BEARD, Mr. PRITCHARD, Mr. FAZIO, Mr. HARKIN, Mr. EVANS of Indiana, Mr. QUILLLEN, Mr. COELHO, Mr. BLANCHARD, Mr. SKELTON, and Mr. LEHMAN.

H.R. 5900: Mr. CLINGER, Mrs. HOLT, Mr. McCLODY, Mr. FISH, Mr. STANTON of Ohio, Mr. PORTER, Mr. LEE, Mr. MADIGAN, Mr. DAUB, Mr. McKINNEY, Mr. EDWARDS of Oklahoma, Mr. RHODES, Mr. LOWERY of California, Mr. REGULA, Mr. LUNGREN, and Mr. WHITTAKER.

H.R. 5932: Mr. MATSUI, Mr. MOAKLEY, Mr. OBERSTAR, Mr. STARK, Mr. JOHN L. BURTON, Mrs. CHISHOLM, Mr. FAUNTROY, Mr. RANGEL, Mr. DELLUMS, Mr. WEISS, Mr. BONIOR of Michigan, Mr. SEIBERLING, Mr. CLAY, Mr. FORD of Michigan, Mrs. SCHNEIDER, Mr. KASTENMEIER, Mr. RAHALL, Mr. MINETA, Mr. COELHO, Mr. MITCHELL of Maryland, Mr. RICHMOND, Mr. FAZIO, Mr. RATCHFORD, Mr. EDGAR, Mr. PATTERSON, Mr. FROST, Mr. BINGHAM, Mr. SCHUMER, Mr. DYMALLY, and Mr. EDWARDS of California.

H.R. 5933: Mr. GRISHAM, Mr. FAZIO, Mr. WAXMAN, Mr. SABO, Mr. EVANS of Indiana, Mr. HERTEL, and Mr. LEE.

H.J. Res. 151: Mr. DOUGHERTY, Mr. WYDEN, Mr. JACOBS, Mr. McDADE, Mr. DREIER, Mr. ANNUNZIO, Mr. ROBERT W. DANIEL, JR., Mr. WEBER of Ohio, Mr. CHAPPE, Mr. IRELAND, Mr. SPENCER, Mr. ROBERTS of Kansas, Mr. O'BRIEN, Mr. McCOLLUM, Mr. BEARD, and Mr. LOWERY of California.

H.J. Res. 172: Mr. FISH.

H.J. Res. 294: Mr. EVANS of Georgia, Mr. McDADE, Mr. COUGHLIN, Mr. SAM B. HALL, JR., and Mr. MOORHEAD.

H.J. Res. 316: Mr. LUKE, Mr. DUNN, Mr. WILLIAM J. COYNE, Mr. APPELATE, Mr. STANGELAND, Mrs. SCHROEDER, Mr. CRAIG, and Mrs. HECKLER.

H.J. Res. 385: Mr. DWYER, Mr. DAVIS, Mr. SHUSTER, Mr. RAILSBACK, and Mr. DENARDIS.

H.J. Res. 410: Mr. WINN, Mr. ROSENTHAL, Mr. ANTHONY, Mr. LANTOS, Mr. PANETTA, Mr. WIRTH, Mr. KOGOVSEK, Mr. HUTTO, Mr. ROSTENKOWSKI, Ms. MIKULSKI, Mr. PEPPER, Mr. ROEMER, Mr. LELAND, Mr. BROWN of Ohio, Mr. DONNELLY, Mr. BONIOR of Michigan, Mr. GEPHARDT, Mr. DORGAN of North Dakota, Ms. OAKAR, Mr. DASCHLE, Mr. FROST, Mr. FOLEY, Mr. HORTON, Mr. BADHAM, Mr. CORCORAN, Mr. VANDER JAGT, Mr. DAUB, Mr. DERWINSKI, Mr. DORNAN of California, Mr. HANSEN of Idaho, Mr. HUNTER, Mrs. HOLT, Mr. LEE, Mr. LENT, Mrs. FENWICK, Mr. HOPKINS, Mr. HUGHES, Mr. DWYER, Mr. FISH, Mr. ANDREWS, Mr. ROE, Mr. WAXMAN, Mr. D'AMOURS, Mr. ANNUNZIO, Mr. COELHO, Mr. HOYER, Mr. MINETA, Mr. FORSYTHE, Mr. FAUNTROY, Mr. McHUGH, Mr. HUGHES, and Mr. LUNGREN.

H.J. Res. 442: Mr. GRISHAM.

H. Con. Res. 275: Mr. GREEN, Mr. BROOMFIELD, Mr. HUGHES, Mr. FISH, Mr. LENT, Mr. DWYER, Mr. SHUSTER, Mr. RAILSBACK, and Mr. DENARDIS.

H. Res. 319: Mr. PURSELL.

H. Res. 374: Mr. GRAY, Mr. LEWIS, Mr. RITTER, Mr. ROSE, and Mr. WINN.



## EXTENSIONS OF REMARKS

## THE IMPACT OF STUDENT AID CUTS

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. LaFALCE. Mr. Speaker, by now, most of our colleagues have met with students, parents, and administrators of colleges and universities to discuss the impact of the President's proposed budget cuts for higher education programs. The message we have been hearing "loud and clear" is that these proposed cuts would be devastating to students and schools—particularly the private, independent institutions which tend to have higher student tuition costs.

Among the many college administrators I have met with recently, I want to take special note of a recent visit by the Reverend John G. Nugent and Judith A. Skurski, president and director of financial aid, respectively, of Niagara University which is located in my congressional district. They told a compelling story about the impact of the President's budget on their university—a school where 90 percent of the students receive some type of financial aid.

Mr. Speaker, I would like to insert for the record three items which I feel describe the fundamental lack of wisdom in the administration's proposed deep budget cuts for student aid. First, I want to share with our colleagues a very insightful editorial which appeared in the Niagara Gazette, in Niagara County, N.Y. Second, a very thoughtful letter which Ms. Skurski wrote me describing the impact of the proposed student aid cuts on Niagara University and offering the school's suggested alternatives for the administration to consider in trying to find budget savings in Federal student aid costs. Third, a column which I wrote and which was carried in several local newspapers in my congressional district in which I evaluate the reversal of national policy which the President's education budget cuts signify.

I wish to insert these items in the RECORD at this time and urge our colleagues to consider them carefully.

[From the Niagara Gazette, Mar. 16, 1982]

## THE IMPACT AT NU SHOWS EXTENT OF EDUCATION CUTS

Treasury Secretary Donald Regan can't quite understand all the fuss being made about cuts in student financial aid. After all, he recalls proudly, he worked his way

through college. If he could do it, why can't everyone else?

Donald Regan, however, was in college 40 years ago. An education then cost a fraction of what it costs today. Opportunities for a job were also better.

Regan's comments, however, are typical of the defenders of Reaganomics—the glib expression of how things ought to be rather than an acknowledgement of the way things actually are.

College students 40 years ago, 30 years ago, 20 years ago, or even 10 years ago didn't face the huge tuition costs that confront collegians today. Tuition at private colleges and universities can run from \$5,000 to \$10,000 a year, and even higher at more prestigious schools. Costs at state universities also continue to rise, although on a less dramatic scale.

Except for students from the wealthiest homes, financing a college education is extremely difficult. The effort can involve part-time work, the help of family and relatives, and also the assistance of Uncle Sam. With all that, many students still leave college saddled with debt, and facing a job market that will make paying that debt difficult.

The need to cut government spending is obvious and so Reaganomics gets high marks conceptually. It is in translating concept to reality that the theory breaks down. Consider, for example, the impact of cuts in student loan programs in one institution—Niagara University. Under the Reagan economic program, Pell grants, formerly called basic grants, will be cut by 40 percent nationwide. At Niagara, where 90 percent of the student body receives some sort of financial assistance, 75 percent of the students presently eligible for Pell grants would fall to qualify for them because of stricter requirements.

Also under Reagan's budget, the Work-Study Program would be cut by almost 30 percent and two other loan programs would be eliminated. The result of those cuts would be a 62 percent reduction in federal aid to Niagara students. "The impact is clear," the Rev. John G. Nugent, NU president, says in a letter being sent to the school's alumni, "a great many students could no longer continue their education at Niagara University if these cuts were passed."

If that is true at Niagara, it is also true at many other private colleges and universities. Lack of funding will narrow the choice of schools for many current and prospective college students, damaging the diversity of the educational system. Other students may simply be denied the opportunity for an education, a further loss for the nation.

Congress, which first embraced Reaganomics but has since grown leary of its consequences, will likely redefine some priorities in ongoing budget deliberations. The impact of the budget on education is an area that deserves close scrutiny. As the example of Niagara University indicates, a less drastic approach to educational aid is in order.

NIAGARA UNIVERSITY,  
February 26, 1982.

DEAR JOHN: It was so good to see you again. I appreciated the time you gave us to

discuss the financial aid proposals with you last week.

The following information is a summary of that discussion:

1. For Fiscal Year 1982, decisions need to be made very soon on federal aid programs. Schools have begun notifying incoming students of their eligibility for aid for 1982-83.

We support the levels agreed upon in the Omnibus Reconciliation Act last August. Those figures reflect a 15.6% cut. We do not support the Continuing Resolution figures which have even deeper cuts.

2. For Fiscal Year 1983:

(a) Guaranteed Loans:

(1) We support the President in the concept of basing the amount of the loan on the unmet need. This would eliminate the present \$30,000 cutoff under which students do not have to demonstrate need. We believe this is a very positive cost-saving device, while insuring that the students who really need the loans will be able to receive them.

(2) The elimination of graduate students from the Guaranteed Student Loan Program will prove disastrous to our nation's graduate students. The President's proposal to substitute ALAS (Auxiliary Loans to Assist Students) would force full-time graduate students to pay 14 percent interest while they are in school and part-time graduate students to repay principal and 14 percent interest while they are in school. Both of these proposals would make it almost impossible for these students to attend graduate school.

(3) The present 5 percent origination fee creates an additional need for further financial aid. Increasing this to 10 percent would impose an impossible burden on schools to come up with this aid. We would support keeping this at 5 percent.

(4) We support the concept of incentives for early repayment of guaranteed student loans. The President's proposal to accomplish this by beginning to charge market interest two years into the repayment period places a hardship on the students who needed to borrow large amounts of loans. For example, the two-year period at 7 and 9 percent would be sufficient for a loan of \$2,000, but would not be enough time for a student who borrowed \$10,000. Might we suggest a five year delay in charging market interest for students who borrowed large amounts.

(b) Pell Grant Program:

The net effect of the proposed 40% cut will be about a 75% cut for students attending Niagara University and similar institutions. The average income of our students is in the low \$20,000 range and it is these students, many of whom come from large families, who need the Pell Grant in order to attend a private college. The President's proposal would make only the very low income students eligible for this grant.

We would suggest that the delivery and eligibility for this program be looked at in order to save funds. One suggestion would be to limit the Pell Grant to one-half of tuition instead of one-half of total cost which is used currently. Another suggestion would be to rely on the financial aid administrators of the colleges more heavily in the de-

termination of eligibility and the accounting for individual student awards. Presently the Department of Education staffs and prepares the function of individual students eligibility forms and continues to monitor student's eligibility for the whole country. This would be a savings to the government by eliminating the people involved in the Department of Education. Campuses would be audited on their handling of this procedure in the biannual audits that are already required by the federal government.

(c) College Work-Study Program has been one of the most successful federal programs to assist students pay their expenses. The proposed 30% cut would mean a reduction at Niagara University from 600 students currently employed to about 400. Students would lose this valuable work experience in addition to losing the dollars that they need to meet their expenses.

(d) The President's budget calls for the elimination of Supplemental Educational Grant. This program especially at the private schools is used to help those students who have exhausted eligibility in all of the other programs and who still need additional dollars to meet their expenses. This program is very important to us at Niagara University as it provides some additional gift aid to help students who were not eligible for a Pell Grant and who have already borrowed many thousands of dollars to meet their need.

(e) The National Direct Student Loan Program also, in combination with Supplemental Educational Grant, helps those students to meet that additional amount that is still needed to attend college. While we would be receiving repayments for past borrowers that we could continue to relend, this amount would not be sufficient in funding our students to attend Niagara.

Ninety percent of the 2900 full-time students at Niagara University receive some type of financial aid. In examining President Reagan's proposed cuts, we believe that between one-third and two-thirds of our total enrollment would no longer be able to attend Niagara. We believe we are not unique among private colleges in our estimates.

I have enclosed copies of information on projected funding levels at Niagara and case studies on individual students similar to the ones I gave to you during our meeting.

We are very thankful that you support the continuation and funding of these five federal aid programs. We do believe that there are ways to save money in these programs by tightening eligibility requirements, verifying income information and fighting fraud and abuse in every way possible. We hope that we can effect savings to the government through these measures, rather than curtailing aid to only a very few students.

I sincerely thank you for your support of higher education and specifically private education.

Sincerely,

JUDITH A. SKURSKI,  
Director, Financial Aid.

"IF YOU THINK EDUCATION IS EXPENSIVE,  
TRY IGNORANCE"

In 1958, Congress enacted the National Defense Education Act at President Eisenhower's request. The Act said: "... the security of the nation requires the fullest development of the mental resources and technical skills of its young men and women."

In 1965, President Johnson insisted that: "Ever child must be encouraged to get as

much education as he has the ability to take. We want this not only for his sake, but for the nation's sake. Nothing matters more for the future of our country: not our military preparedness—for armed might is worthless if we lack the brainpower to build a world of peace; not our productive economy—for we cannot sustain growth without trained manpower; not our democratic system of government—of freedom is fragile if citizens are ignorant."

In 1970, President Nixon continued that commitment to making education available to our youth, stating: "No qualified student who wants to go to college should be barred by lack of money. That has long been a great American goal..."

In 1980, President Carter echoed those thoughts by saying: "... We've brought college within reach of every student in this nation who's qualified for higher education. The idea that lack of money should be no barrier to a college education is no longer a dream, it's a reality..."

Yet, despite the articulation of this necessary American goal by his predecessors, despite his commitment to the largest military buildup in our nation's history, and despite his pledge to work toward economic recovery, President Reagan has turned a blind eye to the vital relationship between education and both national security and a prospering economy. By mercilessly slashing student aid programs, the President has proposed to effectively shut the door on the opportunity for higher education for millions of lower and middle income students. He has also, unwittingly perhaps, made it virtually impossible for this country to have the kind of military posture and robust economy which he asserts he is supporting.

The President's 1983 Fiscal Year budget request for loans and grants to college and graduate students totals \$4.3 billion. That is a tremendous cut from the \$7.3 billion 1981 Fiscal Year budget President Reagan inherited when he took office. Among this year's proposed changes are the elimination of federal funding for National Direct Student Loans, Supplemental Educational Opportunity Grants, and State Student Incentive Grants. Funding would be drastically cut for Pell Grants (the basic grant program) and College Work-Study. Eligibility for guaranteed student loans would be greatly curtailed for college students and entirely eliminated for graduate students.

There can be no doubt that these cuts will hurt! Higher education will become something primarily affordable for children from wealthy families. This would be contrary to the national philosophy enunciated by all recent Presidents that individual merit, not financial status, should dictate one's opportunity for higher education.

The cuts could also spell disaster for private institutions. More and more students would be forced to turn to public institutions to obtain their higher education. Many would not even be able to afford the cost of public education. The trend away from private schools could lead not only to the demise of many of those schools, but also to the demise of the educational diversity they provide and to extreme additional pressure on the public institutions. For example, Canisius College estimates that the budget cuts, if passed, would force 1,450 students to leave their school. That is one third of the current student body.

The great disparities between the cuts in education and the increases in defense spending is another example of why I find the student aid cuts.

Further, commentators in the education community have bemoaned the fact that our military services have been forced to rewrite many training manuals from the 11th grade level to the 8th grade level. That is a worrisome commentary on the true state of our military preparedness, and it ought to be a major concern of every general, and our Commander-in-Chief, for the most sophisticated weaponry we have to protect our nation will be little good if we lack the trained men and women to operate that weaponry.

The President's student aid cuts are not only deep, but they are inequitable in the way they affect our state and our community. Under the President's proposal, New York State, which boasts 8.3 percent of all the nation's college students, would be hit harder than any other state in the union. All told, 227,000 student awards in our state would be totally eliminated.

I have been meeting with many students and educators in recent weeks and I have tabulated some statistics which I think make a very compelling argument for preserving these programs. This year at Erie Community College, Canisius, the University of Buffalo, Niagara County Community College, D'Youville and Niagara University, there are over 13,400 students receiving more than \$7.6 million in Pell Grants alone. Imagine the impact on these area educational institutions if this program is cut 40 percent as proposed.

For our national defense, for our economic productivity, for socioeconomic justice, and, of course, for millions of young people in this country, we must continue to make a necessary investment in our nation's future by resisting the deep cuts in student aid programs. For as wise scholars have observed, "If you think education is expensive, try ignorance." ●

## CONGRESS SHOULD SUPPORT NASA'S COMET MISSION

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. GINGRICH. Mr. Speaker, last year American scientists and citizens alike were shocked to learn that the United States would not be sending a probe to investigate Halley's comet during its once-in-a-lifetime swing through the inner part of the solar system in 1986. While the Soviet Union, Japan, and the European Space Agency were all touting their flyby mission plans, we were abandoning ours.

Today, I am introducing an article into the RECORD from Aviation Week and Space Technology on a second chance for a U.S. cometary mission this decade. Proposed by researchers at NASA's Goddard Space Flight Center, the mission would use an existing satellite to rendezvous with a different comet, known as Giacobini-Zinner. We could encounter this comet 6 months before the Soviet, European, and Japanese spacecraft reach Halley.



Not only would this proposed mission provide us with a chance to beat the other nations to a cometary encounter, but in fact it would give us important data that would be of great assistance to the other nations during their spacecrafts' meetings with Halley.

I strongly support NASA's current efforts to quickly determine the feasibility of the proposal, and if it is sound, I urge that the space agency allocate the small amount of funds necessary to carry it out.

I comment this most interesting article to my colleagues and hope they will quickly voice their support for taking advantage of this unique opportunity.

The article follows:

[From the Aviation Week & Space Technology, Mar. 22, 1982]

#### NASA TO STUDY DIVERTING SATELLITE TO MEET COMET

(By Craig Covault)

WASHINGTON.—National Aeronautics and Space Administration officials will meet this week to discuss looping an existing orbiting satellite by the Moon for a lunar gravity assist that would hurl the spacecraft to intercept the comet Giacobini-Zinner six months before Soviet, European and Japanese spacecraft reach Halley's Comet.

The mission would enable data to be gathered directly from a comet in order to assist the later Halley flybys and also enable the U.S. to beat the Soviets, Europeans and Japanese to a spacecraft encounter with a comet.

NASA earlier believed budget constraints had ended all hope of sending a U.S. spacecraft to an comet in the mid-1980s, leaving the Soviet, European and Japanese programs free to reap the benefits of cometary exploration without any U.S. competition or significant participation. Goddard Space Flight Center researchers then began pressing the concept of using the International Sun-Earth Explorer (ISEE 3) spacecraft for a lunar gravity assist to Giacobini-Zinner.

#### COMET'S NUCLEUS

Trajectory data show that the lunar swingby maneuver could position ISEE 3 within 186 mi. of the comet's nucleus on Sept. 11, 1985. The spacecraft would gather particle and fields data from the comet, then be retargeted to a position well in front of Halley's Comet, where the satellite would be able to monitor the solar wind for alterations that could create observable changes in Halley's appearance.

Researchers had not given the scientific benefits of intercepting Giacobini-Zinner much thought until surveying comet mission literature. That effort resulted in discovery of a picture in Aviation Week & Space Technology showing the comet with a 1.2-million-mi. tail (AW&ST Sept. 3, 1973, p. 45). The image, taken by Elizabeth Roemer of the University of Arizona, previously had gone undiscovered by researchers and now credit its publication with stimulating interest in flying the ISEE 3 spacecraft to the body.

Roemer said Giacobini-Zinner is "an unusually dusty comet for the short-period ones and may be more active than is typical for short-period comets." She said it has about a 6.5-year period.

"Furthermore, it is associated with the Draconid Meteor Shower, so you have some

information on the material definitely associated with this comet," she said. Roemer said images she took of the comet using a naval observatory facility at Flagstaff, Ariz., show differences in the comet's tail features in the yellow and blue wave lengths. She characterized it as one of the more interesting short-period comets for a spacecraft visit.

A key to the ability to perform the mission is the maneuvering propellant capability of the ISEE 3 spacecraft, now about 1 million mi. from Earth circling 93,000 mi. above and below the ecliptic plane every six months. The Goddard/Fairchild Industries spacecraft was launched Aug. 12, 1978, from Cape Canaveral by a McDonnell Douglas Delta (AW&ST Aug. 21, 1978, p. 17).

ISEE 3 is the first spacecraft ever to be parked in a so-called halo orbit that circles above and below the ecliptic plane at a libration point where gravitational equilibrium exists between the Sun, the Earth and the Moon (AW&ST Oct. 3, 1977, p. 38).

From this position it has been returning solar wind data used in conjunction with two other ISEE spacecraft operating closer to Earth. The U.S. Air Force also makes use of the ISEE 3 data to provide warning of changes in the solar wind affecting USAF satellites.

A particular advantage of the comet mission is that the spacecraft has already been launched, paid for and provided much data for its original mission. The addition of the comet mission would require minimal additional cost. Most researchers involved in overall ISEE project believe it would be useful to allow the spacecraft to undertake the new comet mission, although only about half of the spacecraft's instrument payload would return useful cometary data.

One issue to be addressed is the preference of researchers whose instruments on the vehicle would be turned off because the comet mission would be unsuitable for their data acquisition.

ISEE 3 carries no imaging capability but would be able to characterize the comet from a particles and fields standpoint. Plasma densities and flow speeds could be obtained, as could some temperature information. In addition, the identification of some heavy ions could be made and the magnetic field strength and direction in the vicinity of the comet measured. Six instruments on the spacecraft could provide such data on the comet.

#### SPACECRAFT INTERCEPT

Experience in targeting an actual spacecraft intercept of a comet could be obtained and data gathered on the dust hazards associated with approach close to a comet.

As part of normal ISEE 3 scientific operations, tentative plans are being made to move the spacecraft from its current position into the tail of the Earth starting in June to help characterize this unexplored region. The Earth's tail is expected to have unusual particles and fields characteristics that will be sensed by ISEE 3 at altitudes varying from 80-250 Earth radii.

The spacecraft will be returning data on Earth's tail by late 1982 if the move is begun in June.

An initial lunar swingby maneuver to better position the spacecraft for Earthtail data acquisition is set for about Mar. 30, 1983, and would help further to set it up for an additional lunar swingby about Jan. 1, 1984, that would hurl the vehicle away from Earth toward an intercept with the comet. During the lunar swingby maneuvers the spacecraft would approach to within about 12,420 mi. of the lunar surface.

The spacecraft then would be flung about 1.9 million mi. from Earth with timing that would enable the comet to dive down upon the vehicle on Sept. 11, 1985.

Modifications to tracking facilities are foreseen as the most serious cost aspects of the mission. Only minimal station modifications should be required to obtain the best data acquisition from the intercept.

NASA's Australian deep space tracking antenna would lose contact with the spacecraft because of the Earth's tilt during that time of year, but the intercept would take place essentially directly over the giant Arecibo radio telescope in Puerto Rico. The Arecibo facility is planning to make radar scans of the comet anyway. Researchers also hope they also will be able to monitor the intercept from German and Japanese facilities.

Following the intercept with Giacobini-Zinner, the spacecraft would loop back toward Earth and fly a trajectory within 1 deg. of the Sun line to Halley's Comet. This would occur while Halley was still nearing its closest approach to the Sun.

Halley would be too far away from ISEE 3 for the spacecraft to obtain data on the comet itself, but it would be able to monitor the solar wind for changes that could later affect the comet. Similar data also could be collected after Halley's closest approach to the Sun. Although it does not provide imagery, the ISEE 3 mission would be useful in providing some basic characterization of a short-period comet, scientists believe. Eventually they want to receive spacecraft high-resolution data on both short-period comets and large, active comets like Halley.

ISEE 3 would not accomplish major cometary scientific objectives as identified by groups such as the Solar System Exploration Committee of the National Academy of Sciences, but it would provide a low-cost start to U.S. comet flyby missions. NASA has been trying without success to formulate and launch a mission to a comet.

The chairman of the Solar System Exploration Committee, Noel W. Hinners, director of the National Air and Space Museum, has not been briefed on the mission but believes the concept is a good one. "It's clearly not going to accomplish major cometary science objectives, yet it's another thing that could bear on the formulations and refinements of comet objectives after the other spacecraft gather data at Halley's," Hinners said. "It's a way to get more mileage out of the spacecraft." ●

#### BAHA'IS IN IRAN

#### HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. FASCELL. Mr. Speaker, on Saturday, March 27, the Baha'i communities in Dade County, Fla., and throughout the United States, gathered to pray for the Baha'is in Iran, who are being denied the right to practice their religion and systematically persecuted for their beliefs. The prayer vigil of these faithful American people is a laudable reminder of our obligation to continue denouncing publicly such flagrant violations of

basic human rights and internationally recognized standards of decency.

The United States is not and will not be silent on the plight of the Baha'is in Iran. During the past 2 years, we supported repeated action by the United Nations Human Rights Commission (UNHRC) expressing concern for the safety of the Baha'is and requesting the Secretary General to make representations regarding their rights to the Iranian authorities. Through the press and in international fora we called attention to the torture, murder, and kidnaping of members of the Baha'i Spiritual Assembly in Iran and made it known that such attempts to eradicate this faith are despicable and unacceptable.

We will persist in speaking out against the oppression of the Baha'is in Iran, not only as individuals expressing their anguish in prayer, but as a nation supporting renewed action by the UNHRC and bringing international attention to these outrageous acts in Iran.●

### SPIRALING NUCLEAR ARSENALS

#### HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. MARKEY. Mr. Speaker, tomorrow the House will have a unique opportunity to debate the nuclear arms race and the consequences of a nuclear war. A number of Members have reserved special orders for the purpose of discussing the spiraling nuclear arsenals of the superpowers. Nuclear weapons and nuclear war are rarely subjects of a comprehensive and focused debate by Members of Congress. As Jonathon Schell wrote in his recent series of articles in the New Yorker:

Yet in spite of the immeasurable importance of nuclear weapons, the world has declined on the whole to think about them very much. . . . Only very recently have there been signs in Europe and the United States that public opinion has been stirring awake, and that ordinary people may be beginning to ask themselves how they should respond to the nuclear peril.

It is crucial that Members of Congress respond to the growing public concern about the seemingly endless buildup of nuclear arms by the Soviet Union and the United States. This afternoon's and evening's special orders will be a historic and timely session for Members to speak on the vital issue of nuclear weapons and nuclear war.

In addition, Mr. Speaker, I would like to introduce into the RECORD a letter from Mr. Herbert Scoville, Jr., former Assistant Director of the U.S. Arms Control and Disarmament Agency and former Deputy Director of the Central Intelligence Agency for

Research (Science and Technology) to the Washington Post. Mr. Scoville expertly rebuts the erroneous arguments of George Will that a nuclear weapons freeze is not in the national security interest of the United States.

#### THE FREEZE

(By Herbert Scoville, Jr.)

I would normally not bother to take issue with George Will, but his March 18 column "Forget the Freeze" is so filled with factual errors that I believe The Post's readers are entitled to be warned of its unreliability and "Forget George Will." Just a few examples:

In laying the basis for all his conclusions, Mr. Will says that in the 1970s America "deployed not a single new ICBM." Just not true. We replaced the old Minuteman I missiles with 550 new Minuteman IIIs. Between 1970 and 1980, the United States increased the number of its strategic missile warheads from 1,706 to about 7,200.

He also said, "America deployed not a single new submarine-launched ballistic missile (SLBM) in the 1970s." Not true! We deployed 496 new Poseidon missiles to replace Polaris, all in the 1970s.

He postulates that the "freeze" would freeze U.S. SLBMs and not stop Soviet deployment of new attack submarines, which could destroy the U.S. sea-based deterrent. He ignores that it would also freeze Soviet SLBM submarines, which are noisy and much more vulnerable than our present Poseidons. Furthermore, U.S. anti-submarine warfare capabilities are superior to those of the U.S.S.R. Thus the "freeze" would keep the United States with a more survivable deterrent.

Einstein would turn over in his grave if he knew that he was being quoted to support such incompetent analyses on a subject so dear to his heart—the prevention of nuclear war.●

### WASHINGTON HIGH SCHOOL RESTORATION PROJECT

#### HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. EDWARDS of California. Mr. Speaker, an innovative project is underway in my 10th Congressional District in California. A group of citizens in Fremont from divergent interests have combined efforts to preserve and restore one of the area's most historic sites.

The Ad Hoc Committee for the Fremont Community Events Center, under the honorary guidance of Pop Goold, and the active leadership of Carl Hentschke and Judy Box, has laid the foundation for a community project destined for success.

The impetus for the preservation of Washington High School's auditorium has been Fremont's lack of a community facility for use by both public and private groups. This project's development is original as it combines efforts and contributions from both civic and private organizations. To avoid costly construction of a new facility, commit-

ments have been made by the city government, fraternal, service, ethnic and cultural arts associations to assist with the comparably modest cost of restoring and preserving a valuable community building.

The ad hoc committee has worked diligently to achieve recognition for its efforts. In reward the Washington High School restoration project received certification from the State of California as an historical site. I am pleased to have contributed to the committee's most recent and most significant acknowledgement, the placement of Washington High School on the National Register of Historic Places.

I commend the contributions of all those involved with the Washington High School restoration project. The work done today will benefit generations to come, not only as a community events center for use by countless citizens, but as a piece of Fremont's history preserved.●

### PROOF OF BENEFIT FROM FEDERAL STUDENT AID

#### HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. SKELTON. Mr. Speaker, I recently received an important thank you letter from one of my constituents, Kathryn M. Phillips of Independence, Mo. Ms. Phillips is attending Park College in Parkville, Mo. She is an excellent student and a credit to her classmates. Her letter is important because Kathy is evidence that there is a real benefit derived from Federal student aid. What kind of future can this student, or any other capable, needy student expect without some sort of help? By cutting student aid, the administration is saying education is not important. There are two sides to every problem, Mr. Speaker. Kathryn Phillips is the other side to the administration's reasoning for ending educational assistance. I hope my colleagues will find time to read this important letter.

DEAR CONGRESSMAN SKELTON: Each year I write you to tell you of my gratitude for the Federal student aid which I have received, specifically, the Pell Grant, NDSL and Work/Study. This year I must also tell you of the dreams made into reality accomplished through the student aid which I have received, along with the Missouri Grant and various academic scholarships.

I will be completing my third year at Park College in May. This year both my sister and I are going to Park and we love it! Next year my brother will be here too. Having three children in college is difficult enough with the financial aid program as it is, but it would be even more difficult if there were no aid. My parents are unable to help us in our efforts to obtain a degree and continue



to support my other brothers and sister at home (I am the oldest of six). But, I work hard to go to school. I am a AmText operator, through the work/study program, a mathematics teaching assistant, and president of the student body. In addition to these responsibilities, I also work hard to keep my grades up to earn academic scholarships. Last semester I received all A's. I am a mathematics major minoring in English, business and computer science. I am an above average student with a cumulative grade point average of 3.67 as testimony. My grades are important to me because I also hope to continue my studies in mathematics at graduate school. Hopefully, with the help of further financial aid, I will be able to graduate from Park in May 1983 and continue my studies. I pray that my brother and sisters will be as fortunate as I to receive similar opportunities.

KATHRYN M. PHILLIPS.●

### THREE MILE ISLAND REVISITED

#### HON. ANTHONY TOBY MOFFETT

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. MOFFETT. Mr. Speaker, 3 years ago yesterday, the nuclear industry suffered its most publicized and most costly accident; the partial meltdown at Three Mile Island in Pennsylvania. March 28, 1979, was a benchmark in public awareness and concern about the dangers of nuclear power and the start of Federal Government efforts to effectively regulate the nuclear power industry.

In these 3 years, the nuclear industry has not fared well. Accidents have occurred at numerous other plants. Revelations of embarrassing design errors and poor quality construction have severely undermined the industry's image of competence. And the economic viability of the nuclear industry is now questioned even by some utility executives themselves.

Cancellations of the Baily plant in Indiana, the Black Fox plant in Oklahoma, the two plants in the extraordinarily troubled Washington State power system and the Tennessee Valley Authority's review of its whole nuclear program are a few of the many indications that utilities today are rethinking their commitment to additional nuclear plants.

A number of factors are prompting this rethinking. The cost of building these plants has burgeoned to the multibillion dollar mark. At the same time, the hope that these plants would be perpetual energy-producing machines has not been achieved. Capacity factors have been below the industry's expectations because accidents and needed repairs cause recurrent outages.

And a number of recent incidents such as the one at Ginna in New York have brought to light a disturbing fact; a number of nuclear plants are

not likely to last the full 30 to 40 years they were supposed to last. Problems of steam generator tube degradation and embrittlement of reactor vessels will certainly curtail the useful life of some, and perhaps many, nuclear reactors. That will substantially reduce the return on those billion-dollar investments.

While the problem of steam generator degradation is but one of many generic safety issues plaguing the industry, it is an extremely widespread one; 49 of the 72 plants currently operating are susceptible to failing steam generators. Of those 49 plants, 34 have experienced problems. Repair costs—like plant construction costs—are frequently staggering. Replacement of the steam generator at the Turkey Point plant in Florida will cost some \$498 million—more than double the original price tag for building the facility.

Finally, the utilities abandoning nuclear power know one of the more disturbing facts about the industry which few members of the public have yet understood. These plants, once they are finished generating electricity after 40 years or even less, must be decommissioned. They must be dismantled and the site cleared of the radioactive wastes produced.

The cost of decommissioning each of the Nation's 72 operating nuclear plants is not known. But it certainly will range into the billions of dollars. And that money is money the utilities do not have today. In most cases, no money is being set aside for that very rainy day when the decommissioning bills will have to be paid. And as we all know, if and when already-troubled utilities actually face bills they cannot pay, suggestions of a Federal bailout with taxpayer dollars will be heard. The TMI bailout plan could be just the first of many. In fact, suggestions have already been made for a \$50 billion bailout in the form of low-interest loans for the industry.

Regrettably, the Reagan administration appears oblivious to these strong marketplace signals. The administration has committed itself to a nuclear policy which is largely that of boosterism. The administration appears to believe that the only thing ailing the nuclear industry is too much regulation—and not enough Federal taxpayer subsidy.

Consequently, the hallmarks of the administration nuclear policy are loosening regulatory restraints and bolstering subsidies for the industry—at Clinch River and elsewhere.

During the 3 years since the Three Mile Island accident, the Subcommittee on Environment, Energy and Natural Resources which I chair has conducted a series of exhaustive investigations into the problems in the nuclear industry and the shortcomings of the Nuclear Regulatory Commission in addressing those problems. The evidence

garnered from those bipartisan investigations has resulted in four NRC oversight reports which the committee has issued—reports which in most cases received the unanimous support of the members of the full Government Operations Committee.

That evidence and those reports simply do not square with any claim that regulatory burdens are the source of the nuclear industry's problems. And they certainly do not lead to the conclusion that increased Federal subsidies are the answer, especially in a time of fiscal austerity. Instead, they suggest that public health and safety, and the integrity of the environment, require a much stronger NRC performance than we have seen so far.

Over the last 3 years my subcommittee's investigations have found serious deficiencies in the NRC's enforcement and inspection programs. Most recently, the NRC's response to the "licensing delay" which has now virtually evaporated has been to deemphasize safety programs at a time when much of the TMI action plan remains uncompleted and far behind schedule. During the last year the Commission met 25 times on the "licensing delay" question. This total is far greater than any single safety issue and is, in fact, greater than the sum of all safety issue meetings during the period. In addition, while staffing for licensing programs has more than doubled, staff resources for safety programs has been cut almost 25 percent.

Emergency planning programs—the need for which was dramatized by the TMI accident—are still not fully in place. Utilities have been slow to implement these important programs and the NRC response to the industry's failure has been minimal. The February 1, 1982 deadline for the installation of sirens to alert area residents in case of a plant emergency passed with many sites not having those alarms in place. And what is equally disturbing is that while most utilities have now installed the systems, we are finding that many of them don't work. So, 3 years after the Three Mile Island accident citizens are still not fully protected through an effective warning system in case of an accident.

I strongly urge my colleagues to reconsider current policies regarding nuclear power. Nuclear power simply may not prove to be economically viable over the long term. Alternative energy sources and conservation programs—which by the way have proven to be so effective in reducing our energy consumption—must receive a larger share of scarce Federal dollars. We should heed the clear signals from the marketplace and assure full funding for such programs and not devote scarce Federal dollars to bailing out the troubled nuclear power industry.●

## WHAT'S BECOME OF VIETNAM?

## HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. MICHEL. Mr. Speaker, those in this country, in and out of Government, who told us that the former Governments of South Vietnam were corrupt and dictatorial did everything they could to see those Governments fail. Eventually North Vietnam invaded the South with tanks and the critics got what they wanted.

What has happened to the Vietnamese people under communism? What has happened to the National Liberation Front? We were told by idealistic but misinformed critics of South Vietnam that the NLF would rule the country but it is the North Vietnamese who rule.

Anyone seeking to discover the dreadful, inhuman conditions of Vietnam under its new Communist masters will want to read the piece I insert into the RECORD at this point: "What's Become of Vietnam?" by Doan Van Toai, from the Wall Street Journal, March 24, 1982.

## WHAT'S BECOME OF VIETNAM?

Current economic conditions in Vietnam are much worse than seven years ago when the United States ended its involvement. Soviet aid to Vietnam, between \$3 million and \$6 million a day, has been inadequate because of the high cost of the Cambodian invasion, the occupation of Laos and the need to counter the permanent threat from China. Now, after giving many different excuses for the disastrous economy, Communist Party leaders have admitted mismanagement and corruption in industrial administration and in the party system itself.

The Vietnamese Communist Party's daily newspaper, Nhan Dan, reported on May 12, 1981, that 2,563 national and collective enterprises of 15 provinces lost \$121 million in the last trimester of 1980 alone through mismanagement and corruption. The Vietnamese have reluctantly had to order the end of the collective production program in some Delta areas and postpone full socialization in many South Vietnamese cities. Some small private businesses are to be left alone rather than nationalized.

Morale among party leaders is so bad that the Fifth Party Congress, supposed to convene last summer, will be delayed until next summer. In the meantime, the leadership intends to carry out all measures possible to earn foreign currency, regardless of economic principles or human consequences. In this regard, the Vietnamese government's entrepreneurial ingenuity has come up with several innovative expedients.

First, there was the "boat people business." It has already brought the party and the government about \$4 billion. Each boat person had to pay an unofficial fee in gold to government officials for a place in one of the thousands of refugee boats leaving the country. Though this business was supposed to have been organized for the ethnic Chinese, many Vietnamese got places for themselves and their families by paying higher rates. Houses, property and money left

behind in Vietnam were confiscated by the government.

Le-Duc Tho, a politburo member (and chief negotiator with Henry Kissinger at the Paris Peace Conference) is said to be the manager of this business with the help of his two powerful brothers, Gen. Mai Chi Tho, mayor of Ho Chi Minh City and chief of the security forces, and Gen. Dinh Duc Thien, the new minister of transportation. One may only conjecture about the amount of bribery and corruption that accompanied this human-export business.

## ONE RATION COSTS \$50

The second major business is the transport of gifts from overseas Vietnamese to relatives in Vietnam. A number of special companies located in Los Angeles, Paris and Toronto have announced they can deliver gifts from abroad to Vietnam. One company accepts dollars from the senders and in return delivers food rations to relatives in Vietnam. One ration, for example, costs \$50 in the U.S. and provides the relatives in Vietnam with 50 kilos of rice and 20 kilos of sugar. Since the official ration for each family in Vietnam is one kilo of sugar and 10 kilos of rice a month, the recipient can resell this merchandise on the black market for a profit to survive.

Despite these efforts, Hanoi does not earn enough foreign currency to pay its debt to the Soviet Union, and to import the materials needed to support the factories left behind by the former Saigon regime. The Soviet debt amounts to some \$3 billion. This aid was made available during the war years in the form of loans rather than gifts.

Almost all the major industrial factories have been closed or have cut back production severely. Even such showpieces as the paper factory at Baibang have been affected. This huge plant was donated in 1980 by Sweden, the major Western contributor to Vietnam. After long delays due to mismanagement and theft, it is due to open this year, but production is expected to fall far short of initial projections. Meanwhile, newspapers and stationery sent from Vietnam represent a quality of paper as poor as that produced centuries ago. A Swedish engineer involved in the Baibang project commented in an article in Der Spiegel, the West German magazine, that the money given to build the factory could have bought enough paper for all Vietnam for 25 years.

But of all the expedients to raise foreign capital, by far the most ambitious and emotion-laden has been the government's reported decision to export to the Soviet Union 500,000 Vietnamese workers for Siberian labor between now and 1985. This development was reported extensively in Europe (The Economist's Foreign Report, Sept. 17, 1981; Aspect de la France, Dec. 24, 1981; L'Express Dec. 16, 1981, and in Le Figaro). Hanoi also 15,000 "invited workers" to Bulgaria last November; the Vietnamese government took 60% of the workers' salaries to pay off the Soviet debts. To many Vietnamese this forced levy of workers bears a horrible similarity to the export of African slave labor to North America in the 18th and 19th Centuries.

One clear fact is that the Hanoi regime is using one stone to kill two birds: It saves itself the cost of feeding half a million mouths, and it eliminates the remnants of what it considers reactionary elements. Vietnamese dissidents, including former Hanoi Congressman Nguyen Cong Hoan, have told me that most of these 500,000 workers are being chosen from among those suspected of political opposition, including the stub-

born, independent elements of the former National Liberation Front (NLF) or party members suspected of pro-China sympathies.

One former NLF leader told me that much as the Hanoi leaders used the Tet offensive in 1968 to largely eliminate the fighting force of the NLF, they are today using this "worker-export" plan to eliminate the considerable number of the independent minded and non-Communist revolutionaries among the South Vietnamese people. The Vietnamese government has failed to make public any official contract between Hanoi and Moscow for this program or to state publicly the duties, rights or working conditions of the Vietnamese laborers. Since last summer, most of Vietnamese youth between 18 and 35 have been drafted into Vietnam's army. Thus, the majority of the Vietnamese in the worker plan are over 35.

During World War II, the French recruited thousands of Vietnamese to fight in the French army or to work on farms in the jungles of Indochina. But this service was optional. Today the Vietnamese Communist government forces its people to work in Soviet territory regardless of their wishes. People in Vietnam today often quip that the manpower export program is "proletariat for sale." For its part, the Soviet Union achieves two goals: military bases at Danang and Camranh Bay for its Pacific presence and the employment of a half million laborers at a cheap price.

## TRYING TO USE POW ISSUE

The economic crisis has also led Hanoi to consider means of cultivating the West and in particular its largest potential source of aid, the U.S. Until recently North Vietnamese leaders have unsuccessfully attempted to use the POW issue to bargain with the American government, linking release of POWs with normalized relations and aid. Then last Dec. 20, Robert Muller, executive director of the Vietnam Veterans of America, and four other Vietnam veterans visited Hanoi. The visit was described by the Americans as having for its main objective the search for missing servicemen. It was portrayed differently, however, for Vietnamese home consumption. The party daily, Nhan Dan (Dec. 20, 1981), said the visitors were in Vietnam seeking proof of American war crimes involving the use of toxins.

The Soviet-Vietnam link is virtually unbreakable. Vietnam's age-old enmity with China requires an alliance with some counterbalancing force. Moreover, the Vietnamese Communists have always been tutelaries of the Russians; in the 1930s the Vietnamese Communist Party platform stated that "under the leadership of the Soviet Union, the Vietnamese revolution is growing firmly. . . ." On Jan. 20 this year, when Brezhnev awarded the Lenin medal to Le-Daun, leader of the party, and to Truong Chinh, the president of the state, Nhan Dan editorialized: "The brotherly and comradely sentiment between the two countries has never been breakable and is becoming ever firmer as internationalist obligations and duties are fulfilled." Ironically, the French Socialist government recently gave Vietnam \$40 million in the illusory hope that its gift would help Hanoi separate from the Soviet Union.

In fact, the only way for the West to separate Hanoi and Moscow would be to replace the \$3 million to \$6 million per day of Soviet aid and to accept the Vietnamese occupation of Cambodia. But even such an unlikely reshuffling of relationships would not



significantly affect the deprivation and the absence of human rights that characterize this regime, or the warfare that has always, it seems, plagued Indochina's history.

Hoang Tung, editor-in-chief of *Nhan Dan* and spokesman for the party, recently wrote that "in wartime we had enough to eat and we were successful; in peace we are hungry and failing." His statement constitutes an implicit but stark indictment of the role Communism has played in the continuation of war and the perpetuation of hunger in Vietnam.

## U.S. LOSING TECHNOLOGICAL LEAD

### HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. GINGRICH. Mr. Speaker, the United States once had a massive lead over the rest of the world in space-related technologies. This technological advantage created thousands of jobs for Americans.

Now, the United States has only a significant lead in these technologies, and that lead is decaying. If we let our advantage continue to slide, one day we will import rockets like we import cars; and once again we will lose ground to Japan and Europe in another industry.

Robert Cowen, of the *Christian Science Monitor*,<sup>1</sup> wrote an interesting article on the Western European effort in the satellite-launching business. I am sharing it with my colleagues in hopes Congress will recommit itself maintaining the U.S. edge in space-related technologies.

NEW ORBITS FOR EUROPE—WEST EUROPEANS NUDGE U.S./SOVIET MONOPOLY  
(By Robert C. Cowen)

As technicians make final preparations for the third test flight of the United States space shuttle *Columbia* later this month, Europe is beginning to compete strongly for a share of the lucrative satellite launching business.

Last week, Arianespace announced the signing of a \$50 million contract to orbit a communications satellite for Canada by 1986. Arianespace is the company that eventually will manage commercial launching business for the 12-nation European Space Agency (ESA).

Some 14 missions are already scheduled for the ESA's Ariane launching vehicle over the next three years. They include a few payloads double-booked with the National Aeronautics and Space Administration (NASA)—a practice some customers follow to ensure their satellites are launched on time. They also include payloads won away from NASA, such as a General Telephone-GTE G-star and the Southern Pacific Corporation Spacenet communications satellites.

Signing of the Canadian contract follows the announcement by ESA, on Jan. 25, that

its Ariane launching vehicle can be certified to be "qualified and thus fully operational" after the success of three of four test flights. This is at a time when the U.S. shuttle is far from similar certification.

At its meeting Jan. 25 and 26, ESA also decided to go ahead with development of a new Ariane launcher—Ariane 4. It is to be powerful enough to boost satellites of 4.3 metric-ton (9,479 pounds) mass into geosynchronous orbit. That's twice the mass that the present Ariane can put into this important orbit.

Geosynchronous orbit means that the satellite moves around its orbit at the same rate at which the Earth turns. Hence it remains over a given spot on the planet's surface. This makes it the preferred orbit for many communications and weather observing satellites.

ESA has already taken other steps to enhance its commercial launch capabilities. In 1980, even before the present Ariane was well into its test series, ESA authorized minor changes that will boost the system's launching power. These enhanced launchers—Ariane 2 and 3—are expected to be flying next year. Also, last year, ESA decided to build a second Ariane launch site to increase its ability to fulfill launch commitments and to allow more launches in a given time.

Thus it is that those ESA members participating in the Ariane project are well positioned to challenge the US space shuttle. Only 10 of the 12 members take part—Belgium, Denmark, France, Germany, Italy, Netherlands, Spain, Sweden, Switzerland, and Britain. Associate members Ireland and Norway do not.

NASA, which already is feeling the competition, is considering easing some of its commercial terms—such as the requirement that customers decide whether to use the shuttle or a Delta launching rocket 30 months before launch date. It may also have to modify its price structure. Right now, Delta launches are the only type of launches for which customers must pay full cost.

Both shuttle and Ariane launches are being subsidized to attract business over the next few years. However, the shuttle is handicapped by uncertainties both as to when it will be operational and to what extent it will be able to meet commercial commitments. Budget cuts have already forced NASA to reduce the shuttle schedule from the 48 missions originally planned through mid-1985 to 32 flights.

For its part, ESA will ease into commercial operation. It calls its first seven launches a "promotional series." Three are scheduled this year, beginning in late April, and four next year. Then commercial responsibility will be handed over fully to Arianespace, which is a private company. Meanwhile, the powerful Ariane 4 is expected to be demonstrated in 1985 and to become operational in 1986.

ESA is thinking in terms of cooperation, as well as competition, with the US. It is involved in the shuttle program by supplying Spacelab—a laboratory that goes in the shuttle equipment bay and in which technicians can work. Both it and the US talk hopefully of further cooperative projects in space exploration that will share the costs of the research.

However, ESA has been badly burned when the US has unilaterally withdrawn or reduced its participation in such joint projects in the past. The most serious of such actions was cancellation of the US

spacecraft in the Solar Polar Mission to send twin spacecraft to explore the north and south polar regions of the sun.

Thus, in spite of some friction in the past, ESA is inclined to seek continued US cooperation. But ESA officials are making it clear they expect to be treated with equal respect in any future joint projects. ●

## COMMEMORATION OF THE TENTH ANNIVERSARY OF THE PASSAGE OF THE EQUAL RIGHTS AMENDMENT BY CONGRESS

### HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. FOGLIETTA. Mr. Speaker, we commemorate the 10th anniversary of the passage of the equal rights amendment with pride and trepidation. The approval of the amendment by both Houses of Congress 10 years ago certainly represented a landmark in the struggle for recognition of women's rights. Yet, 10 years later, we find ourselves within 3 months of the ratification deadline, with a hard struggle still ahead. It is still my fervent hope that the amendment will be ratified within that deadline. But even apart from ratification, the most significant goal, we must acknowledge that much has been gained in the campaign for equal rights in the last 10 years.

The women's movement has awakened the conscience of the Nation to the legal and social inequities suffered by over half of our population, merely because they were born female. The case for equal opportunity becomes clearer as women continue to test barriers which previous generations took for granted. Even those who oppose ratification of the equal rights amendment, like President Reagan, pay lip service to the principal of equal rights, claiming that they are in favor of the "E" and the "R," but not the "A."

In spite of this overall progress, we do now find ourselves facing tough and well-organized opposition from the "new rights." Notwithstanding its rhetoric, the present administration has an abysmal record in recognizing women's talents through appointments to public policymaking positions. There are no women in the President's Cabinet, none are included in his inner circle of advisers, and few hold other major offices. Women considered for Federal court appointments are exposed to right wing litmus tests which are not applied to men. While Justice O'Connor was able to survive this "new right" assault, the nomination of Judith Whitaker was blocked merely because she was suspected of harboring prochoice sentiments with regard to abortion. This administration has also entrusted the

<sup>1</sup> Reprinted by permission, the *Christian Science Monitor*. Copyright 1982; the *Christian Science Publishing Society*. All rights reserved.

enforcement of equal opportunity laws to unsympathetic political appointees, and advocated selective budget cutting to undermine important programs such as the Women's Bureau of the Department of Labor.

In short, what we have experienced over the last 10 years is an extensive broadening of the base of the women's movement, and acceptance of its values by an overwhelming majority of the American people. At the same time, that well-organized minority which has arisen in opposition to progressive change is temporarily in ascendancy. Fortunately, we live in a democracy, in which the values of the majority will find expression through the political process, if those who are concerned are willing to work and make it happen. Let us all take this day to rededicate ourselves to that effort.●

#### TRIBUTE TO FOUR BOY SCOUTS

##### HON. JAMES L. NELLIGAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. NELLIGAN. Mr. Speaker, I join my colleagues today in honoring four Boy Scouts from Luzerne County in the 11th District of Pennsylvania, which I am privileged to represent. These four scouts will receive or have recently received the highest scouting award, the coveted Eagle Scout Award.

Michael K. Burns, 17, the son of Robert P. and Bernadette Burns, is a senior at Bishop Hafey High School. In addition to receiving the Scout of the Year Award from his troop, he has lettered in both soccer and wrestling. Michael received his Eagle Scout Award on January 26.

Corey Wetzel, 15, the son of Jacques and John Wetzel, is a sophomore at West Hazelton High School, is a member of the high school band and also is a junior fireman for the Conyngham Fire Department. Corey received his Eagle Scout Award on February 6.

Christopher J. Turant, 17, the son of Bernard and Lorraine Turant, is a student at Wyoming Area High School, where he is a member of the ski club and bowling club. Christopher will receive his Eagle Scout Award on April 4.

Mark D. Bertocci, 16, the son of Roy and Beverly Bertocci, is also a student at Wyoming Area High School, where he is a member of the swim team. He participates in church activities as well. Mark will receive his Eagle Scout Award on April 4.

I join parents, friends, and members of their communities in congratulating these young men and wishing them equal success in their future endeavors.●

#### VIEW OF PAST PRESIDENTS OF THE LATIN AMERICAN STUDIES ASSOCIATION ON EL SALVADOR

##### HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. BARNES. Mr. Speaker, one of the things that concerns me most about the Reagan administration's policy in El Salvador is that it rests on a view of the situation in that country that is shared by almost none of the people who follow Latin American affairs as a profession. Recently, most of the past presidents of the Latin American Studies Association, who represent a distinguished group of Latin Americanists, signed a letter to President Reagan expressing their disagreement with U.S. policy toward El Salvador. I wish to share the letter with my colleagues:

MARCH 3, 1982.

MR. RONALD REAGAN,  
President of the United States, The White House, Washington, D.C.

DEAR MR. PRESIDENT: We, the undersigned past-presidents of the Latin American Studies Association since its founding, feel it important and appropriate to inform you of our disagreement with current United States policy toward El Salvador.

The assumptions on which the Administration's policy are based are regarded as questionable not only by us, but by the preponderance of groups knowledgeable about Latin America both in the United States and abroad. Above all, we believe that resistance to the government of El Salvador is primarily due to conditions in that country, and is only secondarily influenced by such support as it receives from Nicaragua, Cuba or the Soviet Union. Resistance to the present government appears to us as fundamentally a protest against extreme social and economic injustice; the tactics of the Salvadorean armed forces, and related paramilitary groups; and the absence of political democracy and freedom.

Our analysis of the situation in El Salvador leads us to the same conclusions as those arrived at by the majority of experts both in this country and in Western Europe (1) the overwhelming majority of the hundreds of persons killed every month in El Salvador are killed by government forces or those linked to them; (2) the present government is not capable of controlling its armed forces and the para-military groups on the extreme right; (3) the official agricultural reform program is, and is likely to continue to be, ineffective; and (4) honest, competitive elections are not possible under present conditions.

Under these circumstances, we believe it to be highly inappropriate that the U.S. government should provide military support to the armed forces of El Salvador. Moreover, we believe that while such aid continues, this country loses credibility as a defender of human rights and democracy in other parts of the world.

We therefore urge that the Administration: (1) cease immediately all military support of the present regime (we support the continuation of supervised emergency food

aid), (2) exert all the influence we have to achieve that the most extreme military elements leave El Salvador, as did senior officials of the Somoza regime; and (3) join West European and Mexican efforts to bring the two sides to the negotiating table.

We deem current U.S. policy toward El Salvador as not well founded, and as damaging to our stature in the world. We would urge you to change that policy with the utmost rapidity.

Sincerely,

Tom E. Davis \*(1966), Chairman of the Organizing Committee, Freida Silvert (1967), widow of Kalman H. Silvert first president and cofounder), Richard N. Adams (1968), John Augelli (1969), Federico G. Gill (1971), Thomas Skidmore (1972), Henry A. Landsberger (1973), Paul L. Doughty (1974), Richard R. Fagen (1975), Joseph Grunwald (1976), Evelyn Stevens (1977), Riordan Roett (1978), Peter H. Smith (1981).●

#### FIRST HOUSE ACTION ON EXPORT TRADING COMPANY LEGISLATION

##### HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. BONKER. Mr. Speaker, today the House Foreign Affairs Subcommittee on International Economic Policy and Trade held a markup session on H.R. 1799, a legislation to foster the creation of export trading companies.

This was the first House action this session on this important legislation, and I want to commend Chairman JONATHAN BINGHAM for moving ahead. The subcommittee adopted three amendments to H.R. 1799 during markup:

First, title I was amended to limit bank participation in export trading companies to bank holding companies and Edge Act corporations. Bank holding companies would be permitted to invest up to 5 percent of their consolidated capital and surplus, and Edge Act corporations up to 25 percent of their capital and surplus in export trading companies. All investments in export trading companies would be subject to prior approval by the Federal Reserve. This amendment would provide greater protection for bank deposits and reflects a number of concerns currently expressed by Banking Committee Chairman FERNAND ST GERMAIN.

Second, the subcommittee adopted an amendment offered by Mr. BOB SHAMANSKY of Ohio that clarifies the intent of Congress that the limited antitrust immunity offered by the legislation does not extend to domestic commerce. This was a worthwhile amendment that clarified an ambiguity in the bill and I was happy to support it.



Third, the subcommittee deleted the provision in H.R. 1799 dealing with the DISC tax provision, in order to facilitate passage of the bill through the House.

Mr. Chairman, I believe the action we took today addresses many of the concerns that have been expressed by other House committees with jurisdiction over H.R. 1799, and I believe it was an important first step in seeing this legislation through the Congress this session at a time when the United States inches closer each day to a trade war with Japan.

There are nearly a dozen "reciprocity" bills circulating in Congress; they represent the frustration that many Members feel with the often impenetrable trade barriers the Japanese have thrown up to American products.

The House Export Task Force, which I chair, recently held a meeting with Deputy U.S. Trade Representative Dave Macdonald on the issue of nontariff barriers to trade. The Members who attended made it clear that these bills are intended to send a "message" to those nations that treat our exports unfairly, and to our trade representatives and congressional leaders who need to know that the reduction of foreign quotas and other nontariff barriers must have a high priority.

These reciprocity bills take many forms, from the imposition of a parity tax, to a quota system or local content requirements. They are borne of the fact that domestic manufacturers of dairy and meat products, citrus and other fresh fruit, finished wood products, and high technology are running into a stone wall in their attempts to penetrate the Japanese market.

As one who represents the Northwest, with its high dependence on the wood products industry, I have long battled the Japanese over their addiction to our unprocessed logs. For too long, we have been a colony of that nation as regards our wood products; we send them the raw resource to support their domestic manufacturing industry. As a result, we fail to realize the full economic potential of the resource.

Just recently, a special negotiating committee has been formed to convince and persuade the Japanese that they must accept more of our finished products. I am happy to report that they are making progress. But it is slow progress—and at a time when our domestic economy is in a tailspin, there is a growing feeling of impatience.

For their part, the Japanese claim that much of the fault is our own, that if we were more sophisticated in the ways of international trade, that if we better "played the game" we would have greater success in exporting. There is much truth to this.

That is why passage of the export trading company bill, H.R. 1799, is of such importance. Aside from the large multinationals, our small and medium-sized companies simply do not export. They find the process confusing and frightening. They lack the expertise in language and law, the capital and the knowledge of overseas markets to be successful in export trading.

The ETC bill would allow the United States to generate this expertise. It would assist our domestic companies in finding their way through the thicket of regulations that may bar the door. In effect, this is a positive, aggressive approach to the problem of nontariff barriers, one that steers clear off protectionist legislation which carries the danger of retaliation and a full-scale trade war.

We need to move expeditiously on the creation of trading companies. A private study conducted by Chase Econometrics estimated that by 1985, export trading companies could increase GNP by \$27 to \$55 billion, increase employment by 320,000 to 640,000 workers, and reduce the Federal deficit by \$11 to \$22 billion.

We cannot afford to ignore legislation which has the potential for creating jobs and helping the country towards true economic recovery. ●

#### CONCERN FOR SOVIET JEWS

##### HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. FASCELL. Mr. Speaker, as Chairman of the Commission on Security and Cooperation in Europe, I am constantly made aware of the plight of many Soviet Jews who are being denied their right to emigrate from the Soviet Union to the country of their choice. In 1981, the level of Jewish emigration from the Soviet Union reached a 10-year low, a disturbing indication of the Soviets' disregard for the doctrines of human rights so clearly established by the Helsinki Final Act.

Despite this pessimistic outlook for many Soviet Jews, there is no doubt that concern for these individuals remains strong throughout the United States and the world. I am proud to note that one of my constituents, Dr. Joel M. Levin of Miami, serves as an outstanding example of this active concern. Dr. Levin has taken up the cause of a 28-year old Jewish activist, Yakov Mesh, who is being harassed and threatened by Soviet officials as a result of his protests against the Soviet Government for the right of his family and other Jews to emigrate.

Although Dr. Levin has never met Yakov Mesh, his selfless efforts to secure the release of the Mesh family

from the Soviet Union deserve the highest praise and recognition. I am pleased to bring to your attention an article published in the March/April issue of *Boxing Today* which unfolds the story behind these two remarkable men. It is my sincere hope that, through recognizing the commitment of Dr. Levin and others in helping to secure basic human rights of all individuals, this goal will some day be realized.

#### RUSSIANS DECLARE JEWISH BOXER SECURITY Risk!

(By Bob Rubin)

Bill Medei's left was a blur as it hissed through the air and landed on the nose of Dr. Joel Levin, breaking it. Had it been a legitimate fight, the ref would have stopped it right there in the first round. No, had it been a legitimate fight, the ref would have stopped it before it began.

Medei is a tough, 25-year-old professional middleweight who trains in Miami's famed Fifth Street Gym. Levin is a 40-year-old Miami plastic surgeon with no previous boxing experience. They met in the ring at the Sheraton Beach Hotel on Miami Beach for a three-round exhibition last summer.

It was a mismatch with a cause. Levin wasn't fighting Medei. He was fighting a far bigger, tougher and more dangerous foe, for extremely high stakes. Levin was fighting the Soviet Union on behalf of a man and his family he has never met. He was fighting to publicize the plight of Yakov Mesh, a 28-year-old Soviet Jew in Odessa, who wants to emigrate to Israel with his wife Marina and their five-year-old son Marat.

Mesh and other "refusnik" Jews with the courage to challenge the Soviets' iron grip on their lives, are thorns in the paw of the Russian bear. Levin thinks his efforts, and the efforts of others to make the world aware of Mesh, are probably all that stand between Mesh and a Siberian prison—or perhaps death. That's why Levin considers his broken nose a badge of honor. "I'm very proud of it," he said.

And Medei, nicknamed "the Italian hammer," was proud to do something to help a man half a world away he will probably never meet. After his own vigorous workouts at the Fifth Street Gym, he and his trainer Dave Clark would travel over to Tropical Park, the old closed-down racetrack, to work with Levin to prepare him for their "fight." Every day for nearly two months, this odd couple would spar for the cause of three strangers.

"I've never had a chance to help people," Medei said. "I've had a lot of help in boxing, but I've never been able to give some back until now . . . The more I got involved in it, the more I wanted to help. The good feeling I have inside I can't explain." "I'm a Bill Medei fan for life," Levin said. "A neat guy, absolutely neat."

The Medei-Levin-Mesh saga began in 1977 when Levin and his wife took a trip to the Soviet Union and met some Jewish activists in the flesh for the first time. The Levins had been members of the South Florida Conference on Soviet Jewry, but the personal contact with people Levin terms "modern-day heroes" turned a cause into a deep commitment.

"Everyone of these so-called refusniks know that, as soon as they apply for emigration to Israel, they're going to lose their professional status and probably wind up

serving several jail terms," Levin said. "They're going to be harassed by neighbors and perhaps physically intimidated. It starts a whole cycle where their lives become miserable. They've seen it happen to their fellow activists, yet they do it anyway. To me, that's a hero, someone who puts it all on the line for a cause."

"You know, under Soviet law, they are allowed to go to the homeland. According to the Helsinki accords, that's their right. But the Soviets make up all these excuses why they can't leave—'The reason you can't go is because you were in the Army six years ago and therefore you know security secrets.' That's a lot of bull. One man got out told us in Israel, 'I was a shoe clerk in the Army. What secrets did I know?'"

Why don't the Soviets let them go? "That's a good question," Levin said. "The theory is that the Russians want to have an image in the world of the worker's state, where life is wonderful. But when you have millions of people who want to get out—not just Jews—it destroys that image."

The Levins became aware of Mesh through Lev Roitburd, a Jewish emigre from Odessa who got out after several years of effort on his behalf by various American Jewish organizations, including the Levins'. Roitburd told the Levins and other members of their temple that Mesh was a tailor working as a night watchman who had been arrested for several short periods and repeatedly called by the KGB. Mesh's mother, father and brother had been permitted to leave nearly three years earlier. So had his wife's mother, father, sister and grandmother. In all, some 20 family members departed on the same flight. Only Mesh, his wife and son were refused permission to leave. Why? Mesh was told it was not "the right time" for him to go.

Roitburd gave the Levins a short printed biography of Mesh, which included a note that he had been a boxer while serving in the Army. That caught the eye and lingered in the mind of Levin, who enjoyed the sport as a spectator.

Later, in an unsuccessful plea to a representative of light heavyweight Mike ("The Jewish Bomber") Rossman for Rossman to make a statement on behalf of Mesh, Levin said he'd even be willing to step into the ring to publicize Mesh's struggle. "It just popped into my head as I was talking," Levin recalled. Rossman's man said no, but the idea stuck in Levin's mind. Enter Bill Medel.

A little after midnight on the evening of April 21, Medel entered Baptist Hospital in the southwest Miami suburb of Kendall. He had fought that night and suffered a deep gash over his left eye. The surgeon on duty who stitched him up happened to be Dr. Joel Levin.

The conversation got around to Mesh, and Levin mentioned his nutty notion of fighting for freedom. Medel's humanitarian instincts inspired him to participate, but his boxing instincts and the sight of Levin's flabby 40-year-old body left him dubious. "I couldn't see how we could do it," he admitted.

But he couldn't know then how much effort Levin was willing to put into the project. Levin went at his conditioning program with a dedication that startled Medel. "He's cramming six years of work into a month," the fighter observed.

Levin shed 20 pounds to get down to a fighting weight of 151 pounds. He couldn't master the art of skipping rope ("one skip

and his legs were all tied up," Dave Clark said with a laugh), so he did jumping jacks instead. He ran wind sprints and took daily jogs of two-to-three miles. Most important, he sparred with Medel to learn the rudiments of the trade. "I didn't want to go up there and make a fool of myself because that wouldn't have helped Yakov," Levin said.

Both Medel and Levin had to overcome basic instincts when they sparred. Medel had to restrain the natural urge to belt the good doctor into Never-Never Land. Levin had to overcome his fear.

"I was scared every time I got in the ring with Bill," Levin said. "We fought eight preliminary three-rounders in training. On certain days, Dave Clark would say, 'Okay, Bill, go to work on his midsection,' and he'd start to hit me in the gut. Very rapidly, I learned to handle defense there. Other days, Dave would say, 'Okay, work on his head,' and I'd have to learn to defend myself there."

As fight night approached, others pitched in to help. Veteran promoter Chris Dundee agreed to donate a percentage of the gate to a foundation to be set up in Mesh's behalf. Local newspapers and TV and radio stations publicized the fight to help hype attendance. A near-sellout of 850 packed the hotel.

The two men were wearing oversized 14-ounce gloves and protective headgear, but as he climbed through the ropes, Levin's heart was pounding as if he were about to fight for the world championship. "I was very excited. I haven't felt such a high in a long time," he recalls.

Then Medel said welcome to my world with that stiff left to Levin's nose. Ouch. "After the fight, I asked him, 'What about the left in the first round. That really hurt,'" Levin said. "He said, 'Well, I wanted to get you mad because I knew we'd get a little more action.' In training, he'd stick me and I'd really open up."

Opening up, Levin style, means a flurry of awkward shoves and slaps, but no matter. He accomplished his goal. Newspapers and TV reported the fight and, far more important, the reason for it. Clips of articles were sent to Jewish organizations throughout the United States and Canada. From there, they were mailed to top Soviet officials—President Leonid Brezhnev, Ambassador Anatoly Dobrynin and Konstantin Zotov, head of emigration. The idea was to show the Soviets the width and depth of concern for Yakov Mesh and his family.

There was great urgency to get that message across. "We're pretty sure there have already been two attempts on his life by unmarked cars that tried to run him down," Levin said. "He's fairly active politically, both in his own cause and in the cause of others. This makes him dangerous to the Soviets."

"You know, the Iron Curtain is a very effective barrier as long as the Soviets inside don't know what's going on in the West, and the West doesn't know what's going on inside the Soviet Union. That's why it's so important to publicize Mesh's name. If the Soviets are aware that we in the West know about Yakov Mesh, they can't just go ahead and do what they want to him."

Levin says Mesh is probably unaware of the efforts being made on his behalf in the United States. Though everything written about him is mailed to him, Levin is almost certain the Soviets intercept the mail. They've sent hundreds of letters to other refusniks, only to later learn that perhaps only two or three ever got through.

Levin calls Mesh and his fellow activists "heroes." If he were aware of them, Mesh

would probably use the same word to describe Levin and the others who work so hard and unselfishly for people they have not met, and perhaps never will meet. But Levin changes the subject when it turns to him.

"I don't want to pat myself on the back because there are so many others doing just as much or more," he says. "And selfishly, I get a hell of a lot of fun out of some of the adventures this work leads to. This boxing thing was really neat. My nose looks a little rugged but I don't mind a bit. I'm very proud of it."

He should be. ●

## KNIGHTS OF COLUMBUS CELEBRATING THEIR 100TH ANNIVERSARY

### HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. SMITH of New Jersey. Mr. Speaker, the Knights of Columbus, a fraternal order of Catholic men, are today, celebrating their 100th anniversary. I would like to take this opportunity to recognize, what I believe is one of our Nation's finest service organizations.

The Knights of Columbus was founded a century ago by Father Michael J. McGivney in New Haven, Conn. Reverend McGivney organized a group of Catholic men in his parish in New Haven, in response to their exclusion from other groups. Father McGivney, along with many religious colleagues established the first group of their organization, and named it after the first American, a Catholic, Christopher Columbus.

The Knights of Columbus has grown considerably in the 100 years that have passed, and today their Supreme Knight, Virgil C. Dechant presides over more than 7,100 local councils worldwide. These councils, the foundation on which the order is built and runs, are in the United States, and eight foreign countries. In New Jersey, one of the larger jurisdictions, their membership exceeds 63,500 men, and worldwide the membership total is nearing 1,360,000.

The Knights of Columbus has as its fundamental tenet, charity. They give of themselves, whether it is helping earthquake victims in Italy, or providing programs for the handicapped, or promoting family and civic virtues.

The dedication of this fine service organization is evident in their work with the mentally retarded. It is their greatest cause, and each year, a great portion of the money they raise is given to help the retarded. The fundraising is done by each council in their community and can range from car washes and charity balls to their annual Tootsie Roll drive. In 1980, the Knights of Columbus raised \$31.7 mil-



lion, all of which was donated to charity.

The Knights of Columbus allows each of its 7,100 councils to establish and maintain programs suited to their communities. The value of this approach is reflected in the diversity and uniqueness of the council programs. The K of C also has national programs, such as their insurance program which has 437,903 members and their student loan program. The K of C student loan program, makes more than \$50 million available to members and their families. New Jersey members and families receive the second largest number of these loans, and Seton Hall University in South Orange, N.J. has the largest number of students receiving these loans in the country.

The Knights have provided 100 years of outstanding service in communities throughout the world. During times when man's humanity toward man has been severely tested, the Knights of Columbus have stood firm.

I would like to congratulate the Knights of Columbus for a century of service. I know the next 100 years will find a growing strength for this fine organization.●

#### TRIBUTE TO ALEXANDER L. HUBER

#### HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. YATRON. Mr. Speaker, I rise today to pay tribute to one of Berks County and Pennsylvania's most distinguished citizens, Mr. Alexander L. Huber, district manager of the Reading/Pottstown district of the ILGWU.

This week, Al Huber is retiring after 34 years of service to our Nation's labor movement. He was born in Mauch Chunk, Pa., to Vincent and Emma (Dierkes) Huber. The oldest of eight children, his first work was as a farmhand. Mr. Huber graduated from high school in 1938 and began full time work on a WPA project. He served with the WPA and CCC for the next 3 years where he worked as a tree climber on a Maryland forest crew and was promoted as chief clerk to the superintendent in charge of the project.

Al Huber enlisted in the U.S. Army Air Corps in 1941 and was assigned to Mitchell Field in New York. During this time he attended Hofstra College while discharging his military duties. After the attack on Pearl Harbor, Mr. Huber was sent to North Africa, attached to a P-40 fighter squadron which later joined with the British Eighth Desert Army. His unit participated in missions over enemy occupied Sicily.

In 1943, Al was promoted to the rank of master sergeant and later that year was returned to the United States for officer's training. He received his intensive training at the Harvard Graduate School and was commissioned a second lieutenant. In 1945, he returned to the combat zone, this time to Okinawa where he served with an A-26 Attack Bomber Group.

In 1945, Al Huber returned home and resumed his education at Muhlenberg College where he met and married his wife, Marilyn (Bisbing). He received a B.A. in business administration and began his career with the ILGWU as office manager of local 111. In 1956, Al was appointed to the position of business agent in the Allentown district. In 1959, he became assistant manager. In 1973, Mr. Huber was elected district manager of local 93, Reading-Pottstown district.

Along with his duties as district manager, Al is a delegate to the United Labor Council and is an active member of the Knights of Columbus and the Guthsville Rod and Gun Club. He has four children: James T., an attorney who has served 4 years as a public defender, Daniel D., a member of the ILGWU local 111; Phillip Lee, an artist; and Lisa Ann, an executive secretary for Pyror Coated Metals in Allentown.

Al Huber is an outstanding example of one who has given untiringly of his talents for the benefit of his union and his community. I am proud to know him and to count him a friend. We can all look at Al's accomplishments as an inspiration on how we can contribute to making this world of ours a better place in which to live and grow. I know my colleagues will join me in wishing Al Huber a most rewarding and fruitful retirement. His compassion, coupled with his strong sense of responsibility have enriched the lives of all who have worked with him. It is a privilege to bring his accomplishments to the attention of the U.S. Congress.●

#### TAX CUT? WHAT TAX CUT?

#### HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. GINGRICH. Mr. Speaker, we continue to hear people speak of a so-called huge tax cut passed by Congress last year. That bill, the Economic Recovery Tax Act of 1981, is blamed for the big budget deficits we are facing.

But last year's tax cut was a cut in tax rates, not in tax revenues. Tax revenues in aggregate terms will continue to rise year by year. Last year's reduction in business and personal income taxes only offsets tax increases set in

motion before we passed the 1981 tax bill.

In other words, the composition of the Federal tax take has been altered, but Washington will still take in more dollars this year than last. There is now more stress on consumption taxes and less on income taxes, which is good for work incentives, productivity, and the effort to end inflation.

But the combined impact of the last several years' worth of tax decisions and nondecisions means: First, the average family is feeling no net decrease in its tax burden, and second, Federal revenues in aggregate terms will continue to go up, even as Federal spending rises much faster and results in more red ink.

The 1981 tax bill had relatively little impact on deficits, compared to the momentum of undisciplined Federal spending and recession-associated revenue losses. That tax bill has also had relatively little immediate impact on the tax burdens of working Americans, because it has been pitted against tax hikes and inflation set in motion before 1981.

All that means last year's tax cut was a mixed success. It was good because it canceled out bad. But the people in 1982 who want to dilute or repeal the 1981 tax bill are saying, in effect, that it was too generous and we should go back to allowing tax burdens to increase sharply every year. They would have us undo a tax cut that merely offsets a tax increase. They are saying that a total failure to fight growing taxloads for American families is preferable to a well-fought standoff. That position cannot be allowed to prevail as we discuss and vote on the fiscal 1983 budget.

I am inserting into the RECORD an editorial from the March 19, 1982, edition of National Review. It methodically explains where the tax situation really stands. We have won a partial victory by halting a 15-year increase in average family tax burdens. Let us make that victory total, by continuing to slow down inflation, add purchasing power, and passing a constitutional amendment to increase the likelihood of balanced Federal budgets.

The editorial follows:

#### CANCEL WHAT TAX CUT?

Long before the Administration unveiled its 1983 budget, it was clear what line of attack the critics would take: the "radical," "irresponsible" nature of the Reagan tax policy. And sure enough, a campaign is currently in full swing to get Congress to roll back, delay, or cancel entirely the individual tax cuts enacted last year (almost none of which have actually gone into effect yet).

Now the Federal Reserve Bank of Philadelphia has come out with a startling study showing that, despite last year's tax cut, marginal federal tax rates for many earners are going up, not down. For many taxpayers, the tax cuts were not big enough to make up for the marginal effects of bracket creep and a rising Social Security tax base.

Congress has in fact canceled most of the Reagan tax cut; it just did the canceling before passing it.

The authors of this new study, Stephen Meyer, senior economist at the Bank's research department, and Robert Rossana, a Penn State economist, conclude that "few taxpayers will face lower tax rates in 1983 than they did in 1980. . . . Most taxpayers will find that the trend of rising taxes will continue." Meyer and Rossana's study, aptly entitled "Did the Tax Cut Really Cut Taxes?" appeared in the November/December issue of the Philadelphia Fed's *Business Review*; revised and corrected figures appeared in the January/February issue.

Take a family of four that files a joint return using the standard deduction and that has an adjusted gross income that rises in step with inflation. If the family's adjusted gross income is \$17,000 a year (in 1978 dollars) it faced a tax rate of 30 per cent on the marginal dollar it earned in 1980 and in 1981. This rate is dropping slightly—to 29 per cent this year, but then will rise back to 30 per cent in 1983, according to Meyer and Rossana. A less well-off family, with adjusted gross income of \$13,000 (1978) will send 24 per cent of its marginal earnings to Washington in 1983, the same share as in 1980. Up at the \$40,000 level, the marginal rate will drop, but only by a little, from 43 per cent in 1980 to 40 per cent in 1983.

The really devastating news concerns the broad sector of the middle class around the \$18,000-\$25,000 level. The huge rise in the Social Security tax base, from \$17,700 in 1978 to a slated \$35,700 in 1983, has been slicing through this group like a machete, and its marginal effects much more than cancel out the tax cut. At the \$22,500 level, for example, the marginal rate leapt from 28 per cent in 1980 to 38 per cent the next year, and by 1983 will drop only to 37 per cent.

Marginal rates are crucially important because they are the rates that directly discourage people from working, saving, and investing. If a tax cut is to give any supply-side stimulus, it must reduce marginal rates, not just the average tax bill. In any event, average tax rates have been rising sharply too—for most levels, they went up by about 4 per cent of adjusted gross income from 1978 to 1981.

There is no tax cut to roll back, no tax cut to delay, and no tax cut to cancel entirely. All there is, is a great treadmill on which panting taxpayers continue to jog and puff, a treadmill that President Reagan has barely managed to slow, and that congressional liberals propose to speed up by hiking taxes to new and unheard-of heights.●

#### THE ELECTIONS IN EL SALVADOR

#### HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. GOODLING. Mr. Speaker, a year ago in January, the revolutionary guerrillas in El Salvador mounted what they termed their "final offensive"; calling upon the people of El Salvador to take to the streets against the junta, the guerrillas hoped to sweep the Duarte government from power. What happened was quite the

reverse: the people for whom the guerrillas claim to be fighting stayed at home and the guerrillas' final offensive ended ignominiously, totally counter to the guerrillas' claim to popular support.

Yesterday, we saw the same people which the guerrillas claim to represent turn out en masse to vote in the elections which the guerrillas steadfastly refused to take part in. Despite threats by the guerrillas to kill or cut off the fingers of anyone who participated in the election, the turnout at the polls was far greater than had been expected or hoped for. Many Salvadorans literally risked their lives, braving guerrilla snipers, to get to the polls and vote. To use the words of President Duarte: "The people voted for peace." Once again, the people of El Salvador have shown that their support does not lie with the guerrillas.

We must now hope and pray that the people of El Salvador have not misplaced their faith in casting their vote for peace through democracy. The newly elected government—whichever party it is—must take positive steps to end the violence and bloodshed that has torn El Salvador apart for so many years now. I do not believe that a military solution is a viable one: whichever faction would win, guerrilla or government, the victory would be Pyrrhic.

It is my contention that the administration, with bipartisan support from Congress, should press strongly for a peaceful resolution of the conflict, no matter which party takes power in El Salvador. All assistance to that country should be contingent on the efforts the new Salvadoran Government makes to bring an end to the killing and bloodshed that have endured far too long in that unfortunate country. The people of El Salvador have voted for peace, and we cannot let them down.●

#### THE 25TH ANNIVERSARY OF THE EUROPEAN COMMUNITY

#### HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1982

● Mr. FASCELL. Mr. Speaker, I have in the past had the great pleasure to serve as a member of the U.S. delegation which meets biannually with the delegation of the European Parliament. This experience has given me the opportunity to discover something of the spirit of the Community and to realize the gains that have been made since its inception in 1957.

In the last 25 years, the Community has developed from a Common Market with 6 member states to a true Community of 10 which strives to reflect a

unified posture on a wide range of issues. The EC has progressed from a solely economic system to one which carries economic, social, and political clout. It is an entity which fosters peace among its members and initiates peacekeeping activities among non-member nations. It is an area of economic integration which espouses free trade ideals, and it is a major force to be reckoned with in world trade. The EC is now, and promises to be, an important political force which deserves our vigilant attention. The Treaty of Rome has given the world economic community a new player which constitutes the largest single market in the world. For 25 years, progress toward Europe's goal of successful integration has been borne out by business statistics and the strengthening of the institutions which help to hold the Community together.

This anniversary of the birth of the EC also gives us the opportunity to examine the effects which the European Community has had on our own Nation and the great potential that exists for U.S.-EC relations. The United States at one time envisioned a strong, united Europe. We now depend on it as an ally in peace and in matters of mutual defense. Some of the interdependence among neighboring nations that fostered the development of the European Community in 1957 may be seen in the interdependence among the world's nation states in 1982. We are unable to function in isolation. Negotiation and cooperation are keys to the world's social and political survival and prosperity just as they are to the members of the EC.

During times of economic recession, now suffered virtually worldwide, feelings of nationalism and protectionism tend to take root. Our own economic problems now occupy domestic politics. Internationally, our attention has turned to our own hemisphere due to recent violence and unrest. Instability at close quarters can hardly be taken lightly. But let this 25th anniversary of the European Community be an occasion to remind us of our commitment to our allies and of the constant need to reinforce that commitment. I commend the EC on its own successful efforts to avoid turning inward to concentrate on national problems to the exclusion of community goals. Above all, I congratulate the architects of the Community, those who have nurtured it, and the people of Europe on these 25 years of progress.●



**ANATOLY SHCHARANSKY—  
HUMAN RIGHTS IN THE  
SOVIET UNION**

**HON. DON BONKER**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, March 15, 1982

● Mr. BONKER. Mr. Speaker, this month marks the fifth anniversary of the imprisonment of Anatoly Shcharansky. I would like to take this opportunity to again express my concern about his deteriorating physical condition and urge the Soviet Union to release him from his detention so that he can be united with his family in Israel.

Last July 28, the Foreign Affairs Subcommittee on Human Rights and International Organizations unanimously agreed to House Resolution 152, sponsored by our distinguished colleague from New Jersey, Representative RINALDO. This resolution, which was adopted in September by the full Congress, expresses the sense of the House of Representatives to urge the President to continue to express the opposition of the United States to the imprisonment of Anatoly Shcharansky by the Soviet Union. The Subcommittee on Human Rights and International Organizations continues to monitor his case, and makes regular appeals on his behalf to the Soviet Union.

Mr. Shcharansky's continued detention is a living testimony to the injustice and brutality which characterized the Government of the Soviet Union. His fate is the fate of many thousands of other, less well-known Soviet Jews, Pentecostal Christians, Refuseniks, dissidents, scientists, and human rights advocates who languish in the Gulag. In highlighting his case today, I wish also to express my solidarity with his nameless fellow prisoners, who languish in labor camps, psychiatric hospitals, and prisons.●

**VOICE OF DEMOCRACY IN  
DELAWARE**

**HON. THOMAS B. EVANS, JR.**

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. EVANS of Delaware. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its Ladies Auxiliary conduct a Voice of Democracy contest. The winning contestant from my home State of Delaware is Josh W. McDonald, of Wilmington.

Josh's speech touches on some points that all of us in this Chamber, and across the Nation, would be wise to consider. Sometimes we tend to take for granted the many benefits of

**EXTENSIONS OF REMARKS**

living in the United States. But, as long as there are young people like Josh McDonald, we will never lose sight of what it is that makes America great.

In order to share Josh McDonald's speech with my colleagues, I include it at this point in the RECORD.

**BUILDING AMERICA TOGETHER**

(By Josh W. McDonald)

Two weeks of my summer vacation were spent in the northern part of our country climbing mountains. On a particular day, the forest ranger assigned me to a group of climbers, among the several older people. We became acquainted as the day wore on, and as I listened to the cheerful banter going back and forth I noticed an older man with a heavy accent. I was curious and asked the man where he was from. Poland, he told me. Then he added that he and his older brother had come to America in 1947, and had started a small business which has prospered. He looked at me as we climbed, and said, "I hope, young fellow, you now what you have here in this great country." He questioned me about my hopes and plans for my future, saying he felt all young people had to repay this country, America, in some way for what it had given them.

"Let me tell you what I have done to repay America for the opportunities it has given to me", he said. So we sat down on a boulder, and the old man began his history.

He had been left an old house, quite dilapidated that had been owned by his brother, who had just died. The house had been used as rental property, but the brother, busy with work commitments, did not keep up with the needed repairs. During the four years before his death, the house had sat empty.

"Now, young man", he said to me, what was I to do with a rundown house? But after some thought I came up with a plan.

"The town I live in," he continued, "is very community minded, and monthly meetings are held to decide what is good for our town. At one of the meetings, I shared with the people plans to renovate the old place. The structure had a strong foundation and good internal beams, but much work needed to be done.

"I needed electricians to fix the faulty wiring. I needed a roofer, for the aged roof was leaking. I needed painters, plasterers, and plumbers. But the old house had a strong foundation, and our work was a success.

"I found that because of its age, the house qualified as a historic site. Imagine," he told me, "this house had been standing before I was born in Europe and it was still a worthy structure! Anyway," he went on with pride, "I paid the workers as they proceeded with the repairs. The project became a real point of civic pride.

"Because of my love of the country, I donated the house to the town to be used for community purposes. This was my way of saying 'Thank you, America, for taking me in.'"

**FUTURE BUSINESS LEADERS OF  
AMERICA—PHI BETA LAMBDA  
BIRTHDAY**

**HON. BILL LOWERY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. LOWERY of California. Mr. Speaker, I would like to call to your attention a vocational student organization, the Future Business Leaders of America—Phi Beta Lambda. This past February was designated as FBLA-PBL month, and specifically, the week of February 7 through 13 as FBLA-PBL week throughout the Nation.

The Future Business Leaders of America—Phi Beta Lambda was founded February 3, 1942. Since that time, it has grown into a 200,000 member international body, united for the purpose of seeking cooperation between the educational and business communities. Through the FBLA-PBL program, which is recognized by the U.S. Department of Education as a co-curricular activity, high school and college student members learn about private enterprise through direct involvement with the business community. Activities are developed by the students with the help of local advisers and chapter advisory councils. The theme adopted by the Future Business Leaders of America—Phi Beta Lambda is "in touch with the Business of America." Nearly 10,000 chapters of FBLA-PBL effectively make that idea a working reality.

As chairman of the congressional advisory board for the FBLA-PBL I wish to congratulate this fine organization on its 40th birthday this year and promote its ideals for young people for many years to come.●

**RETIREMENT OF HON. RICHARD  
BOLLING**

**HON. RICHARD L. OTTINGER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. OTTINGER. Mr. Speaker, the retirement of the gentleman from Missouri (Mr. BOLLING) will represent a tremendous loss of knowledge and talent to this body. The many of us who have worked with (and sometimes against) him in the past, will miss a good and respected friend.

DICK BOLLING has been for many years the leading scholar on the House, its traditions, its centers of power, its strengths and weaknesses. His books, "Power in the House" and "America's Competitive Edge" are must reading for every new Member and every old one, too, who is truly in-

terested in the operations of this fantastic institution.

In recent years as chairman of the Rules Committee, DICK BOLLING has been the crafter of ingenious and fair rules for handling some of the most complex controversies to come before the House, assuring that all sides on heated matters get a fair turn at bat on the House floor.

While the gentleman from Missouri has lost several races for the House leadership, possibly because he always lets people know where he stands, sometimes with brutal candor, he has always emerged with enormous respect from his supporters and opponents alike. Today he is a virtual elder statesman, and all of his colleagues enjoy drawing on his fountain of accumulated knowledge and wisdom. The Speaker has seen fit to make him most recently the coordinator of efforts to reach a Democratic consensus on alternative policies for the Party.

Perhaps DICK BOLLING's most important crusade was his effort several years ago to reorganize the committee structure of the House. While his plan was not adopted, his initiative resulted in the Hansen Committee Report which did adopt many of his recommendations. He was also instrumental help in the fight I helped to lead in the 94th Congress to end the baronial powers of committee chairpeople, to open up House procedures to public scrutiny and to distribute power more broadly to subcommittee chairs.

Indeed, in so many ways, Bolling ideas and initiatives have helped to shape the House and its procedures in ways of lasting benefit to the institution and its Members.

I join in wishing Dick and his family the greatest of happiness in his retirement. ●

#### ECONOMIC INNOVATION

#### HON. JONATHAN BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. BINGHAM. Mr. Speaker, supply-side economics is a disaster. President's Reagan's program of tax cuts, budget cuts, huge defense expenditures, and tight monetary policy has led us into one of the deepest recessions since World War II.

Prof. Walt W. Rostow of the University of Texas, a former top aide to Presidents Kennedy and Johnson, has come forward with an interesting proposal for a way to bring business, labor, and Government into a constructive partnership to address the problem of controlling inflation without impeding growth. Professor Rostow's column from the New York Times of February 26, 1982, follows:

#### ECONOMIC INNOVATION

(By W. W. Rostow)

AUSTIN, TEX.—The time has come for a wage-price freeze, to be immediately followed by a new, long-term system for negotiating wage norms on a national rather than industry-by-industry basis.

The Administration's attempt to use monetary policy as the sole instrument for reducing the inflation rate has lifted interest rates, caused a deep recession, reduced productivity, denied us \$200 billion in foregone production, added \$50 billion to the Federal deficit, destabilized the world economy, and weakened our strategic position.

Monetarists acknowledge that it will take 5 to 10 years of protracted recession to wring inflation out of the economy, and some doubt that the democratic political process will permit the experiment to be made. They are right: It will not, and should not, be made. We should stop trying to sit on a "one-legged stool."

The decline in oil, agricultural, and raw-material prices, in part responding to the global recession, has reduced the inflation rate in recent months. But these transient forces cannot provide the foundation for national policy. What is required is a direct, cooperative, prompt effort by business, labor, and Government to rid our economic system of its approximately 8 percent basic inflation rate—that is, the average rate of wage increases minus the average rate of productivity increases.

We must invent a system like those used in democratic countries with low inflation rates: Japan, West Germany, Austria, and Switzerland. Japan's wage-setting system, for example, is based on four elements, none of which is peculiar to Japanese culture:

1. Every spring, business, major labor unions, and the Government negotiate to establish a norm for wage increases. The norm is based on all the key factors affecting the national economy: the expected rate of increase in productivity, the balance-of-payments position, unemployment, etc. The norm does not hold for all wage increases. Flexibility is allowed for more-or-less dynamic industries and firms within them, as in any system of wage guideposts.

2. During the year, regular meetings are held by business and labor and Government officials to review the economy's position and problems. Thus, when spring negotiations arrive, there is a common, realistic view of the scope for noninflationary wage increases.

3. A part of workers' income takes the form of an annual bonus geared to each firm's profits.

4. Against the background of wage payments linked to the average rate of increase in productivity, fiscal and monetary policy are freed to do jobs they can do: They help the economy avoid overheating, and they stimulate the economy when unemployment rises.

Thus, the Japanese and others who have dealt successfully with inflation operate with a "three-legged stool": wage increases linked to productivity, fiscal policy, and monetary policy.

Capitalizing on experience that is more familiar to us, I propose a combination, with certain essential improvements, of Richard M. Nixon's 1971-72 wage-and-price control policy and John F. Kennedy's wage-and-price guideposts that remained effective into 1966. If we look directly at the changes in prices, interest rates, productivity, and economic growth produced in both cases,

these experiments emerge as quite impressive, if imperfect.

The flaw in Mr. Nixon's policy is that it was announced as temporary. It did not end inflationary expectations. Business and labor jockeyed for position in anticipation (correctly) of the lifting of controls after the 1972 election. The basic flaws in Mr. Kennedy's program was that it did not provide for responsible annual negotiation of a wage norm, the arrangement had no Congressional sanction, and Mr. Kennedy did not fully explain it to the public.

The place to start is by promptly reviving the 1970 amendment to the Defense Production Act of 1950 that granted the President power to set prices and wages. No doubt President Reagan would announce, as Mr. Nixon did, that he doesn't want the power and doesn't intend to use it. Never mind. The national interest requires that the option be available. If a freeze were set in motion, such a legislative base would be required to adjust equitably existing mortgages and wage contracts to noninflationary conditions.

In the end, a system of this kind would reflect an underlying decision by the whole nation to rid our society of inflation. The will to do so exists, as public-opinion polls regularly attest. It is up to President Reagan and other political leaders to galvanize this will, promote the necessary partnership on a bipartisan basis, and thus permit the United States to enjoy the non-inflationary growth it so badly needs. ●

#### HEAD START PARENTS APPEAL FOR PROGRAM

#### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. MILLER of California. Mr. Speaker, I continue to get letters from Head Start parents who both testify to the ways in which this program had dramatically improved their lives and those of their children, and express their concerns about Head Start's future. We know that Head Start works; that Head Start is cost effective. And yet, even today, it serves only 25 percent of the eligible children, and faces substantial erosion from inflation and cutbacks in supportive services (CETA, title XX, child care, food, Medicaid). We need to listen to the parents of Head Start children and keep this exemplary program working. Another letter from a Head Start parent follows:

My child is learning good motor skills, about his body, his surroundings, to participate in group activities. He is more confident. Head Start has made me more comfortable leaving my child so I can work. I know he is well cared for and happy. He enjoys the work and tells me about his experiences each day. Without Head Start, the money hardship is evident, but mainly I would not feel as if my child was receiving as good care. Babysitters tend to turn on TV. A half day program would put an extreme hardship on us. I would have to arrange to pick up my child and take him to a



babysitter for the other half day. In my work, my lunch hour varies with the work load, so I could not get off at the same time every day. The entire program is excellent. I like the idea of my child learning, painting, being read to, exploring his surroundings plus the love this Head Start program's teachers provide. The only problem with Head Start is the uncertainty of its future because of budget cuts. Of all the government-funded programs, this one does the most good. People who leave their children here are working. Trying to make a living and support themselves. So many programs reward not working. This one provides loving, caring child care for parents who are trying to "make it" in this working world.

HEAD START PARENT,  
Russellville, Ark. ●

# DOCTOR HULTGREN SERVES TULSA FOR 25 YEARS

## HON. JAMES R. JONES

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. JONES of Oklahoma. Mr. Speaker, Dr. Warren Hultgren, pastor of the First Baptist Church in Tulsa, Okla., celebrated his 25th year of service to the people of Tulsa this past weekend.

I have had the honor and pleasure to call Dr. Hultgren a friend for the past decade, and to work with him on a number of projects in behalf of our community. I have been constantly impressed by his leadership, intelligence, and compassion. He has compiled a record of public service to be envied by many of the Members of this distinguished body.

Dr. Hultgren has also ministered to the individual needs of his congregation, never flagging in his passion to bring the love and the instruction of Christianity to those in need. He has been an inspiration to many and a true friend to all.

Tulsa has been a city blessed by good fortune for the past quarter of a century. Our economy has prospered; our city has grown; and our futures have become brighter with each passing year. One of our greatest blessings, however, is that we have had Dr. Hultgren among us. He has cheered our victories and he has consoled us in our defeats. He has worked side by side with us to build our community. I can only hope and pray that Dr. Hultgren will be with us for many more years because persons of his substance and stature are rare indeed. ●

# ON THE FIRST ANNIVERSARY OF JURI KUKK'S DEATH

## HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. FASCELL. Mr. Speaker, March 27 marks a sad date in the history of Estonia: The first anniversary of the death of noted Estonian human activist, 41-year-old chemist, Juri Kukk. One year ago, on March 27, Silvi Kukk received a laconic telegram from Vologda prison hospital informing her that her husband had died. Silvi Kukk and five Estonian friends flew to Vologda for the brief funeral; there they learned that he had been suddenly sent to the investigatory prison in Vologda and then to the hospital where he died. The official cause of death was noted: "Stomach enlargement, dilation of the chest and asphyxiation."

Behind those medical phrases lies a story of Soviet brutality: Kukk, who had been on a lengthy hunger strike, was force fed by the hospital personnel and died of suffocation as a result. Either this inept treatment was purposely ordered by the authorities, or the level of standard medical treatment in Soviet prison hospitals leaves much to be desired.

How did Juri Kukk start on the road which led to his tragic early death? In 6 years, Kukk went from being a scientist who was trusted enough by the Soviet authorities to be permitted to go on a year-long scientific visit to France in 1975-76 (although of course his wife and children stayed behind in Estonia) to his leading role in Estonian human rights activities for which he was penalized so brutally by the Soviet authorities. Arrested in March 1980 for, among other things, protesting the Soviet invasion of Afghanistan and for contacts with Western journalists, Kukk was sentenced for "anti-Soviet slander" to 2 years of ordinary regimen labor camp. In January 1981 Kukk was tried with Mart Niklus, an ornithologist who had already been in the camp for political crimes, and who received a 15-year term of imprisonment in camp and exile. Niklus, who had been one of the signers of the famous Baltic Appeal, has also suffered brutal treatment in camp—for a long time no one knew where he was—but the latest information is better about his health.

Encouraged by the bravery of these two men, Juri Kukk and Mart Niklus, there has been a continued high level of activism in Estonia: Unofficial publications appear; there have been popular protests at the official policies of russification of the Estonian population; the youth of Estonia has been motivated to defend its rights both as Estonians and on the socioeconomic

front. Estonians know that many of the difficulties they face is due to the unwanted presence of Soviet troops and Russian settlers on their land. They know that the continuing decline of living standards, particularly the food supply, is due to the inefficient Soviet economic system. Let us hope that these brave efforts of the Estonian and other Baltic peoples will be successful in finally regaining their right to determine their own future. ●

# HOMEBUILDING HURT BY HIGH INTEREST RATES

## HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. SKELTON. Mr. Speaker, this body is well aware of the effect of recession and high interest rates on a cross-section of American businesses and citizens. One of the hardest hit segments of our economy is the homebuilders and those industries which produce products used in construction. For the time being, it appears that the American dream is out of reach for many Americans who are unable to find reasonable, long-term credit to finance the purchase of a home for their families.

Mr. Speaker, one solution to our current high mortgage rates would be to eliminate needless restriction on pools of money which would otherwise be available to relieve interest rate pressures on home mortgages. One such pool is pension funds which, under ERISA can not be used for residential mortgages. I urge my colleagues to give consideration to the bills which have been introduced which would open up these funds for use by homeowners. I call their attention to an editorial written by Mr. Robert John, for the Retail Lumberman magazine published this month. Mr. John's thoughts on the subject are just commonsense and I insert his editorial in the CONGRESSIONAL RECORD:

SCHOOL TEACHERS, POLICEMEN AND HIGHWAY  
WORKERS COULD SAVE OUR INDUSTRY

If the days of the long-term, fixed rate, low interest loans are gone forever, then where are we going to get the capital needed for the recovery of the homebuilding industry? Hopefully from the largest non-governmental source of capital—pension funds!

Retirement fund assets are the nation's single greatest source of investment capital. An estimated \$700 billion could become available for home financing in the 80's if various State and Federal laws would be changed and new investment attitudes were developed. At the present time 36 states have some sort of limited mortgage financing programs using public pension money, but we need more. The move into the home mortgage market would do two things for these funds—they would receive a good

return on investment plus it would serve as a good economy builder in each state. As money is made available, homes are built and sold creating a ripple effect on a state's economy; tax revenues go up without increasing taxes, a State could pay employees more so they could put more into their pension program.

Resistance to using pension funds comes largely from the fund managers themselves. Their main concern seems not to be how secure mortgage investments are but rather they are saying they just don't want to be told how they should invest the money.

Few times in our history has the need to talk to our Senators and Representatives been more critical and now we have something positive to talk about. We need to demand action on this issue from those we elected to represent us—after all, they are the ones who got us in this mess. And then maybe we can thank the teachers, police and highway people for helping us out of it.●

#### VIGIL FOR ABBA TARATUTA

##### HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. PEPPER. Mr. Speaker, distinguished colleagues, and all who read this RECORD, you know how painful it is for me to once again bring to your attention the sad and inhumane plight of Soviet "refusenik" Abba Taratuta. Since 1973, when this brave man and his family first applied to emigrate, they have continuously been harassed by Soviet authorities and have had many of their personal belongings confiscated. As you know, Abba Taratuta and his family have been denied their right to emigrate on the grounds of "State Security."

Abba Taratuta, my adopted "refusenik", has suffered enough. It is now for too long a period of time that we address the plight of this individual, who, due to his desire to seek happiness, has been refused even the most basic of his rights. As we continue with this year's Congressional Call To Conscience Vigil, let us hope that soon in the future he and his family will be allowed to emigrate.●

#### THE DISASTER LOAN PROGRAM

##### HON. FLOYD J. FITHIAN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. FITHIAN. Mr. Speaker, I am today introducing legislation designed to assist communities throughout the country suffering from both the terrible burden of high unemployment and the added suffering of a natural disaster.

The bill is based on the belief that a community suffering from high unem-

ployment and from a major natural disaster should not have to suffer the consequences of budget cuts in the Government's disaster loan program. I am confident that most Americans share this belief.

When Congress passed the Budget Reconciliation Act last year, it did not seriously consider nor did it debate the merits of that legislation's sweeping cuts in the Small Business Administration's disaster loan program. As a result of that legislation, the victims of a natural disaster will face dramatic increases in interest rates under the SBA disaster loan program. In addition, small businessmen will be prevented from borrowing to cover the full extent of their business losses. The bill limits small businessmen from borrowing more than 85 percent of their disaster-related loss under the program.

The seriousness of the impact of these cuts can no longer be ignored.

States throughout the midwest, already facing unemployment rates far in excess of the national average, are now being swept by devastating floods. Other depressed areas of the country may soon face similar disasters.

The loans my legislation would provide are just that—loans which will be repaid to the Treasury as victims of the disasters rebuild their homes, factories, shops, and shattered lives. Experience has shown that an investment by our Government in helping speed this effort is one of the soundest investments possible.

The text of my legislation follows:

H.R. 5978

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subsection (c) of section 7 of the Small Business Act is amended by adding at the end thereof the following new paragraph:*

*"(5)(A) Notwithstanding paragraph (4), the interest rate on the Federal share of any loan made under subsection (b) shall be determined under paragraph (3) and not under paragraph (4) if the loan is made with respect to a disaster occurring in a State with high unemployment.*

*"(B) For purposes of subparagraph (A), a disaster shall be treated as occurring in a State with high unemployment if the average rate of unemployment for the State for the 3-month period preceding the month in which the disaster occurred is at least 10 percent.*

*"(C) For purposes of this paragraph, the rate of unemployment is the rate of unemployment determined by the Bureau of Labor Statistics."*

*(b) Paragraph (3) of section 7(c) of the Small Business Act is amended by striking out "and prior to the effective date of this Act" and inserting in lieu thereof "and, except as provided in paragraph (5), prior to August 13, 1981".*

*(c) The amendments made by this Act shall apply to disasters occurring after August 12, 1981.●*

#### IDA NUDEL WAITS

##### HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. BARNES. Mr. Speaker, I received the news Thursday that Ida Nudel, the "Guardian Angel" who has endured the wrongful punishment of internal exile in the Soviet Union, has been released from Siberia and flown to Moscow.

I know that we are all pleased that the Soviet Government took this action and I believe that it is certainly a positive development. However, the fact still remains that Ida Nudel has yet to gain her freedom. I hope that the Soviet Government will continue in a truly humanitarian course and allow Ida to emigrate to the free world. Neither we nor Ida will be swayed from this ultimate and only goal, and we will continue to persist in our demand that the Soviet Government do what is right.

Those of us in Congress, and Ida's friends throughout this country and the world will not relent. I am particularly grateful for the tremendous hard work and effort of the Union of Councils of Soviet Jews, which has from the beginning, taken up the cause of this brave woman.

Mr. Speaker, the protest for Ida Nudel continues with renewed hope, but with increased vigor and commitment. There is no stopping us now.●

#### THE WRONG DEFENSE

##### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. PHILIP M. CRANE. Mr. Speaker, a hue and cry has gone up in the land indicating that the cure for our economic woes is to cut defense spending. If that is the case what then is to be the cure for our sorry state of military preparedness. The following editorial in the Wall Street Journal, March 25, 1982, indicates that savings can be obtained in defense spending but cuts or corrections in the budget should not occur at the expense of the Nation's Armed Forces. I commend the article to the attention of my colleagues.

#### REVIEW AND OUTLOOK—THE WRONG DEFENSE

President Reagan's huge defense budget is getting plenty of attention in the current political struggle over budget cuts, and we can see no reason at all why it should be overlooked. Our fear is not that someone might cut the defense budget but that the cuts will be made in ways that have in the past insured that we would receive the least, rather than the most, bang for a buck. The



politics of putting defense spending on a rational basis are themselves formidable, but that is where the focus on defense spending should be directed.

Disinvestment was the watchword of the military budget in the 1970s. The Nixon and Ford administrations hoped to use the mislabeled "peace dividend" after the Vietnam war to offset the rising costs of social service programs. Just before leaving office, President Ford chucked that position and proposed an ambitious plan to upgrade our arsenal and our readiness. Jimmy Carter quickly scotched those proposals, and for almost his entire term, he left the military to languish as entitlements spending raced out of control.

During the decade of the '70s, military preparedness grossly deteriorated. Because of a dearth of spare parts, repair chiefs cannibalized aircraft and vehicles in order to keep at least some planes flying and some tanks rolling. Skilled troops left in droves due to poor pay and benefits. Even ammunition was in short supply. Strategic programs, such as the new nuclear bomber, were scrapped, or as with the Trident submarine and cruise missile, stretched out. In the meantime, the Soviet Union was embarked on the most massive military buildup in world history, and now is superior to the U.S. in almost every category of strategic and conventional force.

Those calling for major defense cuts—the figures run as high as \$30 billion for fiscal 1983—would have us repeat the mistakes of the past decade. Readiness would remain impaired; procurement contracts would be so stretched out as to cost more over the long run; the troops' morale might again ebb.

As opposed to popular impression, most of the defense budget will be spent on manpower and conventional readiness. Strategic forces will consume less than 10% of the Total Obligational Authority in next year's budget. Spending on general purpose forces will amount to \$106.5 billion out of total budget authority of \$258 billion. The next largest expenditure item is training, medical and other general personnel activities, which will total \$44.2 billion. That compares with \$23.1 billion that will be spent on strategic weapons such as the MX missile, Trident submarine and the B1 bomber.

There are few quick ways of making large savings in the defense budget without sacrificing readiness. For instance, the Office of Management and Budget calculates that if every defense procurement program costing \$500 million or more were killed, it would save \$49 billion in obligational authority—but only \$6.5 billion in outlays next year. Of the \$216 billion that actually will be spent next year on defense, more than a quarter comes from money provided in the fiscal 1982 budget and earlier years on long-term procurements.

This situation, of course, leads to the temptations to which previous administrations and Congresses succumbed—reducing readiness by cutting funds for maintenance, munitions and manpower, or stretching out long-term procurement contracts even though that just increases the costs of these programs in future years. It's these practices that have gotten us into the defense jam we're in today.

There are ways of trimming military spending. Cutting unnecessary expenditures to maintain obsolete bases, killing pet programs of some services and consolidation of procurement programs among the branches of the military make economic sense but

always face political obstacles. The most efficient way is the one most often avoided in the past—to fund long-term procurement projects fully in order to optimize the Pentagon's bargaining leverage with contractors. To a large degree, the administration's proposals aim to do that.

However, this policy trades large apparent costs now for large savings in the future, whereas the instinct in Congress is to do exactly the opposite. It has been that instinct that has ballooned our present costs. The best defense for the Reagan defense budget is not that it is sacrosanct but that it attempts to remedy some of those past sins. By all means the defense budget should be looked at carefully. But controlling defense costs is a long-term effort. Attempts to trim a single year's budget can lead, indeed most typically have led, to shortsighted cuts that over time only make an adequate defense more costly. ●

## SANDRO PERTINI'S VISIT TO AMERICA

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. RODINO. Mr. Speaker, last Thursday I had the pleasure of joining many of our colleagues in welcoming Italian President Sandro Pertini to America. First at our congressional luncheon and then at the White House state dinner, I was touched by the strength and truth of Sandro Pertini's message—one of friendship and commitment to democratic freedoms.

Mr. Speaker, I believe that all of us can benefit from reflecting on the words of this inspired world leader, and I insert his remarks at the White House dinner in the RECORD.

Following Sandro Pertini's statement, I ask that the RECORD include an editorial in the New York Times on March 25 which nicely sums up the special qualities of Sandro Pertini.

REMARKS BY HIS EXCELLENCY SANDRO PERTINI, PRESIDENT OF THE ITALIAN REPUBLIC

Mr. President, I am particularly grateful to you and the people of the United States for the extreme warmth and friendship with which I have been received on American soil and for the very pleasant atmosphere in which this meeting of ours takes place.

Nor could it be otherwise, given the traditionally very close ties which unite our peoples, ties which by now stretch back far in time. I do not in fact bring with me the quick-growing maize and other seeds from Tuscany which Filippo Mazzei recalls in his memoirs he gave to Thomas Jefferson to sow on his farm. However, I too bring a symbolic gift for I bear fresh witness to the friendship of the Italian people with the people of the United States. It is a friendship deepened and enriched by the innumerable joyous and sorrowful circumstances of our common history and by the blood ties which bind Italy to that group of Americans who are of Italian origin. Despite the enormous problems of transmigration, this is a group recognized for its industriousness and its attachment to its adopted country, but

without ever forgetting its ancient far-off motherland. No man, Mr. President, who is forced to take the bitter path of exile to escape political persecution—just as the present speaker was—or to escape from the enslavement of misery and hunger, no such man ever forgets his mother country.

Deep-rooted therefore are the ties which unite our two peoples, stretching back into time to that fellow countryman of mine, who first opened the frontiers of the Old World to the New. It has been a long history of men and ideas which the great ocean could not hold back.

I think of the influence that the American Revolution had on the movement for Italian Unity and independence and I think also of the reciprocal political and cultural influence which took place between Italy and the United States in the first half of the Nineteenth Century. This was followed by the first great emigration of Italian labour to the United States, particularly from the most depressed areas of the Italian South.

Moreover, we Italians can never forget that at the darkest hour of our nation's history—and not ours alone—there came from the United States that decisive intervention against Fascism and Nazism, the moral encouragement and economic aid which permitted our helpless and devastated country to work for reconstruction and our re-admittance to the international community.

Thinking back to that struggle of ours, I cannot but recall the noble message that Franklin Delano Roosevelt delivered to the U.S. Congress in the wartime winter of 1944.

His conception of Liberty was the same for which we were fighting, we Italian patriots in the mountains and the cities, and the same Liberty for which the European Resistance and the Allied Armies fought. Roosevelt's conception was of a total Liberty, both political and social, which is still today the fundamental value for which we and you, Mr. President, are yet contending. I want to quote two extracts from that speech of Roosevelt on which all should meditate:

"This Republic had its beginning, and grew to its present strength, under the protection of certain inalienable political rights—among them the right of free speech, free press, free worship, trial by jury, freedom from unreasonable searches and seizures. They were our rights to life and liberty."

But the great President rounded off this thought in these terms:

"We have come to a clear realization of the fact that true individual freedom cannot exist without economic security and independence. 'Necessitous men are not free men'. People who are hungry and out of job are the stuff of which dictatorships are made. In our day these economic truths have become accepted as self-evident. We have accepted, so to speak, a second Bill of Rights under which a new basis of security and prosperity can be established for all—regardless of station, race or creed."

This conception of liberty, Mr. President, is to be consistently championed and defended in the international order also, in relations between all peoples, with the developing countries and with the Third World which has such a great need for help from the industrialized nations in the resolution of the often life-and-death alternatives which overshadow them.

While I speak, millions of human beings are fighting against hunger and dying of malnutrition. This Slaughter of the Innocents is a condemnation weighing heavily on

the conscience of every Statesman and thus on mine also.

To resolve these agonizing problems means to confirm that Liberty upheld in the noble words of President Roosevelt.

To keep this Liberty whole and indivisible, the United States came to the Old Continent on two momentous occasions, which I myself vividly recall during the First and Second World Wars. The everlasting monument remains in the white gravestones which are a testament to the American soldiers who gave their lives for the Liberty of Europe. And this is the right phrase, for the United States were not brought to our continent by the desire for conquest but only by the firm purpose of preventing domination by authoritarian regimes. They came—as I said—to defend our Liberty.

Mr. President, Italy pursues a policy of dialogue and detente in awareness of the need for contracts which can lead her to understand the positions taken by others and to lead them to appreciate her own positions. This Italy does in the conviction that detente is the only possible path away from what is dangerous and inward-turned spiral.

Hence the value of reinforcing still further our own solidarity through contracts between the leaders of the Allied Nations which are as intense and deep-rooted as they are frank and direct.

This very day marks the 25th anniversary of an act of peace and solidarity of fundamental importance in post-war history, namely the signing at the Capitol of the Treaty of Rome establishing the European Communities.

I wish to celebrate here in Washington that event which was welcomed in America and in Europe as a symbol of hope.

That hope has not failed to live up to expectations, despite the gradual implementation which every great historical process requires.

The Committee today, in its dialogue with the United States in its opening to the peoples of all continents, is a major reality working for the peace and progress of mankind.

We are also convinced—and have on various occasions stated—that it is precisely at this difficult period in international affairs that the dialogue must be kept open and its principles staunchly upheld. This must be done in the clear understanding that this is the only navigable channel away from the shoals of a dangerous downturn in international relations. But we maintain at the same time that the detente process must amount to more than a simple dialogue between States. For detente can only be conducted within a general climate which can contribute to the maintenance of friendly and trustful relations based on uniform standards of behaviour and respect for the fundamental freedoms of the individual. These need to be universally understood on a plane which transcends all ideological allegiances.

For this reason, Italy and the United States have been inevitably forced to voice their condemnation of the regression forced upon a noble nation such as Poland, as promoted also by unjust and massive external interference. This nation at the heart of Europe, which has contributed so generously to the common culture of both West and East and indeed to the whole civilized world, now seeks only to advance autonomously along the path of her own.

Poland needs to be restored to her full dignity before international collaboration and the East-West dialogue in particular

can regain their just course as is absolutely essential for global equilibrium. The noble Polish people need to be left master of their own destiny. An end also needs to be made to the tragedy of the Afghan people. As a free man and an ex-partisan who fought against the foreigner for his country's independence, I would express my fraternal solidarity with the Afghan partisans, who are courageously fighting for the liberation of their country from foreign domination.

Nor can we forget all those countries where a struggle is in progress for the defence or reinstatement of violated human rights, countries where human and civil rights have been outraged, where human life is not respected and innocent and defenceless beings are vilely slaughtered. We must stand with these countries in all our fraternal and human solidarity. If this solidarity is not offered in a positive form, we would be denying our conscience as free men and also repudiating our past.

Permit me in this regard, Mr. President, to urge the free people of the United States and all those who respect human life and have peace in their hearts, not to regard with indifference the terrorism which criminally afflicts my country. This criminal activity began with the heartless slaying of a political figure of exceptional ability and pure heart, to whom I was bound in brotherly friendship: Aldo Moro. Since then, cruel acts of terrorism have disrupted and continue to disrupt Italian life. But recognition needs to be given to the steadfastness and courage with which my people—rising above their political allegiances—are unrelentingly combatting terrorisms. One day we will know who is behind this movement, who it is who seeks in this way to destabilize Italy and destroy that democratic bridge linking Europe to Africa and the Middle East. If, in the unthinkable hypothesis, terrorism should succeed in its purpose, not only would peace be overthrown in the Mediterranean basin but in the whole world.

We are not here to beg aid but to reaffirm our stubborn will to oppose terrorism with all our strength. In doing this, we know that we are working not only in the interests of our democracy—which rose out of the Resistance—but also in the interest of world peace.

Allow me, Mr. President, to recall to yourself and all those present the immediate, generous and human solidarity which my people—all without exception—shared with the family of the United States General—James Lee Dozier. I would also recall the anxiousness with which my people followed the destiny of this courageous soldier and General who steadfastly and unwaveringly faced up squarely to the terrorists. I myself, Mr. President, had the honour of receiving at the Quirinale General Dozier, his children and Mrs. Dozier—a proud and courageous woman so worthy to be his companion in life. I will never forget those hours spent at the Quirinale with General Dozier. Speaking openly, as though we were old friends, I felt again that I was one partisan for Liberty standing side-by-side with a comrade. The American people should indeed be proud to have such soldiers to defend their nation and world peace.

Mr. President, Italy's natural alignment within the Atlantic Alliance and her commitment to western solidarity form part and parcel of a conviction very deeply held in my country. We are convinced that it is vital to proceed with the reinforcement of that other pole of stability and security for the international situation—the political union of the Old Continent.

To this Union, Republican and Democratic Italy has dedicated more than thirty years of her most vital and far-sighted political and intellectual energies. Conceived as a means of overcoming deeply-ingrained, sterile and bloody differences, the Union today enjoys the staunch consensus of all political and democratic forces within my country. The European Community, its strengthening and progressive extension to new sectors, as proposed by the governments of Italy and the Federal Republic of Germany, is a gesture of peace and responsibility within the field of global equilibria. It is also a gesture of solidarity towards those countries which have yet to achieve the dramatic goals of civil and social development.

Mr. President, generation upon generation from every part of the world have found their country and homeland in the United States. They came as men and women persecuted for political or religious motives or driven by age-old deprivation or the impossibility of self-realization in their native land. Thus in the history of America are found constant references to man in all his full dignity, in pursuit of happiness under the law which preserves and regulates human coexistence. America's profound humanity and generosity, whose most popular symbolic representation is the Statue of Liberty in New York harbour, constitute more than military or economic power the true authentic greatness of the United States.

That statue shone through the gloom over the arrival with tear-filled of anti-fascist exiles and opponents to Nazism, the persecuted Jews, the poor but courageous and industrious peasants who gave the United States loyal intellect and strong manpower. That statue—and this is my most affectionate hope—should remain also in future centuries the symbol of the liberty and generosity of America—the enemy of dictators, of the intolerant and of the state-worshippers. She is all these things because she is ruled by a government of the people which governs with and for the people.

Walt Whitman was therefore right when in "The Song of the Redwood-Tree" he prophetically wrote the immortal lines:

"I see the genius of the modern, child of the real and ideal, clearing the ground for broad humanity, the true America, heir of the past so grand, to build a grander future."

Mr. President, you yourself as a citizen, then as a politician and now as the head of this great nation, with great conviction and commitment, have worked and continue to work that the values safeguarded within your country may be promoted ever more widely throughout the world.

And it is with this wish that I propose this toast to your health, Mr. President, and that of your charming wife, as well as the health of our long-standing friend—the people of the United States—and the distinguished guests gathered here this evening.

[From the New York Times, Mar. 25, 1982]

#### THE PERTINI SPIRIT

Sandro Pertini, the President of Italy, who meets today with President Reagan, is no household word in America. But he is no footnote figure. Few other Italian leaders have broken so many rules, gotten so many votes, shaken so many hands or done so much to demonstrate that parliamentarians are not necessarily boring.

A lifelong Socialist, Mr. Pertini endured jail and exile under Mussolini. A proud outsider, he refuses to live in the presidential



palace. A virtuoso politician, he was the first Italian President in 30 years to reach outside the Christian Democratic Party to name a centrist Republican as Prime Minister. He thus gave new life to the movement to broaden Italy's ruling circle without yielding power to the Communists.

The United States has an important interest in that. Without a strong Italian center, there would be zero weight to Mr. Reagan's "zero option" offer to Moscow on theater nuclear weapons. The present Government, at some political risk, agreed to accept its share of cruise missiles to facilitate West Germany's assent. It was equally difficult, politically, for Italy to join the international peacekeeping force in the Sinai Peninsula.

Mr. Pertini has thus stretched the powers of a titular office. And at 85, he shames the young with his anger at oppression. Addressing outrages in Argentina recently, he insisted that "anyone who does not protest against these dictatorships . . . does not have the right to protest what is happening in Poland."

A warm and vigorous man, President Pertini is a welcome visitor. We are lucky to meet him. ●

## GETTING TOUGH ON REPEAT OFFENDERS

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. MAZZOLI. Mr. Speaker, I would like to direct my colleague's attention to the following article reporting the new stiffer regulations adopted by the District of Columbia Parole Board respecting treatment of parolees who commit felony offenses while on release.

All I can say, Mr. Speaker, is: It is about time we crack down on repeat offenders. They deserve stern treatment.

The article follows:

[From the Washington Post, Mar. 19, 1982]

D.C. BOARD TOUGHENS RULES—CRACKDOWN ON PAROLEE CRIME

(By Ed Bruske)

The D.C. Board of Parole has approved new rules that in some cases will more than double the amount of prison time it can require parole violators to serve as a penalty for committing a felony crime while on release.

The new regulations are designed to send a message of tougher enforcement to parolees who contemplate new crimes after release from prison, according to parole board sources. Many law enforcement officials contend that chronic repeat offenders are responsible for a significant share of crime in the city.

While lowering penalties for parolees who commit minor parole violations, the new regulations mean that parolees convicted of a felony such as armed robbery while on the streets can be returned to prison to serve a minimum two-year penalty before the parole board will consider allowing them to begin serving time on any new sentences. Under previous regulation, the minimum penalty was about one year.

Officials in the D.C. Department of Corrections and the Public Defender Service complained that the regulations will exacerbate overcrowding problems in the city's prison system.

"This is certain to worsen conditions at prisons that are already overcrowded," Francis D. Carter, director of the Public Defender Service, which provides legal assistance in some criminal cases for people who cannot afford their own lawyers.

George Holland, the city's acting director of correction, said the move may tax the city's detention facilities. "We've got to look at where we've got space, how to shuffle things around a little bit," Holland said. "The community obviously doesn't want inmates out there committing crimes."

The new rules address in a sweeping fashion the extent to which unserved portions of prison sentences can be used as penalties to deter a convict's criminal activity during parole.

At issue is what is commonly referred to as backup time—that portion of a prison sentence not served behind bars but for which a convict can be held accountable while he is outside the prison on parole.

For example, a person sentenced to 18 years in prison for armed robbery might be paroled after serving a minimum six years. The 12 remaining years are the backup time during which he must observe several conditions of release.

If the parolee fails to meet those conditions—by committing another robbery, for instance—the board can revoke his parole and return him to prison, where he would have 12 years of backup time facing him in addition to whatever sentence was imposed for the felony committed while on parole.

Under the old rules, the board could require the parolee to serve a minimum one year of the 12 years backup time before it would permit him to start his sentence for the second robbery. Under the new penalty structure, the parolee would be required to serve as much as two of the 12 years as a minimum penalty.

Only a small percentage of criminals serve their full prison sentences before being released on parole. Of the city's approximately 3,000 parolees in 1980, the most recent year for which parole figures are available, the parole board issued arrest warrants against 581 for parole violations.

Of those, 215 involved technical violations, such as failing to report to a parole officer. The other 366 were for new crimes. The board acted on the warrants by revoking parole—meaning that backup time could have been imposed—in 349 cases, almost 12 percent of all parolees.

Previously, parolees with less than five years backup time faced a minimum six-month penalty—or return to prison—for all violations, ranging from technical violations to committing a felony crime.

Under the new regulations, the penalty remains the same for technical violations, but the minimum for committing a misdemeanor or crime, such as shoplifting, has been raised to 6 to 9 months. For a felony crime, such as armed robbery, the new minimum is 9 to 15 months.

Previously, parolees with more than five years backup time faced a minimum 12-month penalty for all violations. Under the new regulations, the minimum penalty for technical violations has been lowered to 6 to 9 months. The new penalty for misdemeanor or crimes is 9 to 15 months and for felony convictions, the minimum has been raised to 15 to 24 months.

"What we are trying to do is be more equitable," said parole board chairman Bernice Just, "to match the severity of the penalty to the severity of the parole violation."

The parole board has discretionary powers to set longer penalties, up to the full length of remaining backup time, but rarely does so. In most cases, parolees still have backup time remaining on old convictions when they begin to serve time for new convictions.

This old backup time does not disappear while new sentences are being served. Rather, it accrues with each new conviction and subsequent parole. When parole is revoked, the time a parolee spent on release automatically is erased, meaning he is accountable for all his original backup time.

"We've seen guys who spent 15 years on a five-year sentence," said parole board executive director Barney Shapiro.

While this threat exists, and is stiffened under the new regulations, law enforcement officials acknowledged that in the past it rarely has been more than a threat.

The system did not work, they said, because judges and prosecutors were unaware of parole board procedures and because of inefficient administration and lack of cooperation between law enforcement agencies.

"If you want to know the truth," said one official in D.C. Superior Court, "There wasn't a judge around here who understood what the parole board was doing."

"I gather that the prosecutors were not advising the courts as to what the policy of the parole board was," said Superior Court Associate Judge Fred B. Ugast.

"If you want to know the truth," added a parole board source, "there weren't many prosecutors who knew how it worked either," an assessment that several prosecutors in the U.S. attorney's office who were interviewed did not dispute.

In practice, authorities said, it seemed the only ones who knew how to work the system were defense lawyers, many of whom would use lengthy backup time as an argument for reduced sentences in criminal cases involving parolees.

Judges granted the reduced sentences, apparently unaware that backup time was seldom imposed.

In order for backup time to be effective when a parolee is involved in a new crime, moreover, the parole board must revoke parole before sentencing for the new crime takes place. In most instances, that was not being done, and as a result the backup time and the new sentence were being served concurrently.

According to court sources, judges and prosecutors alike were shocked to learn in March last year that the backup time they had presumed was keeping repeat offenders behind bars was, in fact, virtually meaningless.

Said Ugast: "The judges assumed that the parole board could determine how much time [a parolee] would have to serve," whether or not parole was revoked before sentencing.

Last year, several meetings were held by judges, parole officials and the U.S. attorney to discuss backup time. Authorities said the situation since has improved dramatically with more efficient use of computer facilities and more aggressive efforts to coordinate activities among court officials, prosecutors and the parole board.

Now, lawyers in the U.S. attorney's office have been directed to attempt to ensure that parole violation warrants are executed before sentencing. In those instances where

parole warrants have not been executed, judges now compensate by setting longer sentences in cases involving parolees, assuming the sentences will run concurrently with any penalties the parole board later decides to impose.

The net effect of the new regulations is expected to be an estimated 100 to 200 additional inmates at Lorton prison, where the central facility, which holds about half the 2,500 inmates at the complex, already is 140 over capacity.●

## MISER II

### HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. GEJDENSON. Mr. Speaker, I would like to bring the Members' attention to a very unique undertaking. Five successful public-private partnerships to increase energy conservation were displayed here Wednesday, March 24, as part of the United Way of America-sponsored conference on community energy projects. One of those communities showcased resides in my district, Middletown, Conn. I would like to offer my congratulations to the mayor's office and all the terrific volunteers of Miser, Middletown's Saving Energy Resources.

Assisted originally by ACTION, the Federal volunteer service agency, and then by United Way of America through a \$25,000 grant from the John A. Hartford Foundation, the Middletown community created successful approaches to promoting more efficient energy use with maximum resources and voluntary citizen participation.

I would like to submit a description of the Miser program. This program can serve as a model for all communities to adopt.

MIDDLETOWN, CONN., MISER II (MIDDLETOWNERS SAVING ENERGY RESOURCES)—Lead Agency: Mayor's Office

Miser I, a six-month campaign in 1980, reached 10% of Middletown's housing stock. The campaign attracted many volunteers, principally from local colleges and community groups, to help in canvassing, publicity, workshops, and office tasks.

Substantial support was drawn from a range of local groups. Through an *ad hoc* Advisory Committee, small donations were obtained from private businesses and media. In addition, the City appropriated part of its HUD block grant monies and State conservation funds to supplement funding from the U.S. Department of Energy. These funds allowed the program to offer conservation materials for free or at a discount to participants.

Working out of an abandoned school, Miser I staff and volunteers formed a headquarters where hands-on workshops were offered daily. Depending on their income, over 1,000 citizens received for free, or purchased on a sliding scale basis, specially assembled kits of materials.

Miser II was designed as an opportunity to increase significantly the number of resi-

dents applying self-help weatherization. Other objectives included a target effort for rental housing and the exploration of longer-term, self-sustaining strategies for reducing the city's overall energy consumption.

A broader-based Advisory Board was founded for Miser, comprised of community leaders representing churches, schools, local industry, foreign language groups, and social service agencies. The city of Middletown was especially generous. Office space, furniture, and use of copy machines all were provided for the program.

In the second phase, tangible resources given from within the local community increased dramatically. For example, Northeast Utilities printed many thousands of brochures, workbooks, and information tailored for school children. Banks and churches underwrote the costs of newspaper advertising. Local merchants offered discounts on the promoted conservation materials.

The various student populations were the most important sources of volunteers. Students of Wesleyan University, local high schools, and Middlesex Community College gave varying amounts of time; one communications class of the community college made Miser II a course project and produced a video presentation on the program.

While citizen response increased rapidly as the weather got colder, the total number of participants was well below the original goal of 1,000 people. Insufficient advertising, weather, possible "over-saturation" of energy conservation information, and misconception that Miser was only for low-income people all are cited as reasons. Constant creativity and enthusiasm were applied to publicize the program including efforts such as: (1) targeted mailings to schools, businesses, and churches; (2) cable television and radio spots in different languages; (3) a "November Crash" when 8,000 brochures were "bagged" in supermarket shopping bags; (4) hands-on workshops at fraternity meetings; (5) an "Energy Conservation Day" when the Mayor proclaimed school children as "Miser Marshalls;" (6) phone canvassing.

The leadership of Miser II point out the visible "spill-over" effect of the city's year and a half, active effort to promote energy efficiency. Examples of efforts underway include the City's decision to develop a Solid Waste Energy Recovery Program including recycling. Also, Northeast Utilities has initiated a new program based on Miser to serve other parts of Central Connecticut. An impressive spinoff of Miser is subsidized housing's greater attention to energy conservation. As paraphrased from a final report, "During Miser I, one of the major landlords for subsidized housing in Middletown applied for a rent increase to cover increased energy costs. The increase was a sore issue for the tenants, especially since that landlord owned the oil company supplying the buildings. Citizens of Middletown fought the increase. Through the Mayor's initiative that required the landlord to install Miser kits, the Department of Housing and Urban Development now requires landlords to prove that certain energy conservation measures are taken before permission will be granted for a rent increase due to a rise in energy costs." With the on-going visible commitment of the Mayor and the active support from a broad base of local public and private leaders, Miser has become a model for achieving results in addressing energy both within the community and throughout the State.●

## MILITARY REFORM BEGINS IN CONGRESS

### HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. GINGRICH. Mr. Speaker, this year's defense budget will be combed for possible savings as never before. Many will argue that the budget should be reduced, that savings should be achieved.

The crusade against waste is a noble one. There is no justification for waste in the defense budget, especially given our economic problems. But as the article from Newsweek clearly spells out much of the waste in the Defense Department is caused by congressional action.

If the Congress is serious about removing waste it should begin with those wasteful procedures it has created. The article from Newsweek shows us where we can begin to put our own house in order before we begin to put other departments straight.

The article follows:

[From Newsweek, Mar. 22, 1982]

#### WASTE IN THE DEFENSE BUDGET

Almost every member of Congress is calling for cuts in Ronald Reagan's proposed \$258 billion defense budget for next year, but making them will not be easy—in part, because of the legislators. The Office of Management and Budget says the Pentagon could save at least \$2 billion, for instance, by closing or realigning outmoded military facilities. But, says one Administration official, "if you make cuts in some congressman's district, you've made a lifetime enemy . . . It's a perennial problem—and a no-win kind of game."

The budget process has a built-in bias for higher spending—what one frustrated Reagan hand calls "political waste, fraud and abuse." The prickly politics of closing military bases are just part of the problem. Many defense decisions are made behind the scenes, where the conspiracy among congressmen, Pentagon officers and military contractors often results in "something for everyone" solutions. And, budget watchers lament, there is little incentive to find savings. Here is a guide to defense-budget games—and how they are played:

#### MY DISTRICT—RIGHT OR WRONG

Legislators on key subcommittees sometimes maneuver ingeniously to protect the folks back home—no matter how great the cost or how trivial the reason. The chief asset of Vint Hill Farms, a small intelligence station in Virginia's Shenandoah Valley, for example, is its top-flight commissary. When the Pentagon tried to close the station and move its staff to Maryland's Fort Meade, for a savings of several million dollars, the district's Republican representative, Kenneth Robinson, used his post on the House defense appropriation subcommittee to block funds for the new quarters at Fort Meade. Robinson vows he'd do it again. If the commissary closed, he says, "all the people who do business there would be on their congressman by the thousands."



## THE BOMBER BACKFIRE AND OTHER TRAPS

Once the military brass has pushed a new toy on Congress, it often is stuck with it. To replace the obsolete A-7 bomber, the Navy demanded a new aircraft of its own. When costs of the new F-18 skyrocketed toward \$32 million per copy the Navy considered dropping it. But the Massachusetts delegation battled to save it; its engines are built in Lynn, Mass., next to House Speaker Thomas P. (Tip) O'Neill's district. The A-7 also is still in production, though the Pentagon no longer wants it. The LTV Corp., which builds the plane, is in House Majority Leader James Wright's district.

To help win approval of its Trident nuclear-sub program, the Pentagon chose Kings Bay, Ga. (home of House military construction appropriations chairman Bo Ginn), for the Trident's East Coast support station. But while the Trident program has been delayed three years, Ginn's subcommittee has rebuffed all the Pentagon's efforts to stretch out construction of the \$156 million base.

## BUDGET BLACKMAIL

Defense officials sometimes use a local base or project to win lawmakers' support on larger issues. Earlier this month, Navy Secretary John Lehman toured the strapped Baltimore shipyards with the Maryland Congressional delegation, hinting that its \$48 million request to build two floating dry docks there was contingent on Congressional support for Reagan's entire defense budget. "Every billion dollars we cut from the budget means 40,000 fewer jobs in the industrial base," Lehman said. "He's holding the dry dock hostage," complained Rep. Clarence Long.

## THE BIG BUY-IN

To win approval of major weapons systems, insiders charge, the Pentagon routinely underestimates costs, knowing that Congress won't kill a half-finished program. A classic case may be the B-1 bomber. Initially, the Pentagon put the price of 100 planes at \$19.7 billion. But according to the Congressional Budget Office, that estimate didn't include such critical items as testing and adjustments to carry cruise missiles, which would add \$9.9 billion more to the total. When a realistic inflation estimate was calculated, the CBO said, the true cost would be closer to \$40 billion. Other critics say that if Rockwell International, the B-1 chief builder, repeats the usual pattern of cost over-runs and delays, the B-1 program could cost \$100 billion in the out-years. (If pressed to make a major cost cut, Pentagon planners and lawmakers alike—sometimes resort to "The Washington Monument Syndrome," named for the National Park Service's offer to trim its budget by closing the famed tourist attraction, knowing Congress would never approve.)

## THE PIZZA PERPLEX

As if the battalions of contending lawmakers and Pentagon planners were not enough, each pending defense decision also brings legions of lobbyists to Capitol Hill. During last year's B-1 bomber debate, Rockwell made it clear that some 5,000 subcontractors, vendors and suppliers in 40 states stood to gain from the program, and even urged employees to write their legislators, hinting that jobs were on the line. Frequently, local civic and business leaders also come calling. In the months-long battle before an outdated early-warning radar station in Duluth, Minn., was closed, even Jeno Paulucci, owner of a frozen-pizza company based in

Duluth, led a delegation to dispute the Pentagon's military analyses.

## THE WAR BETWEEN THE STATES

Partisan politics can frustrate even the simplest proposal. Last fall, when the Pentagon proposed closing the military air command at New Jersey's McGuire Air Force Base and contracting its operations to Newark International Airport, the Pennsylvania Congressional delegation demanded a piece of the \$1 million-a-year contract for Philadelphia's Municipal Airport. Newark is far more convenient to a military facility in Bayonne, N.J., where servicemen flying overseas can park or ship their cars. But Pennsylvania's two GOP senators, John Heinz and Arlen Specter, feel that this Administration should give the pork barrel to the good Republican state, not New Jersey, where Democrat Bill Bradley is the lone senator as of this week.

## THE WAR BETWEEN THE SERVICES

Battles between the individual services can be even more ferocious. For example: the byzantine "traffic command." Currently, transporting cargo from the West Coast, say, to Germany, can require separate approval, contracts and personnel from the Army, the Navy and the Air Force. But when the Reagan Administration proposed a unified traffic command that might save \$2.6 million annually, 24 admirals protested to Congress. Subcommittee hearings are set for this week to air the Navy's objections to the new proposal. Even though their beefs may be irrational, O'Neill says, "The admirals are the most powerful lobby on Capitol Hill."

## WHODUNIT?

Sometimes, decisions become so embroiled in inter-service rivalries and partisan politics that it is impossible to trace just what happened to a cost-cutting measure. For years the Pentagon tried to close the Navy's helicopter training school at Pensacola, Fla., and combine it with the Army's school at Fort Rucker, Ala., for a savings of more than \$100 million over five years. The Navy brass opposed the move, and during the Carter Administration Florida's Democratic senators helped block it. Now, the Reagan Administration has scotched the idea. Florida's freshman GOP Sen. Paula Hawkins claims credit. But some insiders suspect that Alabama Republican Jeremiah Denton, an old Navy man, helped argue the Navy's position, even though his own state lost out on the deal. Denton, for his own part, denies taking a position on the matter.

## THE CASE OF THE MISPLACED SAC BASE

It is to be hoped that the Pentagon's bombers are more accurate than its analyses—since politicians make the most of errors. In 1976, when the Air Force proposed moving Strategic Air Command bombers out of Loring Air Force Base in northern Maine on the ground that its coastal location made the jets vulnerable to Soviet sub attacks, Maine's powerful Democratic Sen. Edmund Muskie demolished the plan in a three-year-long battle. A Pentagon study on the move's potential impact had placed Loring in the wrong part of the state, and its plan to transfer Loring B-52s to other coastal bases didn't help the argument. Air Force strategists still think Loring vulnerable, but the proposed 1983 budget includes \$50 million to beef up the base.

## THE CONSOLATION PRIZE

When a community loses a military plum, it is sometimes compensated with another project that eases the pain—one that costs

taxpayers extra for years. During the Carter Administration, when Vice President Walter Mondale's efforts to save Philadelphia's Frankford arsenal failed, he arranged for the city's shipyards to overhaul six Forrestal-class aircraft carriers, a job the Newport News, Va., shipyard had had. . . .

## SUPPORT FOR VOTING RIGHTS

## HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. EDWARDS of California. Mr. Speaker, I insert in the CONGRESSIONAL RECORD the statement of David A. Brody, director of the Washington office of the Anti-Defamation League of B'nai B'rith, in support of H.R. 3112, which was overwhelmingly approved by this body on October 5, 1981, to extend the Voting Rights Act of 1965. This strong statement of support was submitted to the Committee on the Judiciary on August 10, 1981. Erroneously, it was not made a part of the hearing record at that time; its inclusion at this time will assure it becomes a part of the permanent legislative history of the 97th Congress extension effort.

## ANTI-DEFAMATION LEAGUE

OF B'NAI B'RITH.

Washington, D.C., August 10, 1981.

Hon. DON EDWARDS,

Chairman, Subcommittee on Civil and Constitutional Rights, Committee on the Judiciary, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: The Anti-Defamation League of B'nai B'rith welcomes this opportunity to express its support for and to urge early action by the House of Representatives on H.R. 3112, the bill introduced by the Chairman of the Judiciary Committee, Mr. Rodino, to extend the special provisions of the Voting Rights Act, specifically the Section 5 preclearance requirement, for an additional ten years through August 6, 1992.

The bill would also require the bi-lingual election assistance provisions first included in the 1975 extension legislation and due to expire in 1985, for an additional seven years so that they, too, will expire at the same time as the other provisions of the Act, on August 6, 1992.

Finally, the bill would amend Section 2 of the Act to undo the confusion created by the Supreme Court's decision in *Mobile v. Bolden* by clarifying the burden of proof which plaintiffs must sustain in voting discrimination cases and to restore the law as it stood before that decision.

The Anti-Defamation League (ADL) is the educational arm of the B'nai B'rith which was founded over 135 years ago in 1843 and is America's oldest and largest Jewish service organization. It seeks to improve relations among the diverse groups in our nation and to translate into greater effectiveness the principles of freedom, equality and democracy. It is dedicated to securing fair treatment and equal rights for all Americans regardless of race, religion, color, sex or national origin.

The ADL is one of the more than 150 constituent organizations of the Leadership Conference on Civil Rights and the undersigned serves on its Executive Committee. The Leadership Conference has already testified in support of the extension legislation but because we believe that the right to vote is so fundamental to our democratic society, and that racial discrimination in voting must be completely eradicated from the American fabric that we feel compelled to make this statement in our own name an expression of our deep-seated belief that extension of the Act is imperative if the progress which that law has made possible since its original enactment in 1965 is not to be undone.

As the Supreme Court has pointed out, the Voting Rights Act "was designed by Congress to banish the blight of racial discrimination in voting, which has infected the electoral process in parts of our country for nearly a century." *South Carolina v. Katzenbach*, 383 U.S. 301, 308 (1966). If that objective is to be realized, the provisions of the Act must be continued for an additional ten years.

At our recently concluded annual meeting, the ADL adopted a resolution as follows calling for the extension of the legislation:

"Whereas the Voting Rights Act of 1965, last extended in 1975, is scheduled to expire in August 1982 and the Congress is now considering legislation to extend the Act for an additional ten years, and

"Whereas the Voting Rights Act of 1965 is one of the most effective pieces of civil rights legislation ever passed, having enfranchised millions of Americans since its enactment, and

"Whereas, in February 1965, prior to the passage of the 1965 Act, the National Executive Committee adopted a resolution urging the federal government to make every effort to secure voting rights for all Americans,

"Now, therefore, be it resolved, That ADL reaffirms its support for the existing legislation and further supports the passage of the extension legislation without any amendments which would diminish the effectiveness of this landmark legislation."

It is not our intention in this brief statement to review the evidence submitted to your subcommittee during your eighteen days of hearings on the extension legislation. While that testimony cited the impressive gains made both in minority voter participation and in the election of blacks to public office, it also documented, as you, Mr. Chairman, stated, "the continuing discriminatory electoral practices or procedures" which in our opinion mandate the renewal of the basic law.

The rise of black voter registration and the increase in the number of black elected officials in the years since the enactment of the original legislation, when compared with the minimal progress made under the earlier civil rights laws with their piecemeal case by case approach has clearly demonstrated the wisdom of Congress in passing the original legislation. Nevertheless, despite the progress made there is still a widespread disparity between white and non-white voter registration. Black registration, while much higher now than before passage of the 1965 Act, still lags behind white registration in the areas affected by the Act. As the testimony has also shown, obstacles still continue to be placed in the way of the black voter.

Passage of the original Act represented a commitment on the part of the Congress to

the American citizens who have been disenfranchised by discriminatory practices. It was an expression by Congress of its determination finally to bring to an end 100 years of indifference to the plain command of the Fifteenth Amendment. The Act became law with overwhelming bipartisan support after extended hearings and debate in both the House and the Senate and the subsequent extensions have likewise received strong bi-partisan support. Dramatic strides have been made under the law in increasing black voter registration and the bilingual provisions of the law have brought out the non-English speaking citizen to the polls. If that progress is to continue—and indeed not be reversed—it is essential that the Act be extended without any amendments which would impair its effectiveness.

We respectfully request that this statement be included in the printed record of the hearings.

Sincerely,

DAVID A. BRODY,  
Director, Washington Office. ●

## THE POVERTY WAR: GREAT SOCIETY VERSUS TRICKLE-DOWN

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 29, 1982

● Mr. PHILIP M. CRANE, Mr. Speaker, much has been said over the past several decades about the need to help the poor of America. Further, a great deal of money has been appropriated and spent by this Congress believing that such action would improve the conditions of the poor. The following is an article by Charles A. Murray from the Wall Street Journal March 25, 1982, indicating that it is indeed possible that such action has not proven effective. According to the statistics Mr. Murray cites, improved free market conditions and not hand-outs are what history has proven to be effective in helping the poor. I commend the article to the attention of my colleagues:

### THE POVERTY WAR: GREAT SOCIETY VERSUS TRICKLE-DOWN

(By Charles A. Murray)

Of David Stockman's many indiscretions in the Atlantic Monthly interview, none was more damning than his acknowledgment that the Reagan economic package was a warmed-over version of trickle-down economics. It seems nobody wants to be associated with that old tag, not even conservatives. To say flat out that one favors fighting poverty by creating wealth at the top and letting it trickle down is not acceptable. The consensus is that trickle-down economics does not work.

The evidence of the consensus draws on a widely shared view of history. That view has it that the U.S. entered the 1960s with a large population of poor people who had been bypassed by the prosperity of the Eisenhower years. The rich and the middle class had gained; the poor had not. Then after fits and starts during the Kennedy years, came the explosion of anti-poverty programs under Johnson. The programs were perhaps too ambitious, concede those

making this argument, and perhaps the efforts were too helter-skelter, but at least they put a big dent in the poverty problem, as borne out by the large reduction in poverty that occurred during LBJ's administration and thereafter.

Liberals use this achievement as LBJ's redemption for Vietnam. Conservatives argue that the progress created more problems than it solved. But a remarkably broad spectrum of people accept that, worth it or not, LBJ's approach got results that trickle-down economics had not.

The agreement is all the more remarkable in view of the fact that the clearest, most persuasive explanation of what happened to poverty during the last three decades is: The trickle-down theory works—and the Great Society's main claim to success is mostly artifact. The evidence is a matter of historical record, which apologists for the Great Society continue to ignore.

It is widely believed, for example, that poverty decreased during the War on Poverty and had not been decreasing as rapidly before the War on Poverty. Poverty did fall during the five Johnson years—from 18 percent of the population in 1964 to 12.8 percent in 1968 (throughout, I use the officially defined "poverty line" as the measure, and official government statistics as the data). Yet this was scarcely a breathtaking achievement. During the preceding five years (1959-63), the percentage had dropped from 22.4 to 19.5. In 1954-58, it had dropped from 27.9 to 23.1. And from 1949-53, it had dropped from 32.7 to 26.2. In short, the size of the officially defined impoverished population in the U.S. dropped by 19.9 percentage points in 20 years—one percentage point per year—of which the five Johnson years accounted for almost precisely their five-point share.

Then things got worse. After two decades of reasonably steady progress, the percentages froze during the 1970s. There are problems, of course, with such a broad statement—the poverty statistics do not reflect the massive increases of in-kind assistance, such as food stamps and public housing. But in terms of cash income, there were more American poor in 1980 than in 1968. The 12.8 percent of LBJ's last year never dipped below 11.1 percent (in 1973), and stood at 13 percent in 1980.

How could this be? Even ignoring the increases in in-kind expenditures, we spent twice as much on direct cash income transfers in 1980 as in 1970 and 14 times as much as in 1950—in constant, uninflated dollars, after taking population increases into account, and using a consistent definition of poverty. Furthermore, the huge sums were being focused—or were supposed to be—on a much smaller proportion of the population: about 12 percent in the 1970s, compared with more than a quarter of the population during most of the 1950s. By all logic, the fewer the poor, the easier it should be to lift them above the poverty level. It only takes money, doesn't it? But it hasn't worked this way.

The evidence is straightforward: (1) Poverty dropped during the 1950s, with relatively low social welfare expenditures; (2) poverty dropped during the 1960s, with relatively large social welfare expenditures; (3) poverty did not drop during the 1970s, with extremely large social welfare expenditures.

The lesson is that changes in social welfare expenditures have not been related to changes in the number of people getting less than a poverty income. What has been related to changes in poverty? That old fa-



vorite of the trickle-down Eisenhowerites, changes in GNP.

To illustrate this, we may take a closer look at the unproductive 1970s when, over the whole period, the poverty population did not decrease. In three of those years—1970, 1974 and 1975—GNP went down (as always, in constant dollars). During those same three years, and only in those years, the percentage of people below the poverty level increased. In the other years, poverty did decrease. Similarly in the 1950s, with its radically lower levels of social welfare spending, GNP dropped in two years (1954 and 1958), and those were the years—the only years—that poverty increased. During the 1960s, GNP rose every year, helped along in the last half of the decade by the Vietnam war budgets—and poverty dropped every year as well.

The relationships among changes in GNP, social welfare spending and poverty are even more at odds with the conventional wisdom when they are subject to statistical analysis in combination. It is not just that increases in GNP are associated with decreases in poverty; it turns out that poverty has actually gotten worse as social welfare expenditures have increased, when the effects of GNP are factored out of the calculation.

The experience of the 32 years for which all the data are available (1947-78) leads to the statistical prediction that if GNP increases by 100 billion 1980 dollars we can expect that the percentage of people living beneath the poverty level will go down by 1.9 points (holding social welfare spending constant). If social welfare expenditures go up by \$100 billion, we can expect that the percentage of people living beneath the poverty level will increase—yes, increase—by about 1.2 points, when the effects of GNP are held constant.

Statistical results of this sort are not true predictions. Social welfare expenditures do not inherently, inescapably increase poverty. Nor can we rely on a growing GNP to drive poverty to zero on its own. The point is not prediction, but understanding what has been happening during the last 30 years. And during that period, the relationships of GNP and social welfare expenditures to poverty have been revealing. They also resist challenges. They survive varying definitions of social welfare expenditures; they survive when expenditures pegged to downturns in the economy (for example, unemployment compensation) are taken into account; they survive when time lags in effects are hypothesized; they survive whether the changes are defined in absolute terms (changes in percentage points) or as a proportion of the previous year's record.

The direct relationship of increases in GNP and decreases in poverty is robust. Since 1947, it has been our consistent experience that increases in GNP produce reductions in poverty, under very different political and social conditions. It has been our experience that increases in social welfare expenditures are not associated with this effect. In the dialogue about how to really help the poor, Mr. Stockman can stop apologizing for trickle-down economics. It works.

(NOTE.—Mr. Murray is former chief scientist at the American Institutes for Research. This essay is based on a coming book on postwar social welfare policy, to be published by the Heritage Foundation.)●

## 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 Tuesday, March 30, 1982, may be found in the Daily Digest of today's RECORD.

### MEETINGS SCHEDULED

#### MARCH 31

8:00 a.m.

##### \*Appropriations

Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Strategic Petroleum Reserve and Naval Petroleum Reserves, Department of Energy.

1114 Dirksen Building

9:00 a.m.

##### Appropriations

##### Defense Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1983 for the defense establishment, focusing on the MX program.

1224 Dirksen Building

##### Select on Indian Affairs

To hold hearings on S. 2114 and H.R. 5118, bills providing for the settlement of Papago Indian water rights claims in portions of the Papago Indian Reservation of Arizona; to be followed by a business meeting, to consider pending calendar business.

S-205, Capitol

9:30 a.m.

##### Banking, Housing, and Urban Affairs

##### Securities Subcommittee

To hold hearings on S. 2260, clarifying the jurisdictional boundaries between the Securities and Exchange Commission and the Commodity Futures Trading Commission.

5302 Dirksen Building

##### Commerce, Science, and Transportation

##### Surface Transportation Subcommittee

To hold oversight hearings on activities of the National Highway Traffic Safety Administration, Department of Transportation.

235 Russell Building

## Judiciary

### Agency Administration Subcommittee

To resume hearings on S. 1775, making the Federal Government liable for constitutional torts and generally the exclusive defendant in all tort suits involving Government employees acting within the scope of their employment.

5110 Dirksen Building

## Judiciary

### Security and Terrorism Subcommittee

To resume hearings on the alleged role of the Soviet Union, East Germany, and Cuba in fomenting terrorism in South Africa.

2228 Dirksen Building

### \*Labor and Human Resources

To hold hearings on proposed authorizations for certain health programs of the Department of Health and Human Services; and on the nomination of Clarence Thomas, of Maryland, to be a Member of the Equal Employment Opportunity Commission.

4232 Dirksen Building

10:00 a.m.

## Budget

Business meeting, to continue markup of the first concurrent resolution on the budget for fiscal year 1983, setting forth recommended levels of total budget outlays, Federal revenues, and new budget authority.

6202 Dirksen Building

## Energy and Natural Resources

Business meeting, to consider pending calendar business.

3110 Dirksen Building

## Foreign Relations

To resume hearings on the President's proposed Caribbean Basin Initiative.

4221 Dirksen Building

## Governmental Affairs

### Permanent Subcommittee on Investigations

To resume oversight hearings on the administration of the Federal Employees Compensation Act.

3302 Dirksen Building

## Small Business

To hold hearings to review the President's report on the state of small business.

424 Russell Building

## Select on Intelligence

Closed business meeting, to mark up proposed legislation authorizing funds for fiscal year 1983 for the intelligence community.

S-407, Capitol

2:00 p.m.

## Appropriations

### Energy and Water Development Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1983 for energy and water development programs.

1318 Dirksen Building

## Foreign Relations

### Arms Control, Oceans, International Operations, and Environment Subcommittee

To resume hearings on United States and Soviet civil defense programs.

4221 Dirksen Building

## Judiciary

To hold hearings on the nominations of Michael A. Telesca, to be U. S. district judge for the western district of New York, John A. Nordberg, to be U.S. district judge for the northern district of

Illinois, William T. Hart, to be U.S. district judge for the northern district of Illinois, and Walter E. Black, Jr., to be U.S. district judge for the district of Maryland.

2228 Dirksen Building

#### APRIL 1

9:00 a.m.

##### Appropriations

##### Defense Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1983 for the defense establishment, focusing on airlift requirements.

1224 Dirksen Building

##### Energy and Natural Resources

##### Public Lands and Reserved Water Subcommittee

To hold hearings on S. 1138 and S. 1633, bills prohibiting the issuance of phosphate mining leases on the Osceola National Forest in Florida, and H.R. 9 and S. 1873, bills prohibiting the issuance of phosphate mining leases on the Osceola National Forest in Florida, and designating certain wilderness and national forest lands in Florida.

3110 Dirksen Building

##### Labor and Human Resources

##### Aging, Family and Human Services Subcommittee

To hold hearings on expanding employment opportunities for older workers in the private sector.

4232 Dirksen Building

9:30 a.m.

##### Appropriations

##### Agriculture, Rural Development and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Commodity Futures Trading Commission, to review budget proposals for the Department of Agriculture's Inspector General, and agricultural aspects of the General Accounting Office.

1318 Dirksen Building

##### Banking, Housing, and Urban Affairs

Business meeting, to mark up S. 2226, authorizing funds through fiscal year 1986 to reduce mortgage interest rates on home mortgages for qualifying individuals and provide for employment in the private sector.

5302 Dirksen Building

##### Commerce, Science, and Transportation Science, Technology, and Space Subcommittee

To resume hearings on proposed legislation authorizing funds for the National Aeronautics and Space Administration.

235 Russell Building

##### Finance

##### Health Subcommittee

To hold hearings on S. 1250, proposed Professional Standards Review Amendments of 1981, and S. 2142, proposed Peer Review Improvement Act.

2221 Dirksen Building

##### Judiciary

##### Juvenile Justice Subcommittee

To hold hearings on S. 1701, maintaining a nationwide computer system for information on missing children, and on deceased individuals whose next of kin cannot be identified or located; and to discuss the exploitation of children.

412 Russell Building

##### Select on Indian Affairs

To hold oversight hearings on the statute of limitations relating to Indian claims.

6226 Dirksen Building

10:00 a.m.

##### Appropriations

##### Energy and Water Development Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1983 for energy and water development programs.

1114 Dirksen Building

##### Appropriations

##### Transportation and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the U.S. Railway Association, and Conrail.

S-128, Capitol

##### Budget

Business meeting, to continue markup of the first concurrent resolution on the budget for fiscal year 1983, setting forth recommended levels of total budget outlays, Federal revenues, and new budget authority.

6202 Dirksen Building

##### Foreign Relations

To hold hearings on Senate Joint Resolution 144, encouraging unconditional negotiations for the purpose of achieving a ceasefire and a political settlement in El Salvador.

4221 Dirksen Building

##### Governmental Affairs

To hold hearings on S. 1780, proposed Program Fraud Civil Penalties Act of 1981.

3302 Dirksen Building

##### Judiciary

To hold hearings on S. 2216, reforming the habeas corpus procedures of the United States.

2228 Dirksen Building

2:00 p.m.

##### Appropriations

##### Energy and Water Development Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1983 for energy and water development programs.

1114 Dirksen Building

##### Governmental Affairs

##### Federal Expenditures, Research and Rules Subcommittee

To hold oversight hearings on the implementation of the Paperwork Reduction Act (Public Law 96-511).

3302 Dirksen Building

2:30 p.m.

##### \*Appropriations

##### HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Federal Emergency Management Agency and the Selective Service System.

1224 Dirksen Building

3:00 p.m.

##### Select on Ethics

Closed business meeting, to discuss pending committee business.

235 Russell Building

#### APRIL 2

9:00 a.m.

##### \*Labor and Human Resources

##### Employment and Productivity Subcommittee

To resume hearings on productivity in the American economy.

4232 Dirksen Building

10:00 a.m.

##### Joint Economic

To hold hearings on the employment/unemployment situation for March.

2128 Rayburn Building

11:00 a.m.

##### \*Budget

Business meeting, to continue markup of the first concurrent resolution on the budget for fiscal year 1983, setting forth recommended levels of total budget outlays, Federal revenues, and new budget authority.

6202 Dirksen Building

#### APRIL 13

9:30 a.m.

##### Commerce, Science, and Transportation

##### Surface Transportation Subcommittee

To hold hearings on proposed legislation authorizing funds for the railroad safety program, Department of Transportation.

235 Russell Building

10:00 a.m.

##### Environment and Public Works

##### Water Resources Subcommittee

To resume hearings on S. 810, prescribing a system of user fees to be levied on commercial transportation on inland waterway projects, amendment No. 32 thereto, expediting the construction of inland waterway projects, and assuring that the users of such projects repay a fair percentage of the cost of such works, amendment No. 637, clarifying the intent of the bill, and related measures.

4200 Dirksen Building

#### APRIL 14

9:00 a.m.

##### Energy and Natural Resources

##### Public Lands and Reserved Water Subcommittee

To hold hearings on S. 1777, establishing the permanent boundary of Acadia National Park on Isle au Haut off the coast of Maine; S. 1872, extending the period for grazing privileges afforded to privately owned lands within the Capitol Reef National Park in Utah; and S. 2218, providing for the development and improvement of the recreation facilities of Gateway National Recreation Area, New York City, and for utilization of its energy resources.

3110 Dirksen Building

10:00 a.m.

##### Appropriations

##### Labor, HHS, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for activities of the Secretary of Health and Human Services.

1114 Dirksen Building

##### Environment and Public Works

##### Environmental Pollution Subcommittee

To hold hearings on proposed legislation authorizing funds for the endangered species program.

4200 Dirksen Building



2:00 p.m.  
Appropriations  
Labor, HHS, Education, and Related Agencies Subcommittee  
To continue hearings on proposed budget estimates for fiscal year 1983 for activities of the Secretary of Health and Human Services.  
1114 Dirksen Building

APRIL 15

9:00 a.m.  
Appropriations  
Interior and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for the Land and Water Conservation Fund, and to receive testimony from congressional witnesses.  
1318 Dirksen Building

9:30 a.m.  
Finance  
Savings, Pensions and Investment Policy Subcommittee  
To hold hearings on proposed legislation establishing an enterprise zone program for dealing with the problems of economically depressed areas in the United States.  
2221 Dirksen Building

Labor and Human Resources  
To hold hearings on proposed authorizations for the National Science Foundation.  
4232 Dirksen Building

10:00 a.m.  
Appropriations  
HUD-Independent Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for the Office of Science and Technology Policy and the Council on Environmental Quality.  
1224 Dirksen Building

Appropriations  
Labor, HHS, Education, and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for activities of the Secretary of Education.  
1114 Dirksen Building

Energy and Natural Resources  
Public Lands and Reserved Water Subcommittee  
To hold hearings on S. 1999, providing for the establishment of the Wolf Trap Farm Park in Virginia; and S. 1540, revising the boundaries of the Saratoga National Historical Park in New York.  
3110 Dirksen Building

Select on Indian Affairs  
To hold oversight hearings on the tribally controlled community college program.  
6226 Dirksen Building

2:00 p.m.  
Appropriations  
Labor, HHS, Education, and Related Agencies Subcommittee  
To continue hearings on proposed budget estimates for fiscal year 1983 for activities of the Secretary of Education.  
1114 Dirksen Building

APRIL 16

9:00 a.m.  
\*Labor and Human Resources  
Employment and Productivity Subcommittee  
To resume hearings on productivity in the American economy.  
4232 Dirksen Building

9:30 a.m.  
Finance  
Savings, Pensions and Investment Policy Subcommittee  
To continue hearings on proposed legislation establishing an enterprise zone program for dealing with the problems of economically depressed areas in the United States.  
2221 Dirksen Building

APRIL 19

9:30 a.m.  
Labor and Human Resources  
Aging, Family and Human Services Subcommittee  
To hold oversight hearings on title X of the Public Health Service Act relating to health aspects of teenage sexual activity.  
4232 Dirksen Building

10:00 a.m.  
Energy and Natural Resources  
Energy Regulation Subcommittee  
To hold hearings on S. 1885, to place electric utilities, including members of registered holding company systems, on the same basis as nonutilities to encourage their investment in cogeneration and small power production facilities.  
3110 Dirksen Building

Environment and Public Works  
Environmental Pollution Subcommittee  
To resume hearings on proposed legislation authorizing funds for the endangered species program.  
4200 Dirksen Building

9:00 a.m.  
Appropriations  
Interior and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for certain functions of the Indian Health Service, Department of Health and Human Services, and the Geological Survey, Department of the Interior.  
1318 Dirksen Building

9:30 a.m.  
Appropriations  
State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for the Department of State, focusing on the Office of the Secretary and administration of foreign affairs.  
S-146, Capitol

Labor and Human Resources  
Business meeting, to consider proposed legislation authorizing funds for health programs and the National Science Foundation.  
4232 Dirksen Building

10:00 a.m.  
Appropriations  
HUD-Independent Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for the Environmental Protection Agency.  
1224 Dirksen Building

Energy and Natural Resources  
Business meeting, to consider pending calendar business.  
3110 Dirksen Building  
Environment and Public Works  
Business meeting, to consider pending calendar business.  
4200 Dirksen Building

1:00 p.m.  
Judiciary  
\*Immigration and Refugee Policy Subcommittee  
To hold joint hearings with the House Subcommittee on Immigration, Refugees, and International Law of the Committee on the Judiciary on S. 2222, revising and reforming U.S. immigration laws.  
2228 Dirksen Building

2:00 p.m.  
Appropriations  
Foreign Operations Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for foreign assistance activities of the Department of the Treasury.  
1318 Dirksen Building

Appropriations  
Labor, HHS, Education, and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for activities of the Secretary of Labor.  
1114 Dirksen Building

APRIL 21

9:30 a.m.  
Appropriations  
State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for the Small Business Administration, Federal Communications Commission, Equal Employment Opportunity Commission, and the Maritime Administration.  
S-146, Capitol

Environment and Public Works  
Transportation Subcommittee  
To hold hearings on proposed legislation authorizing funds for the Federal aid highway program.  
4200 Dirksen Building

10:00 a.m.  
Appropriations  
Labor, HHS, Education, and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for the Employment and Training Administration, Department of Labor.  
1114 Dirksen Building

Appropriations  
Transportation and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for the Federal Railroad Administration of the Department of Transportation, and Amtrak.  
1318 Dirksen Building

Energy and Natural Resources  
Business meeting, to consider pending calendar business.  
3110 Dirksen Building

Labor and Human Resources  
Education, Arts, and Humanities Subcommittee  
To hold hearings on S. 1889, authorizing funds for fiscal year 1983 and 1984 for the establishment of a national institution to promote international peace and resolution of international conflict.  
4232 Dirksen Building

2:00 p.m.  
 Environment and Public Works  
 Transportation Subcommittee  
 To continue hearings on proposed legislation authorizing funds for the Federal aid highway program.  
 4200 Dirksen Building

## APRIL 22

9:00 a.m.  
 Appropriations  
 Interior and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1983 for certain functions of the Forest Service, Department of Agriculture.  
 1318 Dirksen Building

9:30 a.m.  
 Appropriations  
 State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1983 for certain programs which fall within the jurisdiction of the subcommittee, receiving testimony from public witnesses.  
 S-146, Capitol

Labor and Human Resources  
 Aging, Family and Human Services Subcommittee  
 To hold hearings on promoting volunteerism in America.  
 4232 Dirksen Building

10:00 a.m.  
 Appropriations  
 Labor, HHS, Education, and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1983 for the Labor-Management Services Administration, Pension Benefit Guaranty Corporation, and the Employment Standards Administration, Department of Labor.  
 1114 Dirksen Building

Environment and Public Works  
 Environmental Pollution Subcommittee  
 Business meeting, to mark up S. 1018, prohibiting the Federal Government from funding commercial and residential growth on undeveloped barrier beaches and islands.  
 4200 Dirksen Building

2:00 p.m.  
 Appropriations  
 Labor, HHS, Education, and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1983 for the Occupational Safety and Health Administration (OSHA), and the Mine Safety and Health Administration, Department of Labor.  
 1114 Dirksen Building

## APRIL 23

9:30 a.m.  
 Banking, Housing, and Urban Affairs  
 Consumer Affairs Subcommittee  
 To hold hearings on the role of the Federal Reserve Board in the operation of automated clearinghouse services.  
 5302 Dirksen Building

10:00 a.m.  
 Appropriations  
 Labor, HHS, Education, and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1983 for Bureau of Labor Statistics, departmental management services, and the President's Committee on Employment of the Handicapped, Department of Labor.  
 1114 Dirksen Building

Appropriations  
 Transportation and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1983 for the Urban Mass Transportation Administration, Department of Transportation.  
 1318 Dirksen Building

Labor and Human Resources  
 Education, Arts, and Humanities Subcommittee  
 To hold hearings on S. 2002, proposed Bilingual Education Amendments of 1981, and other related proposals.  
 4232 Dirksen Building

## APRIL 26

10:00 a.m.  
 Appropriations  
 Transportation and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1983 for the Federal Aviation Administration of the Department of Transportation.  
 1318 Dirksen Building

Energy and Natural Resources  
 Energy Regulation Subcommittee  
 To hold oversight hearings to review programs administered by the Office of Federal Inspector, Alaska Natural Gas Transportation System, and the Economic Regulatory Administration and Federal Energy Regulatory Commission, Department of Energy.  
 3110 Dirksen Building

Environment and Public Works  
 Environmental Pollution Subcommittee  
 To hold hearings on proposed authorizations for programs of the Resource Conservation and Recovery Act.  
 4200 Dirksen Building

Labor and Human Resources  
 Education, Arts, and Humanities Subcommittee  
 To resume hearings on S. 2002, proposed Bilingual Education Amendments of 1981, and other related proposals.  
 4232 Dirksen Building

## APRIL 27

9:00 a.m.  
 Appropriations  
 Interior and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1983 for the Office of the Federal Inspector, Alaska Natural Gas Transportation System, Bureau of Mines of the Department of the Interior, and the National Endowment for the Arts.  
 1318 Dirksen Building

9:30 a.m.  
 Banking, Housing, and Urban Affairs  
 Securities Subcommittee  
 To hold hearings on S. 1869, S. 1870, S. 1871, and S. 1977, bills revising or repealing certain provisions of the Public Utility Holding Company Act of 1935.  
 5302 Dirksen Building

Labor and Human Resources  
 Labor Subcommittee  
 Business meeting, to mark up S. 1785, increasing the penalties for violations of the Taft-Hartley Act, requiring immediate removal of certain individuals convicted of crimes relating to his official position, broadening the definition of the types of positions an individual is barred from upon conviction, in-

creasing the time of disbarment from 5 to 10 years, escrowing a convicted official's salary for the duration of his appeal, and clarifying the jurisdiction of the Department of Labor relating to detection and investigating criminal violations relating to ERISA.  
 4232 Dirksen Building

10:00 a.m.  
 Appropriations  
 HUD-Independent Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1983 for the National Science Foundation.  
 1224 Dirksen Building

Appropriations  
 Labor, HHS, Education, and Related Agencies Subcommittee  
 To hold oversight hearings on programs of the Departments of Labor, Health and Human Services, Education, and related agencies.  
 1114 Dirksen Building

Energy and Natural Resources  
 Business meeting, to consider pending calendar business.  
 3110 Dirksen Building

Environment and Public Works  
 Business meeting, to consider proposed legislation authorizing funds for programs which fall under its legislative jurisdiction.  
 4200 Dirksen Building

2:00 p.m.  
 Appropriations  
 Labor, HHS, Education, and Related Agencies Subcommittee  
 To continue oversight hearings on programs of the Departments of Labor, Health and Human Services, Education, and related agencies.  
 1114 Dirksen Building

## APRIL 28

9:30 a.m.  
 Appropriations  
 State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee  
 To hold hearings on proposed budget estimates for fiscal year 1983 for certain programs which fall within the jurisdiction of the subcommittee, receiving testimony from public witnesses.  
 S-146, Capitol

10:00 a.m.  
 Appropriations  
 Labor, HHS, Education, and Related Agencies Subcommittee  
 To continue oversight hearings on programs of the Departments of Labor, Health and Human Services, Education, and related agencies.  
 1114 Dirksen Building

Appropriations  
 Transportation and Related Agencies Subcommittee  
 To hold hearings to receive testimony from congressional and public witnesses on proposed budget estimates for fiscal year 1983 for certain transportation programs.  
 1318 Dirksen Building

Energy and Natural Resources  
 Business meeting, to consider pending calendar business.  
 3110 Dirksen Building

Labor and Human Resources  
 Education, Arts, and Humanities Subcommittee  
 To hold oversight hearings on the implementation of guidance and counseling



March 29, 1982

programs of the Department of Education.

4232 Dirksen Building

1:30 p.m.

Conferees

On S. 1193, authorizing funds for fiscal years 1982 and 1983 for the Department of State, authorizing funds for fiscal year 1982 for the Arms Control and Disarmament Agency, authorizing funds for fiscal years 1982 and 1983 for the International Communications Agency, and authorizing funds for fiscal years 1982 and 1983 for the Board for International Broadcasting.

S-116, Capitol

2:00 p.m.

Appropriations

Labor, HHS, Education, and Related Agencies Subcommittee

To continue oversight hearings on programs of the Departments of Labor, Health and Human Services, Education, and related agencies.

1114 Dirksen Building

APRIL 29

9:00 a.m.

Appropriations

Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for fossil research and development and fossil construction programs of the Department of Energy.

1318 Dirksen Building

9:30 a.m.

Appropriations

State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for international organizations, Securities and Exchange Commission, and the Federal Trade Commission.

S-146, Capitol

Judiciary

Criminal Law Subcommittee

To resume hearings on proposals providing for a ban on the manufacture or sale of nonporting handguns, mandatory sentences for the use of a firearm in committing a felony, and a preclearance procedure for the sale or transfer of any handgun.

Room to be announced

10:00 a.m.

Appropriations

Labor, HHS, Education, and Related Agencies Subcommittee

To continue oversight hearings on programs of the Departments of Labor, Health and Human Services, Education, and related agencies.

1114 Dirksen Building

Appropriations

Transportation and Related Agencies Subcommittee

To hold hearings to receive testimony from congressional and public witnesses on proposed budget estimates for fiscal year 1983 on certain transportation programs.

1224 Dirksen Building

Environment and Public Works

Business meeting, to mark up S. 1018, prohibiting the Federal Government from funding commercial and residential growth on undeveloped barrier beaches and islands.

4200 Dirksen Building

## EXTENSIONS OF REMARKS

10:30 a.m.

Veterans' Affairs

To hold hearings to receive AMVETS legislative recommendations for fiscal year 1983.

Room to be announced

1:30 p.m.

Conferees

On S. 1193, authorizing funds for fiscal years 1982 and 1983 for the Department of State, authorizing funds for fiscal year 1982 for the Arms Control and Disarmament Agency, authorizing funds for fiscal years 1982 and 1983 for the International Communications Agency, and authorizing funds for fiscal years 1982 and 1983 for the Board for International Broadcasting.

S-116, Capitol

2:00 p.m.

Appropriations

Labor, HHS, Education, and Related Agencies Subcommittee

To continue oversight hearings on programs of the Departments of Labor, Health and Human Services, Education, and related agencies.

1114 Dirksen Building

APRIL 30

9:30 a.m.

Environment and Public Works

Transportation Subcommittee

Business meeting, to mark up proposed legislation authorizing funds for the Federal Aid Highway program.

4200 Dirksen Building

10:00 a.m.

Appropriations

Transportation and Related Agencies Subcommittee

To hold hearings to receive testimony from congressional and public witnesses on proposed budget estimates for fiscal year 1983 for certain transportation programs.

1318 Dirksen Building

MAY 3

2:00 p.m.

Appropriations

Labor, HHS, Education, and Related Agencies Subcommittee

To hold hearings to receive testimony from public witnesses on proposed budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.

1114 Dirksen Building

MAY 4

9:00 a.m.

Appropriations

Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the Smithsonian Institution, Woodrow Wilson International Center for Scholars, and the Advisory Council on Historic Preservation.

1318 Dirksen Building

9:30 a.m.

\*Labor and Human Resources

To hold oversight hearings on the Office of Federal Contract Compliance Programs, Department of Labor.

4232 Dirksen Building

10:00 a.m.

Appropriations

Labor, HHS, Education, and Related Agencies Subcommittee

To hold hearings to receive testimony from public witnesses on proposed

budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.

1114 Dirksen Building

Energy and Natural Resources

Business meeting, to consider pending calendar business.

3110 Dirksen Building

Environment and Public Works

Business meeting, to resume consideration of proposed legislation authorizing funds for programs which fall under its legislative jurisdiction.

4200 Dirksen Building

2:00 p.m.

Appropriations

Labor, HHS, Education, and Related Agencies Subcommittee

To hold hearings to receive testimony from public witnesses on proposed budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.

1114 Dirksen building

MAY 5

9:30 a.m.

Commerce, Science, and Transportation

To hold hearings on the nominations of Vice Admiral James S. Gracey, U.S. Coast Guard, to be Commandant, and Rear Admiral Benedict L. Stabile, U.S. Coast Guard, to be Vice Commandant, each for the U.S. Coast Guard.

235 Russell Building

Labor and Human Resources

Business meeting, to consider pending calendar business.

4232 Dirksen Building

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1983 for the National Aeronautics and Space Administration.

1224 Dirksen Building

Appropriations

Labor, HHS, Education, and Related Agencies Subcommittee

To hold hearings to receive testimony from public witnesses on proposed budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.

1114 Dirksen Building.

Energy and Natural Resources

Business meeting, to consider pending calendar business.

3110 Dirksen Building

Environment and Public Works

Environmental Pollution Subcommittee

Business meeting, to consider proposed legislation authorizing funds for programs of the Resource Conservation and Recovery Act, Marine Protection, Research and Sanctuaries Act, and the Federal Water Pollution Control Act.

4200 Dirksen Building

2:00 p.m.

Appropriations

Labor, HHS, Education, and Related Agencies Subcommittee

To hold hearings to receive testimony from public witnesses on proposed budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.

1114 Dirksen Building

Environment and Public Works  
Environmental Pollution Subcommittee  
Business meeting, to mark up proposed legislation authorizing funds for the Endangered Species Act.  
4200 Dirksen Building

## MAY 6

9:00 a.m.  
Appropriations  
Interior and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for the U.S. Fish and Wildlife Service, Department of the Interior, and the National Capital Planning Commission.  
1318 Dirksen Building  
Commerce, Science, and Transportation  
Communications Subcommittee  
To hold hearings on S. 604, requiring all new telephone receivers to be equipped with hearing aids for the handicapped.  
235 Russell Building

9:30 a.m.  
Appropriations  
State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for the care of the U.S. Supreme Court Building by the Architect of the Capitol, U.S. International Trade Commission, Federal Maritime Commission, and the Marine Mammal Commission.  
S-146, Capitol  
Labor and Human Resources  
Business meeting, to consider pending calendar business.  
4232 Dirksen Building

10:00 a.m.  
Appropriations  
Labor, HHS, Education, and Related Agencies Subcommittee  
To hold hearings to receive testimony from public witnesses on proposed budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.  
1114 Dirksen Building

Environment and Public Works  
Business meeting, to resume consideration of proposed legislation authorizing funds for programs which fall under its legislative jurisdiction.  
4200 Dirksen Building

2:00 p.m.  
Appropriations  
Labor, HHS, Education, and Related Agencies Subcommittee  
To hold hearings to receive testimony from public witnesses on proposed budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.  
1114 Dirksen Building

## MAY 7

10:00 a.m.  
Appropriations  
Labor, HHS, Education, and Related Agencies Subcommittee  
To hold hearings to receive testimony from congressional witnesses on proposed budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.  
1114 Dirksen Building

## MAY 10

9:00 a.m.  
Commerce, Science, and Transportation  
To hold hearings on S. 1929, establishing an Interagency Committee on

Smoking and Health to coordinate Federal and private activities to educate the public about the health hazards of smoking.  
235 Russell Building

## MAY 11

9:00 a.m.  
Appropriations  
Interior and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for the National Endowment for the Humanities, Institute of Museum Services, and the Office of Surface Mining, Department of the Interior.  
1114 Dirksen Building

9:30 a.m.  
Appropriations  
State, Justice, Commerce, the Judiciary, and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for the Judiciary.  
S-146, Capitol  
Labor and Human Resources  
Aging, Family and Human Services Subcommittee  
To hold hearings on the extended family.  
4232 Dirksen Building

10:00 a.m.  
Appropriations  
HUD-Independent Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for the National Institute of Building Sciences, Federal Home Loan Bank Board, and National Credit Union Administration.  
1224 Dirksen Building  
Energy and Natural Resources  
Business meeting, to consider pending calendar business.  
3110 Dirksen Building

Environment and Public Works  
Business Meeting, to resume consideration of proposed legislation authorizing funds for programs which fall under its legislative jurisdiction.  
4200 Dirksen Building

## MAY 12

10:00 a.m.  
Energy and Natural Resources  
Business meeting, to consider pending calendar business.  
3110 Dirksen Building

## MAY 13

9:00 a.m.  
Appropriations  
Interior and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for territorial affairs of the Department of the Interior.  
1114 Dirksen Building

10:00 a.m.  
Environment and Public Works  
Business meeting, to resume consideration of proposed legislation authorizing funds for programs which fall under its legislative jurisdiction.  
4200 Dirksen Building

1:30 p.m.  
Appropriations  
Interior and Related Agencies Subcommittee  
To continue hearings on proposed budget estimates for fiscal year 1983 for territorial affairs of the Department of the Interior.  
1114 Dirksen Building

## MAY 14

9:30 a.m.  
Labor and Human Resources  
To hold hearings on the nominations of William L. Earl, of Florida, Harold R. DeMoss, Jr., of Texas, Clarence V. McKee, of the District of Columbia, Marc Sandstrom, of California, Howard H. Dana, Jr., of Maine, William F. Harvey, of Indiana, William J. Olson, of Virginia, George E. Paras, of California, and Robert S. Stubbs II, of Georgia, each to be a member of the Board of Directors of the Legal Services Corporation.  
4232 Dirksen Building

## MAY 18

10:00 a.m.  
Appropriations  
HUD-Independent Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1983 for the Department of Housing and Urban Development.  
1224 Dirksen Building  
Environment and Public Works  
Business meeting, to consider pending calendar business.  
4200 Dirksen Building  
Select on Indian Affairs  
To hold oversight hearings on the implementation of Indian education programs.  
6226 Dirksen Building

## MAY 19

10:00 a.m.  
Appropriations  
HUD-Independent Agencies Subcommittee  
To continue hearings on proposed budget estimates for fiscal year 1983 for the Department of Housing and Urban Development, and the Neighborhood Reinvestment Corporation.  
1224 Dirksen Building

Select on Indian Affairs  
To continue oversight hearings on the implementation of Indian education programs.  
6226 Dirksen Building

## MAY 24

10:00 a.m.  
Appropriations  
HUD-Independent Agencies Subcommittee  
To receive testimony from public witnesses on proposed budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.  
1224 Dirksen Building



March 29, 1982

## EXTENSIONS OF REMARKS

5707

MAY 25

JUNE 9

MARCH 31

10:00 a.m.

### Appropriations

#### HUD-Independent Agencies Subcommittee

To receive testimony from public witnesses on proposed budget estimates for fiscal year 1983 for certain programs under the subcommittee's jurisdiction.

1224 Dirksen Building

### Environment and Public Works

Business meeting, to consider pending calendar business.

4200 Dirksen Building

9:30 a.m.

### Select on Indian Affairs

To hold hearings on law enforcement problems on Indian reservations including the authority and effectiveness of the Bureau of Indian Affairs police, tribal police, and the Federal Bureau of Investigation, and the quality of U.S. prosecution of criminal offenses.

6226 Dirksen Building

SEPTEMBER 21

10:30 a.m.

### Veterans' Affairs

To hold hearings to receive American Legion legislative recommendations for fiscal year 1983.

318 Russell Building

10:00 a.m.

### Environment and Public Works

#### Toxic Substances and Environmental Oversight Subcommittee

To continue hearings to review proposed authorizations for the safe drinking water program.

4200 Dirksen Building

APRIL 2

### Foreign Relations

To hold hearings to review U.S. policy in Central America.

1202 Dirksen Building