

## EXTENSIONS OF REMARKS

LAWRENCE W. REED ON THE  
FUTURE

## HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. PAUL. Mr. Speaker, I would like to call the attention of my colleagues to an article by a brilliant young economist, Prof. Lawrence W. Reed. Mr. Reed is chairman of the Department of Economics at Northwood Institute in Midland, Mich.

In this well-written piece, Mr. Reed examines the folly of economic forecasters who try to predict the future. As he observes, forecasters are often "walking on ice so thin you can hear it cracking as they go." We all know from experience what faulty economic models do to our budget and deficit projections.

In this article, Mr. Reed also notes that the meddling of politicians makes life difficult for both economic forecasters and businessmen. He writes, "Today, it is not enough to consider endogenous market forces when contemplating the future. One must reckon with the exogenous influence on the market of colossal, erratic government. Politicians and their bureaucratic foot soldiers throw their weight around like bulls in a china shop. Predicting the outcomes of the political process is like trying to forecast which vases the witless bulls will break next."

I should also note that Larry Reed is the founder and director of the Northwood Institute "Freedom in Third Century America" seminar. In addition to contributing numerous articles to the Freeman and other publications, Mr. Reed is in demand as a speaker around the country. One of his speeches, "The Fall of Rome and Modern Parallels," was published in *Vital Speeches*.

His article on forecasting follows:

[From the Freeman, May 1983]

ECONOMISTS AND THE FUTURE

(By Lawrence W. Reed)

In September, 1981, an economist from a major university in Michigan made known his economic forecast for 1982. His prognostications were widely publicized; perhaps some business or government decisions were based on them. According to the economist, the sluggish conditions of 1981 would give way to recovery early in 1982. Auto sales would improve to an annual rate of 9.7 million vehicles by the second quarter. Unemployment would "stabilize" at about the 8 percent level. Economic expansion would spread to all major sectors, with the overall

"rate of growth" doubling by the end of the year. Price rises would remain about as strong as they were in 1981. Many of his predictions were expressed in precise mathematical quantities.

What a difference a few months can make! Anyone who was awake last year knows that this particular forecaster entirely missed the mark. And yet, he employed one of the most sophisticated mathematical models money can buy.

What does an economist do, having erred so grievously? Quietly retreat into the shadows of academe? Not at all! Undaunted, he will wipe the egg from his face, resume his place in the crowded fraternity of economic soothsayers, and begin work on next year's prediction for Gross National Product—to the nearest tenth of a percent. In the welter of fallacious forecasts, hardly a soul will single him out anyway.

The dismal record of the forecasting profession led one economics professor at the State University of New York to conclude recently that non-economists on balance are better at seeing the future than are the professional forecasters. Perhaps it is time for the professional soothsayers to re-examine their premises and methods.

What is it about the future that makes it so hard to describe? The answer is at once both simple and profound: it hasn't happened yet!

Human hindsight is often "20-20" but it is beyond human mental limits to really know with much precision what tomorrow will bring. No palm reader, no fortune teller, no astrologer, no forecaster, not even an econometrician, can ever dispel the uncertainty of the future. Austrian economist Ludwig von Mises, in *Human Action*, tells us:

"If it were possible to calculate the future state of the market, the future would not be uncertain. There would be neither entrepreneurial loss nor profit. What people expect from the economists is beyond the power of any mortal man."<sup>1</sup>

So it is that the existence of uncertainty is a commentary on the nature of the human condition itself. It is what Murray Rothbard terms "a fundamental implication derived from the existence of human action." In his monumental work, *Man, Economy, and State*, Rothbard expounds:

"This must be true because the contrary would completely negate the possibility of action. If man knew future events completely, he would never act, since no act of his could change the situation. Thus, the fact of action signifies that the future is uncertain to the actors. This uncertainty about future events stems from two basic sources: the unpredictability of human acts of choice and insufficient knowledge about natural phenomena."

THERE IS A NEED TO JUDGE WHAT THE FUTURE  
MAY BRING

To say that the future is uncertain, however, does not mean the end of the matter.

<sup>1</sup> Ludwig von Mises, *Human Action: A Treatise on Economics* (3rd revised ed.; Chicago: Henry Regnery Co., 1966), p. 871.

Surely, entrepreneurs who assemble the tools of production today, as Rothbard points out, must make decisions based upon what they think the future will hold. They make it their business to grapple with questions such as: What will the general state of business be next year? How much will materials cost and will they be available? What wage rate will be required to attract and keep the kind of employees we need? What will be the effect on sales if we change our prices? What are our competitors likely to do? Where will the best markets for our products be? Is this a good time to seek outside financing or will interest rates decline in coming months? Should we be working down our inventories? What will the politicians do that might affect our business?

Consumers, securities investors, government policymakers, and, of course, economics professors on the lecture circuit, join businessmen in the search for information about the future. The real question is, what can we reasonably say about tomorrow and what methods enable us to say it? A review of the more prominent methods of economic forecasting is now in order.

A. SIMPLE TREND PROJECTION

This approach relies upon pure extrapolation of previous trends in some economic activity and as such offers little more than a pretense to being scientific. It works only insofar as current trends continue. It does not begin to account for, let alone incorporate, any significant changes or turning points.

Thomas Malthus, early in the nineteenth century, used a kind of simple trend projection to forecast starvation and overpopulation. More recently, the so-called "Club of Rome" relied on the same approach to predict the same thing. In Malthus' case, the Industrial Revolution interfered with his projection rather decisively. The Club of Rome's projection did not foresee the decline of birth rates in industrialized countries.

To the extent that forecasters employ simple trend projection (and many of them do), they are walking on ice so thin you can hear it cracking as they go.

B. GROSS NATIONAL PRODUCT MODELS

The concept of GNP purports to express the total value of all goods and services produced during a given period of time. It is the consummation of "national income accounting"—the process of identifying and adding up all the components which comprise the economy.

What on the surface appears to be massively profound turns out to be something much less. GNP, being the most "aggregate" of static aggregates, is riddled with problems and errors and, what's worse, problems and errors of unknown magnitude.

Those problems and errors stem from both the complexities of statistical measurement and the difficulties of basic conception (what to include). What follows is an accounting of just a few.

1. Errors of estimation. Simon Kuznets himself, the "father" of GNP, suggested

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

once that assuming an average margin of error for national income estimates (a prime component of GNP) of about 10 percent would be reasonable! Yet, some economists routinely predict quarterly GNP figures in tenths of one percent. Congress often makes public policy based upon those computations which, even if accurate, conjure up what Roger Garrison describes as "the vision of a dietician who weighs a locomotive both before and after the crew boards it, then uses the difference between the two weightings as the basis for prescribing a diet for the whole crew."<sup>5</sup>

2. Incentives for collectors of the data to fabricate or twist the statistics for personal or political advantage. We know that economic statisticians in communist and Third World countries are notorious for this. Is it really unreasonable to assume that some twists or fabrications happen here too? In a recent, rather blatant example, the government decided to quietly start counting the 1.7 million members of the armed forces in this country as part of the work force for the first time. That at least will make the official unemployment figures look better for those in public office.

3. Incentives for individuals providing the statistics to report incorrect figures. Such distortions occur as individuals attempt to guard trade secrets, evade taxes, or mislead competitors.

4. No account is made for the activities of the "subterranean economy." Giving Caesar the slip has become common practice as Americans are called upon to dig deeper in their pockets for what Caesar claims is his. Underground transactions, which totally escape the tax and data collectors, probably amount to hundreds of billions of dollars and probably are rising.

5. Things not exchanged for dollars are not included. Paint your own house and the value of the work performed is not calculated by the statisticians; hire a painter and his wages become a part of GNP. Likewise, if a man divorces his wife and then hires her as a cook for \$100 a week, GNP will increase by \$5200 annually.

6. Government spending raises GNP. When government spends more, it diverts funds away from more efficient allocation by the market. One economist suggested—with some sincerity—that it might be more in line with reality if government expenditures were subtracted from GNP!

7. Inappropriate depreciation allowances. These are determined by often unrealistic assumptions underlying the tax laws. Inflation in recent years, for instance, has rendered depreciation allowances quite inadequate.

8. Changing quality of goods not reflected. GNP would not rise if an improvement in a product did not result in a higher price.

9. Exclusion of leisure. Leisure is very much an economic good (subjectively valued and incapable of quantification) and people often opt to "consume" more of it and to consume less of the more "traditional" goods and services.

#### C. ECONOMETRICS

Many of the problems of simple trend projection and GNP models are present in the more sophisticated, heavily quantitative, econometric models. These constructs, which many once thought to be quite prom-

ising, often comprise hundreds of mathematical equations that purport to represent relationships among the major aspects of economic activity. Expensive, high-speed computers churn out the meticulous forecasts of the econometrician.

The record of these models has been dismal indeed.

Economists have acknowledged for decades that the function of the entrepreneur is to anticipate changes in the marketplace. Once the entrepreneur has made a decision, he then exposes his wealth and income by arranging factors of production in such manner that he may satisfy future consumer demand. If he anticipates correctly, he will earn entrepreneurial profits; if his judgments are wrong he will incur losses. Any number of variable and unforeseen elements may arise to affect the outcome: changes in fashion and technology, government policy, labor union activities, competition, prices, and even the weather. None of these elements is entirely predictable; none can be accurately determined by past performance. Attempts to mathematically estimate these elements in advance or to attach numerical significance to the subjective judgments of the entrepreneurs themselves are pure folly. They are doomed to suffer the failure which lies in gross simplicity and imprecision.

#### NOT A PRECISE MEASURE

It is ironic that econometrics strives for the exactness of numbers and yet bogs down in static equations which necessarily cannot begin to account for all the relevant factors and their interrelationships. Economist Henry Hazlitt tells us that if a mathematical equation is not precise, it is worse than worthless; it is a fraud:

"It gives our results a merely spurious precision. It gives an illusion of knowledge in place of the candid confession of ignorance, vagueness, or uncertainty which is the beginning of wisdom."<sup>6</sup>

Perhaps Mises said it best when he wrote:

"The fundamental deficiency implied in every quantitative approach to economic problems consists in the neglect of the fact that there are no constant relations between what are called economic dimensions. There is neither constancy nor continuity in the valuation and in the formation of exchange ratios between various commodities. Every new datum brings about a reshuffling of the whole price structure."<sup>7</sup> (emphasis added)

The equations of econometric models profess complexity, yet they really represent a feeble, simplistic, and futile effort to mirror the infinitely more complex network of human actions we call "the economy." They fail to account for many unforeseen economic variables and make little effort to recognize the interaction between economic and noneconomic variables. Their static, impersonal, and aggregative approach leaves acting man out of the picture, replaced by lifeless equations of often dubious value. The one way could be reliably predictive would be if people ceased changing and became robots; then the econometrician could "get a handle" on them.

One observer recently commented that to predict economic events, one must first predict political events. Unfortunately, there is

much truth in that statement. Today, it is not enough to consider endogenous market forces when contemplating the future. One must reckon with the exogenous influence on the market of colossal, erratic government. Politicians and their bureaucratic foot soldiers throw their weight around like bulls in a china shop. Predicting the outcomes of the political process is like trying to forecast which vases the witless bulls will break next. Econometric models are incapable of foreseeing such events.

The failure of econometric forecasting should come as no surprise. But it would be surprising were its practitioners to admit failure.

#### D. STATISTICAL INDICATORS

This approach utilizes measurements of economic activity which supposedly "lead," "coincide with," or "lag" the business cycle.

A list of leading indicators generally includes the money supply, housing permits, stock prices, raw materials prices, inventories, and corporate profits.

Roughly coincident indicators include industrial production, factory capacity, retail sales, and personal income.

Unemployment, bank rates on short-term business loans, labor cost per unit of output in manufacturing, and new capital appropriations are considered key lagging indicators.

Obviously, the group which is supposed to have the most predictive value is the group of leading indicators. The Commerce Department compiles the monthly, "Composite Index of Leading Indicators," a widely followed statistic. Just how reliable is it?

The index's lead time in signalling the onset of recessions has ranged from four months to nearly two years, which makes it a shaky guide for anyone trying to plan for economic swings.

The index's performance in calling the upturns is only marginally better. On several occasions, it has signalled booms or busts which never materialized.

Statistical indicators, regardless of their category, often have substantial inherent weaknesses. Many of those weaknesses are akin to those described above with regard to GNP, itself viewed as "roughly coincident" to the business cycle.

Assuming it possible to assemble accurate statistics which indicate what they are supposed to and do not require later revision, we might have a sketchy picture of where "the economy was or perhaps where it presently is. But we still couldn't say for certain, based on the figures, where it is heading.

#### EDUCATED SPECULATION

Having said all that, it nonetheless stands to reason that if we are to be able to say anything at all about the economic future, we probably should know something about the economic present and past. That's where reliable statistics might play some part, not as a basis for simple trend projection, but merely as descriptions of economic activity already behind us or underway. Even the finest and most accurate statistics, though, should only be ingredients in a more fundamental approach now to be examined. For want of a more descriptive title, I shall call it Educated Speculation.

This approach is characterized by the following:

1. A clear recognition of the uncertainty of the future with no "leaps of logic" or mindless extrapolations.

<sup>5</sup> See p. xii of Garrison's Foreword to *National Income Statistics* by Oskar Morgenstern, Cato paper No. 15 (San Francisco: Cato Institute, 1979).

<sup>6</sup> Henry Hazlitt, "The Failure of the 'New Economics'" (Princeton, N.J.: D. Van Nostrand Company, Inc., 1959), p. 99.

<sup>7</sup> Mises, p. 118.



2. Careful use of only the most meaningful statistics, understanding all of the limitations of such aggregates discussed above. This implies a task of "de-aggregating" aggregates—of analyzing economic activity as it results from acting decision-making, welfare-maximizing individuals.

3. A sound understanding of basic economic principles and of the political process.

4. A thorough grasp of the causes and consequences of the business cycle.

With these tools, an economist can proceed to say something about the future and have some reasonable grounds for saying it. He still must be wary, though, of how far he can go. Brian McAndrew, writing in the Cato Institute's Policy Report for November 1981, clarifies this point:

"If forecasters recognized the limitations of economic theory and empirical information, they would realize that the most an economist can hope to do is explain the likely consequences of different policies. An economist can show, for instance, that a minimum wage tends to cause unemployment because it alters supply and demand conditions in the labor market. An economist cannot say exactly when, where, and by how much unemployment will rise (i.e., he cannot forecast the unemployment rate), but he can say that if a minimum wage law is instituted unemployment will tend to increase. In addition, he can, by combining theory with empirical information, get a rough idea of the amount of unemployment caused by the minimum wage at different times in the past, but he cannot say what this amount will be in the future."<sup>10</sup>

#### THE AUSTRIAN THEORY

In this world of radical interventionism, correct business cycle theory is crucial to our ability to say anything about the future. Cycle theories abound, but the one which fully integrates an explanation of the cycle and its features with an analysis of the entire economic system is known in various circles as the "Austrian malinvestment theory."

Propounded first by Ludwig von Mises and later enlarged by Nobel laureate Friedrich von Hayek, the Austrian theory holds that the source of the cycle lies in money and credit expansion orchestrated by central authorities and proceeds to explain its effects. It is the theory which enabled Mises during the subtle inflation of the 1920s to warn of a coming depression. Few believed him until it happened. I direct the interested reader to more detailed accounts found in the works of Mises, Hayek, and Rothbard.

In the final analysis, the art of entrepreneurship is the art of "educated speculation." It is upon the shoulders of the entrepreneur in the market economy that the burden of "educated speculation" rests. For him, it is, in the words of Rothbard, "a matter of intuition, 'hunch,' and deep insight into the slice of the market that the entrepreneur knows and is dealing with."<sup>11</sup> Entrepreneurship remains a vital, creative talent which economists would do well to spend more time examining. (See two works by Israel M. Kirzner: *Competition and Entrepreneurship* and *Perception, Opportunity, and Profit*.)

"Educated speculation," as I have termed it, is really economics brought down to earth. It may not be as fancy as econometrics or GNP modeling, but neither is it as

pretentious. It says simply that an economist should be an economist, not an aspiring prophet.

The reader who began this essay hoping to discover a crystal ball may be disappointed that I have really offered nothing of the kind. Instead, what I have attempted to show is that much of what is commonly referred to today as "economic forecasting" goes far beyond the real abilities of economists to predict the future. Rothbard offers us this sobering reflection:

"As Ludwig von Mises used to point out to those who were tempted to succumb to the razzle-dazzle of economic forecasting: If someone were really able to forecast the economic future, he wouldn't be wasting his time putting out market letters or econometric models. He'd be busy making several trillion dollars forecasting the stock and commodity markets. Let it be a reminder to anyone tempted to partake of, or give credence to, this modern form of soothsaying."<sup>12</sup>

#### REAGAN AND GRAIN

#### HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. HERTEL of Michigan. Mr. Speaker, 17 months ago when martial law was declared in Poland, I introduced a measure to stop U.S. grain sales to Russia. At the time the United States had to make a strong statement condemning the Soviet's actions, and I felt a grain embargo was the best way to make that statement. Unfortunately, this idea was never adopted.

Over the months the tension in Poland has eased only slightly. It is disappointing to watch the President prepare for grain sales to Russia when the United States should be taking firm action against the Soviets. I am submitting an editorial from the Detroit News about President Reagan's decision to negotiate a grain agreement with the Soviets.

The article follows:

#### REAGAN AND GRAIN

President Reagan's decision to negotiate a long-term grain agreement with the Soviet Union should strengthen his standing in the farm states, but it does zilch for his credibility.

Last year, you may recall, he banned further grain negotiations until such time as the Polish situation improved. It was hypocritical, he reasoned, to feed the Soviets while their stooges in Warsaw were tightening the screws on the Poles.

Now, the president is suddenly amenable to a grain deal with the Soviets because it's "consistent with United States agricultural export policy and reflects our commitment to re-establish the United States as a reliable supplier."

Why the turnaround?

It's certainly not because things are any better for the Polish people. Gen. Jaruzelski's troops still patrol the streets, Solidarity is outlawed, selected activists stand trial while hundreds more languish in concentra-

tion camps, and the secret police jerk Lech Walesa around like a monkey on a string.

Nor has the Kremlin's foreign policy melted in recent months. To the contrary, Russian forces still ravage Afghanistan, Soviet surrogates are active in Africa and the Middle East, and Communist arms shipments to Central America continue apace.

Thus, we can only conclude that Mr. Reagan's move represents the triumph of political expediency over principle—a principle that has become particularly burdensome to him as he ponders the prospects for a second term.●

#### NATIONAL PUBLIC RADIO

#### HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. MINETA. Mr. Speaker, we have all watched over the last several years as National Public Radio has established itself as an important and influential outlet for some of the most insightful and perceptive reporting available from any source.

NPR is truly broadcast journalism at its finest.

Yet now NPR faces the difficult challenge of surviving fiscal problems of enormous difficulty. The Los Angeles Times has today editorialized in support of NPR, and I call my colleagues' attention to that editorial.

I hope that the new management of NPR understands the depth of public support for NPR and finds a vehicle to enable all of us who listen to and believe in NPR to contribute to its continued existence as a strong and viable journalistic force for many years to come.

The editorial follows:

[From the Los Angeles Times, May 25, 1983]

#### TIDING THEM OVER

National Public Radio is many things—classical music, opera and jazz, drama, reruns of old comedy and first-runs of new comedy. But for about 8 million listeners it is first of all an evening news program called "All Things Considered" and a morning program appropriately known as "Morning Edition."

Recently the public network, whose reporters add analysts do such a splendid job of squeezing some sense out of the human condition, has had trouble making ends meet. There is a lot of second-guessing about what, or who, went wrong. But with valued old friends like these, what you really want to know is how much they need to tide them over.

"All Things Considered" was the first of the network's news programs, and it promptly set such lofty new standards for radio journalism that to this day only public radio comes close to meeting them.

Public radio's news operations have grown since "All Things Considered" went on the air in 1971. The show no longer offers just a sanctuary on a shoestring from the bell-ringing, pan-banging school of radio journalism but comprehensive accounts of the whole world's day as well. The show's curi-

<sup>10</sup> Brian McAndrew, "The Failure of Econometric Forecasting," *Policy Report*, November 1981, p. 6.

<sup>11</sup> See p. xi of Rothbard's Foreword to Ramsey's *Economic Forecasting*.

<sup>12</sup> *Ibid.*, p. xii.●

osity has no limits. It can go from a superbly rich examination of American politics to advice on what to do if a Gila monster bites you.

A loss of some federal grants, the recession that made it difficult to replace those grants with private funds, and new ventures that did not pan out have left public radio \$6 million in the red. To cover the loss, new management is looking first at spending cuts. That approach is defended, in part, on the ground that trimming both staff and budget would force producers and reporters to be as innovative and refreshingly different as they were in the old days when creativity was all that they could afford.

Another view, understandably held by many of the staff at public radio, is that the larger staff and budget have not stifled innovation but have made it possible to be innovative about many more things.

The staff wants to make an open appeal for contributions to support news operations at present levels. Many local stations resist the idea, arguing that such an appeal would skim off money that they would otherwise get during their own fund-raisers. That argument overlooks the fact that most contributors mail checks to local stations precisely because of the high quality of public radio news.

We think that the new management should try a fund-raiser. Our guess is that there are several million listeners who care less about what went wrong at National Public Radio than about how much the valued old friends need to tide them over. ●

#### **TOLLESON UNION HIGH SCHOOL 1983 ARIZONA STATE CHAMPION DRILL TEAM**

#### **HON. BOB STUMP**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. STUMP. Mr. Speaker, I would like to take this opportunity to congratulate, and bring to the attention of my colleagues, the 1983 Arizona State Champion Male and Female Drill Team, MCJROTC, from Tolleson Union High School, Tolleson, Ariz.

In this year's "Black Jack" Pershing Meet at Arizona State University, the Tolleson Male and Female Drill Team won the sweepstakes trophies for competition with and without arms. Their outstanding performances topped those of 25 other teams. They have been State champions for 7 of the past 10 years, and are in the top 10 of naval honor schools. Recently, they were invited to compete in the National High School Drill Team Championship, 1983, in Orlando, Fla.

Their success is not only a reflection of their abilities, but also a reflection of the dedication of their instructors and their community. I take great pride in the interest and abilities the drill team has shown, and highly commend the students, their instructors, and the parents alike.

Active participation in American traditions and institutions is a good habit which needs nurturing early in life, because the freedoms all Americans

cherish demand the dedicated spirit of each new generation. These young men and women exemplify what I believe is the great majority of American youth; a group which is rarely recognized by the media. They are demonstrating a desire to participate which their generation will need to take on the duties and responsibilities that accompany freedom. That is why we should congratulate and encourage their efforts today.

I am certain my colleagues will join me in honoring these patriotic young people and encouraging their continued expression of that patriotism.

Thank you, Mr. Speaker. ●

#### **IDA HONOROF—OUTSTANDING CITIZEN HONORED**

#### **HON. MERVYN M. DYMALLY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. DYMALLY. Mr. Speaker, I would like to call the attention of my colleagues to a remarkably dedicated woman who is an outstanding example of commitment to our democratic process. Ms. Ida Honorof, from Lynwood, Calif., has spent a career as an advocate on the public behalf. Her special interest has been in the area of proper nutrition, and nutritionally related health problems. She has been a leader in the fight to moderate the consumption of junk foods, and in the difficult struggle to keep dangerous herbicides and pesticides from finding their way into the foods we eat.

She has been selected by the National Nutritional Foods Association to receive their highly coveted and prestigious Rachel Carson Memorial Award for 1983. It will be presented at the 45th annual convention of the NNFA to be held this year in Denver, Colo., on Monday, July 25, 1983. In recognition of her achievements the Lynwood Journal of April 20, 1983, praised her work. This article was preceded by a March 28 commentary on her achievements on KABC-TV by former Los Angeles County Supervisor Baxter Ward. I think the concern for others which has been demonstrated by Ida Honorof deserves wide recognition and emulation. I, therefore, submit for the record the texts of the March 28 and April 20 commentaries on Ms. Honorof and her work:

[From the Lynwood Journal, April 20]

**FOR FIGHTING JUNK FOODS AND PESTICIDES  
LYNWOOD "ACTIVIST" WINS U.S. HONOR**

The National Nutritional Foods Association has singled out a Lynwood consumer activist as the recipient of the highly coveted "Rachel Carson Memorial Award" for 1983. Ida Honorof will be honored during the NNFA's 45th annual convention in Denver, Colorado on July 25. The NNFA forwarded a news release concerning the award stating, "It is being presented (to

Honorof) in keeping with the spirit and accomplishments of Rachel Carson, world renowned author of 'Silent Spring,' to a person from outside the health/natural foods industry. It stands for outstanding contributions to the protection of the environment, nutrition information, health freedom and/or generally improving the quality of life."

In choosing Ida Honorof, the Award committee clearly recognized that Honorof ideally projected the principles of Rachel Carson. In her daily work, Honorof best represents Carson's goals and ideals. Honorof is of impeccable integrity and exhibits commendable courage against the "most powerful adversaries" including the junk food and pesticide cartels. Honorof is the recipient of many awards for her "untiring and relentless efforts to protect the consumer". In 1973, the Associated Press presented her their First Prize Award for Investigative Reporting, for exposing one of the largest pesticide food contamination scandals. Cal Werner, CAPTRA News editor, wrote: "Ms. Honorof continues to take on government agencies, and anything else, in her partisan fight for the consumer".

Honorof's Newsletter, Report to the Consumer, reaches thousands of consumers and lawmakers in the United States and around the world. She hosts "Consumer Awareness" on radio station KPFFK at 5 P.M. on the second and fourth Mondays of each month, and is a most aggressive health freedom advocate.

She is credited with leadership in getting diethylstilbestrol (DES) banned from use in animal protein meant for the kitchen tables. Honorof also is credited with saving thousands of lives during the "Swine-Flu campaign, is a leading figure in keeping fluoridation out of California; the organizer of a 'Committee Against Home-Front Chemical Warfare'; 'Citizens Concerned with Toxic Pesticides' and is co-author of 'Vaccination—The Silent Killer—A Clear and Present Danger'". Currently, the Lynwood resident has organized and is the chairperson of "Save Our National Forests".

[From Baxter Ward Commentary, KABC-TV News, March 28]

In the mid-seventies, the L. A. County Board of Supervisors were given the following information in a formal report from senior members of the county staff: "Herbicides which produce toxic dioxins have not been used by the Forest Service in 1973, 1974, or to date in 1975. This is confirmed by use permits to the Forest Service, and (by) the County Monitoring Program, which has discovered no trace of dioxin in any of the 250 samples of soil, water, and air examined in the County Pesticide Laboratory over the past 12 months". That same formal report to the supervisors contained this additional assurance: "Besides studying soil, water, and air, authorities also examined wildlife and found no trace of dioxin or certain other dangerous chemicals in tests of horses, rabbits, coyotes, squirrels, deer or fish."

This information was submitted to the Board because a dispute had arisen regarding a proposal on September 2d 1975 that they give \$90,000 to the U.S. Forest Service, to conduct a spraying program in the Angeles National Forest. The spraying had been conducted under the same arrangement for several years in the past. But a fuss had been kicked up by a lady named Ida Honorof. She is a consumer advocate, specializing in environmental issues. She was aware



that dioxin had been banned for military uses by the U.S. Surgeon General, back in 1970. A \$3.5 million bionetics study by the federal government showed these herbicides caused cancer, birth deformities and genetic damage. Despite these cautions, Ms. Honorof charged the county still was financing a type of the kind of spraying that was so dangerous in Vietnam. And she insisted that residues of the spray would be dangerous to everyone—especially expectant mothers and all women of child-bearing age.

The issue dragged on until October 30th of that year. As Acting Board Chairman that date, I asked that Ms. Honorof meet immediately with top county staff members, to see if her charges were substantial. It developed that the information given the Board about the dioxin being not found in tests—was simply because the county had no facilities with which to test for dioxin. A senior medical official for the county tried to explain this away with this suggestion: "It was an honest mistake." They weren't able to test for dioxin, and so they didn't find any.

Then what about the animal tests? Come to find out—the animals were not from the Angeles Forest. The rabbits, for example, were from Long Beach and Downey, the coyotes from Malibu and the Antelope Valley plus a lion from Lion County Safari. Ms. Honorof and the county officials agreed the supervisors should be advised to request dioxin monitoring equipment from the EPA. That advice never was relayed to the Board of Supervisors. Ms. Honorof's long-standing warnings went largely unheeded. Also unheeded was a remarkable warning from the manufacturer of one of the dangerous chemicals used in the Angeles Forest. On the label, it clearly said, "Do Not Use In Recreational Areas."●

#### NEW COURSE FOR EPA?

**HON. GERRY SIKORSKI**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● **Mr. SIKORSKI.** Mr. Speaker, the following editorial appeared in the St. Paul Pioneer Press on May 23, 1983. It highlights the fact that President Reagan is finally realizing the dangers of acid rain and the need for a quick, thorough clean-up of hazardous waste sites and also the tough challenges that face William Ruckelshaus in his new capacity as administrator of the EPA.

#### NEW COURSE FOR EPA?

President Reagan's speech at the swearing-in ceremony for William Ruckelshaus as the new Environmental Protection Agency administrator is the strongest anti-pollution statement the president has made since he took office.

Mr. Reagan urged Mr. Ruckelshaus to tackle the issue of acid rain "head on" and to seek an early compromise with state officials, Congress and the Canadian government on control of the problem. The president also advised the new EPA administrator to "accelerate efforts" to clean up abandoned hazardous waste sites and to ensure that the public's health is not endangered by "bureaucratic snafus or legal disputes" surrounding the program.

The president's tone was far different from earlier statements. He has repeatedly argued for a delay in federal action to curb acid rain while more research is conducted and has stoutly defended the EPA's floundering cleanup efforts in the face of mounting criticism from Congress and the public.

If Mr. Reagan was speaking from conviction and not mere political expediency, the nation can expect a welcome change in the administration's attitude toward environmental cleanup. Such a change would be of great help to Mr. Ruckelshaus as he sets about the task of reviving the EPA. He must solve myriad problems left behind by his predecessor, Anne Burford, who displayed little interest in environmental protection and little ability as an administrator.

One of Mr. Ruckelshaus' top priorities will be the filling of key jobs in the agency. More than a dozen of the EPA's top policy makers either resigned or were fired during the turmoil in March. The people he chooses will be early indicators of how serious he and the president are about getting the EPA back on track.

Another indicator will be Mr. Ruckelshaus' budget request. Since the Reagan administration took over, the EPA budget has been reduced by 35 percent and the number of employees has been reduced from more than 14,000 in January 1981 to 11,500 at the end of 1982. A continuation of this pattern will leave Mr. Ruckelshaus presiding over an agency that lacks the personnel and resources to carry out its responsibilities.

Mr. Ruckelshaus' biggest challenge will be to reverse the administration's policy of seeking legislative changes to weaken environmental standards. The timing of his appointment is such that he will have little opportunity to develop a legislative program for the current session of Congress. Perhaps the best he can do is prevent the old Burford-Reagan program from becoming law.●

#### EXPANDING ALCOHOL FUELS PRODUCTION

**HON. BYRON L. DORGAN**

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● **Mr. DORGAN.** Mr. Speaker, I am introducing a bill (H.R. 3101) which allows the Secretary of Agriculture to guarantee, in kind, contracts made by farmers to supply grain to manufacturers of liquid fuels. My colleagues, Mr. DASCHLE, Mr. ROBERTS, and Mrs. SMITH of Nebraska, have joined me in this important effort.

Our bill clarifies the intent of the Surplus Commodities Disposal Act of 1982, which sought to expand farm markets and to boost the production of alcohol fuels. Alcohol fuels are used as environmentally safe octane enhancers in gasoline in place of lead. They also serve as fuel extenders when mixed with gasoline to form gasoline.

After the two oil price shocks of the seventies, we recognized the need to reduce our imports of foreign oil and to increase our production of domestic energy sources. We also realized that we must expand our alcohol fuels pro-

duction to remain competitive with foreign producers. At the same time, Congress passed laws to reduce the lead content in gasoline to protect our citizens and the environment.

A strong alcohol fuels program could help meet all three goals. However, our performance has not matched our plans.

For example, in January 1983, the demand for alcohol fuels was 187-percent greater than it was in January 1982. Nationwide in 1983 there will be estimated sales of about 3.5 billion gallons of gasoline compared to 2.2 billion gallons in 1982. Some experts expect the demand for alcohol equivalent fuels alone to hit 18 to 22 billion gallons by 1990, with demand far outstripping supply.

Meanwhile, the Department of Energy's research and development program for alcohol fuels has been sharply cut. From \$22 million in 1980, funding fell to \$10 million this year. Future funding for the USDA loan guarantee program for a alcohol fuel projects also remains in question. Hence, we need a new approach to stimulate alcohol fuels production.

Our bill addresses the need to expand alcohol fuels production, but it does so without creating a new Federal program. It does not require the Secretary of Agriculture to guarantee loans nor mandate that Congress appropriate Federal funds.

What the bill does is authorize the Secretary to stand behind the ironclad contracts, or grower agreements, which farmers make with liquid fuels manufacturers.

For example, if a drought made it impossible for farmers to deliver grain the Secretary of Agriculture could step in to provide that grain. Before doing so, the Secretary would establish the process by which farmers would fully repay the USDA in cash or in kind, for all costs incurred.

Without such a guarantee, some commercial banks might hesitate to finance excellent projects for alcohol fuel production because they lack experience in working with the farm community. Projects of this scale simply exceed the financial capacity of most local banks which customarily finance farmers and agricultural projects.

My colleagues and I are confident that no shortfall of deliveries will occur under these agreements. But if there is, the USDA can fulfill the contract and then receive reimbursement from the farmers. This will insure a stable supply of feed stocks to the manufacturer of liquid fuels and thereby reassure potential investors in such projects.

I reiterate that this bill does not guarantee loans, require appropriations, or force the Secretary to back up any contract unless he chooses to do

so. It merely clarifies the intent of a 1982 law in order to meet a national need of increased alcohol fuels production.

The text of H.R. 3101 follows:

H.R. 3101

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 423 of the Agricultural Act of 1949 (7 U.S.C. 1433b) is amended by—*

(1) redesignating subsection (c) as subsection (d); and

(2) inserting after subsection (b) the following new subsection:

“(c)(1) The Secretary may guarantee, in kind, contracts for the delivery of agricultural commodities produced in the United States which are made between producers of such agricultural commodities and manufacturers of liquid fuels in the United States.

“(2) If the Secretary performs under such guarantee, the Secretary shall require that such producers reimburse the Secretary in cash or in kind, as the Secretary may specify, in an amount equal to the value (as of the date of such performance) of the commodities delivered by the Secretary and the costs directly associated with such performance.”.

#### CHOOSING SIDES IN NICARAGUA

**HON. BOB LIVINGSTON**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. LIVINGSTON. Mr. Speaker, a recent editorial in the New Orleans Times-Picayune/States-Item has noted that the Nicaraguan Democratic Force opposing the Sandinista regime is a broad-spectrum coalition of many different elements. These freedom fighters are by no means all Somocistas.

I commend the editorial to my colleagues.

The editorial follows:

[From the New Orleans Times-Picayune/States-Item, May 19, 1983]

#### CHOOSING SIDES IN NICARAGUA

Top members of the Nicaraguan Democratic Force, the largest of several groups fighting the Sandinista regime in Nicaragua, are touring the United States to compete with the well organized and fully publicized campaign of Sandinistas and their sympathizers for popular and diplomatic support. The anti-Sandinistas suffer handicaps, but they have strengths that should receive support here.

One handicap that is also a strength is that, unlike the communist-style order and discipline of the Sandinistas, the “contras” are a collection of many elements. The Democratic Force is a broad-spectrum coalition; the other major anti-Sandinista group is rallied around Eden Pastor, the Sandinista hero “Captain Zero” who accuses the Sandinistas of betraying their own revolution. The two operate at different ends of the country and have been unable to agree on a unified command.

It is, in fact, the contras who are continuing the real Nicaraguan revolution to establish a free, pluralist democracy, while it is

the Sandinistas who are attempting to sidetrack it into their own Marxist-Leninist dictatorship.

It is odd that the question of supporting such groups should be so bitterly debated in the United States. The Reagan administration has had to spend an inordinate amount of time and effort to get money from Congress to help them, and the subject of “covert” support has brought an uproar to the congressional intelligence oversight committees.

The distinction opponents of support for the contras require the public to make is interesting. It was, we are to believe, proper—even morally imperative—for us to support the rebels against a Somoza regime that was morally insupportable but no direct threat to U.S. international interests. But now it is improper—even immoral—for us to support rebels against a Sandinista regime that is allied with Cuba and the Soviet Union, actively opposed to U.S. interests and helping supply brother rebels throughout Central America.●

A SALUTE TO REV. DR. H. HUDSON BOBBITT ON HIS 50TH ANNIVERSARY

**HON. FRANK J. GUARINI**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. GUARINI. Mr. Speaker, an outstanding clergyman is observing his 50th anniversary serving in the ministry of the Lord. Rev. Dr. H. Hudson Bobbitt, pastor of Salem Baptist Church, is being honored at an anniversary celebration and banquet to be held at the Meadowlands Hilton, Secaucus, N.J., on Sunday, May 29, 1983.

It is my privilege to extend congratulations to him, his wife, Gladys Sidwell Bobbitt, and to the parishioners of Salem Baptist Church, who have done an outstanding job of serving God and man for many, many years.

Fifteen years ago the Reverend Bobbitt was called to the pastorate of the Salem Baptist Church in Jersey City, N.J.

A native of St. Paul, N.C., he entered the ministry at the age of 12 and preached his first sermon at the age of 13.

This year marks his 50th year in the ministry, which includes the pastoring of churches in North Carolina, Virginia, and Maryland before coming to New Jersey in 1968.

He graduated from Red Stone High School in Lumberton, continued his studies at Fayetteville State Teachers' College and Shaw University, all of North Carolina. He received the degrees of bachelor of arts, bachelor of divinity, master of divinity, and doctor of divinity from Virginia Seminary and College in Lynchburg, Va.

The Salem Baptist Church and Jersey City, N.J., have been enriched through the many programs and activities of the Reverend Dr. Bobbitt's

pastorate. These include not only the renovation of the interior and exterior of the church facilities, but also the physical development and improvement of the neighborhood; 184 units of church-sponsored housing for the community are the fruits of labor of the Salem Baptist Church in conjunction with the Claremont Lafayette Presbyterian Church in the area. The Salem Accredited Nursery School services the children of working parents of the community with fundamental educational training along with transportation facilities available for those who need it. The Salem Community Center and parking lot provide a place for recreational and dining facilities for community and church-related activities.

Through Reverend Bobbitt's efforts the Opportunities Industrialization Center was established in Jersey City to help satisfy the educational needs of the adult community. In 1975 he was elected president of the New Jersey State Council of OIC—the job training organization founded by the Reverend Leon Sullivan in Philadelphia originally and later in many cities of the Nations.

The Reverend Dr. Bobbitt is an actively supporting member of the local branch of the NAACP, the Interdenominational Ministerial Alliance of Jersey City and Vicinity—in which he has served as president, and is a former member of the Board of Directors of Jersey City Meals-on-Wheels. He is a recent recipient of the United Negro College Fund Award for a generous contribution by the Salem Church to the fundraising telethon.

The community, the State and the Nation have been richly blessed by the many-faceted activities and programs that this man of God has implemented and continues to encourage and support for the betterment of mankind everywhere.

Ministering to the sick, the needy, and the bereaved of the parish does not diminish his concern and efforts in behalf of others in the community. The scope of his involvement truly merits the gala anniversary celebration and banquet.

The parishioners are equally proud of Mrs. Gladys Sidwell Bobbitt, wife of Reverend Bobbitt, who deservedly bears the title “First Lady of Salem Baptist Church” as she also is making her mark of service to the church and community.

A native of Covington, Ga., her early education was completed in Atlanta, Ga., and Norfolk, Va. She attended Virginia State College and graduated cum laude from Clark College in Atlanta, with a bachelor of arts degree in the social sciences. From Morgan State, she earned a master of science degree in history and social sciences and recently from Jersey City State



College received a master of arts degree in student personnel services-guidance.

Mrs. Bobbitt is an active participant in the activities of the church, serving as church school teacher, member and soloist in the temple choir, and member and officer of the Courtesy Guild.

In the community, she is an active member and past president of the Interdenominational Ministerial Wives of Jersey City and Vicinity, a member of the Alpha Kappa Alpha Sorority, Inc., Beta Alpha Omega Chapter, and member of the Jersey City Branch NAACP.

She is presently employed as assistant director of operations of the Corporation for Employment and Training in Jersey City. She has taught in the school systems of Norfolk, Va., and Jersey City, N.J. She was also employed as a social worker with the Welfare Department in Baltimore, Md.

Counseling and assisting in the development of individuals both in the economic and religious world are a very natural and gracious highlight of her life.

Mrs. Bobbitt is also on the advisory board for adult education for the Jersey City Board of Education.

Reverend Bobbitt has done so much for the people of the 14th District. He has worked beyond the needs required by his church and has been involved in helping alleviate community problems and improving the quality of life for all people. He has accepted the challenge to provide help, inspiration, opportunity, friendship, advice, and guidance.

Ralph Waldo Emerson said:

Abraham Lincoln was at home and welcome with the humblest, and with a spirit that commanded the admiration of the wisest. His heart was as great as the world but there was no room in it to hold the memory of a wrong.

Reverend Bobbitt has walked in the steps of Abraham Lincoln as well as the Lord.●

**MSGR. MICHAEL A. DRAVECKY,**  
50 YEARS OF SERVICE

**HON. JOSEPH M. GAYDOS**  
OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, May 25, 1983

● Mr. GAYDOS. Mr. Speaker, on June 18, 1933, a young man from Munhall, Pa., took his priestly vows at St. Vicent's College in Latrobe, Pa., and embarked upon a career of pastoral service to thousands of people in western Pennsylvania.

Next month that priest—now Msgr. Michael A. Dravecky—will mark the 50th anniversary of his ordination into

## EXTENSIONS OF REMARKS

the service of God. A mass commemorating the occasion will be celebrated at 2 p.m., Sunday, June 12, at Holy Trinity Church in McKeesport, one of several parishes Father Dravecky has served over the past half-century.

Following the mass, the Holy Trinity Parish Council has scheduled a reception in Elks Lodge 136 where friends, fellow priests, church dignitaries, and local officials will extend their personal congratulations to this spiritual leader so loved by so many.

Father Dravecky's first assignment, after ordination, was to relieve the pastor of a church in Old Madison, Westmoreland County, who was on sick leave. Later, on April 6, 1934, he was named assistant pastor at St. Michael's Church in Braddock. He served there with Father A. Kasincy for 2 years before assuming the pastorate of Seven Dolors Church in Yukon, Pa.

On March 19, 1947, Father Dravecky moved to St. Joseph's Church in West Aliquippa and was pastor there for 15 years before being assigned to Holy Trinity Church in Duquesne. A year later, July 2, 1963, he assumed similar duties at Holy Trinity in McKeesport.

During his 11-year stay in the McKeesport church, Father Dravecky undertook a large-scale remodeling program. The school building was renovated and a new kitchen and cafeteria installed. The sanctuary of the church was completely redone.

Declining enrollment in the school system also brought about major changes. Holy Trinity's grade school was merged with St. Mary's and the Holy Trinity building was pressed into service as a temporary high school—the forerunner of the present Serra District High School.

In 1967, Father Dravecky was appointed dean of the South Central Deanery, and on May 12, 1968, was invested as a monsignor by Bishop John J. Wright of the Pittsburgh Diocese. Monsignor Dravecky left Holy Trinity in May 1976, transferring to St. Barnabas' in Swissvale where he served until his retirement from the active ministry in 1982.

Monsignor Dravecky, a son of the late Michael and Elizabeth Toth Dravecky, was one of five children. A brother, John, resides in Churchill Borough, Pa.; another brother, George, lives in Fort Lauderdale, Fla.; a sister, Sister Angeline, is a Vincentian Sister of Charity; and another sister, Helen, is deceased.

Mr. Speaker, on behalf of my colleagues in the Congress of the United States, I would like to extend our congratulations to Monsignor Dravecky on this memorable milestone in his life and wish him health and happiness for years to come.●

## IN SUPPORT OF HOUSE JOINT RESOLUTION 226

**HON. CLAUDE PEPPER**  
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, May 25, 1983

● Mr. PEPPER. Mr. Speaker, today I am stating that Mr. FRENZEL was inadvertently omitted from the list of co-sponsors who joined me in supporting House Joint Resolution 226, designating the week of May 22 through May 28, 1983, as "National Digestive Disease Awareness Week." I apologize for the omission and I thank him very much for his support.●

## NEW YORK CITY CONSUMER AFFAIRS DEPARTMENT'S VIEWS ON NATURAL GAS LEGISLATION

**HON. JOSEPH P. ADDABBO**  
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, May 25, 1983

● Mr. ADDABBO. Mr. Speaker, consumers in Metropolitan New York, as well as in other parts of the country, have been hard hit by rising natural gas prices. Last March, in introducing H.R. 1752, the Natural Gas Policy Act Amendments of 1983, I put before my colleagues a measure which would give consumers quantifiable price relief and yet maintain the natural gas industry's flexibility to respond to supply demands of the future. Though a variety of studies have appeared in recent days analyzing the many bills and proposals under consideration in the House, I always feel that the most meaningful assessments often come from those who are closely attuned to the people back home.

This week, I received a letter from the New York City Department of Consumer Affairs, compiled after long and careful study of natural gas legislation and the effects various proposals would have on consumers in New York City. The department, headed by Commissioner Simon P. Gourdine, understanding that protection for the consumer also includes taking the needs of all segments of the industry into account, concluded that H.R. 1752 is a comprehensive and sound approach to a difficult problem and supports it above all other proposals before Congress.

H.R. 1752 will save New York City consumers \$560 million the first year, with additional savings later on. Other areas of the country will benefit similarly. Since I know my colleagues are extremely interested in the natural gas debate I reprint the commissioner's letter here for their study.

DEPARTMENT OF CONSUMER AFFAIRS,  
New York, N.Y., May 19, 1983.

HON. JOSEPH P. ADDABO,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN ADDABO: On behalf of the New York City Department of Consumer Affairs, I would like to express my strong support for your proposed amendment to the Natural Gas Policy Act of 1978 (NGPA). Of all such proposals before Congress, H.R. 1752 offers the greatest amount of consumer protection and best addresses the market conditions and pricing contracts which have driven natural gas prices upward at a time when supplies are ample. H.R. 1752 will save New York City consumers approximately \$560 million in its initial year, with even greater annual savings resulting from the proposed market and contract corrections in later years.

New York City and its residents are major consumers of natural gas. Approximately 2.8 million of its households together use more than 239 million mcf of natural gas annually for heating and cooking purposes. Businesses and consumers currently spend in excess of \$1.2 billion per year to purchase natural gas in New York City. Any substantial change in the NGPA will have a profound effect on New York City consumers.

The natural gas market is in disarray: consumers are paying increasingly high prices despite abundant supplies; deep expensive contracted gas is being produced while shallow cheap gas is being left in the ground; and the market is losing incentive for increased production and exploration. Any legislative proposal aimed at correcting these problems, securing adequate long-term supplies and maintaining reasonable prices, must do three things: first, it must maintain an orderly transition to full decontrol as planned under the NGPA; second, it must in some way continue to regulate the market to assure consumers that prices will be fair and reasonable; and third, it must attempt to place the natural gas industry in a free market environment as a part of the nation's larger market-oriented energy policy so that scarce investment capital is allocated efficiently.

H.R. 1752 satisfies all three criteria. It insures a smooth transition of full market pricing by maintaining the NGPA schedule for phased decontrol of certain new gas supplies. It assures consumers that prices will be fair and reasonable by not deregulating old gas. And, it allows prices to begin to reflect actual costs by voiding all inflationary contract provisions and by limiting "take or pay" requirements. H.R. 1752 also starts to move the natural gas industry into a free market environment by encouraging true negotiation of contracts between pipelines and producers.

Specifically, H.R. 1752 will repeal the NGPA ceiling price adjuster for new gas and void all indefinite price escalators, both of which have caused prices only to rise and negated any downward influence in the market. The bill provides a market out clause for all contracts for the purchase of new gas and limits all "take or pay" provisions to 50 percent. These proposed amendments will allow supply and demand signals to more accurately set the market value of natural gas. Other important proposals in H.R. 1752 include an amendment to require the Federal Energy Regulatory Commission (FERC) to conduct a tariff study on all minimum charges; a five-cent per mmbtu profit incentive for interstate pipeline transportation service; and a requirement that all con-

tracts be filed with FERC and made available to the public. Finally, H.R. 1752 does not repeal the current power of the President or Congress to impose controls on the natural gas market.

In addition, H.R. 1752 will provide immediate price relief by reversing FERC's rulings on production related allowances and btu gas measurement, and by requiring specific contract authority to change NGPA ceiling prices. These additional proposals will result in an initial annual saving of approximately \$200 for each residential customer in New York City.

In sharp contrast to H.R. 1752 is the Administration's proposal. While S. 615 will clearly place the gas industry in a deregulated free market, it will do so at the expense of consumers and businesses alike.

The Administration's bill would deregulate the price of all natural gas; old gas contracts would be cancelled by November, 1984 and the remaining controls on all gas lifted by 1986, with incentives to renegotiate contracts up to those dates. In order to encourage the renegotiation of contracts, S. 615 includes a market out provision which would allow either party to cancel any contract not renegotiated by January 1985. The proposal also would repeal the President's or Congress's current ability to impose controls on natural gas.

Under S. 615, pipeline companies would be prohibited from automatically passing on price increases of an amount greater than the precontract price, plus inflation. However, if a pipeline company wanted a higher price, it could appeal to FERC for approval. In those requests, FERC would have to consider the availability of lower priced gas and the pipeline's need to acquire this gas for existing customers. Under S. 615, producers will be free to cancel old gas contracts after November 1984, and in the interim it can be expected that they will offer pipelines an opportunity to renegotiate old gas contracts at a substantially higher price so pipeline companies can avoid the total cancellation after November 1984. It will be these renegotiated higher priced contracts which will form the basis for an appeal to FERC. In other words, there is nothing in S. 615 which sets an absolute inflation price cap on old gas contracts to protect consumers. It merely leaves it up to the discretion of FERC to approve increases—a body which we have seen continually abdicate responsibility to consumers, such as in its production related cost decision, which became effective March 5, 1983.

The Administration's proposal to limit "take or pay" provisions to 70 percent is similarly inadequate. The idea of limiting "take or pay" provisions is commendable; however, 70 percent will clearly not be enough to offset the sharp price increases brought about by the FERC-approved higher rates.

If passed, the Administration's bill would have a detrimental effect on New York City consumers. In order to measure the impact of this proposal, the sales volume and prices of old gas of the three major pipeline suppliers to Consolidated Edison and Brooklyn Union Gas, the City's energy suppliers, were examined. A conservative price measure was used by relying upon the gas price for Section 103 as the basis for the lower range of estimation, and the upper level of estimated increase was premised upon the market clearing price.

For all consumers purchasing gas from Consolidated Edison, the estimated increase would range between \$93.6 and \$258.7 mil-

lion, depending upon how high the price of old gas rises. For Brooklyn Union Gas customers, the increase would range between \$68.6 million and \$190.7 million. The total estimated impact for all consumers in New York City would range between \$162.2 million and \$449.4 million annually. This works out to a projected annual median increase of approximately \$400 per gas consumer in New York City. These increases are for consumers only. When combined with the concomitant increases to business customers, the impact on New York City could be severe. At a time when the Administration is radically reducing emergency energy assistance programs, food stamps, and other social programs targeted for the poor, upon whom these increases would have the greatest impact, it is now proposing a deregulatory policy which would afford little or no consumer protection, vastly increase producer surpluses (windfall profits) and permit the price "spike" that the NGPA was expressly enacted to prevent.

In closing, I would again stress my strong support for H.R. 1752. New York City and its consumers can ill afford the energy bills which would result from the Administration's proposal. The effect on New York City households, particularly low income families, would be severe. The NGPA and the natural gas market need to be corrected, but it must be done in a manner which is fair and reasonable for all. Legislation must reflect the needs of consumers, businesses and the nation alike. At this point in time we cannot afford to sacrifice one for the sake of another. H.R. 1752 is a comprehensive and sound solution to this difficult problem.

Sincerely,

SIMON P. GOURDINE,  
Commissioner. ●

#### NATIONAL SCIENCE FOUNDATION

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. HOYER. Mr. Speaker, on May 12, the House adopted the fiscal year 1984 authorization for the National Science Foundation. I voted for that legislation and I would like to take this opportunity, once again, to express the importance of many of the provisions of this bill, which make concrete this Nation's continuing commitment to excellence in scientific research. In this regard, the \$50 million authorized to upgrade and modernize science laboratories and equipment represents an urgent and important investment.

Equally important, however, is the fact that the legislation earmarks \$15 million for research in the social, behavioral, and information sciences. We have for too long ignored the important contributions of these disciplines and concentrated on the physical and natural sciences alone. Close examination of our productivity problems reveals the sources to be behavioral rather than technological. Indeed,



much of our capital stock consists of human skills and not machinery and equipment.

The National Science Foundation's research programs in the social and behavioral sciences have supported important work in economics, psychology, sociology, political science, anthropology, and linguistics, among other disciplines. Indeed NSF support to a prominent member of the economics faculty at the University of Maryland, Dr. Mancur Olson, helped support the writing of his recent book, the "Rise and Decline of Nations," which offers a new theory to explain rapid changes in economic growth.

I look forward to the swift passage of the authorization in the Senate, and then ultimate approval by the President. ●

#### WILLY LOMAN IN PEKING

#### HON. GERALD B. H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. SOLOMON. Mr. Speaker, a much needed perspective on Sino-American relations was provided recently in a column by William Safire in the New York Times. Mr. Safire points out quite correctly that it is the Chinese themselves, and not the Reagan administration, who are to blame for the current tensions between our two countries. By relentlessly harping on the Taiwan issue, by loudly demanding changes in U.S. refugee law, and by clumsily courting the Soviet Union, the Chinese have managed to undermine their own interests, however self-serving, in seeking a closer relationship with the United States.

Too often, we hear loud cries from Congress blaming our own country for any setback that occurs in our bilateral relations with other countries. But let us never forget that any substantive relationship is always a two-way street. Mr. Safire makes abundantly clear that the Chinese have been quite a bit less than forthcoming in their dealings with the United States. I ask that the column by William Safire be included at this point in the RECORD.

[From the New York Times, May 9, 1983]

WILLY LOMAN IN PEKING

(By William Safire)

WASHINGTON, May 8—Arthur Miller's "Death of a Salesman," directed by the author and starring Stephen Ying, who translated the play into Chinese, opened in Peking last week.

The tragic hero, Willy Loman, lugs his suitcases filled with false values onstage to dramatize to a new audience that success in life is better measured by the love of a family than the liking of customers.

A question arises: Why, a dozen years after the first talks between Zhou Enlai and Henry Kissinger, have Chinese-American relations progressed so little?

The tendency of Americans is to blame ourselves for the blunders of others. We lash our own backs for being indiscreet about playing the China card against the Russians, or for otherwise offending Chinese sensibilities.

But it was Peking that overplayed its hand that resulted in its loss of leverage in world affairs.

The essence of Zhou Enlai's diplomacy was to induce the nonthreatening American barbarians into standing up to the threatening Soviet barbarians by beginning to cooperate in trade and strategy against Moscow. Already ideologically estranged from the Soviet Union, the Middle Kingdom skillfully exploited America's desire to worry the Russians by establishing a new Chinese-American relationship. Thus, Chou received U.S. help and recognition while demonstrating to Moscow that China could not be intimidated.

But consider the situation today: the new Chinese leaders have lost their international leverage.

In relations with the U.S. after snatching normalization from Mr. Carter at no cost, Peking acted with ill grace toward the further Reagan concessions. To Deng Xiaoping, the Taiwan issue suddenly became more important than the common interest in containing Soviet hegemony. The startling offer by Mr. Reagan in August of 1982 to ultimately cut off all arms sales to Taiwan was met with "not enough" from Peking. Later, visiting Secretary Shultz was pelted with press insults on his departure.

When a young female tennis player, Hu Na, defected, Peking loudly demanded that the U.S. change its fundamental law on refugees; the Reagan men were then forced to react by granting the young woman asylum; in a fit of Peking, China cut off future official cultural exchanges. Not very subtle, and wholly ineffective. The message from Peking was a threat to play their Russian card: If you don't give us everything we want, we'll start dealing with the Russians.

That was blundering. The Soviet leaders might be willing to accommodate Chinese desires by rearranging the disposition of some border troops, but on the matter that affects Chinese-Russian affairs most directly—Vietnam's takeover of China's ally, Cambodia—the Russians will surely stick with their client, Vietnam. That clearly tells the third world, which China would like to lead, that the Chinese cannot get a superpower to lay off one of its neighbors.

This inept bipolar byplay has brought Peking the worst of both worlds. The Russians are not worried that the Chinese will embrace the Americans, and so they go ahead and support Vietnam. At the same time, the Americans are not worried that the Chinese will rapproche with the Russians, and so we threaten to withdraw from the Asian Development Bank if Peking tries to kick out Taiwan.

Evidently the Chinese leaders are becoming aware of their loss of diplomatic leverage. The Peking Daily is now being published in English, and a flock of press agents has been added to the previously stone-faced Peking ministries. A deft new ambassador has been dispatched to Washington, intelligence cooperation has picked up, a Jeep deal has been signed, and Henry Kissinger was summoned to Peking last month, presumably to establish a front, back or side channel.

Such cosmetics cannot cover up the diplomatic decline when what is really needed is a demonstration of internal stability. The

world knows that Deng's recent railing at the U.S. for continuing even a reduced support for Taiwan is evidence of his own internal weakness—Mao and Zhou were never forced to play to the crowds at home on the Taiwan issue.

To recoup, and to regain the position in the world suitable for the government of a billion people, Peking should seek to reassure the Taiwanese, not frighten them by demanding arms cutoffs. China should offer genuine market opportunities to American business, instead of trying to expand the protectionist bureaucracy that stifles investment. It should return to delicacy and subtlety, instead of pursuing the politics of petulance by crassly playing the Russian card.

This is not to suggest that China should take a ride on a smile and a shoeshine. As Willy Loman learned too late, the relationships that count are built on steady accretions of trust and not on the shifting sands of material gain. ●

#### ENTERPRISE ZONES DESERVE A FAIR TRIAL

#### HON. RAYMOND J. McGRATH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. McGRATH. Mr. Speaker, for the past several years, a bipartisan group of Members of Congress has been urging the enactment of legislation to establish urban "enterprise zones." The current version of the enterprise zones legislation, H.R. 1955, introduced by Representative BARBER CONABLE, currently has more than 140 House cosponsors. I am pleased to be a cosponsor of this legislation.

Mr. Speaker, no one expects enterprise zones to be a panacea for the problems faced by depressed urban areas. However, it does represent an innovative approach to the serious problems faced by our urban areas today, and it deserves a fair hearing.

I am pleased to include in the RECORD a May 23 editorial which appeared in Newsday, the Long Island newspaper, which makes a responsible case for the enterprise zones legislation.

[From Newsday, May 23, 1983]

#### ENTERPRISE ZONES DESERVE A FAIR TRIAL

The White House got nowhere in Congress last year when it proposed legislation that would grant tax advantages to businesses for setting up shop in low-income areas and employing disadvantaged people.

Now the administration is trying again, with a bill that has been modified to meet some congressional reservations. The Senate is expected to approve it this time, but passage in the House is still considered doubtful.

That's too bad. It's an innovative proposal, relatively inexpensive to implement, and it deserves a trial. If it fails a fair test, Congress can always scrap it later.

The purpose is to encourage establishment of "enterprise zones" where federal tax incentives would encourage businesses to create jobs for the unemployed poor. The

program would require states and localities to put together a package of their own measures to reduce business costs. These packages could include tax cuts, relief from normal regulations, improved local services and citizen-involvement programs.

The enterprise-zone idea has been championed for years by Rep. Jack Kemp (R-Buffalo) and was adopted by Ronald Reagan before his election. With that background and its reliance on private initiative and regulatory relief, the program has "Republican" stamped all over it.

Critics contend that the effectiveness of tax incentives is unproved and that the zones won't do much good. But the program would tie together a novel combination of incentives in a way that hasn't been tried. The administrative expenses are minimal and the White House is asking authorization to grant tax benefits to only 75 zones, so the cost isn't likely to be great.

And it just might work. We hope the House is willing to find out. ●

### THE GRAND CANYON OF TAX LOOPHOLES

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. DORGAN. Mr. Speaker, I am pleased to join Congressman PICKLE in introducing legislation, H.R. 3110, to slam the door shut on a provision of our tax law that is becoming the Grand Canyon of tax loopholes. The tax loophole I am taking about is ingenious. It is also outrageous. It adds absolutely nothing to our Nation's productivity. Its benefits flow entirely to loophole lawyers and their wealthy clients. Unless this loophole is plugged, and plugged soon, it will cost American taxpayers literally billions and billions of dollars by adding to an already ballooning Federal deficit.

Put simply, our bill would stop tax-exempt organizations and governments from selling tax breaks. But how, one asks, is it possible that organizations that do not pay any taxes to begin with have any tax loopholes to sell? That just does not make any sense.

Well, that is the ingeniousness of this tax loophole. It does not make any sense. But it is happening. All across the country, cities, counties, universities, and Federal agencies are getting into the act through sophisticated and new uses of so-called sale-leaseback and leveraged-leasing transactions. Essentially, what happens is that a tax-exempt entity arranges to have a private group construct a big project, such as a courthouse. The private group, because it pays taxes on its profits, gets to claim a plethora of tax breaks, including accelerated depreciation and investment tax credits in building the courthouse. The tax-exempt agency then leases the courthouse from the private group at a cost that reflects a passthrough of a por-

tion of the tax benefits taken by the private group. The private group is happy because it has reduced its tax bill at almost no risk. The tax-exempt agency is happy because its budget looks smaller; instead of buying the building outright, it makes lease payments on it over a number of years.

Everybody should be happy? It looks like a free lunch, right? Wrong.

It does not take a genius or an understanding of complex arithmetic to figure out who is getting fleeced. It is the American taxpayer. One concrete example shows how. Recently, the Oversight Subcommittee of the Ways and Means Committee, on which I serve, looked into the Navy's decision to lease rather than buy 13 specialized cargo ships to support the rapid deployment of marine brigades in crisis areas. The testimony revealed that the Navy will save \$480 million in its budget by leasing rather than buying. But, at the same time, the U.S. Treasury will lose \$750 million in revenues from tax benefits that will accrue to private groups that carry the title to the ships. The difference between what the Navy saves and the Treasury loses is \$270 million.

In effect, the Navy's decision to lease these ships rather than buy them results in a front-end cost overrun of \$270 million. That is a \$270 million cost overrun incurred before even one ship is built. That is \$270 million that flows from the Treasury to the private lessors and their middlemen, the lawyers and accountants who arranged the deal. Not so incidentally, in this instance, the legal fees to arrange the Navy transaction, alone, cost \$4.2 million, and the Navy picked up the tab. That is \$270 million, in just this one case, that is added to the Federal deficit.

The rent-a-navy tax scheme is only the most celebrated example. There are many others. In just the past few months, Congressman PICKLE and his staff have uncovered dozens of other cases. Counties are leasing sewage treatment plants; cities are leasing city halls, museums, and convention centers; and universities are leasing campus facilities. The engine driving this new leasing rollercoaster is, simply enough, Federal tax breaks.

And no one should be deceived or lulled to sleep about the true and potentially enormous costs to the American taxpayer of these new leasing schemes.

Mr. Speaker, the tax loophole that brought us the "rent-a-navy" scam is a backdoor spending program for the wealthy of potentially colossal proportions. It is a spending campaign being undertaken through the Tax Code and largely hidden from public view. It is, purely and simply, a tax shelter without any redeeming qualities.

Our bill would put an end to this loophole that is picking the pockets of

the American taxpayer. I urge my colleagues to support it, and to move for its enactment at the earliest possible date.

At the same time, we should understand that this loophole is a problem that does not stand alone. There would be no strong force for "sale-leasebacks" and "leveraged leasing" on the scale we are seeing today if it were not for the extraordinary tax subsidies conferred upon wealthy individuals and large corporations in the 1981 Tax Act. The 1981 Tax Act provided a whole new vista to the tax shelter industry. In my view, Congress is going to have to take a new look at the entire system of capital cost recovery now set in place. In the meantime, we must act to end the selling of tax breaks by nontaxable entities that threatens to add a new dimension to the hemorrhaging Federal deficit.

Mr. Speaker, without objection, I would like to include, at this point in the RECORD, a summary entitled "Key Provisions of the Government Leasing Act of 1983."

#### KEY PROVISIONS OF THE GOVERNMENTAL LEASING ACT OF 1983

In general, the bill would require straight-line depreciation over extended recovery periods for property used by tax-exempt entities and would tighten the present law denial of investment credits for this property.

#### DEPRECIATION PROVISIONS

A. The bill would require that depreciation deductions for property used by tax-exempt entities be computed by using the straight-line method and the following extended recovery periods: 5 years for property in the 3-year class; 12 years, in the 5-year class; 25 years, in the 10-year class; and 35 years, in the 15-year public utility class and the 15-year real property class.

B. Depreciation deductions for mass commuting vehicles eligible for safe-harbor lease treatment under present law would not be affected by the bill.

#### INVESTMENT CREDIT PROVISIONS

A. The bill would extend the present law denial of the investment credit for property used by certain tax-exempt entities to cover—

1. property used by any foreign person (when income from the property is not subject to U.S. tax), any foreign government, any international organization and any possession of the United States; and

2. property used pursuant to a contract that purports to be a service contract but is more properly treated as a lease.

B. The bill would allow the rehabilitation credit for qualified rehabilitation expenditures for buildings leased to tax-exempt entities (as under present law), but not where the building or rehabilitation expenditure has been financed by a tax-exempt industrial development bond.

#### EFFECTIVE DATES

A. In general, the bill would apply to property placed in service by the taxpayer after May 23, 1983.

B. The bill would not apply to property used pursuant to binding contracts which on May 23, 1983, and thereafter required the taxpayer to acquire, construct, recon-



struct, or rehabilitate the property and required the tax-exempt entity to use it. This exception would apply to property used by the United States only if it is placed in service before January 1, 1984.●

#### A TRIBUTE TO B. F. SMITH

#### HON. WEBB FRANKLIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. FRANKLIN. Mr. Speaker, I want to take this opportunity to pay tribute to a gentleman from my district who is retiring after a long career of service to the Mississippi Delta.

B. F. Smith of Leland, Miss., has served as executive vice president of the Delta Council, an agricultural and economic forum for that area, for the past 26 years. He is retiring this month, and May 27 has been designated "B. F. Smith Day" in our State in his honor.

There is no way to measure the value that he has had to the Mississippi Delta area and to the Delta Council organization during his years there. He has understood the economic and social problems and advantages of our region, and has worked steadily to come up with progressive solutions for whatever problems we have had.

He has been the Delta's most respected lobbyist throughout his career, and his counsel and advice has been welcomed by many of our Nation's leaders.

Mr. Speaker, on May 27, citizens throughout Mississippi will gather in Cleveland, Miss., to honor B. F. Smith, and it gives me great pleasure to join them in saluting this man who has been such a great asset to our State and to this country.●

#### STRENGTHEN CIVIL SERVICE

#### HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. FOGLIETTA. Mr. Speaker, today I am introducing a bill that will strengthen our Nation's civil service, and turn back the vicious and unfounded attacks that the administration has continually launched against Federal workers, their reputations, their salaries, their benefits, and ultimately their jobs.

As many Members are well aware, the Office of Personnel Management published, in the Federal Register of March 30, proposed regulations that drastically alter promotion and retention procedures. Let me say at the outset that these regulations, if implemented, could decimate our Nation's civil service.

Mr. Speaker, like many of my colleagues, I support the concept of a

merit pay system for Federal workers, as embodied in the Civil Service Reform Act of 1978. The key to a successful merit pay system, however, is an accurate and effective employee performance appraisal system.

Numerous reports from the General Accounting Office have pointed out the shortcomings of the merit pay systems currently in operation for the Senior Executive Service and employees in GS levels 13 through 15. Supervisors are not adequately or appropriately trained in employee performance evaluation. Employees are not as fully involved in setting critical elements and performance standards as sound and fair management policy would dictate. Employees are not informed of critical elements and performance standards in a timely fashion. The systems were not given a debugging period of several years, as is usually done before basing personnel decisions on the evaluations the system provides.

Rather than working to correct these deficiencies, OPM has expanded these imperfect systems to cover all Federal employees, making the consequences for our Nation's civil service that much more serious and undesirable. The success of a performance appraisal system ultimately rests upon employee acceptance and support. It is clear to me that the current system does not enjoy, nor does it deserve, such support.

These new regulations will only exacerbate the situation. They displace the veterans' preference with regard to retention during a reduction in force. They severely limit an employee's right to appeal an unfavorable performance rating. They remove the prohibition against forced distribution of ratings, opening the door for the institution of a curve of evaluation grades. They curtail union bargaining rights. Under these regulations, over half of all Federal workers will never be eligible for promotion to the top within-grade levels of their jobs, no matter how well they perform.

The bill I am introducing today, with the bipartisan support of almost 20 original cosponsors, is essential to creating the accurate, discerning, and equitable merit pay system that is the intention of current law. It requires GAO to evaluate each agency's performance appraisal system and report its findings and any recommended modifications to Congress. Additionally, any time that an agency proposed to change its appraisal system or that OPM proposes changes in the regulations that govern all agencies' appraisal systems, the GAO will be required to evaluate the changes and their probable impact. The bill sets up specific standards by which these evaluations are to be made, and it insures that employees are appropriately involved in the process and that supervi-

sors are adequately trained in performance appraisal skills. It also more specifically notes union bargaining rights with regard to agencywide standards for appraisal and merit pay systems.

Mr. Speaker, the current performance appraisal systems are flawed, both in their design and in their implementation. Similarly, the newly proposed regulations are seriously deficient. They do not implement a merit pay system that is an incentive for improved performance. My bill provides for careful, detailed study, thus allowing Congress to act to correct shortcomings that are identified. It is unfortunate and unfair that the administration, playing on unfair and untrue stereotypes of the lazy, overpaid Federal paperpusher, has continued its scapegoat treatment of Federal workers with these regulations.

With this bill, I hope to bring some reasoned, rational consideration to this important issue. I am hopeful that this bill will receive expeditious and favorable consideration, and I would be pleased to have more of my colleagues join me as cosponsors of this legislation.

Thank you.●

#### A CALL TO CONSCIENCE, A CALL TO ACTION

#### HON. LES AU COIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. AU COIN. Mr. Speaker, I am once again honored to join my colleagues in our call to conscience vigil, the congressional effort to draw attention to the plight of the Soviet Jews. I want to commend my colleague, Congressman WIRTH, for organizing this demonstration of congressional concern for the victims of Soviet oppression.

During the Vigil, we commend the individuals and families seeking freedom and emigration from the Soviet Union. The names change, but the message remains the same—thousands of Soviet Jews from all walks of life continue to be denied the right to free thought, religion, and emigration.

So, today, Mr. Speaker, I issue a call to conscience on behalf of all Soviet Jewry—academics stripped of their titles, Soviet refuseniks imprisoned, students denied entrance to universities, workers deprived of jobs, husbands unable to join their wives abroad, and the list goes on.

We in the United States are watching with alarm the startling decline in Soviet emigration. The Soviet Union has slammed the door on the emigration of Soviet Jews. Last year, emigration of Soviet Jews fell to its lowest annual level in over a decade with less

than 3,000 Soviet Jews allowed to emigrate.

We are also watching with alarm a fundamental qualitative change in the lives of Soviet Jews. Jewish cultural activity and religious observance are being attacked with frightening vengeance. Soviet KGB officials, armed with threats of arrest, persist in conducting sudden raids, confiscating private property and banning the teaching of Hebrew and other educational pursuits. Soviet authorities have targeted Jewish scientists and academicians for intimidation and public degradation. They continue their oppression of Soviet Jews in flagrant violation of the Helsinki Final Act in which they pledged to uphold basic human rights, among them, the rights to cultural expression and emigration.

What we watch with distress, we must respond to with vigor and resolve. If the protests of our friends in the Soviet Union are forcibly silenced, we must be their voices and take up their cry.

As concerned and active proponents of their cause, I fervently hope that we can individually and collectively intensify our involvement by working for more prisoners of conscience, by writing more letters and continuing to speak out against the injustices being perpetuated upon Soviet Jews at every opportunity.

I have sponsored House Concurrent Resolution 63 with my colleague from Connecticut, BARBARA KENNELLY, to further the cause of Soviet Jewry. I am encouraged by the strong bipartisan support my resolution has received from over 180 Members and am more determined than ever to pursue this resolution to successful passage. The more Members of Congress who join me in this pursuit, the more likely the Soviet Union will sit up and take notice.

We know that despite grave risk, there are many within the Soviet Union who continue to speak out, to protest and virtually put their lives on the line for human rights and freedom. As they maintain their vigil, we in the West must maintain ours. There is no excuse for indifference when human dignity and basic civil liberties are at stake.

If we fail to take action, the words of a leading refusenik Yuri Tarnopolsky, may become all too true. In reflecting upon Soviet emigration policy, he wrote:

If they deprive us of 3 years, they will deprive us of 4. If 4, than 5 is still easier to take away. If today we have no job, than tomorrow we will have no foreign mail and telephone calls. If tomorrow we have no mail, the day after tomorrow there will be no higher education for our children and no free access to other places in the country. They will start putting us into prison for the slightest protest. The noose around our neck will tighten step by step, and the world will be adapted to that process.

Mr. Speaker, we cannot ever let ourselves reach that point. As chairman of the first session of the World Conference on Soviet Jewry in Jerusalem, Gerald Kraft articulated a message that we must send to the Soviet Union and send repeatedly: That in this "dark time," Soviet Jews are "not alone, not forgotten." The actions of Congress and communities around the world not only raise the level of awareness but "extend the bond of humanity" to Soviet Jews themselves.

May we in Congress, inspired by the courageous struggle of so many Soviet Jews, call on the President and the Kremlin to take significant steps to liberate Soviet Jews once and for all. ●

#### CARMINE VARANO, R.P. CITED FOR PROTECTING CONSUMERS

#### HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. GUARINI. Mr. Speaker, I wish to report that the U.S. Department of Health and Human Services Food and Drug Administration has issued its Commission's special citation to one of my constituents, Carmine Varano. Since 1978 Mr. Varano has conducted an international one-man campaign to remove the dangerous pharmaceutical product, camphorated oil, from public use.

Mr. Varano, who is a registered pharmacist, called to the attention of all concerned the dangers of camphorated oil, which caused severe injuries when consumed and which is of doubtful therapeutic value. Because of Carmine's persistency, Richard S. Schweiker, then Secretary of Health and Human Services, on September 20, 1982 signed the final regulations which appeared in the September 21, 1982 Federal Register, removing camphorated oil from the marketplace.

The OTC Miscellaneous Internal Drugs Panel investigating Mr. Varano's charges states in a preliminary report released February 6, 1980:

The risk of poisoning in infants and young children, as evidenced by numerous reports in the literature and by the National Clearinghouse for Poison Control Centers, is a major factor in the panel's assessment that camphorated oil is not safe for OTC use. The panel strongly recommends the FDA act swiftly to remove camphorated oil from the market. The report cited National Clearinghouse for Poison Control Centers (Division of Poison Control, FDA) statistics recording 706 ingestions from 1974 to 1978, of which 421 occurred in children less than 5 years of age. The panel noted that infants and fetuses are at greater risk because their kidneys cannot detoxify camphor.

Today, at 10 a.m. the 1983 FDA Honors Award Ceremony features the presentation of the Commissioner's special citation to Mr. Varano:

For assisting the Food and Drug Administration in removing camphorated oil from the market and exemplifying the role of the individual health professional in protecting the public health.

In addition, the New York Society of Hospital Pharmacists, on June 25, 1983, in the Nieuw Amsterdam Ballroom, will present the first Harold Neham Award to Carmine Varano because [his] persistence in getting camphorated oil removed from the market was a significant contribution to the practice of pharmacy and to the promotion of consumer safety.

The New Jersey Pharmaceutical Association, on July 2, 1983, at the Hershey Hotel in Hershey, Pa., will present Mr. Varano with the William H. McNeill Award for 1983 for rendering outstanding community service.

The National Clearinghouse for Poison Control Centers, in Rockville, Md., wrote:

The Division of Poison Control joins the poison control community in expressing special appreciation to Mr. Carmine Varano, R.P. of Jersey City, N.J. for his diligent and tireless efforts over the years in the crusade to have camphorated oil removed from the market.

Pharmacy International of Cambridge, United Kingdom, has commended Mr. Varano for "alerting us to the hazards of camphorated oil."

On February 8, 1980, during the process of his investigation, Mr. William E. Gilbertson, Director, Division of OTC Drug Evaluation, Bureau of Drugs, wrote to our awardee:

Members of my staff, many of whom are also pharmacists, share your view that camphorated oil is an antiquated remedy and that its potential harmful effects, because of accidental ingestion, far outweigh any possible therapeutic benefits.

Mr. Gilbertson's concluding paragraph states:

I wish to congratulate you on your long but fruitful efforts on behalf of the American consumer in spotlighting the dangers of camphorated oil. Hopefully, your goal will be achieved in the not too distant future.

Also, the American Society of Hospital Pharmacists sent their congratulations, as well as the University of Mexico Medical Crisis Center in Albuquerque, N. Mex., and the National Association of Retail Druggists, Washington, D.C. as well as the American Pharmaceutical Association, and the American Academy of Pediatrics, and officials at Duke University in North Carolina, and Tulane University, University of Louisville, as well as the Hudson County Pharmacists Society, the National Association of Retail Druggists, American College of Apothecaries, College of Pharmacists of British Columbia, Duke University Medical School, Poison Control Center, National Association of Chain Drug Stores, Quakertown Community Hospital in Pennsylvania, Eli Lilly & Co., Pharmaceutical Division, and the



Board of Pharmacy of the State of New Jersey.

I have been pleased for the past 4 years to work closely with Carmine Varano and I admire his dedication. He has received the editorial accolades of the Drug Intelligence and Clinical Pharmacy publication, the Garden State Pharmacy Owners Newsletter, Pharmacy Times, Jersey Journal, Drug Topics Publication, the National Association of Retail Druggists' Newsletter, Pharmacy International, the publication of the biomedical press, printed in the United Kingdom and the New York State Council of Pharmacists Newsletter.

I am sure that parents and the children of America will join this Nation's pharmacists in this tribute to Mr. Varano, who is praised by former U.S. Secretary of Health and Human Services Richard S. Schweiker, who wrote:

As I reviewed your file, I was very much impressed by your personal dedication and perseverance as you pursued this important public health problem. I, therefore, want you to know that I and my colleagues in the Food and Drug Administration appreciate your diligence and concern. Through your example, others should recognize that individuals like yourself are important in making ours a better and healthier society.

It is my pleasure to have such a dedicated constituent working for America residing in my district.

It was Marcus Aurelius who said: "The true worth of a man is to be measured by the objects he pursues."

Carmine Varano, R.P., indeed has echoed these thoughts in this the 20th century.●

#### SALUTE TO PERTH AMBOY, N.J., ON THE 300TH ANNIVERSARY OF ITS FOUNDING

**HON. BERNARD J. DWYER**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. DWYER of New Jersey. Mr. Speaker, on May 30, 1983, the city of Perth Amboy—New Jersey's first incorporated city—celebrates the 300th anniversary of its founding.

It is both an honor and a privilege to bring this most significant moment in our history to the attention of the Congress.

The city of Perth Amboy and the people who have called this city their home have been vital forces in our Nation's commercial development and cultural growth.

Perth Amboy's pivotal role in the birth of our Nation came early on, when the city served as the colonial capital from 1686 to 1775.

The customs district of Perth Amboy is also the Nation's oldest, and many of New Jersey's early industries and crafts found their roots in this coastal center.

New Jersey's first printing was done in Perth Amboy in 1723 by William Bradford who printed New Jersey's currency and the proceedings and laws of the New Jersey Assembly.

In 1737, John Watson, one of the first portrait painters in America, established the first picture gallery in the Colonies. Perth Amboy is also one of the homes of the terra cotta industry. Sculptor Victorio Cianni is responsible for some of the beautiful statuary in our Nation's Capitol.

The 19th century also saw many important events in the life of the city and the progress of our Nation. In 1863, Dr. Solomon Andrews, a mayor of Perth Amboy, built the Aereon, the first airship in the world that, without an engine, could be flown at will by the pilot and travel either with or against the wind.

Seven years later, on March 31, 1870, the day following the adoption of the 15th amendment to the Constitution, the first black voter in the United States, Thomas Peterson, cast his ballot in a special election held in Perth Amboy.

These events and advancements mark just some of the many which have established Perth Amboy's preeminence in the history and progress of our State and Nation.

It is a city full of life, rich in ethnic diversity and culture, unique in its successful mix of the old and new. It is an industrial hub, yet still a home town in the truest sense. My distinguished predecessor in this House, Edward J. Patten, is a native of Perth Amboy. I, too, am truly proud to have been born and raised in this fine city.

There will be many commemoratives highlighting Perth Amboy's tricentennial in 1983, each focusing on different aspects of this city's growth and vast contributions to its home county of Middlesex, the State of New Jersey, and our Nation.

It is a story that will continue to unfold in many new and productive ways, I am sure, as Perth Amboy embarks on its fourth century. Its citizens and distinguished civic and business leaders will meet the challenges of the coming decades with the vigor and commitment they learned from their predecessors.

Let us offer a warm tribute to the city of Perth Amboy, on this, the 300th anniversary of its founding, with every good wish for a future that is as bright and rich as its past.●

#### THE IMPOSSIBILITY OF MANAGING THE MONEY SUPPLY

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. PAUL. Mr. Speaker, yesterday the Federal Open Market Committee

met to decide the fate of our economic recovery. In complete secrecy, and probably also in complete ignorance, the 12-member group discussed subjects like the recent statistical movements in various kinds of bank accounts. I am sure that they also reviewed briefing papers on interest rates, various price indexes, and some other statistical material relating to the economy. They no doubt used words that seem to convey a sense of wisdom, although I am not sure what metaphors like tight and loose really mean when some people use them.

I would like to share with my colleagues the following article from yesterday's Wall Street Journal by Alfred L. Malabre, Jr. His discussion of the problems with managing the money supply are strong evidence that we need a fundamental reform in our Nation's monetary system. The pretense of knowledge that modern, orthodox economic theory attaches to interpretations of statistics is dangerous. We know very well, from painful experience, that we cannot fine tune our economy with fiscal policy. When are the economists going to wake up and admit that we cannot centrally plan monetary policy either?

In a free market system, the supply and demand for money would be determined by a process that is inherently self-stabilizing. Under the international gold standard we saw the benefits of fantastic economic growth—without central planning for monetary policy. Yet, the economists at the turn of the century told the world that they could smooth out business cycles by managing monetary policy.

Mr. Speaker, I ask that Mr. Malabre's article be printed as strong evidence that we are today at great risk from managed money.

[From the Wall Street Journal, May 24, 1983]

#### VELOCITY THROWS THE MONEY MEN A CURVE (By Alfred L. Malabre Jr.)

One of the least enviable tasks confronting Washington's assorted policy makers will be tackled today by the dozen members of the Federal Open Market Committee. The group, composed of Federal Reserve Board governors and various presidents of regional Federal Reserve banks, must attempt once again to figure out how much or how little money the Fed should be pumping into the economy through its multibillion-dollar dealings in government securities.

Today's meeting—one of eight or so held each year, in addition to less formal committee contacts—will surely influence the business outlook, as Federal Reserve officials down the line move to implement committee policy. But for better or for worse? Given the complexity of money management nowadays, that determination seems as uncertain as the committee's closed-door deliberations are secretive.

To manage the nation's money supply adroitly may seem a wonderful straightforward idea. Simply estimate, on the basis of labor and material resources, how swiftly

the economy can expand in a healthy fashion from year to year. Then see to it that the Federal Reserve promotes a rate of money-supply growth consistent with healthy economic expansion.

But between the idea and the reality—to borrow a line from T.S. Eliot—falls the shadow. And, in the business of managing the money supply, shadows have been falling all over the place of late—even over a matter as basic as defining what measure of the money supply should be managed. Is it M1, currently defined to include currency and checking-account deposits? Or M2, which adds to M1 a variety of other savings-type money? Or M3, which is larger still? Will the real money supply please stand up?

#### TRACKING THE NUMBER

And now still another shadow, larger and of a different sort, has begun to form. It has to do with what economists call velocity. Unrelated to Nolan Ryan's fastball, this velocity gauge tracks the number of times in the course of a year that the money supply is spent and respent. Economists can monitor this turnover-of-money rate by simply dividing the gross national product by the money supply, using as the denominator whatever happens to be their favorite version of M.

The shadow is developing because the velocity of money has been behaving recently in a peculiar manner that can only further complicate the already complicated task of money-supply management.

The velocity measure, by virtually every estimate, has slowed since mid-1981, about when the 1981-82 recession set it. Such a slowdown isn't remarkable over the course of a recession, particularly a severe one. But the 1981-82 slowdown in velocity was unusually pronounced, even for a recessionary period. And its persistence beyond the recession, which apparently ended late last year, is unmatched since the 1930s.

What happens to the velocity of money is important because, among other things, it influences price behavior and, ultimately, general economic activity. A slowdown in money turnover tends to ease inflationary pressures and limit economic growth and, conversely, a speedup spurs inflation and, up to a point, economic growth.

The extent to which changes in velocity actually do have an effect, however, depends as well on what may be happening to the size of the money supply. The supply, using M1 or M2 or M3, has risen at annual rates well above the rate of 3% or so at which, it's estimated, the economy can grow each year in a healthy manner. But monetary velocity, again using any M, concurrently has slowed. M1's annual rate of turnover approximated 6.4 times in the first quarter, some 3% below a year earlier, and M2's turnover rate was about 1.5, down nearly 6%.

Over the full post-World War II era, monetary velocity has been gradually on the increase. M1 turnover, for instance, has risen at an average annual rate of roughly 3%, normally climbing somewhat faster than that in expansion phases of the business cycle and falling, though less sharply than of late, in recessions.

The long-term velocity rise is widely attributed to such developments as the spread of more efficient monetary-exchange mechanisms—credit cards, for example—as well as understandable efforts to hold down financial balances and acquire tangibles in an era of a depreciating dollar. Velocity tends, nonetheless, to slow during recessions because individuals, for a while at least, strive

to rebuild financial assets, the dollar tends briefly to strengthen and the Fed, fighting to turn business around, moves to pump up the money supply.

The Fed's latest pumping effort, which began in mid-1982, is no exception. But the continuing brisk rise of the variegated M's since the recession is exceptional and helps explain the remarkable velocity slowdown that has accompanied the current recovery.

The resulting situation can be assessed from sharply differing points of view. There is, for instance, the appraisal of economists who retain a belief that money-supply growth can be smoothly promoted from year to year. In this view, velocity is only a tangential matter whose periodic deviations from a consistent long-term pattern of growth seem inconsequential. Such "monetarist" economists as Allan Meltzer of Carnegie-Mellon University in Pittsburgh concede that the recent velocity slowdown may appear exceptional. But they conclude that it really amounts to nothing more significant than the usually long tail-end effect of an unusually long and severe recession.

This so-called monetarist view, however, is less comforting than it may seem at first glance. As Robert A. Brusca, an economist at New York's Irving Trust Co., explains: "Monetarists worry that the past stable growth rate in velocity will reemerge. If it does, the substantial amount of money the Fed has pumped out will begin to have a greater stimulative impact; thus, the monetarists fear a spending spree with severe inflationary consequences" as velocity picks up in the wake of sharp money-supply increases.

To be sure, the Fed can cut back sharply on money-supply growth if velocity does accelerate in coming months. Some observers expect that this will be the case, and that the cutback will prevent the unfortunate consequences that Mr. Brusca mentions. A problem with this scenario, however, is that accompanying the new recovery is a record-smashing federal budget deficit that must be balanced. And, to the extent that the Fed would be compelled to assist in the financing effort by acquiring Treasury securities, the money supply will tend to swell further. In this view given the deficit's brooding dimensions, the Fed will indeed hate to gallop to the Treasury's aid, however much its money managers would rather be reining in the money supply.

#### SOMETHING TO THINK ABOUT

Still another view, expressed by Mr. Brusca, is that "velocity may not resume the way monetarists fear." If so, the Fed's recent largess may provide in retrospect a necessary antidote for an enduring slowdown in turnover. Frank Mastrapasqua of Smith Barney, Harris Upham & Co., a New York securities firm, is among economists who think that the long-term pattern in velocity probably won't resume. Instead, he foresees "a secular change in the behavior of the velocity," largely as a result of "the general transition from an inflationary to a disinflationary environment" in which lenders are at last receiving rates of return that more than offset inflation.

"Velocity is the key policy issue for 1983," Mr. Mastrapasqua declares.

The difficulty is that neither Mr. Mastrapasqua nor Carnegie-Mellon's Mr. Meltzer nor, for that matter, Fed Chairman Paul A. Volcker can know precisely how fast the money supply, however measured, will be turning over six months or a year hence. Only if the turnover rate fails to resume at

least its normal long-term trend does recent Fed policy appear entirely appropriate.

Whatever develops, the recent behavior of velocity provides the Fed's money managers with something to think about whenever they tire of pondering how to define each M and whether M1 or M2 or M-whatever is the most important version of the money supply. Compared to managing the money supply adroitly, belting a Nolan Ryan fastball out of the park seems simple. ●

### YEARS OF BIG-SPENDING DEFICITS MUST BE STOPPED

#### HON. STAN PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. PARRIS. Mr. Speaker, last week the Members of this House were denied the opportunity to vote in favor of capping Federal spending while at the same time it was decided that we would increase the public debt limit to nearly \$1.4 trillion. It is obvious to me that we are returning to "business as usual" in this Congress, returning to the misdirected priorities of the past and the failed policies of Jimmy Carter.

Now it is time for those who believe in responsible government to reorder the priorities of this Congress.

For too many years now, the liberal, big spenders of this House took too little notice of the many billions and billions of dollars that were authorized each year.

Only when the people of this great country began to scream out after the pain of the years of the previous administration was it decided that something must be done.

I support and have always supported a balanced budget in peacetime. I cast my vote in favor of the balanced budget amendment in the last session of Congress—when the more liberal Members of this House helped this amendment to its defeat.

In supporting such a budget, I also realize we must never allow working American taxpayers to be squeezed by high taxes as they were before the tax cuts of 1981.

Our dilemma should be clear to every Member of this House: If we allow the debt to continue to increase at the current rate, we will subject our citizens to high interest rates and increasingly high unemployment. But, if we chose to hold our debt down by increasing taxes, we hurt our citizens by taking money from their pockets. We also risk bringing our emerging recovery—which is so dependent on private investment—to an abrupt halt. Only if we hold our debt down by limiting spending will we truly help our citizens and restore the economy.

The fiscal 1984 budget is being worked out in a conference committee. As far as I am concerned, the confer-



ees will be ironing out the differences between two budgets: one bad, the other worse. I cannot, and will not, support a budget reflecting the same policies that the people voted out of office in 1980. We cannot afford to tax any more, we cannot afford to overspend and we cannot afford huge deficits.

It is time for every Member of this Congress to take a stand on the fiscal 1984 budget and do something about this disgrace. It is time for us to be responsible to the taxpayers of this country, it is time for us to adopt a responsible budget.●

#### SIMPLIFYING THE DELIVERY OF HUMAN SERVICES: A ONE-STOP SYSTEM

**HON. CARROLL A. CAMPBELL, JR.**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. CAMPBELL. Mr. Speaker, I recently introduced a bill that will assist the truly needy while reducing waste in human service programs at the same time. This can be accomplished by implementing a one-stop system for the delivery of human services. This system would centralize human services, which would eliminate programmatic fragmentation so as to assure that an applicant for services under any one program will be informed of and have access to all of the services which may be available to him or his family. The one-stop system would also improve efforts to reduce fraud through upgraded program coordination.

How will all of this be accomplished? This bill would initiate between four and eight pilot projects around the Nation. Each of the projects could include: The consolidation of agency locations and related transportation services; the development of a common set of terms for use in all of the human service programs; the development of a single comprehensive family profile that is suitable for use under all human service programs; the implementation of unified planning, needs assessment, and evaluation; and many other initiatives.

All administrative savings from this program would be redirected to the programs that are involved in the pilot projects. This bill does not reduce funding for any Federal or State program. In fact, it could actually result in more available funds for actual benefits by reducing unneeded overhead and duplicative administrative cost, and improve caseload management for social workers. Several localities and one State have already made significant progress in instituting some of these ideas. One project expects administrative savings of 40 percent or

more, which will be redirected to benefit recipients. The statutory authority provided by this legislation, however, would permit a more comprehensive implementation on a trial basis of this integrated delivery system model.

Mr. Speaker, I would like to commend our following colleagues for co-sponsoring this legislation: Messrs. MATSUI, MOORE, PEASE, HANCE, MARTIN of North Carolina, THOMAS of California, FRENZEL, VANDER JAGT, ARCHER, GIBBONS, SCHULZE, ANTHONY, STARK, CONABLE, RANGEL, JEFFORDS, KINDNESS, FORSYTHE, SPENCE, GINGRICH, LAGOMARSINO, WON PAT, HUGHES, BONTIOR, of Michigan, TAUKE, HYDE, GOODLING, Mrs. KENNELLY, and Mrs. BOXER.●

#### CONTROLLING THE COST OF NATURAL GAS

**HON. DOUG WALGREN**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. WALGREN. Mr. Speaker, consumers from all parts of the country have been hit with astronomical increases in their natural gas bills over the past 2 years. What has frustrated many of us is the fact that these price increases have come at a time of falling demand and excess supply. Much of this increase was caused by contracts signed by pipelines and producers during the supply shortage of 1977. These long-term contracts locked in high prices, without allowing them to fall with changing market conditions.

As we struggle over legislation to solve the problems in the natural gas industry, I want to share with my colleagues the following article from the New York Times. The article describes the kind of actions pipelines can take which would provide consumers concrete relief before the next heating season.

The Energy and Commerce Committee is working on comprehensive proposals to rewrite the 1977 National Gas Pricing Act. There is little agreement on the fundamental question of price control and there is realistic apprehension that the Congress and the administration may deadlock and be unable to act. Yet there should be wide agreement on providing support in law for the necessary relief from particularly onesided contracts that are resulting in the actions covered by these articles.

The articles follow:

**PIPELINES ACT TO CUT GAS COSTS—THEY REFUSE TO BUY OR OFFER LOWER PRICES**

(By Thomas J. Lueck)

In a series of abrupt, unilateral moves to reduce the prices they pay to natural gas producers, the nation's major gas pipeline companies appear to have put an end, at least temporarily, to the rapid escalation in gas prices over the last two years.

These moves by the pipeline companies, coming at a time of huge gas surpluses, have been aimed at reducing the amount of high-priced gas they must purchase under contracts signed when supplies were tight.

Industry analysts, as well as consumer groups, have attributed the rising cost of gas largely to these contracts. With pipelines committed to buying large quantities of gas from newly discovered wells, some of them charging as much as 10 times the price of gas from older wells, the average cost of the fuel has risen more than 50 percent since January 1981.

But now, after a year of negotiations to reduce their costs, a growing number of pipelines are taking a more aggressive stance by either refusing to buy the gas or offering a lower price of a take-it-or-leave-it basis.

#### SUPPLY AND DEMAND

"You reach the point where supply and demand considerations can't be ignored," said Lawrence A. Crowley, an analyst for Rotan Mosley Inc. in Houston.

He said that in January, he had expected natural gas prices to rise by 6 percent this year. But since then, because of the mounting pressure by the pipelines to lower their costs, "prices have probably flattened out" for the remainder of the year, he added.

The moves also are likely to result in lower costs for consumer, as the pipelines pass along their savings.

The economic squeeze facing the pipelines has resulted largely from the loss of large industrial customers. Pipeline companies are allowed by state and Federal government regulators to pass the price of their gas to customers, and have therefore been the subject of mounting protests from residential gas users. But many industrial customers, instead of protesting have begun switching to fuel oil to fire their boilers.

"You can say all you want about passing costs through, but when an industry is faced with losing a big part of its market, it's time to make some changes," said Jerome McGrath, the president of the Interstate Natural Gas Association of America.

#### PRICE TO PRODUCERS CUT

In one of the most aggressive moves in the pipeline industry, the Transco Energy Company this month began a program aimed at retaining its industrial market by cutting the prices it will pay to gas producers. The company delivers gas from offshore producers in the Gulf of Mexico to customers in 11 Eastern states, including New York.

Transco announced on May 1 that it would buy gas from producers at no more than \$3.05 per thousand cubic feet, a price far below what many of producers had received for their gas during the last two years. Transco maintained that if it were to compete with the price of fuel oil, it could pay no more for its gas supplies. The wholesale price of five gallons of No. 6 residual fuel oil, which produces as much energy as a thousand cubic feet of gas, now ranges from \$4.59 to \$4.73 on the East Coast.

W. J. Bowen, Transco's chairman, said last week that hundreds of gas producers had agreed to the lower price, and that the pipeline has so far obtained just under a third of the supplies it needs this month.

But he characterized the program as a "short-term, partial solution to current industrywide problems."

#### HUGE COSTS FROM CONTRACTS

Indeed, many pipelines, including Transco, continue to face huge costs stem-

ming from their prior contracts for high-priced gas. Many of these contracts included provisions, termed "take-or-pay," that require the pipelines to continue paying for large volumes of gas even if they have no need for it.

Most of the pipelines, while they have stopped buying much of the gas, have also refused to pay the penalties. Mr. McGrath estimated that interstate pipeline companies will accumulate \$3 billion in liabilities under the take-or-pay contracts this year, an amount that could grow to \$17 billion.

Tenneco Inc., another major pipeline operator, has launched a cost-cutting program even broader than Transco's. After a meeting with 250 of its gas producers in Houston two weeks ago, the company said it was "suspending performance" of many of its prior contracts.

"The producers were given the option of assenting," said Frank Reed, a Tenneco spokesman. "But that really didn't matter. We said we'd do it anyway."

The company said it would no longer honor take-or-pay contracts that required it to buy more than 50 percent of the production of high-priced gas from any wells. It also said it intended to buy more of its gas from wells that have been in operation for more than five years, thus contravening contracts it had signed to buy large volumes of the more expensive, newly discovered gas.

Other pipelines, with different approaches to the problem, have taken equally aggressive measures. Last month, for example, the Columbia Gas System invoked a seldom-used legal concept—force majeure—to reduce its obligations under take-or-pay contracts.

Force majeure means an unexpected event that relieves one of contractual obligations. Columbia, which serves parts of New York State and seven other Eastern states, said it could not have anticipated the exceptionally warm winter and the depth of the recession, which combined to reduce demand for gas.●

#### NATIONAL PROFESSIONAL SECURITY MONTH

#### HON. DAN MARRIOTT

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1981

● Mr. MARRIOTT. Mr. Speaker, today I am introducing to the Congress a resolution to authorize and request the President to proclaim September 1983, as "National Professional Security Month." The resolution would honor security professionals throughout the United States for the outstanding service they provide in protecting the assets—people, property, and information—of private industry, government and public institutions.

Private security has been identified as one of the fastest growing sectors of our economy, grossing in excess of \$10 billion annually, a figure which is projected to reach \$50 billion by the late eighties.

With a workforce of over 1 million men and women, private security is not only one of our Nation's largest employers, but it also plays an important role in our efforts to combat crime af-

fecting both private and public institutions. The men and women of private security supplement the efforts of our public law enforcement agencies. Were it not for them, crime would be an even more serious problem and our taxpayers would have to bear the burden of additional police expenditures.

Private security has also played an important role in drug abuse education and in preventing white-collar crime and terrorism, enhancing cooperation between the private and public sectors against crime, and in enhancing economic growth through private initiative.

I should also point out that the American Society for Industrial Security (ASIS), with its more than 18,000 corporate security members, has played an important role in both educating and elevating the quality and ethics of this important sector of our economy. ASIS has strongly supported efforts by this Congress to combat the theft of America's high technology by the Soviet bloc, crimes by computer, and other criminal enterprises.

The resolution which I am introducing today recognizes the efforts and contributions of the more than 1 million private security practitioners in America. I urge all my colleagues to give this careful scrutiny and to consider joining me as cosponsor.●

#### CONGRESSIONAL SALUTE

#### HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. ROE. Mr. Speaker, on Sunday, June 5, the residents of my congressional district and the State of New Jersey will join together in testimony to an outstanding community leader, esteemed veteran of World War I, and good friend—the Honorable Sidney R. Milburn—whose birthday celebration commemorating the 90th year of his birth will provide an opportunity for his and many, many friends to express tribute to his lifetime of good works.

Mr. Speaker, there is much that can be said of Sid Milburn and his lifetime of achievements in service to people and I would like to insert at this point in our historic journal of Congress a mayor's proclamation issued by the Honorable Walter J. Jasinski, mayor of Wayne, N.J., declaring May 31, 1980 as "Sidney Milburn Day" in appreciation of our honoree Sid's involvement and service to the people of the township of Wayne. This resolution of distinction is, as follows:

#### PROCLAMATION—SIDNEY MILBURN DAY

Whereas, Sidney Milburn has been an active member of the American Legion for 61 years and was a Charter Member of the American Legion when it was formed in Paris, France in 1919; and

Whereas, he served as Commander of the Anthony Wayne American Legion Post #174 in 1937; and

Whereas, he is a Charter Member of Mountain View Masonic Lodge founded in 1925; and

Whereas, he has been associated with Wayne Savings & Loan Association since 1925, where he presently serves as Vice Chairman; and

Whereas, he is a charter Member of the Sales Executive Club of New York City founded in 1927; and

Whereas, Mr. Milburn served as Executive Vice President of the Wayne Chamber of Commerce and was responsible for millions of dollars in new ratables being brought into the township; and

Whereas, he served as Director of Civil Defense, Disaster and Flood Control in Wayne for over 30 years; and

Whereas, Mr. Milburn has been active in the Wayne Senior Citizen Association for 8 years and was chosen "Man of the Year" in 1978 by this group; and

Whereas, he has been selected "Man of the Year" for 1980 by the Anthony Wayne American Legion Post #174; and

Whereas, he has been a benefactor of untold charities in Wayne and Passaic County and has served on many Township committees,

Now, therefore be it resolved, that I, Walter J. Jasinski, Mayor of the Township of Wayne do declared Saturday, May 31, 1980,

#### SIDNEY MILBURN DAY

and further be it resolved, that citizens of Wayne are grateful for Mr. Milburn's involvement and service to the community over these many years.

Mr. Speaker, it is important to call to your attention that in addition to the prestigious affiliations enumerated in Mayor Jasinski's proclamation, Mr. Milburn is also proud of the many State, county, municipal, and Federal appointments that he has attained throughout his career pursuits which included: Director, New York State Motor Truck Association for 22 years; New Jersey Oil Trades Association; and American Red Cross for 35 years.

We are proud to boast that Sid is a native of our great sovereign State of New Jersey. He was born in Hoboken, N.J., on June 5, 1893, and adopted Wayne as his hometown at the end of a canoe cruise down the Ramapo and Pequannock Rivers in 1935.

Mr. Speaker, I would like to insert at this point a most descriptive newspaper article authored by a highly adroit and talented staff writer of the News of Passaic County, N.J., Kevin Coughlin, under date of January 29, 1981, which has warmly and eloquently intertwined the richness of wisdom, quality of leadership, and sincerity of purpose that Sid has imparted throughout his lifetime which has truly endeared him to all of us.

The news article reads, as follows:

#### FOR ONE SENIOR CITIZEN, EVERY DAY'S A RESOLUTION

(By Kevin Coughlin)

WAYNE.—Traditionally, New Years is a time for resolutions. But 89-year-old Sidney



R. Milburn will not be making any special vows this year.

"To me, every day's a resolution," says the spry old-timer, whose accomplishments and life history would make for a lively book.

Although Milburn's body has suffered the ravages of war and age, and his "leaky" heart has known the pains that accumulate over nearly nine decades on this planet, his mind remains keen and his spirit strong.

"The kids are at me all the time to write a book," admits the man Mayor Walter Jansinski calls "one of the pioneers of Wayne," and who recently returned from a 10-day, 1,500-mile excursion across Ireland.

"If I live to be 95, I might spend the last two years putting some of that stuff together," the white-haired Milburn continues. "The philosophy would be: Keep going, don't quit. Not only would it be the philosophy, it would be the rule."

Sitting amidst stacks of magazines, books, photographs and plaques strewn about the office of his three-room apartment, Milburn explains that aging does not necessarily mean slowing down. To do so would lead to "cabin fever," he insists.

If recognition of Milburn's activities with various seniors groups, the American Legion, the Passaic County Board of Public Transportation, the Masons, the township's Chamber of Commerce and its Civic Defense organization, the mayor declared May 31, 1980, "Sidney R. Milburn Day."

Indeed, Milburn's many achievements could scarcely be crammed onto the proclamation. Has engineering research on automobile tires for the U.S. Rubber Co. and B.F. Goodrich earned him recognition from the prestigious society of Automotive Engineers, the Army decorated him for his command of an artillery regiment at the battles of St. Mihiel and the Meuse-Areonne in World War I and he was present at the inception of the American Legion in Paris following the conflict.

But Milburn, the jut-jawed product of an Irish immigrant and an English sailor, is proudest of his 72 years in Wayne. In 1925 he was among the founders of the township's first bank, the Wayne Savings & Loan Association. As vice-chairman, Milburn still performs occasional appraisals for the bank.

Later, Milburn became executive vice-president of the Chamber of Commerce during the township's explosive growth in the 1960s. He figures he personally helped attract \$60 million in ratables by convincing the U.S. Rubber Co., American Cyanamid and the Holiday Inn, among others, that "Wayne was the place to be."

The Hoboken native learned that accidentally, on a 1908 American Canoe Association trip down the Ramapo and Pompton rivers.

"At Mountain View I was entranced by the fact that here was virgin territory, so I left my canoe here and bought a piece of land from a farmer," recalls Milburn, urging a listener to hold his laughter at the price.

"I paid \$125 for a half-acre, on the Lincoln Park side of the river, and bought a bungalow. That lot today is worth about \$18,000," he says with a hearty chuckle.

Educated as a laboratory worker at Stevens College in Hoboken, Milburn held a number of office and sales jobs until President Woodrow Wilson declared war on Germany in 1917. The next day he enlisted in the 13th regiment of the New York National Guard, and soon found himself in Europe serving as sergeant major of a 400-piece motorized artillery unit that Marines nicknamed "the 8-inch infantry."

Milburn's unit boasted 12 8-ton Howitzers, hauled by Holt Caterpillar tractors.

The big guns thundered so continuously that the breech blocks overheated, preventing loading, says Milburn, whose collision with a 225-pound shell damaged four vertebrae. In addition the cannons' roar left him with a "tin ear," today, visitors must shout questions into the good ear.

"You'd think somebody opened the doors of hell when those things went off," he said, remembering. "We blew holes in highways behind the Germans big enough to put this house in—you couldn't fill them. You had to go around them."

Toward the war's end, a colonel suggested the American Legion idea to him. Milburn says he helped "ballyhoo" it, and then "gave the ball to professionals." Over the years Milburn organized regular reunions for his regiment; the last of which came in 1972. Of the original 1,872 soldiers, Milburn says he cannot name five who are living.

"Outliving peers is a hard thing, says Milburn, who lost his brother in a freak motorcycle accident long ago. Milburn's wife, Marjorie, died before Christmas eight years ago.

"When you live happily with somebody for 55 years and they're dead as a doorknob in five minutes' time, it's quite a shock," he says. To avert loneliness, Milburn sold his home on Jacobus Avenue and moved into a converted barn owned by a friend. There he cooks for himself and keeps busy with visits from business acquaintances and two nieces he raised after their mother's death. Lulls are filled by browsing through picture albums—he's an avid photographer—or reading "US News & World Report," a half-dozen newspapers, trade journals and a historical version of the bible.

Most of Milburn's teeth are gone, the result, he says, of "monkeying around" with nuclear techniques for curing tire rubber. Doctors removed Milburn's cancerous left lung several years ago, forcing him to quit smoking, drinking, canoeing and golfing—a sport that kept him physically fit. Last week he sold his car because his reflexes are a bit slow. Heart ailments, chronic cystitis and a hiatus hernia ("a ruptured gut") have slimmed him from a robust 195 pounds to 150 pounds and shortened his breath so he must climb the 13 steps in his home upon his hands and knees.

Yet despite the vagaries of antiquity, Milburn steadfastly refuses to complain.

When you get past 70, it's an inherited gift, and you shouldn't be critical of it," he asserts, citing his mobility as the key to independence.

While a \$93 monthly pension combined with Social Security payments, occasional bank work, wise savings and a low rent have put him in better financial shape than many senior citizens, Milburn maintains that happiness flows from the mind, not the wallet. Much of the loneliness and sorrow associated with old age is self-inflicted, he says.

But if (people are) happy-go-lucky and interested in helping each other, no matter how tough the life is, they enjoy it," says Milburn. "The ones who are happiest are the ones who realize they're living on borrowed time."

Mr. Speaker, it is indeed appropriate that we reflect on the deeds and achievements of our people who have contributed to the quality of our way of life here in America and I appreciate the opportunity to call your attention to Sid Milburn's lifetime of good works. As we gather together in a birthday celebration to a good friend

and distinguished citizen, we extend the appreciation of the Congress to Sid for his good deeds, friendship, and good will he has so willingly and abundantly given over these many years that mean so much to the lives of all of us who have had the good fortune to know him. We do indeed salute a great American, the Honorable Sidney R. Milburn, for his standards of excellence which have truly enriched our community, State, and Nation.●

#### H.R. 2948 VETERANS' HOUSING BENEFITS AMENDMENTS OF 1983

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. GILMAN. Mr. Speaker, earlier this week the House voted unanimously to adopt H.R. 2920, the Veterans' Administration health program of 1983. Today I rise before you to ask that H.R. 2948, the Veterans' Housing Benefits Amendments of 1983 enjoy the same support.

During the recent recession the Veterans' Administration reported an increase in mortgage delinquencies and foreclosures which they anticipate will continue into the recovery period. H.R. 2948 authorizes the VA to provide limited mortgage assistance from a revolving fund to veterans with VA home-loan guarantees who are delinquent in their payments. By extending relief to the unemployed, underemployed, and seriously ill veteran, the VA is able to continue its fine service and save the cost and pain of foreclosing on veteran-owned properties.

Congress has continuously strived to meet the changing need of the 11 million veterans who have secured direct VA loans and loan guarantees for the purpose of purchasing or constructing a home. Additionally H.R. 2948 authorizes the VA to guarantee or refinance a loan for a manufactured house under conditions currently applying to loans of conventionally built homes. These amendments also provide for the reentitlement of a veteran's loan guaranty when a second veteran assumes the outstanding loan under his own entitlement.

And finally, the veterans' benefits amendments authorize the improvement of national cemeteries and the extension of the State cemetery grant program to insure that our men and women who have served in the military have a final resting place.

I believe accordingly, that this measure is deserving of our wholehearted support.●

# THE BENEFITS OF COOPERATION WITH ISRAEL

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. OTTINGER. Mr. Speaker, last week Israel and Lebanon took a giant step toward settling their dispute by signing an agreement on the withdrawal of troops from Lebanon. With this accord, we have a chance finally to have an end to the fighting in the Middle East; let us not let this opportunity slip through our fingers.

As Mr. Thomas Dine points out, cooperation with Israel has, in the past, resulted in some of the most significant strides toward peace in the Middle East. I call my colleagues' attention to Mr. Dine's article in the New York Times explaining why the United States must continue to support Israel if the new agreement is to be brought to fruition.

AMERICA, BE WARM TO ISRAEL

(By Thomas A. Dine)

WASHINGTON—Will Secretary of State George P. Shultz be able to build on his progress in the Middle East, or will the Syrian and Palestine Liberation Organization buildup in Lebanon produce another confrontation? The answer may depend on whether the Administration learns from recent experience or whether it returns to mistaken assumptions.

Until recently, the administration pursued a policy of conflict with Israel and cooperation with the Arabs. Areas of common interest between the two countries were virtually ignored. The Administration used a steady stream of threats and small punishments intended to bring Israel around to its point of view, but the differences only widened. Meanwhile, as Israeli officials got the cold shoulder, a procession of Arab leaders consulted closely with President Reagan.

The events surrounding the Shultz mission changed all this, at least for the moment. He determined, before going to work with Israel as an ally. In an initiative to improve the atmosphere, he got President Reagan to approve the sale of American-designed components for a new jet fighter to be built in Israel, despite opposition by the Secretary of Defense. In Israel, he declared his intention to put the relationship back on a basis of trust, and demonstrated real concern for Israel's security and appreciation of the fact that the goals of Israel, America and Lebanon are essentially similar: to restore the sovereignty of Lebanon, secure the removal of all foreign forces there and prevent Lebanese territory from again being used as a base for those who would destroy Israel.

Israel responded, making major and painful concessions to achieve an agreement. Secretary Shultz came home with something tangible.

Now America again faces a basic challenge from Syria and the P.L.O. Syria has moved 10,000 more troops into Lebanon's Bekaa Valley, bringing its total force to perhaps five times that of the Lebanese Army, and the P.L.O. has infiltrated a thousand fighters into Beirut. Yasir Arafat and President Hadez al Assad of Syria speak openly of pro-

tracted armed struggle, and Mr. Assad has declared the Lebanese Government of Amin Gemayel illegitimate. They seem to be planning to rekindle the civil war and possibly to seize the whole country in order to open another front in the war against Israel. This could give Moscow another strategic foothold in the Eastern Mediterranean.

The Administration optimistically predicts that as criticism mounts in other Arab countries, Syria and the P.L.O. will realize that it is in their interest to withdraw. And when the political environment improves, America would then be prepared to serve as a mediator, to bring about the simultaneous withdrawal of Israeli, Syrian and P.L.O. forces, finally letting Lebanon be Lebanon.

Suppose the Administration is wrong? It was, after all, optimistic about the Syrians for eight months preceding the Israel-Lebanon accord, and has admitted surprise at the strength of Syria's rejection of it. Nor is this an isolated example of excessive optimism about the Arabs that has been the hallmark of Administration policy. King Hussein was supposed to sit down with Israel, with Mr. Arafat's blessing; the Arab summit meeting in Morocco was expected to produce a truly moderate Arab position; the Saudis were supposed to pressure the other Arabs toward peace, etc.

Is the Administration drifting back toward a policy based on conceptual errors that led to past failure, again distancing America from Israel in the forlorn hope of wooing the Arabs.

If the Administration is wrong, and the Syrians do not yield to our entreaties, getting them out will depend on American solidarity with the Israeli and Lebanese Governments. America and Lebanon alone cannot stop 4,000 Syrian tanks; Israel's military and moral strength is the only real deterrent. If America distances itself from Israel, it may weaken the very foundation of the effort to restabilize Lebanon.

Israel has no territorial aspirations in Lebanon; Syria does. The P.L.O. wants back the bases and freedom of action it once enjoyed. This is not the time for illusions about the Arabs, nor for distance between America and Israel. It is the time to say to Syria, the P.L.O. and their patron, the Soviet Union, that we stand with Israel and Lebanon for Middle East peace. The Administration's proposal to sell 75 F-16's to Israel is a step in the right direction.

Two actions Mr. Reagan has not taken are particularly important to send this message. The first is to invite Menachem Begin to Washington for a consultation that has been delayed too long, and to do so in a way that reaffirms the strong bonds between the two democracies. The second is for Mr. Reagan to end his peculiar silence on the Soviet buildup in Syria, stating plainly that it is a dangerous escalation that America opposes.●

## OUTSTANDING JOURNALISTIC ACCOMPLISHMENTS OF LARRY MATTHEWS OF WMAL RADIO

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. WOLF. Mr. Speaker, I want to recognize and bring to the attention of other Members the outstanding journalistic accomplishments of Larry

Matthews, a WMAL-AM Radio reporter and a resident of Herndon in the 10th Congressional District of Virginia.

Larry recently received one of electronic journalism's highest honors, the George Foster Peabody Award, for his outstanding 15-minute program called "They Served With Honor." The program aired on WMAL, 630 a.m. on Veterans Day, 1982, and culminated a week-long series of stories revolving around the dedication of the Vietnam Veterans Memorial.

The Peabody Awards were established over 40 years ago by the faculty of the University of Georgia School of Journalism, and are presented annually to stations, networks, and individuals for meritorious achievements in radio and television journalism. I know that the members of the professional journalism community are aware of the significance of the Peabody Awards, and I want to share with them and my colleagues the description of Larry's program, as written by the Peabody selection board:

The program is called "They Served With Honor," WMAL, Washington, D.C. With the dedication of the Vietnam Veterans Memorial in Washington, the nation took a giant step in a healing process which had been slow in process. Reporter Larry Matthews of the WMAL news team brought to listeners of that excellent radio station a very moving examination of the memorial itself, and indeed of the entire Vietnam experience through personal reflections of veterans of that conflict. There was a rifleman, a nurse and former prisoner of war and others who talked about the memorial and the times and the events which had changed and shaped their lives.

This excellent use of radio to tell a significant story, one in which all Americans are interested has been judged by the Peabody board to be worthy of this Peabody recognition.

Mr. Speaker, on behalf of my fellow 10th District residents, I congratulate Larry Matthews of WMAL for this outstanding journalistic accomplishment.●

## MARTHA KETSDEVER: A REAL AMERICAN HERO

HON. DENNY SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. DENNY SMITH. Mr. Speaker, it is a great honor and privilege for me to share with the Members of the U.S. House of Representatives the western regional winning essay in the GI Joe: A Real American Hero essay contest.

The winner, 11-year-old Martha Marie Ketsdever of Albany, Ore., is a sharp young lady with a vision for what is needed from each of us to improve the lives of those around us.

Her essay follows:



I believe a real American hero is a person who gives their time up to do a special task. And Real American Heroes have strong feelings of respect for humans and his country. A Real American Hero shares his happiness and discoveries with all people. A Real American Hero also saves peoples lives and makes people joyful. I think if you added this all up a Real American Hero is loving, respectful, generous, etc. I wonder what the world would be if everyone was a Real American Hero?●

### DISHONOR

#### HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. MINETA. Mr. Speaker, I rise to call my colleague's attention to a recent article by Richard Cohen in the Washington Post about Harvard University's intention to honor John J. McCloy. Perhaps more than any other individual, Mr. McCloy is responsible for the entirely unlawful and unwarranted internment of 110,000 loyal Americans during World War II.

Perhaps even more offensive is Mr. McCloy's continued defense of the internment as a reasonable and necessary policy. As the Members of this House knew, the Commission on War-time Relocation and Internment of Civilians has recently reported to Congress that, contrary to Mr. McCloy's view, the internment was caused by race prejudice, war hysteria, and a failure of political leadership.

Mr. McCloy was one of those men whose leadership failed.

Yet now Harvard University will honor him by naming a special program after him. I believe for Harvard to take such a step is a thoughtless and entirely unnecessary slap in the face of all Americans who care about civil rights, fair play, and the integrity of our constitutional guarantees of freedom and equal justice.

I hope Harvard will have the good sense to reconsider this truly offensive gesture.

Mr. Cohen's article follows:

[From the Washington Post, May 19, 1983]

### DISHONOR

(By Richard Cohen)

Harvard University is about to honor John McCloy, an 88-year New York lawyer and former government official whose influence was so great that when the late Richard Rovere coined the term "Establishment" he made McCloy its chairman. It is no surprise that Harvard, which is to the Establishment what China is to pandas, is about to name a program after him. It is merely a disgrace.

Rovere knew his man. McCloy has been chairman of almost everything—the Chase Manhattan Bank, the Council on Foreign Relations and the Ford Foundation for starters. He was assistant secretary of war during World War II, friend and adviser to nine presidents, president of the World Bank, High Commissioner of Germany and,

in his spare time, counsel to the oil industry and lawyer to, among others, the Rockefellers.

But buried in that virtually unbelievable resume are some controversial and reprehensible actions. It was McCloy who ran, and who still defends, the program to intern some 127,000 Japanese-Americans during World War II. And it was McCloy, again in his capacity as assistant secretary of war, who rejected suggestions that the Allies bomb the Nazi extermination camp at Auschwitz. It is these two actions that have stirred controversy among students at Harvard, which intends to name a German-American scholarship program after McCloy.

Things would be simpler if McCloy were either an evil or an insensitive man. He is neither. He has devoted much of his life to public service, performing with such distinction that presidents from Roosevelt through Reagan have called on him. He had the integrity and the guts to stand up to Joe McCarthy, had the vision and wisdom to question—at the time and from within the government—the bombing of Hiroshima and was, as every cliché artist knows, the "architect" of the Atlantic Alliance.

But there remains this business of the failure to bomb Auschwitz and the incarceration of the Japanese. Of the two, the latter is the more unambiguous evil. It was a totally American operation uncomplicated by questions of feasibility and cooperation of allies. The incarceration should never have happened and would not have if the Japanese had been, like Italian- and German-Americans, white.

That, in a nut shell, was the conclusion of the congressional commission that investigated the incarceration of the Japanese. It pointed out that there was not a single, verifiable incident of sabotage committed by a Japanese-American—not that it would have justified internment of an entire ethnic group even if there had been. It pointed out, further, that the forced removal of Japanese from the Pacific Coast to camps in the interior was so clearly illegal that the Justice Department refused the task. The Army—which is to say McCloy—had to do it.

McCloy has been unapologetic about his role, never acknowledging that the policy was, as the commission said, the result of "race prejudice, war hysteria and the failure of political leadership." Instead, he has talked of a nonexistent military necessity and the need to do what had to be done. And in the spirit of Marie Antoinette's let them eat cake remark, he has said, "The war caused disruption in all our lives."

Government, though, not only has an obligation to win wars, but also to protect the rights of its citizens. It was the duty of government, and of McCloy, to stand up to West Coast racism and protect the rights, property and, in some cases, the very lives of the Japanese. This was especially true by 1944 when even President Roosevelt privately acknowledged that there was no reason (except his upcoming reelection campaign) to continue the incarceration.

McCloy, though, has never acknowledged this. Instead he stands unrepentant for having directed maybe the greatest violation of civil liberties in American history, indicating either that he has learned nothing from history or has his values on upside down. This is what the students are trying to tell Harvard. By naming a program after McCloy, the school doesn't just honor him. It dishonors his victims.●

### A TRIBUTE TO ROBERT MAYER

#### HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. LEVINE of California. Mr. Speaker, I am pleased to join my colleague HOWARD BERMAN today to honor Robert Mayer. I can think of countless reasons why Robert Mayer should be honored. He is a successful architect, respected businessman, World War II veteran, and a dedicated family man. I choose today to emphasize his long-standing commitment and service to his community.

As president of Mayer & Taylor architectural planning design firm, Mr. Mayer has been practicing in his community since 1946. He has been involved in all phases of architecture, planning, and design, and has assisted in the positive development of the Los Angeles area by providing numerous office buildings, shopping centers, libraries, schools, and medical centers.

Mr. Mayer has also taken an active role in numerous community organizations. He is a member of both the Free and Accepted Masons and of ACRE (Association of Corporate Real Estate Executives). He is the past president of the Westwood Lodge B'nai B'rith and of the Guardians. He was formerly vice president of the Men's Association of Vista del Mar Child Care Center. Currently, Mr. Mayer is chairman of the West Los Angeles Regional Chamber of Commerce.

On June 17, Robert Mayer will be honored by the chamber of commerce as its outgoing chairman. The chamber and various community members are eager to thank him for his unselfish dedication and relentless work during his tenure. I feel such service also deserves congressional recognition. I, therefore, wish to invite my colleagues to join with me today in honoring Robert Mayer for his long-standing commitment and contributions to his community.●

### THINKING THINGS OVER

#### HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

Mr. WHITEHURST. Mr. Speaker, I call to the attention of my colleagues a thoughtful column by Vermont Royster which appeared in the Wall Street Journal today, May 25, 1983.

As a former professor of history, I am pleased to read this kind of public statement, which clearly and succinctly explains the roots of Latin Ameri-

ca's long history of economic, political, and social troubles.

Those who quarrel with President Reagan's policies would do well to consider Mr. Royster's summary. There are no easy answers to the endemic woes of Latin America, and while the future of the people of Central America is hardly a rosy one, it will be infinitely grimmer if the United States does nothing to stop the spread of Marxism in this hemisphere. Reform is always a possibility in a free society, but it is surely an impossibility in a Communist one.

[From the Wall Street Journal, Wednesday, May 25, 1983]

**LATIN AMERICA'S WOES**  
(By Vermont Royster)

"El Salvador is ripe for Communist exploitation because of its extreme poverty.

In various forms this sentiment is expressed by many critics of President Reagan's aid program, including Senator Dodd of Connecticut. It's undoubtedly true but not very helpful.

For in every country of Latin America, even the relatively more prosperous ones, there are large masses of the poor and always have been. This is no doubt one cause of repeated political turmoil in all of them, from the tip of Cape Horn to the Rio Grande, which has long made whole of Latin America a major foreign policy problem for the U.S. Over the years we've tried many different approaches, none of them successful, in maintaining good relations with our neighbors to the south.

What remains to be explained are the differences, economic and political, between the two halves of the New World which have developed along divergent paths and which are the root source of our problem. The northern continent is spanned by only two major countries, Canada and the U.S. both economically flourishing and politically stable. Latin America remains broken into fragments, mostly impoverished and constantly beset by political instability. Why?

The answer doesn't lie in geography alone. Although it's true that South America is split by the Andes, more formidable than the Rockies, and by tropical jungles unknown in the temperate north, the physical resources are nonetheless large. Oil is there in great quantities, iron ore is abundant; so are non-ferrous metals. Plant diversity is large, grazing land plentiful.

Moreover, all Latin America was more than a century ahead of the north in being settled by more advanced Europeans.

Part of the answer may lie in the differences between those early colonizers, north and south. For the most part, the Spanish and Portuguese came less to settle than to exploit. They hoped to tap the riches, especially gold, and return home rich. Those who remained were no less exploitive; they didn't merely push the natives out of the way, as was done in North America; the natives were subjugated.

The northern colonizers, mostly French and English, came to settle in the new land as permanent residents. While they were also exploiters, their intent was to keep their riches in the new country and make them grow.

One consequence of this was a society in the north with a smaller gap between rich and poor than in the southern hemispheres, where there were a few exceedingly rich and many in poverty. Today what we think of as

the "middle class" hardly exists in Latin America and it suffers from the want of this stabilizing influence in its political affairs.

Colonial Latin America remained primarily a producer of raw materials and a market for European (mostly Spanish) manufacturers. Local manufacturing was discouraged. So for a long time the industrial revolution passed it by. Only recently has industry played an important economic role. The result was that the few large landowners became the dominant social and political group, with the masses reduced to peonage.

Another factor that must be recognized is the role of the church. The Reformation, as well as the industrial revolution, passed by Latin America. The church remained monolithic and ecclesiastically authoritarian. There was little of the kind of questioning that began with questioning the ways of worshipping God and led North Americans to a questioning of the ways of organizing the State, which in turn led to our own revolution and our present political structure.

What has all this to do with our present policy toward Latin America, or more specifically toward El Salvador? Here the answers are even more obscure. But a few things are clear.

For one, the Reagan administration can't be blamed for any "failure" in our policies toward our southern neighbors. Any such mistakes long antedate Mr. Reagan. Indeed, though most of the debate is about his military's program, he has proposed more economic aid for Central America than any of his predecessors. So far Congress has approved only a small part of that economic program.

For another, it's clear that as long as both Central and South America are beset by economic troubles they will remain fertile ground for all sorts of political unrest. Democracy in the sense we think of it will be almost impossible. Argentina, for example, will be prey to Peronistas on the one hand and military cliques on the other. El Salvador, like Nicaragua, will be prey to Communists and other radical groups.

What isn't clear at all is how Latin America can be freed of its economic woes no matter how much aid we pour into it. For years its countries have blamed us for all their woes despite the aid we've given over those years. The truth is that the area is a bottomless pit and will be until Latin America changes in a more fundamental way; most of whatever aid we give will be siphoned off long before it reaches the impoverished masses. That's what makes it all so discouraging.

The best we can do, probably, is to use our influence and our money to combat the efforts of Communist forces, Cuban and Soviet, to subvert El Salvador and its neighbors. There is no doubt that is what they are trying to do and no doubt that if they do it things will not go well with our interests in our own hemisphere. On that point President Reagan is correct.

But that said, we need to recognize that we can expect no "victory" in the ordinary sense of the word. If we succeed in saving El Salvador it will be replaced by another. The woes of Latin America run too deep for us to remove and, I suspect, they will long be with us. ●

**DOMESTIC NEEDS ARE IMPORTANT**

**HON. CARDISS COLLINS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● **Mr. COLLINS.** Mr. Speaker, in a continuing effort to let the voices of the people be heard regarding defense appropriations, I would now like the opportunity of introducing Sidney DeKoven, vice president of Metro Seniors in Action.

We, the Members of Congress, must transfer the initiative exemplified by Mr. DeKoven and enact legislation which will allocate budgetary funds in such a way as to benefit the needs of all Americans. The Dellums fiscal year 1984 defense appropriations alternative has these requirements in mind.

The proposals included in this plan will aid education, housing, transportation, and other programs while supporting the development of an adequate defense. This statement was made at the Chicago Peace Council hearing on April 23, 1983.

**STATEMENT OF SIDNEY DEKOVEN, METRO SENIORS IN ACTION**

My name is Sidney DeKoven. I am the vice president of Metro Seniors in Action, a cosponsor of this hearing. I am happy to see the Congressional representatives who are here. I am also taking note of those who did not come or send a representative. I will be sure and let the members of Metro Seniors know who showed up and who didn't.

I cannot speak about exact dollars and names of fancy weapons. All I know is that services in Chicago are going without needed funds, while you in Congress allocate more and more funds for more and more weapons.

I live in Chicago Housing Authority's senior housing. While some federal money is given to the authority, it is not near enough. We cannot even afford adequate security in our buildings; it is not the Russians we have to worry about, it is muggers who prey on the elderly. Seniors' very lives are threatened daily—here in Chicago—not by some mythical threat. We cannot continue to build up the military at the expense of the elderly, the poor, and the children of our city.

I add my voice and the endorsement of Metro Seniors to the testimony heard this afternoon. Chicago and other cities are suffering because of the buildup of weaponry by the Pentagon. How many more guns do we need before we can turn our attention to the poor and hungry in our own cities? Not only cities, but suburbs, towns, and rural areas are going without.

Is any weapon worth risking the economic security of our citizens? I say no. Spend the money we need on a good defense, not waste and excess. Then use our tax dollars to improve our housing, our transportation, our health services, and our cities. Our best defense is economic security, not military insecurity. ●



## ACQUIRED IMMUNE DEFICIENCY SYNDROME

## HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mrs. SCHNEIDER. Mr. Speaker, I urge my fellow colleagues to support today's amendment to the supplemental appropriations bill, offered by the fine gentlemen from Kentucky and Massachusetts to increase funding to the CDC and NIH to allow them to intensify their efforts to find a cause and cure for AIDS—the acquired immune deficiency syndrome.

In 4 short years, AIDS has become one of our Nation's most serious health problems. AIDS strikes at the heart of the body's defense, leaving its victims helpless in the face of other life-threatening diseases.

Presently the number of people who have contracted AIDS is small, but it is increasing every day and striking at persons in all walks of life. Of late there have been reports of possible AIDS victims in several foreign countries. Our Government has a responsibility to assist fellow Americans who face a life-and-death situation due to AIDS. This supplemental appropriation will greatly assist those in the CDC and NIH who are actively seeking a cause and cure for AIDS. The Members of this House should be commended for the compassion they have shown today to fellow Americans who are victims of this cruel disease, by their show of support for this amendment.●

## HOPE FOR OREGONIANS

## HON. LES AuCOIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. AuCOIN. Mr. Speaker, after more than 2 years of misery, thousands of out-of-work Oregonians are cautiously entertaining hopes of going back to their jobs, buoyed by news that Oregon's unemployment rate declined to 10.4 percent in April.

This figure does not take into account the Oregonians who have become too discouraged to look for work, nor does it include those who have exhausted their unemployment benefits. But it is the lowest that Oregon's jobless rate has been in 19 months, and for that we are glad.

Today I want to pay tribute to organizations in my home State which are working to help pull jobless Oregonians through the most distressing and painful ordeal our State has suffered since the Great Depression.

The first are Oregon's community colleges, which have banded together under the Take Charge program, and opened their doors to unemployed workers to present workshops on job search techniques, budgeting, self-employment, business information, community resources; and job training.

Take Charge recognizes that the first way to help unemployed workers, many of whom have never had to face the emotional and financial shock of being out of work, is to direct them to services already available in the community. By offering this assistance in a workshop format, jobless people have the chance to meet and exchange ideas with others going through the same experience, lightening the burden just a little.

The staff of the community colleges have volunteered their time to take this program on the road, presenting workshops in shopping centers and in rural community halls around the State. A long list of outstanding business and community leaders are lending their efforts to Take Charge, showing that Oregonians know how to band together to help each other when times are tough.

Demonstrating the same determination. Mr. Speaker, are Portland radio station KYXI and the Portland Chamber of Commerce, which have started a unique program to help relieve long-term unemployment by providing incentives to local businesses to hire new or returning workers.

On April 1 of this year, KYXI, in cooperation with the Portland chamber, began the Portland Employment Project (PEP). Through PEP, incentive packages, including up to \$5,000 of free on-the-air advertising, are offered to qualified firms that hire the unemployed.

The packages are being offered to up to 25 new businesses that have started operation in the Greater Portland area which hire 10 or more full-time permanent employees. Existing businesses are also being offered packages if they add 20 or more full-time permanent positions by expanding or adding to their current facilities.

KYXI is also inviting local businesses to donate incentive packages of their own. Mr. Speaker, KYXI and the Portland Chamber of Commerce are due high praise for this critical humanitarian effort. I heartily commend PEP and Oregon's Take Charge program to my colleagues in the hope that they will spread the word about these grassroots projects to the media and businesses in their congressional districts.●

## MICHIGAN AND NATION NEED TO SAY "YES" TO BUSINESS

## HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. BROOMFIELD. Mr. Speaker, the resurgence of the American automotive industry is one of the early miracles of our mounting economic recovery.

Domestic auto sales are up; workers are being recalled to their jobs; and assembly lines are beginning to roll again.

But General Motors Chairman Roger B. Smith, addressing the Greater Detroit Chamber of Commerce, said Tuesday continuation of the industry's rejuvenation will depend on decisions made by Michigan government leaders.

"An industry that nearly everyone was counting down and out a few years ago is once again a healthy, major competitor. We've invested tremendous resources and stretched our organizations to their fullest to make the recovery happen, but how strong the recovery is—and how long it lasts \* \* \* depends a lot on what happens here in Michigan with the beleaguered business climate we're all so concerned about," Mr. Smith said.

American auto manufacturers have invested billions and trimmed back their costs in order to be competitive in Michigan's ailing and unattractive business climate.

"We've been saying, 'Yes' to Michigan. Now it's time for Michigan to say 'Yes' to business," Mr. Smith said.

If State government makes the right decisions, Michigan is in a unique position to benefit from the Nation's economic recovery. "We have the State's leading industry reformed, modernized, and ready to help lead the recovery \* \* \* and we have a new State administration that can serve as a catalyst to the recovery process," Mr. Smith further stated.

He called upon State government to develop a more cohesive, consistent approach to supporting the business it already has and to attracting new firms.

"Business needs a stable, secure environment to feel confident about making the kind of long-term investments it must make for the future. A State that offers less than this will be hard pressed to induce business to make that kind of commitment," he said.

Specifically, he recommended that the State reduce its high costs for welfare, unemployment compensation and workers' compensation. He urged the State's leaders to plan for long-term solutions to problems rather than short-term fixes.

Mr. Speaker, speaking as one whose congressional district lies in the heart of Michigan's automobile industry, I could not agree more with Mr. Smith's assessment and his recommendations. I would only add that everything he has said about the State government of Michigan could also be said of the Federal Government and especially of the Congress.

There is ample evidence of what the enterprise and ingenuity of American industry can accomplish if government becomes an ally instead of an adversary. At the very least, government should not become a roadblock to progress. I applaud Roger Smith for his courage and insight and commend his remarks to the Congress as well as to the leaders of Michigan government.●

A TRIBUTE TO MR. JOHN (JACK)  
FOWLE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. EDWARDS of California. Mr. Speaker, I would like to pay tribute to a dear friend, whose sudden death a month ago has created a loss that will be shared by many. John (Jack) Fowle was a fine and strong man, and I want to share with my colleagues some of the many and generous deeds by which he is best remembered.

Jack spent the majority of his 75 years as a resident of the Los Altos area of the San Francisco Bay area. The Fowle family has a long history of community service to Las Altos, which has included the donation of the land upon which the Los Altos City Hall now rests. Jack Fowle served as the city's first town clerk, as a city council member for more than a decade, and ultimately as the mayor of Los Altos.

Although Jack was a public figure for many years, he was never one to seek out recognition for his many achievements. He was a gentle man, as his brother-in-law, Alan Cranston said, "he contributed so much—in his thoughtful, quiet determined way—to enhance the lives of so many." Jack's kind and loving ways are carried on through his family in his charming wife, Eleanor, and his children, Michael Fowle and Linda Burke.

I have known the Fowle family for many years, and it has been a cherished association. As Eleanor said to me recently, Jack always took thoughtful care of the small details of life as well as having broad vision and he was concerned for other people as long as he lived. Jack and his service to others will be deeply missed.●

CONGRESSIONAL SALUTE TO  
THE CLERGY AND CONGREGA-  
TION OF ST. ANTHONY'S  
PARISH COMMUNITY

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. ROE. Mr. Speaker, on Sunday, June 5, the residents of my congressional district and State of New Jersey will join with Msgr. Joseph A. Ciampaglio, pastor, and the people of St. Anthony's Parish, Hawthorne, N.J., in eucharistic liturgy commemorating the 75th anniversary of the founding of this highly esteemed parish.

During the course of the year, the clergy and laity of St. Anthony's will be celebrating this most important diamond jubilee history of their parish devoting themselves in an outstanding program dedicated to the remembrance of the blessings of the Parish of St. Anthony's three quarters of a century and strengthening the resolve of all to continue their most noteworthy efforts in service to God and mankind.

Mr. Speaker, the faith and devotion of our people in a full communion of understanding, ever caring and respecting the individual religious beliefs of this fellowman has been the lifeline of our democracy—ever inspiring our people with hope and urging the individual on to great achievements and purpose in pursuing the fulfillment of his or her dreams and ambitions. The exemplary leadership and outstanding efforts of our citizens so important to our quality of life are in the vanguard of the American dream and today we express our appreciation to the pastor, Msgr. Joseph A. Ciampaglio, and his predecessors whose esteemed dedication and unselfish devotion in promulgating spiritual guidance, goodwill, fellowship and brotherhood in service to God have truly enriched our community, State and Nation.

May I also commend to you the lay teachers and sisters of the Order of St. Dominic who make an outstanding contribution to the pastor and congregation through their dedicated educational endeavors at the parish school.

Mr. Speaker, with your permission, I would like to insert at this point in our historic journal of Congress a brief profile on the history of St. Anthony's Parish and its beginnings, as follows:

ST. ANTHONY'S PARISH COMMUNITY,  
HAWTHORNE, N.J. 1908-83

As the parish community of St. Anthony's celebrates its 75th anniversary, we pause to reflect upon our past, enjoy our present and anticipate our future.

Originally started as a mission from Our Lady of Lourdes Church in Paterson, the first Mass celebrated on October 4, 1908 in a building known as Lill's Hall. In 1908,

church land was donated by Robert Patton, a well-known New York lawyer, whose father was the Dean at Princeton University. The land was donated on the condition that a church be built within two years. On September 10, 1910, the first wooden chapel was erected and dedicated and Reverend William J. Van Zale was appointed Pastor. He served as Pastor until 1925. A Sunday School was started in 1908 and in September, 1912, the first Parochial school of 8 grades and attended by 48 students was started in the church basement.

Father William Thompson served as Pastor from 1925 until 1951 and during those years a new church was constructed. The Church in which we worship today was formally dedicated on November 25, 1934.

In 1951, Father Ladislaus Flek was appointed Temporary Administrator of St. Anthony's, and he served until 1952.

Monsignor Joseph M. O'Sullivan was appointed Pastor of St. Anthony's in 1952 and he served the parish until 1966. Monsignor O'Sullivan was instrumental in purchasing the real estate adjacent to the school in order to build the church parking lot. During his time of service to St. Anthony's, he was honored with the title of Protontary Apostolic. On September 30, 1956, the cornerstone of the newly constructed auditorium, school entrance and new rectory was placed by Bishop James A. McNulty.

In 1966, Monsignor Joseph R. Brestel became Pastor of St. Anthony's and he served until his retirement in 1978. He was also honored by being appointed Protontary Apostolic, and he serves as Vicar General to the Bishop of the Paterson Diocese.

From 1978 to 1979, Father Allen Stepen served as Temporary Administrator of St. Anthony's Parish.

In 1979, Monsignor Joseph A. Ciampaglio was appointed Pastor of St. Anthony's, and he serves as Pastor to the present day.

St. Anthony's Parish consists of approximately 2500 families, served by Monsignor Ciampaglio, Father James Donnelly, Father Martin Glynn, and Father Chester Moczydowski. There are approximately 30 staff members. The Parish school is staffed by lay teachers and sisters of the Order of St. Dominic and has an enrollment of 280 children.

St. Anthony's is a community filled with a beautiful and vibrant people who love their parish and generously give of themselves in service to it. These servicers are provided both within the community and within the borough of Hawthorne by all age groups such as the Golden Horizon for Senior Citizens, the Rosary Society; for the women of the parish, the Holy Name Society for the men of the parish; the Legion of Mary, where men and women sanctify themselves through apostolic work; St. Anthony's Couples Club; St. Vincent De Paul Society, which helps needy families; Teen Action Group for the high school students; Boy Scouts, Brownie and Girl Scouts.

The parish also offers spiritual growth opportunities through Marriage Encounter, Gursillo, Adult Religious Education and Saint Anthony's Novena and Feast Day Celebration. In the area of religious education, besides offering the parochial school facility, we provide religious education for children of public school, grades 1 through 8. Junior high school and also special religious education for the handicapped and mentally retarded.

The Rite of Christian Initial of Adults has also been implemented as the new and ongoing.



ing process available to any adult wishing to become a Catholic.

All parishioners are encouraged to become actively involved in one or more parish organizations, programs or projects and new families are formally welcomed throughout the year and are appraised of all the activities and organizations available to them. Much of this activity is communicated throughout the parish via a weekly bulletin, a monthly newsletter, the Carrillon, which is mailed directly to the home. Also available is the diocesan weekly newspaper, the Beacon.

All of these things cause this community to become utilized in prayer, word and sacrament; which offers constant revitalization both spiritually and physically and makes our awareness of Jesus' presence in each other and in the community constantly deepened.

We are truly "Embracing the Lord in Each Other."

Mr. Speaker, I am pleased to have this opportunity to seek national recognition of the distinguished pastors, associate priests, sisters and parishioners of St. Anthony's. In their dedication and devotion to our people, in service to God and mankind, and through their noble deeds and quality leadership, they have truly enriched the cultural, educational and religious endeavors of our community, State and Nation. We do indeed salute the people of St. Anthony's Parish upon the commemoration and celebration of their diamond jubilee anniversary.●

#### A TRIBUTE TO MRS. ODESSA LONG PREVOT

**HON. JULIAN C. DIXON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. DIXON. Mr. Speaker, I rise to pay tribute to a special woman who was a pillar of the community. Mrs. Odessa Long Prevot served in the health profession and community until her death on May 6, 1983, in Los Angeles, Calif. She is survived by two sons, Louis Dean, Jr., M.D., and Roland Dean, M.D., four grandchildren and many relatives and friends. Mrs. Prevot leaves behind a legacy for all of those who are committed to providing health care for others. For her, medicine and the desire to assist the sick and infirm led her across the country in search of those in need of her services. Mrs. Prevot's tenure in the health field can be termed as distinguished and impressive. The qualities she excluded were patience, skill, and professionalism in dealing with all she came in contact with. At a time when health care is being relegated to a secondary priority, her achievements serve as an inspiration for all of us, and I feel worthy of sharing her biography with my colleagues in the House.

Mrs. Odessa Long Prevot was born in 1906 in Atlanta, Ga. Later she began

what was to become a career of excellence, as a nurse. For a more than 10 years she served at Memorial General Hospital in Detroit, Mich.

In the early 1960's Mrs. Prevot, in the spirit of family unity, came to Los Angeles, Calif., and joined her two sons.

While involved at the Beverly Glen Hospital for 7 years, Odessa Long Prevot, never neglected her duties, even when there seemed to be no possible time to attend to the many patients that admired her and viewed her as a valuable asset to the community. Along with this sincere dedication, Mrs. Prevot displayed understanding and an unremitting determination to make others comfortable. She never saw her position as simply a job. She enjoyed what she did and continued to work on private duty so she could serve in a greater capacity. In addition, Mrs. Prevot always demonstrated the skills necessary for participation in the medical profession. She administered the greatest amount of concern and attentiveness to her patients.

As a conscientious and devoted member of the Church of Religious Science, she continually gave to her community in Project Invest. Mrs. Prevot, a woman who displayed a great love for humankind was always deeply involved in activities in which she could share with a variety of people. She was an active member in the New Frontier Democratic Club, the California League of Women Voters, Las Madrinas, Alpha Kappa Mothers' Club, the Eastern Star and the Masonic Lodge.

Mrs. Odessa Long Prevot's contribution to society was great and will not go unrecognized. Through her humanitarian efforts she touched many lives. I join with her many friends in Los Angeles and her devoted sons in paying tribute to her. We will miss her dearly, but are greater for having had the privilege of her association.●

#### TRIBUTE TO CONGRESSMAN RICHARD BOLLING

**HON. IKE SKELTON**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. SKELTON. Mr. Speaker, I take this opportunity to pay tribute to the Honorable Richard Bolling, former Member of this Congress from the State of Missouri. Congressman Bolling has recently received the Distinguished Service Award, an honor he highly deserves. His 34 years of leadership in this House will long be remembered. His dedicated work to make this body function more effectively as the representative of the people, plus his work for the State of Missouri, well

qualify him for the Distinguished Service Award.

Congressman Bolling has been missed here in Congress, particularly by the Members of the Missouri delegation. It is a privilege to have him back in these Chambers again, especially on such a noteworthy occasion. I extend my deepest congratulations to him, and am proud to have had the privilege to have been able to serve with him.

#### ARTICLE SALUTES HON. CLAUDE PEPPER

**HON. TOM BEVILL**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. BEVILL. Mr. Speaker, for many years, Mrs. Jo Cox, of Cox Gap, Ala., was one of Capitol Hill's most dedicated employees. She now has moved back to the Fourth District of Alabama, where she writes a regular column for the Reporter, which serves Albertville and Boaz, in my district.

I was very impressed with a recent column she wrote on our good friend and outstanding Member of Congress, CLAUDE PEPPER, following a trip he made to Birmingham. I believe all of our colleagues should have an opportunity to read these fine words about CLAUDE PEPPER, and I ask that the article be reprinted in the CONGRESSIONAL RECORD.

The article follows:

[From the Reporter, Albertville-Boaz, Ala., May 10, 1983]

STRAIGHT TALK—AGE OF NO CONSEQUENCE TO REPRESENTATIVE CLAUDE PEPPER

(By Jo Cox)

COX GAP, ALA.—Having lived in Washington for over 30 years, my pulse just naturally quickens when politics is mentioned. Such was the case when I got the news that Claude Pepper was going to be in Alabama.

He was to speak at the Relay House which occupies the uppermost floor of the Bank for Savings Building in Birmingham. I knew this lofty peak would be a spectacular scene, but the most eye-catching view was all those Democrats! Hundreds of them. All smiling and huggin' and kissin'. It was a sight to behold.

Having a field day were former Congressman Albert Rains, who served 20 years in the House of Representatives, and Carl Elliott, who has 16 years to his credit.

In the middle of all this action was Claude Pepper, a small man in stature but one who stands tall among the elderly. He is the man who has not forgotten them. Millions count on him to protect their rights. Now as Chairman of the House Rules Committee and the Select Committee on Aging, he is in a position to do so.

Claude Pepper is the oldest member of Congress, having served 14 years as United States Senator from Florida and currently serving out his 20th year as a Congressman from the Miami area.

Age is of no consequence to this man. He walks with the quickened pace of a man half his age. Although he wears a pacemaker, bifocals, and a hearing aid, he is tireless

and seems to get better and more powerful with age.

When I think of him, one memory stands out. His office in the Senate Office Building was right next door to mine. At the time I was a secretary in the office of Senator Albert Hawkins of New Jersey. This was my first job on Capitol Hill, and I was a bit shy. Scared would be a better word. A Senator held an exalted status in my young eyes, and to think that a member of the United States Senate would notice me—much less speak to me—was beyond my wildest imagination.

But this one did.

Every time I passed him in the corridor, he had a pleasant greeting for me and a smile on his face. Sometimes he even asked how I was. Now at 82, he hasn't changed.

I watched him there at the luncheon. Looking into each face. Clapping each outstretched hand. It was a lesson in brotherly love. It was a sight that quickened my heart.

Pepper was born on his father's 129-acre farm about a mile and a half east of Dudleyville, Alabama, in Chambers County. He grew up in the poverty of rural life. His family history dates back before the Revolutionary War. Both his grandfathers fought for the Confederacy in the Civil War. He grew up in the Baptist Church and hasn't strayed since.

When he was 10 years of old, his family moved to Camp Hill where there was a better chance to go to school. He says he has always had a desire to be somebody. He credits his Camp Hill high school principal. He says he was the most inspirational man he has ever known, lifting up almost every student who was in that school to a higher perception of life, to a desire to be somebody and to contribute something to his country.

Pepper set high goals himself. One night he got to dreaming about the future and wrote on the wall. "Someday Claude Pepper will be a United States Senator." That ambition never left him. He graduated from the University of Alabama in 3 years, went on to get his law degree from Harvard in 1924, and was elected United States Senator in 1936.

I knew all this background on Claude Pepper before I came. I wondered. Would he be the same man who passed me in the Senate hallways back in 1946? Would he be as nice now as he was then? I wondered. But not for long. That same smile was there. Those same kindly eyes. Yes, here was a man who has made old age meaningful and productive. An example for us all.●

#### GABE RESCIGNO, 48 YEARS OF COMMUNITY SERVICE

**HON. RICHARD L. OTTINGER**  
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, May 25, 1983

● Mr. OTTINGER. Mr. Speaker, I would like to call to the attention of my colleagues the distinguished career of Mr. Gabe Rescigno who will retire this month as principal of the Greenvale School in Eastchester, N.Y. Mr. Rescigno has served in the Eastchester school system for more than 48 years, starting as a teacher in the old Wilmot School in 1935 and working his way up

to his current post of principal which he has held since 1962.

Gabe has been honored many times for his dedication and service to the Eastchester community, but I think the greatest tribute to Gabe's accomplishments and contributions are the thousands of students who have benefited from his wisdom, his guidance and compassion, and his willingness to work with others.

Gabe's record of community service, however, goes far beyond his contributions to the Eastchester school system. He is the founder and first president of the Eastchester Historical Society. He was an appointee to the original committee that founded the Eastchester Volunteer Ambulance Corps and has served as the public relation chairman, treasurer, and senior adviser to the corps since 1952. The Boy Scouts of America have cited him many times for his leadership as scoutmaster and merit badge counselor.

The list could go on forever, as so it seems that Gabe Rescigno's diverse accomplishments do. I am honored to be among those who will honor Gabe Rescigno at his retirement dinner May 31 at the Stouffer's Inn in White Plains, N.Y. His life-long dedication to the service of others is a shining example to all of us.●

#### KELLY JOHNSON—THE MASTER DESIGNER

**HON. BOBBI FIEDLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, May 25, 1983

● Ms. FIEDLER. Mr. Speaker, Lockheed Corp. is dedicating the Kelly Johnson and Development Laboratory at Rye Canyon, Calif. This is a well-merited honor to one of the great aircraft designers—Kelly Johnson.

It may well be that future generations consider the great achievement of our era to be our mastery of the air and our airplanes our greatest artifact. Indeed, like the great cathedrals of the Middle Ages, airplanes are intended to serve a real, practical purpose, are built by the hands of many craftsmen, and remain great, soaring reminders of the limitless ability of people to transcend the time and place in which they find themselves. We do not know about the Master Masons of the building of the cathedrals. We do know about Kelly Johnson.

Kelly Johnson started designing aircraft back in the heroic age of aviation, when southern California seemed full of people with the plans of new airfoil sections tucked in their shirt pockets and would sketch out on tablecloths aircraft that were to revolutionize our way of life a generation later. Kelly Johnson used slide rule and T-square to do his work, not today's com-

puters. Yet his imagination and inspiration were as limitless as those that built the cathedrals. He sketched out the basic design of the Lockheed P-38 fighter plane on the top of a dresser in a hotel room. But not only did Kelly Johnson design where other people could not design, he also designed what other people could not design.

Kelly Johnson designed a twin-engine fighter that could take on—and defeat—its single engine opponents, the Lockheed P-38 Lightning. It was the P-38-equipped fighter squadrons of the Army Air Force that were the cutting edge of our advance in the Pacific during the Second World War. A generation later, we had reason to be thankful for the superb performance of another Kelly Johnson design. High-altitude aerial photography from Lockheed U-2's kept our country's leaders informed during the Cuban missile crisis and made it even more clear that knowledge is power, power that we were able to use for peace. Today Lockheed SR-71's—like the U-2, a product of Kelly Johnson's from the "Skonkwuerks," the top-secret Lockheed design shop—keep their eye on potential troublemakers and troublespots throughout the world. Operating higher and faster than any other aircraft in military squadron service today, the SR-71 is very much the eyes of America.

For these, and many other, aircraft, Kelly Johnson has received the esteem and admiration of his fellow aviation professionals. The naming of this new facility is an addition to an already impressive string of honors. But words such as mine are by no means the way that Kelly Johnson's contributions shall be judged—they shall be judged by his creations, his airplanes, and they shall endure long after those for whom they were created.●

#### TRIBUTE TO ROBERT MAYER

**HON. HOWARD L. BERMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, May 25, 1983

● Mr. BERMAN. Mr. Speaker, I would like to take this opportunity to congratulate Robert Mayer, outgoing chairman of the board of the Western Los Angeles Regional Chamber of Commerce, on his outstanding term of service with the chamber.

Bob Mayer has contributed his time and efforts to the chamber of commerce while maintaining a leading role in his field of architecture, planning, and design. In his work he has been responsible for the construction of shopping centers, banks, theaters, restaurants, office buildings, medical buildings, retail stores, industrial buildings, naval housing, libraries, schools, low-



cost housing, and high-rise apartments.

He has been a longtime resident of Los Angeles, attending John H. Francis Poly-Technic High School and the University of Southern California School of Architecture, from which he graduated magna cum laude. He holds architectural licenses in 19 States, including California, as well as a license with the National Council of Architectural Registration Board. Bob Mayer is a corporate member of the American Institute of Architects, a fellow of the Institute of Store Planners, and a panel member of the American Arbitration Association.

Bob Mayer's service to his country and his community do not stop there, Mr. Speaker. He served in the Air Force during World War II in Europe, and was discharged with the rank of captain. He has served as president of the Westwood Lodge B'nai B'rith and of The Guardians, and is former vice president of the Men's Association of the Vista del Mar Child Care Center. He is also a member of Westgate Lodge No. 335, Free and Accepted Masons, and the Association of Corporate Real Estate Executives.

I am pleased to be able to join with my colleague MEL LEVINE and the members of the Western Los Angeles Regional Chamber of Commerce in congratulating Robert Mayer as he passes the gavel as chairman of the board. He has earned our admiration and respect, and I offer him my commendations and personal best wishes on this occasion.●

#### NEED FOR INCREASED DOMESTIC URANIUM PRODUCTION

**HON. BILL RICHARDSON**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. RICHARDSON. Mr. Speaker, the domestic uranium industry is facing a severe crisis. Due to the current depressed uranium market, practically all new investment in uranium exploration and development has been halted. More than half the operating mines and mills have closed, and those that remain open are producing at drastically reduced levels. In my district in New Mexico, the uranium industry once provided almost 8,000 jobs. But today, only 1,200 are employed in the local uranium industry and more plant closings are scheduled. According to the Department of Energy, foreign suppliers have captured almost one-third of the domestic uranium market. It is not in the long-term interest of our Nation to allow our domestic industry to continue to decrease production. If we become dependent on foreign supplies, we could face the same problems we faced during the past OPEC oil embargoes.

Mr. Robert P. Luke, executive vice president of Kerr-McGee Nuclear Corp., recently made some noteworthy remarks before the AIF Fuel Cycle Conference in Kansas City, Mo., on March 21, 1983. His comments clearly and concisely outline the history of the U.S. uranium industry, the current problems facing the industry, and an agenda to insure the future viability of the uranium industry in America. Mr. Luke champions the concept of government/industry cooperation, trust, and interdependence. I urge my colleagues to carefully read Mr. Luke's insightful remarks.

U.S. URANIUM—A FOCUS ON THE FUTURE  
(By Robert P. Luke, Kerr-McGee Nuclear Corp.)

We are witnessing the beginning of a third major transition in the U.S. uranium industry since its development during the 1950's. The first transition came with the change in government policy to private ownership of nuclear fuel in the early 1960's. The second transition was the result of rapid shifts in government policy and attitudes toward nuclear power in the early 1970's. During the 1980's we should see the development of a more mature, predictable and consistent government policy toward Atomic Energy. These are the ideas I want to discuss with you this afternoon.

Twenty years ago, in the spring of 1963, the members of this Atomic Industrial Forum were immersed in a debate of the first question of transitional importance to our industry: "The Private Ownership of Nuclear Fuel Materials." Some of you participated in those discussions. I salute your perseverance.

Others of you will recall that "Private Ownership" would for the first time allow, and after ten years, require, that licensed U.S. electric utilities own and privately finance their reactor fuel. Under private ownership, it would become necessary for electric utilities to purchase natural uranium and UF<sub>6</sub> conversion services. Also, the Atomic Energy Commission would offer enrichment services under toll contracts and would repurchase plutonium from spent reactor fuel.

Why do you suppose that in 1963, the AEC, supported by the nuclear industry, proposed these revolutionary ideas? <sup>1</sup> In retrospect, considering today's problems, was private ownership a sound plan?

In proposing private ownership, the AEC believed the commercial power reactor development and demonstration program had proven itself; it believed that the prospect for a commercial industry, competitive with conventional coal, oil and gas-fired plants, was close at hand. Indeed, plans for 500 megawatt class reactors had been confirmed by Connecticut Yankee and Southern California Edison only months before. The government expected that private ownership would limit the AEC's already large investment in enriched uranium while providing a future market for the enriched plants.

<sup>1</sup> Before private ownership the U.S. government had laid the plans and set the rules for uranium procurement. The U.S. AEC virtually owned and controlled the free world's supply of enriched uranium. The AEC leased enriched uranium at reasonable charges for peaceful uses—principally, the power reactor development program—a program that had been nurtured by the U.S. government for almost a decade.

There were other important arguments favoring private ownership. It was generally agreed that the availability of toll enriching services to foreign customers would encourage the overseas sales of U.S. light water reactors, thereby encouraging atomic power development by spreading the fixed costs of gaseous diffusion.

There was also the letter of March 17, 1962, from President John F. Kennedy to Atomic Energy Commission Chairman, Dr. Glenn Seaborg, directing the AEC to "take a new and hard look at the role of nuclear power in our economy."<sup>2</sup>

The letter went on to say: "... your study should identify the objectives, scope, and content of a nuclear power development program in light of the nation's respective energy needs and resources and advances in alternate means for power generation. It should recommend appropriate steps to assure the proper timing of development and construction of nuclear power projects, including construction of necessary prototypes. There should be, of course, a continuation of the present fruitful cooperation between government and industry—public utilities, private utilities, and equipment manufacturers. Upon completion of this study of domestic needs and resources there should also be an evaluation of the extent to which our nuclear power program will further our international objectives in the peaceful uses of atomic energy..."

The Kennedy letter was undoubtedly influential in creating the atmosphere for private ownership, but even more importantly, perhaps, by late 1963 the Administration, the Congress and the industry had jointly concluded, rightly or wrongly, that private ownership would enhance achievement of a common objective: The rapid commercialization of nuclear power. The Private Ownership Amendment passed in 1964.

What ensued, over the next ten years, was a worldwide commitment to atomic power that surprised all expectations. From 1964 to 1974 more than 200 atomic power plants were ordered in the United States alone. Large investments were made in reactors, fuels and reprocessing facilities. Plans were developed for expansion of the enrichment plants. A massive uranium exploration and development program took place in the U.S. and overseas. The oil embargo occurred near the end of this period, and, at the time, seemed to magnify the urgency of atomic power development. During these years the overriding concern in our industry was adequacy of supply. Would there be enough of the materials and equipment for atomic power?

As you know, circumstances were due to change very abruptly during the decade that followed. But let us look back at the conditions and expectations that prevailed in the U.S. at the time we moved to private ownership and in the years immediately following.

The early 1960's in the United States are best described as a period of optimism, stability and national self-confidence. It was a time marked by sustained economic growth, stable prices, improving productivity and

<sup>2</sup> During the 1950's, the government/industry effort to produce enriched uranium for the defense program had been extremely successful. By the end of 1962, the AEC had purchased more than 40 million pounds of U<sub>3</sub>O<sub>8</sub>; about 50 percent from domestic mines and mills, and 50 percent from Canada and other foreign sources. These purchases, coupled with future commitments, were substantially surplus to defense needs.

trade surplus. Peak load grew seven percent each year and electric rates were declining. Energy prices were stable, and the nation enjoyed an energy surplus. Most oil and gas fields operated at restricted production rates.

We were then a nation prepared to take risks, a nation with an eye to the future, a nation prepared to rely on technical advancement.

During the early 60's these qualities were demonstrated;

First, by the Cuban Missile Crisis;

Second, by the U.S. commitment to place a man on the moon within ten years;

Third, by creation of the U.S. Navy nuclear submarine program—the most sophisticated strategic weapons system yet devised.

These years were marked by progress and a strong sense of direction. Leadership flowed from the government with complete reliance on the scientific, management and technological strength of the American free enterprise system. In effect, the Private Ownership Act of 1964 was simply a sign of the times.

However, the times changed. The early 1970's brought a second major shift in government policy toward atomic power and with this shift the second major transition in the uranium industry.

During these years, a new philosophy began to take root in America. The successful cooperative programs between industry and government that had been our hallmark of strength during the 1950's and 1960's began to fade. The importance of technological development in the private sector—including the nuclear power program—seemed at odds with other political priorities. For some reason, the 1970's saw an adversary position develop between government and industry in the United States. Almost overnight, cooperative goal setting, the encouragement of nuclear power and a shared approach to problem solving between government and industry—so successful in the past—came to be viewed by many as an unclear, if not immoral, relationship.

Starting with organization plan No. 3 of 1970 (EPA) followed by the Energy Reorganization Act of 1974, we fragmented regulatory authority and, in effect, withdrew from the government commitment to develop nuclear energy. The 1970's saw the abolishment of the Joint Committee on Atomic Energy, the division of the AEC into its regulatory and promotional components, and then the diffusion of the latter. Increasingly burdensome and unpredictable regulatory requirements were imposed on the nuclear industry.

During the decade of the 1970's, the philosophy that saw government/industry co-operation as unfit, fostered as system of law allowing a handful of government agencies to impose oppressive economic control over American industry.

By the end of the 1970's the results were clear inflation, unemployment, the loss of world markets, energy dependence, pessimism and a general undermining of the U.S. economy. People began to focus almost entirely on current problems. Few, if any, looked to commonly shared objectives for the future.

For our industry, the past eight or nine years have taken their toll. Only half the planned U.S. Nuclear power projects remain on order, and those are delayed. Consequently, after a decade of exploring for new uranium deposits and drawing plans to expand production capacity, our domestic uranium industry has fallen into an exponential contraction.

The situation in the uranium industry is perhaps more serious than with the U.S. nuclear industry at large. Practically all new investment in domestic uranium exploration and development has been halted. All new major mine/mill construction projects have ceased. More than half the operating U.S. mines and mills have closed, and those that remain are producing at drastically reduced rates.

For several years uranium buyers and producers have focused their attention almost entirely on inventories and spot market conditions. Buyers of uranium have become sellers . . . and producers, brokers.

U.S. production has now collapsed to an annual rate of about 15 million pounds,  $U_3O_8$  . . . and is still dropping. Only a handful of the strongest U.S. producers remain in operation.

Coincidentally, yet another major transition in the uranium industry appears at hand. A transition that in the months immediately ahead will force us to raise our heads and refocus on the future of uranium supply in the United States.

Our preoccupation with the inventory and gyrating spot markets of the past eight years should soon dissipate. Short-term inventory problems will become less significant. Instead, U.S. utilities and their suppliers will increasingly concern themselves with establishing firm uranium procurement plans for the second half of the 1980's and the decade beyond.

Since the normal lead times for mine development and fuel procurement are five to ten years, our industry must reset its planning horizons, accordingly. In the near future, I believe that even the public utility commissions will see the wisdom of concentrating on long-term rather than short-term uranium supply.

As we shift our attention from today to 1990, new concerns arise. Obviously, uranium imports will be a key factor in future uranium supply.

It does not appear that percentage uranium import limits will be reestablished in the United States during 1983. However, if oil import taxes are suggested by the Administration as a means of rehabilitating domestic oil exploration. It would not be surprising to see similar proposals for uranium.

As unique and rich uranium deposits are developed in other countries and offered in the world market, I recognize that our domestic utilities must be in a position to compete for a share of that production.

But it is not in the long-run interest of our utilities, our producers, our enrichment industry, our reactor and fuels industry, nor, for that matter, the foreign uranium consumer and producer nations of the free world, for this great country to become substantially dependent on uranium from sources outside the United States. Unfortunately, the depressed state of our industry will make it difficult to preserve sufficient domestic capacity if problems develop from too much dependence on foreign supply.

The question of domestic uranium industry viability has passed to the President and to the Department of Energy. I hope, as our new energy secretary considers his policies and obligations, he will understand the importance of a domestic uranium industry to the long-term U.S. atomic power program. I hope he will understand the difficulty, cost, and inefficiency inherent in reviving a fully retired industry. I hope he will understand that ultimately the success and survival of our  $UF_6$  industry, our enrichment enterprise, and perhaps our reactor and fuels in-

dustries are closely tied to a viable U.S. uranium industry. I fear the "viability studies" called for in last year's NRC Authorization Bill will now come after the toll has been taken and will amount, in retrospect to a damage report or body count. However, I urge the Administration to promptly organize for completion of these studies.

In this regard, the Grand Junction office of the Department of Energy has in the past compiled useful statistical information on the uranium industry. Although Kerr-McGee agrees that the NURE program should be eliminated, we hope that the basic statistical program at Grand Junction will be continued.

Imported uranium is not principally responsible for the current surplus inventory problem. The inventory build-up was instead the combined result of economic problems, including drastically reduced load growth, regulatory delays, impacting U.S. nuclear power projects, and ten years of unpredictable closed and open-season government enrichment contract policies. Nor is imported uranium the only future concern of those domestic producers who struggle on.

We find our industry in a weakened condition, facing strong foreign competition, at each step forced to deal with an increasingly difficult state and federal regulatory requirements. We see politically strong anti-nuclear objectors focusing new attention on uranium raw materials. We seem to be in constant conflict with our own government, while our foreign competitors are either government companies themselves or are strongly supported, protected, and sometimes financed by their government.

Even so, as we look to the future, we can not parallel developing between the 1960's and current trends in the United States. Once again we find ourselves after ten years of malignant inflation, entering a period of relatively stable price levels. Most believe this trend will continue, and that also, for the first time in ten years, a period of sustainable economic growth and stable interest rates lies just ahead. Without inflation, we will soon find it possible, once again, to make long-term plans and not be preoccupied with short-term conditions. It is an environment vital to the uranium and atomic power industry.

Like the 1960's, we find today, in the colleges and universities across this nation, our students caught up once again in science and engineering. We look again, with favor, on "Hi Tech". Like the 1960's our most promising youth are seeking scientific careers in private industry and business."

Also, for the first time since the 1960's we have an energy surplus. At least temporarily, completed oil and gas wells are waiting their turn in the market. Once again, we hear talk of changes from government to private ownership.

Despite twenty years of production, there are abundant resources of uranium remaining in the United States. Rich new deposits have been found in Australia and Canada as well. We have an experienced uranium industry, albeit much reduced, capable of expanding to meet future needs.

At the time of private ownership a great uncertainty existed about future atomic power costs, fuel performance, reliability, and reactor safety systems. Today, twenty years of accumulated experience have proven fuel designs and established an excellent record of safety and performance.

Without the terrible inflation of the 1970's, we can look forward to completing



the current nuclear plant construction backlog with stable rather than continued upward adjustments in capital cost estimates. Soon, rate hearings should come less frequently.

The United States will enter the 1990's with the largest atomic power program in the world, approximately 120,000 megawatts. These reactors will demand annually more than 40 million pounds of  $U_3O_8$ , 16 million kilograms of uranium as  $UF_6$ , and more than 20 million enrichment separative work units. Our industry will be more than two times the size of the French program . . . three times the size of the Japanese program . . . four times the size of the German program . . . and larger than all three combined. With this basic load and the investments already made in U.S. enrichment, fuels, and reactor industries, there is no economic or technological reason why the United States should not be the strongest competitor in the world nuclear market.

The only thing we lack, the element which helped set the stage for progress in the 1960's, is a philosophy of government/industry cooperation, trust, and interdependence.

If the U.S. nuclear industry is to regain its health and if U.S. uranium is to play an important role in meeting future demand, our government must renew its commitment to technological leadership. The long lead times and high capital costs in the nuclear industry require that the White House, the Department of Energy, the NRC, and EPA, and the Congress find some common ground upon which long-term decisions about atomic power can be made. These decisions must be explained to the public. Part of this will require persuading the mainline environmental groups not to oppose nuclear energy for the sake of opposition, but to evaluate the technology on its own merits, in comparison to others, and in the context, of the nation's need for reliable supplies of energy.

New goals must be adopted for the nation's uranium and enrichment industry. Here are some suggestions:

First, the United States will maintain a domestic industry capable of supplying sufficient uranium, enrichment, and other fuel cycle services to meet the needs of the U.S. power program, plus future Department of Defense requirements;

Second, the appropriate organization (perhaps the Department of Energy, perhaps the Department of Commerce, perhaps a new government/industry marketing organization) will take the lead in establishing an aggressive, cooperative effort between government and industry to sell U.S. fuel services including enrichment services and perhaps U.S. reactors and technology in the world market;

And third, all departments and agencies will review current and future laws and regulations in light of these objectives.

It may seem strange for a private company to ask the government for anything but less interference in its affairs. But considering the complex nature of the atomic fuels industry, it may be the only path left open. It will be extremely difficult to achieve a new consensus on atomic power, considering the industry's segmentation, the lack of centralized congressional jurisdiction and the splintering of executive regulatory authority. But it can be achieved. It has been achieved in the past.

Some years ago, a common rule of thumb for the distribution of fuel costs was: one-third of total fuel cost for natural uranium,

one-third for enrichment, and one-third for fabrication (with recovered uranium and plutonium values offsetting reprocessing and spent fuel disposal costs). This distribution provided two-thirds of total fuel cycle revenue to private industry and one-third for the government.

Now, with higher enrichment costs and expected government charges under the Waste Policy Act, about two-thirds of total fuel costs will go for government services and one-third for the private fuel industry. With the U.S. government controlling 60 to 70 percent of the uranium fuel business, and in a position to approve or deny investment in the remainder through its licensing authority, is it reasonable to think that the private sector can operate independently?

In a recent commentary for the *Energy Daily*, Lewellyn King noted, "What really makes the French nuclear program different and more viable than ours is that it has an agenda and is orderly. It is probably the most cohesive high-technology undertaking in the Western World."

The new Secretary of Energy needs to develop a similarly credible nuclear agenda for the U.S. A new program must not be a re-statement of goals that patently cannot be achieved or tired old ideas or rhetoric that is at odds with the facts. Public money is at stake, future technologies leadership is in the balance and electricity security for the next century is at issue."

In my view, the development of congruent government policies that seek not only to regulate, but to support, an integrated uranium fuels industry capable of meeting the needs of our 200 billion dollar U.S. nuclear power program is an obligation of our government that cannot be long postponed.

During 1983, as we focus on the future, let us initiate in the Atomic Industrial Forum, and elsewhere, discussions of our goals for this decade . . . goals for U.S. atomic power, uranium supply and enrichment.

Most of us gathered here this afternoon share more than professional comradery—we share a common providence. We know that fifty years hence, somehow, despite today's problems, the technologically advanced people of this earth, including many of our children and grand children, will lead a more productive and comfortable life. And, atomic power will be their principal source of energy.

Thank you.●

#### A TRIBUTE TO ALECK BRATT

##### HON. ALAN WHEAT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. WHEAT. Mr. Speaker, I am honored today to pay tribute to a truly outstanding citizen who lives in Missouri's Fifth Congressional District, Mr. Aleck Bratt.

The National Jewish Hospital and National Asthma Center will present Mr. Bratt with the NJH/NAC Humanitarian Award for exceptional philanthropic and community service at a dinner on June 1 in Kansas City. Mr. Bratt's continued selfless service to the community deserves special recognition, and I am proud to be able to formally recognize his efforts.

Mr. Bratt's influence has pervaded numerous business, civic, political, and religious organizations in Kansas City for more than 40 years.

A son of Russian Jewish immigrant parents, Mr. Bratt is a native of Kansas City and was educated in the city's public school system. After graduating from Manuel High School, he served a 40-month stint in the U.S. Army during World War II. He served 2 years of active duty in England and France and in 1946 was awarded an honorable discharge from the Army.

Mr. Bratt, 66, has worked in his father's profession, the auto parts business, for more than 40 years. He previously owned the Lone Eagle Auto Parts Co. and currently owns the Wornall Auto Parts Co. on 85th Street.

His countless hours of community service include serving as the first president of the Park Lane Hospital and serving on the hospital's board of directors. For more than 5 years, he was chairman of the Jackson County Sports Authority and now serves on the board of trustees of the Hyman Brand Hebrew Academy.

He is a distinguished member of his synagogue, the Beth Israel Abraham Congregation and is a member of the B'nai B'rith in Kansas City. His activities as chairman of the Democratic Forum have earned him the respect of all those who serve as elected officials in Kansas City.

Mr. Bratt is also a devoted family man, and he and his lovely wife Ann have raised two fine sons. His travels are too vast, his accomplishments too numerous, and his influence in individual lives too great to be recounted here in full.

Mr. Bratt deserves this special recognition, and it with great pleasure that I am asking my colleagues to join with me and the residents of Kansas City in honoring a man whose tireless dedication to his community is being justly rewarded. Mr. Bratt is truly one of Kansas City's finest residents.●

#### TRIBUTE TO MARY LAYTON

##### HON. CHALMERS P. WYLIE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. WYLIE. Mr. Speaker, it is a privilege, as ranking minority member of the Banking Committee, to pay tribute to Mary Layton, an esteemed member of the minority staff who will retire on June 3 after 31 years of distinguished service on the Committee staff. She has served this House for a total of 38 years when her work for several Members of Congress is counted.

A graduate of Blackstone Junior College and Virginia Commercial College, Mrs. Layton first came to the Hill in

1945 and to the committee in 1947. At that time there were only four staff members, including Mary Layton, but an enormous amount of work was done by a staff which was tiny by today's standards.

Mary brought several unique qualities to the committee staff, which have been admired by countless people whose dealings with the committee have given them the opportunity to gain the friendship of Mary Layton. Foremost among these qualities is the southern charm of her native Lynchburg, Va. Mary has a sense of style and good taste which is unequalled in Washington.

Another unique quality which Mary will take with her when she leaves is her recollection of the history and lore of the committee, going back to the end of World War II. This is more than an ability to tell entertaining stories. It is the institutional history which is relied upon daily and which cannot be replaced. During her tenure Mary has seen every member of the present Banking Committee take his or her place in the lower row among the incoming freshmen.

It gives me great pleasure to honor Mary today and to tell my colleagues and Mary's loving friends some good news to temper the sadness with which we anticipate her departure. Mary is blessed with good health and is looking forward to an active retirement with an extensive travel, vigorous gardening, and the opportunity to spend more time with her family and friends.●

#### MX MISSILE

### HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. SYNAR. Mr. Speaker, yesterday the House voted on the President's proposal to base the MX missile in existing Minuteman silos. It is important to point out that this was not a vote on the original concept of the MX. That is, it was not a vote to build a survivable, land-based missile that could accurately retaliate against any Soviet attack. Rather, it was a vote on whether or not to place the MX in highly vulnerable Minuteman silos that could be eliminated in a Soviet first strike.

The fundamental question I asked myself before this vote was this: Will the MX, based in Minuteman silos, add to our national security? The answer was unequivocally "no." The MX will be just as vulnerable to Soviet attack as our existing land-based missiles. As my friend Senator DALE BUMPERS of Arkansas said the other day, "The Soviet Union won't even have to retarget their missiles." We will be just as vulnerable to a Soviet first strike as ever, and the "window of vulnerability" will still be wide open.

I support weapons that do improve our deterrent capabilities. I support the B-1B, the cruise missile, the Pershing II, the Trident, and many, many others that have a well-defined and important role in our national defense. I also support the President's recommendation that we begin moving away from MX-like weapons, and begin developing smaller, single-warhead missiles. I wholeheartedly support the development of the proposed Midgetman missile.

I do not, and will not, vote to give the President a blank check to buy every weapons system that comes down the pike regardless of its effectiveness. The Scowcroft Commission says the MX will cost \$15 billion—others say over \$20 billion. Either way, we should be spending that money on weapons that improve our deterrence, and improve our national security.●

#### EDUCATING FOR EXCELLENCE

### HON. HERBERT H. BATEMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 25, 1983

● Mr. BATEMAN. Mr. Speaker, I recently had the opportunity to appear on "Crossroads: Decision for the Eighties," a program produced by the Center for Excellence, an educational television network, and hosted by Dr. James Morris, professor of history at Christopher Newport College. I am proud that both the center and the college are in the First Congressional District of Virginia, which I represent.

When I appeared, Dr. Morris had just completed a program discussing the requirements placed on our educational system by the current revolution in information processing technology. Mr. John Curtis, founder and president of the center, and Dr. Donald J. Senese, Assistant Secretary for Educational Research and Improvement, U.S. Department of Education, were guests on that program.

Dr. Senese earlier delivered a statement, "Education for Excellence in a Technological Age," to a group of faculty and students of Christopher Newport College. Given the timeliness and importance of this topic, I want to share Dr. Senese's comments with my colleagues.

Good Afternoon. It is a real pleasure to be here with all of you today in the beautiful and historic Newport News area and at one of the outstanding educational institutions in the Commonwealth of Virginia—Christopher Newport College.

When we look at the defense of the United States, we must look to this area which has a critical role—a key area protecting our Atlantic coast and the home of the ship building industry on which we depend for such vital construction as our aircraft carriers.

Within the midst of this strategic location, I must also express my pleasure at the invitation from Christopher Newport College. While the Commonwealth of Virginia has many old and venerable and excellent

institutions of higher education, Christopher Newport College has come to the forefront of educational excellence within two decades. Yours is an urban institution not only serving the traditional student but providing great services to the non-traditional student. Your institution represents the view that education has no career or age boundaries; you cater to all those who wish to learn.

I am especially pleased to see my former colleague from my teaching days, Dr. Bob Hermann, head of your Psychology Department, Bob is an excellent educator and you are fortunate to have him as a member of your faculty.

I would like to discuss with you today some of the work and important initiatives which represent the current focus within the U.S. Department of Education, especially the Office of Educational Research and Improvement. Of major impact to all aspects and on all levels of education are the new development in technology.

Our country, indeed, all developed nations of the world are undergoing a shift from operating as an industrial economy to becoming an information-service economy. The technological revolution is not in the future—it is now. From videogames to the microcomputer to additional uses of the silicon chip, technology is changing our way of life.

Technology and its applications to education are a major policy concern of the U.S. Department of Education. On June 22, 1982, at a national teleconference held in Washington, D.C., U.S. Secretary of Education Terrel H. Bell said:

"The growing computer industry has been a major cause of the increased demand for individuals with basic and higher level skills, particularly in the related fields of math and science. We should assist school districts to explore uses of technology to improve skill instruction, to prepare for employment and to increase the productivity of teaching."

Dealing with technology is one of the most significant challenges educators have faced in modern times. It is important for those of us who are in the field of education to at least look at the technology available to use today, and to consider the even more sophisticated technology that is rapidly becoming available.

We must deal with the impact that technology will have upon the generation of students now in school. These children and young people will be the first generation to live out their adult lives in what is now being referred to as "the information age." How we act upon this knowledge, and prepare today's students for this inevitability, will determine their ability to cope with the world at hand as well as our nation's ability to maintain its status among nations.

Education is the key to dealing with technology. We cannot ignore the developments we see around us. As educators we cannot allow the complexity of the situation to overwhelm us into indifference.

The Office of Educational Research and Improvement has been given the lead role in implementing Secretary Bell's initiative in educational technology; we have been working with other offices in the U.S. Education Department to identify uses and the potential of technology to improve education.

OERI sponsored a conference in Pittsburgh this past November bringing together over forty years whose task was to identify the key research issues for computers in the fields of math, science, reading, and writing. I believe the final report will be of tremendous help to educators.



Several of OERI's components have been very active in a variety of projects and programs directly related to work with educational technology. Among them the Office of Libraries and Learning Technologies, the National Center for Education Statistics, and the National Diffusion Network.

The Office of Libraries and Learning Technologies is working with state and local educators to assist them in identifying the issues and opportunities in instructional technology. Our Office of Libraries and Learning Technologies is also working with the U.S. Education Department's Regional Offices to assist dissemination projects in technology and to provide opportunities for teacher training in computer literacy.

Presently, the National Center for Educational Statistics, is holding meetings of experts to examine the whole question of computer literacy.

The National Diffusion Network has been active in identifying outstanding programs in technology which would be beneficial to school districts throughout our country. They have established "Lighthouse Schools" in an attempt to focus on outstanding applications of technology to classroom and educational needs. The Lighthouses are hosting visitors from all over the country and providing material on their adaptations of technology to individual school use. We have received a great response from these programs. I have had the opportunity to personally visit four of the five Lighthouses currently in operations and I have been impressed with the effectiveness each has displayed with its particular use of technology. Some of the applications include:

A computer assisted instruction program developed to assist in the improvement of basic skills instruction for compensatory education populations;

A regional alternative occupation education program in high-technology for secondary school age youth, some of whom were previous school dropouts;

Computer assisted instruction for secondary mathematics courses.

Indeed, education for a technology era is an important priority, however, it is not our only focus. In fact, we cannot look at technology alone. We must consider it in relation to other personnel problems and facts of education, particularly the quality and excellence of education.

A few years back, critics viewing problems in education posed the question "Why Can't Johnny Read?" Professor Eric Zorn updated the education crisis in an article in the Chicago Tribune (August 12, 1981) when he related this problem to the technology age. His article entitled "If Johnny Can't Read, How Will He Plug In To The Electronic World?" He said:

"You can call him Johnny: long-suffering mascot of national illiteracy; standard bearer of our collective disgrace; blot on Western culture.

"He still can read very well, his writing is getting worse, and he's about to be victimized by one of the most dramatic undertakings in the history of civilization; the Information Revolution, a watershed in human development to compare with the Industrial Revolution 150 years ago and the invention of the printing press in 1440.

"During the projected Information Revolution of the next 20 years, Johnny will be overrun by these marching to the muted, staccato drumbeats of clicking electronic keyboards.

"The common person supposedly will have access to the equivalent of 10,000 mental slaves. Money will be made and business conducted by buying, selling, and trafficking

in information and its complicated delivery systems.

"The already evident truth will become more obvious; Power, for individuals and nations, is knowledge.

"Where will that leave Johnny, the person who does not have a functional ability to read or write any language?

"He will find that there are fewer jobs for unskilled workers. His world will be highly complex and interconnected, and daily life will demand control of sophisticated cable and computer technology; he will be unable to take advantage of this vast technology with his so-so-skills.

"Self-styled experts will speculate endlessly "Why Johnny Can't Log On."

His prognosis is an apt one. No matter what other programs or initiatives we might attempt to implement in the educational arena we must not ignore basic education. Without a concern for a conscious attempt to have excellence in education, other efforts will be futile.

U.S. schools are doing an impressive job of educating many students from a variety of economic and ethnic backgrounds; we are doing great in quantity but not very well in quality. As that great scholar of the American educational system Dr. Russell Kirk has noted: "A great many are schooled; very few are educated."

In his State of the Union address this year, President Ronald Reagan focused on this very issue. In urging a widening of our education horizon, the President stated:

"We Americans are still the world's technological leader in most fields. We must keep that edge, and to do so we need to begin knowing the basics—starting with our educational system. While we grew complacent, others have acted. Japan, with a population only about half the size of ours, graduates from its universities more engineers than we do. If a child does not receive adequate math and science teaching by the age of 16, he or she has lost the chance to be a scientist or engineer.

"We must join together—parents, teachers, grassroots groups, organized labor, and the business community—to revitalize American education by setting a standard of excellence."

In examining the question of excellence, one might ask just what comprises excellence of education. And, to be sure, that is not an easy question to answer. The phrase itself is simple enough. But the implications which it holds for education who are attempting with modern day problems of education indicate a highly complex problem.

Over the past decade or two, many people both within and outside the educational community, have come to question the educational community, have come to question the quality of the education being provided by most of our schools. And, their concerns are not without foundation. Unfortunately, certain factors indicate that the education being offered to most young people is not what it should be.

Employers are expressing disappointment with the secondary school and even college, graduates who are not or have recently entered the workforce. A high percentage of these recent graduates hate not mastered even the basic skills. Many have difficulty with spelling, use of correct grammar, and simple mathematical computations. Many could be defined as functional illiterates. Whatever title we might designate for these unfortunate individuals is unimportant, the fact is that individuals who lack the basic competencies do not form the basis of a trainable, appropriate workforce needed by

business and industry to meet our nation's goals.

The problems experienced by such persons are tragic for them on a human level to say nothing of the dangerous position in which it places our nation.

The success of our educational system is intimately tied to our national security. For the past decade, Scholastic Aptitude Test scores have shown a decline. Last year for the first time since the decline began, there was a very slight upturn. A number of individuals would like to believe that the scores have bottomed out, that improvement is already here. Hopefully, such an assessment is correct. But whether or not the upturn is just a one time improvement or the beginning of a definite turn around that will show increases in future years as well, the low level which these scores have reached nationwide indicate a long uphill battle to readily signify any real improvement in the schools.

It has taken some courage to acknowledge and confront the fact that something is wrong with our schools. Most of us have always accepted, without question, that our nation's schools were engaged in the business of education. We assumed that students were being taught, in a superior fashion reading, writing, and arithmetic with proper doses of history and other academic disciplines part of a rigorous curriculum.

Given the opportunity, most young people want to learn, their education should be a rewarding experience. Every single student enrolled in school should have the opportunity to receive an excellent education, one which provides them further education, gainful employment, and a fulfilling lifestyle.

Recognizing the importance of education, and concerned about its current direction, the Reagan Administration has given a return to excellence a high priority.

A major difficulty in attempting to remedy current problems in the schools is that of understanding just what it is that the schools aren't doing. Why are they failing? What is wrong with the educational programs that they offer?

In order to do this, and consequently improve the educational atmosphere within such schools, we need to identify what it is that constitutes an effective school. There are such schools. There are schools which go beyond the average in motivating and academically preparing their students.

The National Institute of Education, a component of OERI, has been engaged in looking at what is needed in order to improve the instructional effectiveness of schools. While there are many and varied characteristics of schools which display a consistent degree of instructional effectiveness there appear to be some bottomline characteristics, which run as a common thread throughout these schools: For example:

Strong administrative leadership by the school principal:

Teacher expectations that students can reach high levels of achievement, regardless of pupil background.

School-wide emphasis on basic skills.

One would think that all schools should possess such characteristics. Apparently some, in fact, many, don't. Perhaps, also, there are other ingredients or combinations of ingredients which make a school "work"—a school that is able to provide the type of educational atmosphere in which students succeed year after year.

Perhaps by identifying these schools and by giving some exposure to their programs, other schools could benefit. Effective

schools seem to be the exception rather than the standard. This needs to be changed. School officials need to be exposed to successful schools, the programs that they offer, and the way in which they offer them. This would enable other schools and school districts to replicate successful programs if they met a particular school system's needs. It could also enable colleges and universities to better adapt their coursework and programs for the secondary graduates who will be attending their institutions of higher learning. With better prepared secondary students, college coursework can be improved.

As part of the program to identify schools which have programs that could be identified as excellent, Secretary of Education Bell is implementing a program to acknowledge outstanding public secondary schools throughout the country. A separate program will be initiated for recognition of outstanding private schools.

Fifteen-member panels of experts in the field of education, made up of individuals not affiliated with the Federal government, will review nominees for recognition of their school programs. Public high schools, as well as middle and junior high schools, will be nominated by each state's chief school officer.

The attributes for an effective school which will be judged by the panel include: clear academic and behavior goals; order and discipline; high expectations for students; teacher efficiency; rewards and incentives for teachers and students; positive school environment; administrative leadership; community support; extent of concentration on academic learning time; frequent and monitored homework; regular and frequent monitoring of student progress; well-coordinated curriculum; variety of teaching strategies; and opportunities for student responsibility.

Those selected by the panel will receive public recognition. They will be awarded a plaque in honor of their outstanding achievement or achievements.

It is hoped that national attention will be focused on some of the good qualities of some of the schools throughout the nation. While it is understood that not everyone will agree on the qualities that cause one school to be better than another, attempting to look at the question is a step in the right direction.

If we can focus attention on what is right with American education, perhaps it will have positive ramifications. In introducing this program, Secretary Bell said:

"... if we also spark a little debate or controversy over the qualities that make a school stand out above the others, so much the better..."

Also very much concerned with the issue of what makes a good school is the Secretary's National Commission on Excellence in Education. Hard at work for over a year, their work will be completed by the end of March. The Commission is providing what is probably one of the most comprehensive, intensive looks at education, throughout the country, that has ever been done.

It would be against the policies of the Reagan administration which strongly supports each state's authority to operate and administer its own school system, for the Commission to attempt to set any type of National standards. It will not. What it will do, as charged by Secretary Bell, is to make "practical recommendations for action" to public officials, educators, parents, and others who set school policies.

Usually it is the students in the schools who take the tests—today, I believe that we, the educators, are also being tested. Can we turn things around? Can our schools once again provide an outstanding example to the rest of the world of the highest standards of educational principles and practices? With our shift in emphasis to excellence, I believe that we have started down the road to achieving that goal. Let us not get stuck along the way but more full speed ahead. We will all benefit from the results.

There is an important role for institutions like Christopher Newport College. We need to go beyond the stage where elementary and secondary schools blame colleges for lowering admission standards and the college claim that has only done so in response to the poor academic products being turned out by our elementary and secondary schools.

We all have an interest in a strong educational system. This Administration has continued student aid programs seeking only to target them more carefully to the students who need funds. Yet, there is also an emphasis on an important American trait and quality—self-help. The Administration's Education Savings Account plan is designed to help parents save for the college education of their child or children. It will also have the effect of assisting our economy by adding to the pool of savings for our nation. We need to increase this pool if we are to meet the economic challenges of investment for future prosperity.

While we encourage students to attend college, we must guarantee that this education must be worth something. As I mentioned earlier, we have entered an age of technology. We must be willing to use this important tool at all levels to improve student learning, increase teacher productivity, and develop more effective schools. We must be able to reach out to the traditional and non-traditional student to prepare them for the great challenges of tomorrow.

We are entering a period in our history—especially through the block grant proposals of the Education Consolidation and Improvement Act—which gives State and local educators a greater voice in decision-making. Colleges and universities can play a crucial role in assisting and preparing educators to make the correct decisions and exercise new responsibilities.

It has been a pleasure to be with you today and I wish Christopher Newport College well as it pursues the goals of educational excellence and quality. ●

## U.S. POLICY ON APARTHEID

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. SOLARZ. Mr. Speaker, today the New York Times published an editorial eloquently asserting the pressing need for the United States to make clear its opposition to South Africa's apartheid system. Since many of us are deeply concerned about the horrendous results of this systematic, institutionalized system of racial discrimination, I ask that this timely editorial be reprinted in today's CONGRESSIONAL RECORD.

The Congress is currently considering a number of bills relating to South Africa. They include legislation introduced by Representative DIXON, H.R. 1083, requiring the United States to oppose IMF assistance to South Africa; Representative GRAY, H.R. 1392, prohibiting new investment in South Africa; and Representative RANGEL, H.R. 1020, prohibiting the export to South Africa of nuclear material and technology. In addition, I recently introduced H.R. 1693, which places certain restrictions on or economic relationship with South Africa.

I would like to urge my colleagues to give careful consideration to all of these bills, and to join me in working for the passage of legislation in this House that would indicate to South Africa and the world that the United States is willing to act against the day-to-day horrors of the apartheid system.

[Editorial from the New York Times, May 26, 1983]

South Africa can segregate its races, but it cannot segregate itself from the violence its policies breed. This is the meaning of last weekend's terror bombing in Pretoria, which claimed 17 lives, white and black, and left 217 wounded. Bombs beget bombs, and South Africa has compounded a gruesome deed by looting its warplanes against Mozambique, insisting that its targets are guerrilla installations.

One can mourn all the victims without indulging the injured innocence of South Africa's white rulers. To the challenge of racial violence they offer a single explanation: It's a Communist plot, backed by the Soviet Union and carried out by the outlawed African National Congress. And they propose a single remedy: an eye for an eye.

But the true, and truly evil, explanation is homegrown. It is the system of apartheid, which has the appalling effect of making 21 million blacks strangers in their own land. For all the years of talk of power-sharing or conciliation, in every vital respect power in South Africa remains the monopoly of 4.5 million whites. The huge black majority is left with "citizenship" rights in patchwork homelands that Pretoria pretends are sovereign states.

Apartheid—apartness—means that, theoretically, blacks must carry passbooks and are forbidden to spend more than 72 hours in white urban areas. But if apartheid were literally enforced, it would bankrupt a white economy grown prosperous on cheap black labor. And yet for a black to question this system is to risk jail, torture or death.

Reflecting on the French Revolution, Burke warned: "A state without the means of some change is without the means of its own conservation." But in the name of conservatism, South Africa's rulers have imposed a radical system that denies the majority the hope of real and peaceful change. Then Communists are blamed for the explosive result.

These truths are apparent to the Reagan Administration, which has applied the soft nudge of "constructive engagement" to the hard rulers in Pretoria. The State Department evenhandedly deplores all violence, putting the desperation of victims on the same plane as the brutality of masters. But for all this restraint, Washington has yet to



wrest a single tangible benefit in the form of change from the South Africans or in Namibia, which they illegally occupy.

If the latest bloodletting fails to sober Pretoria, it ought to impress Washington. "I weep for my country," said Bishop Desmond Tutu, a black dismayed by both bombings who has tried consistently to touch the troubled conscience of his white overlords. "We cannot solve problems this way."

President Reagan also has a chance, if he will but use it, to speak to that same conscience in behalf of all those in South Africa, white and black, who yearn for peaceful change instead of hatred, repression and death. ●

## HUMAN RIGHTS IN CHILE

### HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. BARNES. Mr. Speaker, Amnesty International recently issued a comprehensive report entitled "Chile: Evidence of Torture." The report documents cases of Chilean prisoners who had been tortured during detention and were examined by an Amnesty International mission which visited Chile in the spring of 1982. The incidence of torture in Chile is only a symptom of the systematic repudiation of human rights, individual freedom, and political democracy that exists in Chile since the military took over the control of the country from an elected civilian government in 1973.

During the next 19 weeks, Amnesty International will be conducting a special campaign on torture in Chile, to publicize the plight of the thousands of Chileans who have been murdered, tortured, and exiled during the last 10 years. As part of the campaign, Amnesty International has enlisted the cooperation of 19 Members of Congress to submit for the record each one of the 19 case histories documented in the report. I am today submitting for the record the first case history. Pedro Leonardo Lopez Fabbri was detained and subjected to torture on a number of occasions. His story testifies to the rapidly deteriorating human rights situation in Chile. The account of Mr. Lopez's ordeal follows:

#### CASE HISTORIES

(A number of those examined are not being named, at their request.)

Case No. 1—Pedro Leonardo López Fabbri—Chile

Personal details.—He is 28 and worked as a school teacher until his imprisonment in 1975. Since then he has been a clothing retailer. He was married in 1974 and has two sons, aged three and six.

State of health before arrest.—At the age of six, he sustained a trauma to the head and lost consciousness. An electroencephalogram test was taken and found to be normal. He has noticed some weakening of the muscles of the left hand, which is especially apparent under conditions of stress. No medical examination has ever revealed any neurological abnormalities.

Previous detention and alleged torture.—He was arrested on 11 September 1973 in Valparaíso and held until 16 September. While in detention he was struck behind his right ear with a rifle butt. He did not lose consciousness. He was also struck on his left knee and left elbow. He was not systematically tortured.

From 6 April until 27 June 1975 he was detained in Silva Palma navy detention centre in Valparaíso. For the first 22 days he was held incommunicado, during which time he claims to have undergone psychological torture involving threats and accusations broadcast to him and the other prisoners for about eight hours a day. During this period of detention he tried to commit suicide by throwing himself out of a second-story window but was prevented from doing so.

Time and place of arrest and detention.—He was arrested again on 25 March 1982. He was taken to the CNI centre in Santiago where he was held until 4 April when he was transferred to Valparaíso, from where he was released on 8 April.

Duration of alleged torture.—He said he was tortured at the CNI centre on seven days; on the last five days the torture was exclusively psychological.

Interrogation and torture.—His account of events was as follows:

He was arrested at 2:30 pm on 25 March 1982. No arrest-warrant was shown. He was blindfolded and forced into a car, in which he was driven for about half an hour. When they reached their destination he was led down a concrete spiral staircase to a large room where he was told to undress and then was given overalls and zapatillas (light-weight footwear). His blindfold was exchanged for a mask. He was then taken to his cell, which measured about 1.5m by 2m and a little over 2m high. The cell contained a concrete bunk plus mattress, pillow and a blanket.

His first interrogation took place two days after arrest. It was conducted in another room in the presence of about five other people. He was asked about his connections with political parties. He was beaten: struck on the head, punched on the right side of his chest and beaten with a rubber truncheon on the shoulders. Afterwards he was stretched out on a bed, to which his wrists were tied with cloth, this causing sharp, painful extension of the elbows. A cloth strap was tied round his thighs; his ankles were tied down and his head was put in a special device which prevented him from raising it. He was gagged with a towel. A metal object was fastened to the inner side of his right foot. Two electrodes (in addition to the one fastened to his foot) were then used to administer electric shocks to the lobe of his right ear, to his chest, abdomen, testicles, penis area, anus, legs and the soles of his feet. He was electrically tortured three times that day. He thought the electrodes used were electric wires. While he was being electrically tortured he could hear a generator, so he believed it was possible to vary the current. He did not lose consciousness during the electric torture, nor did he have generalized convulsions.

Two days later he was again interrogated and electrically tortured while naked.

Other types of torture inflicted on him included burning with a cigarette lighter in the kidney region and on the palms of both hands. The burns were superficial and left no marks.

He was in addition psychologically tortured for five days, on two of which he was

interrogated for eight hours. During these sessions his family's and his own life were threatened and an attempt was made to hypnotize him by a man nicknamed "Doc", who was large and very fat. His mask was removed. He was first told to breathe deeply, then that the pain in his head was being shifted down to his legs. He was then told to conduct an imaginary orchestra and behave as though he were watching a Chaplin film. He was not actually hypnotized but behaved as though he were. He was also asked to write his life story.

He was held incommunicado for 10 days at the CNI centre, masked throughout, except when he was in his cell. He wore overalls and zapatillas. The food was good. He was allowed to use the toilet, but his cell was cold and he could not get warm, even though he had a blanket. His cell light was always on.

Medical examination and/or attention during detention—Immediately after he arrived at the CNI centre he had a medical examination, carried out, he believed, by a doctor. It consisted of examination of the heart and lungs and measurement of blood pressure. He was asked whether he had any bruises or other marks on his body and what illnesses he had previously had. The doctor was assisted by a woman—a nurse, he presumed. When he showed symptoms of anxiety, the doctor gave him two tranquilizers. He could not see the doctor because of the mask, but thought he was about 50. The doctor made a record of his findings, which the subject later saw when he signed his release papers. He was examined in a special room.

While in prison he had diarrhea. A medical assistant took him to the doctor, who provided treatment and recommended that he be allowed to stay in bed all day—which was normally forbidden.

Before he was transferred from the CNI centre to Valparaíso he was medically examined again.

Early symptoms described.—During one of the torture sessions he had difficulty breathing and was given manual artificial respiration.

He said he had pain, swelling and an accumulation of blood around the elbow which he ascribed to the stretching of his elbows during electric torture. He had pain, swelling, discoloration, weakness and enhanced sensitivity to touch in his legs and feet. There were sharp pains and swelling in the part of his thorax where he had been punched on the right side. He had observed skin changes where he had been electrically tortured: the lowest part of the abdomen, both inguinal regions, the front of his thighs and the insides of his legs at the crura. He explained that the lesions were small and round with brown scabs. After about a week these scabs dropped off leaving some lighter areas which later became hyperpigmented.

During torture he suffered from tachycardia.

He lost 2kg while in prison. Once he vomited, and he had diarrhea, with accompanying abdominal pains, for four days. There was no blood in the stools.

For four days he had blood in his urine and had pain when he urinated; his testicles were swollen.

While in detention he had headaches around the forehead.

He also suffered from insomnia and nightmares. He was depressed, felt passive and lethargic and easily got tired. He would weep for almost no reason.

Present symptoms described.—The leg is still painful after walking for only a short while. There is also some swelling, and he feels weaker and more sensitive to touch. He complains of pains on the inner side of the right elbow. There are no gastrointestinal or urological symptoms. He still has headaches around the forehead, particularly when he is under stress.

He feels isolated, somewhat as if he were "under a glass bell", but does not have any actual relationship problems.

He suffers from insomnia and nightmares and he awakens easily and frequently. He has been given tranquilizers, which he says help. He feels rather depressed, somewhat passive and lethargic and gets tired easily. He is emotionally labile.

Medical documentation.—There is a certificate of a physical examination by a local doctor, dated 12 April 1982, which states:

"Physical examination: There were groups of punctiform, small round burns, scattered over various parts of the body and red burns in the inguinal region and on the thighs, legs and ankles.

"He had pain and tenderness in both ankles and in the middle line of the right thigh. Part of the skin on the thigh and feet is whitish-pink with desquamation of the epidermis, as if punched out. The thigh lesion is 10cm long and 0.5cm wide.

"Diagnosis: Groups of several small, punctiform burns, clustered and diffused (burns caused by electricity); circular erosions on thighs and scabs on the feet; contusion of the ribs on the right side; anxiety."

Clinical examination (one month after the alleged torture).—He seemed somewhat tense but otherwise normal mentally.

There was tenderness in both temporal regions.

Thorax: There was local tenderness and pain on springing the ribs. This was most marked over the right eighth and ninth ribs in the midclavicular line.

X-ray thorax (27 April 1982): Normal.

There was tenderness in the trapezius muscle of the shoulder.

There was tenderness and slight swelling of the right medial epicondyle but no limitation of movement.

There was oedemic swelling of both ankles, particularly on the right side. There was marked tenderness over the medial aspect of the lower tibiae, particularly on the right.

Peripheral nervous system: There was altered sensation in the medial part of both legs, especially of the right leg. There was normal sensitivity to pain.

Skin: A number of small hyperpigmented spots, about 2mm in diameter and often present in clusters, were evident on the entire abdomen as well as proximally on the thighs adjacent to the perineum. On the right leg were two scars measuring 17mm by 7mm and 9mm by 5mm. The central parts of the scars were pale, atrophic and shiny, and there was a reddish purple poorly defined margin.

#### CONCLUSION

The medical delegates found consistency between the torture alleged and the symptoms described. There was consistency also between the symptoms described and the description given by a local doctor two weeks after the alleged torture. The findings of the examination by the medical delegates, carried out one month after the alleged torture, were consistent with the symptoms described.●

## HANDICAPPED EQUALITY AT THE PUMPS

HON. CARROLL A. CAMPBELL, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. CAMPBELL. Mr. Speaker, until recently, most handicapped citizens had to pay full-service prices for gasoline since they were unable to pump gas into their own automobiles. However, I was pleased to hear that Mr. George Fellers of Anderson, S.C., took the lead to participate in a voluntary program initiated by Mayor Darwin Wright's Committee for the Handicapped. This program places blue wheelchair signs above gasoline pumps, which indicates station attendants will pump gasoline for the handicapped at self-service prices.

I would like to share with my colleagues the following article by Mr. John Gouch, a staff writer for the Anderson Independent-Mail:

EQUALITY AT THE PUMP—STATION ALLOWS HANDICAPPED TO PAY SELF-SERVICE RATES

(By John Gouch)

Imagine for moment you're handicapped. You drive your specially-equipped car into a service station and ask the attendant to fill the tank with lead-free gasoline—at \$1.54 a gallon.

Meanwhile someone who isn't handicapped stops at the self-service pumps and buys lead-free gas for just under \$1.20 a gallon.

"I've been in a wheelchair for five-and-a-half years and for five-and-a-half years I've had this problem," said Conny Dempsey.

But thanks in part to Dempsey's efforts, a barrier to the handicapped was removed Monday at the Holiday Amoco service station on North Main Street in Anderson.

Dempsey, Mayor Darwin Wright and representatives of the Mayor's Committee for the Handicapped gave station owner George Fellers a small sign Monday that lets handicapped people know an attendant at the station will pump their gas at self-service prices.

The voluntary program began Monday when the blue sign was placed at Fellers' station, and committee members hope other stations throughout the county will join the program.

People in cars marked by the state highway department's special handicapped license plates will be able to buy less-expensive self-service gasoline at stations displaying the signs, although an attendant will pump the fuel.

"There's interest all through the county for this," said Leland Stoddard chairman of the committee. Since being formed several years ago, the committee has worked to promote the construction of wheelchair ramps and designation of handicapped parking areas in the county "All the service station owners who came to our meeting were very enthused."

Larry Vaughn, a member of the committee, said the group met with several service station operators and oil company distributors several months ago after Dempsey told them of the problem. Both men work at Badische Corp. in Anderson.

He said six stations in the area already plan to participate, and others are expected to join the program. Service station owners can contact the chamber of commerce to obtain a special sign.

Dempsey said this may be the first voluntary program of its kind in the country, although California law requires service stations in that state to participate.

"I think we owe it to the handicapped to pump their gas for them," said Fellers. "It's not their fault they're handicapped."

He said the price difference between full- and self-service gasoline reflects the difference in the cost of paying attendants to pump fuel. An attendant at a self-service station can serve more customers than at a full-service station, he said.

Vaughn estimated handicapped drivers can save around \$240 a year in the program.●

## THE ANTIMYCOPLASMA TREATMENT PROGRAM FOR ARTHRITIS SHOULD BE INVESTIGATED BY THE NIH

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. PORTER. Mr. Speaker, on May 19, 1983, Dr. Thomas McPherson Brown of the Arthritis Institute of the National Hospital of Arlington, Va., testified before the Appropriations Subcommittee on Labor, Health and Human Services, and Education, on which I am privileged to serve, about the exciting work he has underway in the area of antimycoplasmal treatment for rheumatoid arthritis.

Dr. Brown's success has been phenomenal and I have submitted his testimony and his curriculum vitae to the CONGRESSIONAL RECORD for all the Members to review.

CURRICULUM VITAE—THOMAS MCPHERSON BROWN, M.D.

1929: Graduated from Swarthmore College, Swarthmore, Pennsylvania. Attended four years. Degree: A.B. (Joshua Lippincott Fellowship).

1933: Graduated from Johns Hopkins Medical School, Baltimore, Maryland. Degree: M.D. (Henry Dennison Strong Fellowship). (May, 1932–October, 1932, University of Gottingen, Germany, and Rotunda Hospital, Dublin).

1933–1934: Internship, Johns Hopkins Hospital, Baltimore, Maryland (12 months).

1934–1937: Residency at Johns Hopkins University Hospital, Baltimore, Maryland. Total of 36 months as an Assistant Resident.

Instructor in Medicine at Johns Hopkins University.

1937–1939: Resident on Rheumatic Fever Division, Rockefeller Institute Hospital, New York, New York.

1939–1940: Chief Resident, Medical Service, Johns Hopkins Hospital, Baltimore, Maryland.

Associate in Medicine, Johns Hopkins Hospital.

1940–1942: Co-director of Biological Division, Johns Hopkins Hospital, Baltimore, Maryland.



Associate in Medicine, full-time.  
1943-1946: Assistant Professor of Medicine, leave of absence, Johns Hopkins Hospital, Baltimore, Maryland.

Service in Army: 4/42-11/45.  
4/42-5/45: Major, 118th General Hospital, Medical Officer.

5/45-9/45: Major, 118th General Hospital, Chief of Medical Staff.

9/45-11/45: Lt. Col. 118th General Hospital Commanding Officer.

1946 (Jan.-July): Assistant Professor of Medicine, full-time, Johns Hopkins Hospital, Baltimore, Maryland.

1946-1948: Chief of Medicine and Director of Arthritis Research, Veterans Administration Hospital, Washington, D.C.

Adjunct Clinical Professor, George Washington University School of Medicine.

1948-1955: Professor of Medicine, Executive Officer, Department of Medicine, George Washington University School of Medicine, Washington, D.C.

1948-1969: Chairman, Department of Medicine, George Washington University School of Medicine, Washington, D.C.

Chief of Medicine, George Washington University Hospital.

1948-1970: Director, Arthritis Research Unit, George Washington University.

1955-1970: Eugene Meyer Professor of Medicine, Department of Medicine, George Washington University School of Medicine.

1948-1962: Consultant in Arthritis and Infectious Diseases, Veterans Administration Hospital, Washington, D.C.

1965-1967: Co-Director, Rehabilitation Research and Training Center (PT-9).

1967-1970: Director, Rehabilitation and Training Center (RT-9).

1969-1970: Director, Section of Rheumatology, Department of Medicine, George Washington University.

1970 to present: Professor Emeritus, George Washington University. Director, Arthritis Institute of the National Hospital for Orthopaedics and Rehabilitation, Arlington, Virginia.

Present Membership in:  
Society for Clinical Investigation.  
American Clinical and Climatological Association.

Southern Society for Clinical Research.  
American Rheumatism Association.  
American Medical Association.  
Washington Academy of Sciences.  
American College of Physicians.  
D.C. Society of Internal Medicine.  
American Board of Internal Medicine (Diplomats).

Arthritis and Rheumatism Association of Metropolitan Washington.

D.C. Rheumatism Society.

Arlington County Medical Society.  
Medical Society of Virginia.

Medical Society of D.C.

Present Positions Held:  
Director, Arthritis Institute, National Hospital for Orthopaedics and Rehabilitation, Arlington, Virginia.

Chairman of the Board, Arthritis Institute of the National Hospital for Orthopaedics and Rehabilitation, Arlington, Virginia.

President, Arthritis Clinic of Northern Virginia, Arlington, Virginia.

Member of the Board of Trustees, National Hospital of Orthopaedics and Rehabilitation, Arlington, Virginia.

Member of the Board of Directors, Sidwell Friends School.

Member of the Board, Arthritis and Rheumatism Association of Metropolitan Washington.

Member of the Board, Lupus Foundation, Washington, D.C.

Honors:  
Phi Beta Kappa.  
Sigma Xi.  
Ivy Medal (Swarthmore).  
Cum Laude Society.  
Alpha Omega Alpha.  
American Men of Science.  
Who's Who.  
Encyclopedia Britannica.  
Outstanding Service Citation—President's Committee for Handicapped, 1956.  
Physician of the Year—District of Columbia.

AOA.  
Past Positions Held:  
Vice-Chairman, Subcommittee on Medicine, National Research Council.  
Member, Council, American Medical Association.

Member, Research Study Section, Vocational Rehabilitation Service, Department of Health, Education, and Welfare.

George Washington University Committee of Eighteen.

George Washington University Senate, Executive Committee.

Chairman, Faculty Committee to Advise and Consult with the Board of Trustees on the Selection of a President, George Washington University.

Member of Board of Managers, Swarthmore College.

Director, George Washington Medical Division, D.C. General Hospital.

President, D.C. Rheumatism Society.

Vice-President Eugene and Agnes Meyer Foundation.

Chief-of-Staff, National Orthopaedic and Rehabilitation Hospital, Arlington, Virginia.

Section on Medicine, National Research Council.

Consultant, National Institute of Arthritis and Metabolic Diseases, National Institutes of Health.

National Committee Member, American Rheumatism Association.

Consultant to the White House.

Member, Council on Drugs, American Medical Association.

TESTIMONY OF THOMAS MCPHERSON BROWN, M.D.

Mr. Chairman, I am deeply honored to be invited for the second time to appear before this committee. My objective on this occasion is to acquaint you with the underlying mechanism of the arthritis process as we see it and emphasize why the role of mycoplasma in rheumatoid arthritis has such an extraordinary significance in directing treatment.

It is fair to say that the majority of the individuals in this room have personal connection with the problem and are well aware of its seriousness.

The term mycoplasma is unfamiliar to most people but for those individuals with rheumatoid arthritis, knowledge of this agent and treatment designed specifically to oppose it could mean the difference between a productive life and one of progressive disability.

Mycoplasmas are among the most extraordinary agents in the microbial world. They hold a position half-way between visible bacteria and the invisible viruses which live within the cells. Although mycoplasmas are the size of viruses and also live within the cells, their disease producing methods and properties are totally different. For example, interferon which you have heard about as a virus destroyer, has no effect on mycoplasma. Furthermore, mycoplasmas, unlike viruses do not damage the cells in which they live. Mycoplasma have a unique affinity

ty for the synovial membrane of joints and can cause arthritis in a variety of animal species including swine, sheep, rats, and recently we discovered classical rheumatoid arthritis in a gorilla associated with mycoplasma.

It is suggested these agents enter the joint tissue early in life when the cellular immunity is weak and remain as parasites for many years. How then do they ultimately relate to the progressive, destructive changes in the joints in arthritis and degrade the body as a whole?

Over the years fixed tissue antibodies, which represent the defense mechanism of the cells, begin to increase in concentration in the tissues surrounding the cells that are infected. Finally when the concentration of these antibodies become sufficiently high the stage is set for a reaction to occur between the two forces, the extra-cellular and the intra-cellular mycoplasma. This is comparable to the build-up of two opposing armies. The opening gun or the beginning of the disease in the clinical sense is when the two forces are suddenly thrown together. By injury, stress, barometer alterations, and other environmental factors. The initial reaction is one of inflammation in the spaces between the cells and this rapidly extends to produce hot, swollen, tender joints. A reaction is designed to keep the infectious process from spreading. Unfortunately, this protective mechanism also becomes a barrier to the entry of the body's defense forces. Thus it is the nature of the disease to produce its own road block which accounts for the chronic unrelenting nature of the disease process.

With this knowledge in hand the first step in treatment is to reduce the inflammation with anti-inflammatory medications. This effect is generally temporary. The use of stronger drugs such as gold salts, antimalarials and penicillamine, though initially very effective, is greatly limited because of their severe toxic properties which accounts not only for tissue injury from the medication but also waning of effectiveness. Thus the history of many modern drugs for arthritis is a brilliant beginning and a bad ending and all the while there is a progression of the disease process.

We have found that certain antibiotics, notably those of the tetracycline family, suppress the growth of mycoplasmas. These agents are virtually nontoxic and when given in the proper manner are not rejected by the body. In order to penetrate the inflammatory barrier they must be given in most cases by vein or intramuscular injection and at a frequency, dosage, and continuity regulated on an individual basis. In milder cases oral treatment may suffice, which provides hope for a preventive approach to arthritis through early treatment.

Because of the benign nature of this type of treatment and the specificity of the action of the antibiotics one observes slow but sustained and steady improvement without the concern of drug rejection and treatment failure so often encountered with other methods.

One of the most important findings which has come to light through our long term studies relate to the role of the products of joint inflammation. The toxic substances characteristically present in inflamed tissues escape into the blood stream and are transported to the liver where they are destroyed. As they pass through the system they may affect the body in a devastating fashion because of their persistence. In the bone marrow these toxic materials interfere

with formation of blood and therefore anemia is commonly observed in severe rheumatoid arthritis and cannot be corrected until the disease has improved. In the central nervous system these toxins promote depression, inability to concentrate, loss of memory, loss of interest in one's vocational effort and mental irritability. In the muscular system these toxins are responsible for excessive fatigue and persistent weakness which is difficult to overcome by physical means. Gland functions are also depressed and there is an effect upon the digestive system and many other basic physiological processes. In the course of time through the continuity of the antimyoplasma treatment method there is a gradual reduction in the many brush fires of joint inflammation and the smoke from these fires, namely the toxic substances, generally diminishes. As a result an extraordinary change takes place. Normal functions begin to return. Strength is increased. The blood count rises to its normal level. Mental acuity, ability to concentrate, improvement in memory and a return of interest in work as well as a lessened sense of irritability all become noticeable dividends from this new approach in treatment. It is now clear that that which has been previously considered to be due to stress and psychological weakness with resulting physical breakdown is in actuality a major aspect of the disease process and is completely reversible. In our cases, the return to a normal state of well-being has often taken as long as 2½ to 5 years and this remarkable potential for improvement would never have been observed in short-term studies limited by drug toxicity. It should also be mentioned parenthetically, that as the mycoplasma is being reached and its activity suppressed, pain relievers of various types become far more effective and the severe pain of arthritis is much more easily managed.

During the year since I last appeared here a particularly important research finding has been reported by Dr. Elli Jansson and her associates in Finland. They have developed a method for isolating mycoplasmas from the infected joint fluid of the arthritic patient in a much higher incidence than ever encountered by other investigators. In our country Dr. Lewis Thomas, distinguished researcher and director of the Sloan-Kettering Cancer Institute, who has spent years investigating mycoplasmas, recently published a new book in which he devoted an entire chapter to mycoplasma and rheumatoid arthritis. We, ourselves, have investigated mycoplasmas and arthritis for over 40 years and have isolated the organism from the joint fluid and other tissues. In recent times by utilizing programmed computer analysis of all clinical and laboratory parameters used in following the progress of our patients it has been possible to measure accurately the degree of disease control over a 5-year period. During this period approximately 90 percent of patients treated have shown sustained improvement. There are few comparable long-term studies in the literature with other methods of treatment because of the high drop out rate from drug toxicity. The best figures available with these other methods reveal less than 10% sustained control in a 5-year period.

It is quite evident to us that with proper training and development of interest by physicians in this program and with adequate research support to allow us to move ahead, the enormous problem of arthritis, which has defied understanding for 2,000 years, can be conquered.

Finally, Mr. Chairman, I submit that this pathogenic concept leading to a successful and basic treatment methodology can no longer be ignored. The time has come for proper funding of this effort which I hope you will agree could be one of the most useful objectives, not only in the field of arthritis, but in medicine as a whole.

Thank you, Mr. Chairman, and the committee for this opportunity.●

### LET US NOT UNDO THE GAINS MADE TOWARD CLEAN AIR

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. OTTINGER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

New York City has attempted, with some success, over the past 10 years to improve its air quality. Con Ed is now attempting to reverse these gains by installing coal conversion plants without installing the scrubbers necessary to keep the air quality at its present level. While I am in favor of converting these plants to coal and thereby reducing our dependence on foreign oil, I vehemently oppose this conversion if it cannot be done without spewing 66,000 tons of sulfur dioxide into the New York City air.

I would like to commend to my colleagues the following article by Joanna Underwood and James Cannon which appeared recently in the New York Times.

The article follows:

#### KEEP AIR CLEAN HERE

(By Joanna D. Underwood and James S. Cannon)

Means are at hand to give New York City residents cheaper electricity without significantly sacrificing clean air. To prevent the loss of that opportunity, New Yorkers ought to make their voices heard.

At issue is whether and how the Consolidated Edison Company will convert three of its power-producing boilers at two plants from oil to coal.

The decision will have important consequences not only for New York City but also for the nation as a whole.

The issue of Consolidated Edison coal burning has received pitifully little attention. New York State Department of Environmental Conservation hearings on Con Ed coal conversion have been under way for nine months. More than 50 volumes of testimony sit mostly unnoticed in public offices, while the metropolitan area's 10 million residents remain largely unaware that the decision will dramatically affect the quality of the air they breathe—and the cost of electricity for Con Ed's 2.7 million customers, as well.

Three choices present themselves.

First, coal could be burned in New York City in the way Con Ed has proposed. The utility's plan involves burning low-sulfur coal—in two boilers at Arthur Kill on Staten Island and in one at Ravenswood in Queens—but without introducing the most sophisticated pollution-control techniques

to reduce sulfur dioxide emissions that the coal burning would produce.

The second choice involves burning coal at these plants with the installation of the advanced pollution-control equipment. If this were done, air quality would not be degraded very much.

But, third, if neither path is taken, Consolidated Edison would likely continue burning low-sulfur oil, as it has since 1971.

Con Ed says its plan would save its customers about \$3.5 billion, or \$1.50 per month on their bills for the 27-year lifetimes of the boilers, because of the reduced cost of the coal to be burned. This approach would eliminate the risk of depending on imported oil. But coal burning as Con Ed proposes would enormously increase air pollution in the city and metropolitan area.

Under Con Ed's plan, the emission of sulfur dioxide—one of five key air pollutants regulated under the Federal Clean Air Act—would increase more than 700 percent over levels from the three boilers in the late 1970's. Each year, this would mean an additional 66,000 tons of this pollutant in the air, aggravating respiratory ailments. At present, the boilers emit 10,000 tons a year. The increase would exceed the present combined discharges from smokestacks on top of every office building, apartment and house in all five boroughs.

Not all of this pollution load would blow out to sea. Some would travel into upstate New York and New England, worsening acid rain problems. Some would move over Connecticut and Long Island and into New Jersey.

A second approach, however, could offer impressive savings to consumers while maintaining satisfactory air quality for all New Yorkers. Burning coal with the best available sulfur dioxide control equipment—"scrubbers"—would save money for ratepayers. The initial cost of the scrubbers would be high. This cost has been Con Ed's major reason for refusing to consider scrubbers. But compared with the cost of continued oil burning, the overall cost would still offer savings, as even Con Ed concedes, of more than \$1 billion over the boilers' lifetimes.

Use of scrubbers would mean that only about 11,000 tons of sulfur dioxide would be added per year, bringing the total to 21,000. This much smaller increase might be partly or totally offset if other utilities and industrial plants in the region agreed to reduce their emissions to compensate for Con Ed's increase, or if Con Ed limited its coal-burning plants' operating time.

Scrubber technology has been proved effective and reliable. Even the head of Conoco Inc., which owns the nation's second largest coal producing company, advocates scrubbers' use in power plant conversions from oil to coal as a means of dealing with environmentalists' opposition and promoting rapid expansion of coal burning.

If Con Ed's request is granted, the impact of the decision will not only fall on New Yorkers, it may also set a precedent for utilities elsewhere, which may conclude that scrubber requirements can be avoided if even New Yorkers pay scant attention to protecting their air.

During the next few months, an administrative law judge will review the hearing record and make a recommendation to the commissioner of the Department of Environmental Conservation on whether to grant the air quality permit Con Ed has requested. Community groups and private citizens should immediately involve themselves and make their voices heard.●



# COMPUTERS MAY WIDEN GAP IN SCHOOL QUALITY BETWEEN RICH AND POOR

HON. BRIAN J. DONNELLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. DONNELLY. Mr. Speaker, in January, I introduced H.R. 91, legislation to provide tax incentives to computer firms to donate computers to elementary and secondary schools. To be eligible for this additional tax deduction, a corporation would have to donate at least 75 percent of the equipment to school districts where the average family income falls below the national median income. This is to insure that less affluent school districts become full participants in the technological revolution.

In line with this concept, I would like to share the following article with you and my colleagues that appeared in this morning's Wall Street Journal: "Computers May Widen Gap in School Quality Between Rich and Poor." This article will clearly explain the need for inclusion of specific distribution requirements in any and all computer contribution legislation that may come out of the Congress. I hope that you will find this piece as informative as I did.

[From the Wall Street Journal, Thursday, May 26, 1983]

## CLASS MACHINES—COMPUTERS MAY WIDEN GAP IN SCHOOL QUALITY BETWEEN RICH AND POOR

SOME SEE THEM AS EQUALIZER, BUT TWO ATLANTA SCHOOLS SEEM TO POINT OTHER WAY RIVERWOOD HIGH, 18; PRICE, 6

(By Margaret Loeb)

ATLANTA—Luther Judson Price High School is in a poor, inner-city neighborhood. Riverwood High is in one of Atlanta's wealthy suburbs. But one day last March, Price had six microcomputers to help its students learn while Riverwood had just three.

Now, however, Riverwood has unpacked 15 more computers, the gift of generous parents. The new score, 18 to six in Riverwood's favor, points up a worry voiced by many educators: that computers, potentially a great equalizer, may instead widen the gap between the rich and the poor.

"The advantage of the American school system is that it's decentralized," says Andrew Molnar, a program director with the National Science Foundation. Essentially, he says, "schools that want to introduce computers are free to do so; the disadvantage is there are going to be major discrepancies between those who have the resources and those who don't."

Jerome T. Murphy, associate dean at Harvard's graduate school of education, emphasizes the disadvantage. "We have a system of education in this country that is highly inequitable," he says. "There is tremendous diversity between school districts and among the states. Computers are a small exacerbation of a more fundamental problem."

## SEEN AS KEY TO FUTURE

With the move toward an information and services-based economy, many think that computer knowledge—both knowledge from computers and a knowledge of them—will become a key to jobs and prosperity. Legislators see it as a way to attract high-tech industries to their recession-strung states. Educators and parents see it as a way to give children a better future.

"Everything you see on TV—it's computer this and computer that," says Joyce Hines, a senior at an inner-city high school here. "If it's going to take over, maybe I can get a job with one."

Computers are likely to become a permanent fixture in the classroom. Educators say they cut down on teaching time and seem to improve learning in various subjects. Harvard is making computer work a graduation requirement. The state of Utah is requiring computer literacy for all new teachers, starting next fall.

But in the schools' rush to show they are in touch with the future, equity issues have largely been ignored, says Ernest L. Boyer, the president of the Carnegie Foundation for the Advancement of Teaching. "There's much evidence," he says, "that if we aren't careful, the affluent districts, where parents are themselves caught up in computer possibilities, will provide a lot of opportunity for young people while in poverty districts many young people won't be coming in touch with any of these new developments."

## TOO SOON TO WORRY?

According to a survey by Market Data Retrieval, a market-research firm, 72.6 percent of the country's richest high schools had instructional computers in the fall of 1982 while only 45.5 percent of the poorest high schools did. But since all this is relatively new—another survey found that instructional computers had reached into the classrooms of about 64 percent of U.S. secondary schools—some educators believe that it's too early to worry about equity.

"We don't have more than 200,000 microcomputers in schools," says Frank Withrow, the acting director of the U.S. Department of Education's division of educational technology. "If you arbitrarily say that every kid is entitled to 30 minutes a day on the computers, we would need four million in U.S. schools."

Other educators note that schools, despite any lack of local wealth, can often acquire computers with federal aid, state block grants, corporate donations or their own discretionary funds. They say the equity issue is really one of interest and student demand.

In Montana, for instance, the Stevensville school system has 48 computers for about 1,100 students, although it has one of the lowest per-pupil expenditure records in the state. "It's strictly priorities," says a school official. "A school system can have computers if it's willing to sacrifice somewhere else." But it often takes less of a sacrifice at a rich school than at a poor one.

## MONEY AND DISCOUNTS

Education agencies are beginning to tackle computers at the state and district level. Some, like the Houston school district, are allocating funds for hardware, software and teacher training. Others are starting out by arranging equipment discounts, offering curriculum advice and promoting software-sharing programs. "A few states are moving ahead to make computers a budget-line item, but it's more the exception than the rule," says Henry Ingle, the director of a

technical assistance project for state education agencies.

While corporate donations are an option for poorer schools—computer manufacturers are increasingly responsive to schools' requests for help—federal aid may prove a disappointing salve. Despite a rush of bills on mathematics, science and educational technology, "the proposals, while likely to have an impact, won't have the kind of impact that the rhetoric would have you believe," says Harvard's Mr. Murphy.

Of course, some students have computers at home. But there again, they aren't the poorer youngsters, so that just makes the equity problem worse.

At Scarsdale High School in Westchester County, N.Y., Corwith Hansen, assistant principal, says he isn't sure how many students have home computers, but "there's a small handful of kids who have surpassed anything we can offer them here." One student with a home computer wrote some programs now used by the school administration. Another earns \$300 to \$500 a month consulting and hopes to collect royalties on programs he writes. "But the school can't take credit for that," Mr. Hansen says. "He spent his bar mitzvah money on equipment, then earned it all back."

For disadvantaged students, such opportunities often don't exist. "Poor students would have access only in school, if at all," says Chicago Superintendent Ruth Love. "It's a major concern. We don't want to take away—we want the affluent and middle class to have access. We just don't know how to compensate with the poor."

Another concern of some educators is their belief that different schools use computers in such ways to reinforce the contrasting ambitions of their students. The national PTA told its state officers:

"At the secondary-schools level, a vocationally oriented curriculum in such areas as word processing, data processing and computer repair is developing for inner-city youngsters, whereas middle-class youngsters are being provided with higher-level uses of the computer in a precollege-level curriculum."

In assessing the problem of inequity, a closer look at two high schools, one in Atlanta's inner city, the other in a wealthy suburb may provide some insight.

## PRICE HIGH SCHOOL

Eight years ago, when Assistant Principal Narvie Hill Williams came to Luther Judson Price High School, her main task, she says, was to "stop the girls from fighting—there was a lot of that."

Things have improved over the years. She no longer has to accompany students to court "at least once a week for drugs or weapons." But fundamental problems affecting this school, with its high percentage of disadvantaged students, will probably never go away.

No wonder, then, that administrators here have trouble separating computers from deeper socioeconomic problems.

"At a faculty meeting, a department head expressed concern that we weren't in touch with the computer world," Mrs. Williams says. "I'm kind of torn. We need them; it's a fact of life. We want kids to be competitive. But we don't need them to the exclusion of basic needs."

For her, smaller classes and more teachers are higher priorities. So is money for special projects, such as showing her "regionally provincial" students parts of the city that every middle-class Atlantan is familiar with.

"The school," she says, "is a child's only resource in a community like this."

Only a fraction of the 780 students at Price use the schools' six educational computers. They aren't available before or after school because they are locked away—"so no one steals them," says Sybil Allen, an eighth-grader. For an hour each day, the computers are available on a first-come, first-served basis, but it isn't clear how many students take advantage of that time. The only schedule use of the computers is in remedial-reading classes, where 150 or so students use them.

One eighth-grader, Tracy Love, describes her work this way: "The computer gives me a paragraph to read. I put an answer on my work sheet and the computer lets me know if I'm right or wrong." When she answers correctly, the computer screen fills up with little "wows."

"The kids fall out of their chairs when they see that," says Linda Clements, a remedial-reading teacher.

Charles Mason, Price's principal, says he plans to buy another computer for the school this summer. He also hopes that Price will be accepted in a proposed city pilot program that would finance \$400,000 of computer software and equipment for about eight schools.

Not everyone at the school has an interest in computers. James Shepherd, a junior, thinks learning with computers would be pretty odd.

"I think they're working on a computer that can walk around," he says. "It would be strange to have it walk up to you and say, 'Here's your assignment.'" He adds: "I'd rather deal with my own kind."

#### RIVERWOOD HIGH

Last December, a parent donated \$5,000 toward Riverwood's planned computer lab and promised to match that amount if the PTA could raise another \$5,000 before year's end. Sherry Hines, PTA co-president, got on the phone. It took just one call.

Although many students here had computers at home, private-school children, with whom Riverwood students compete for admission to elite colleges, already had computer labs in their schools, Mrs. Hines says. The kids at Riverwood, she believes, were suffering by comparison.

Now the school has 15 new computers, and Principal Leonard Jones hopes that many of the school's 1,200 students will use them in math, science, English, foreign languages and personal finance, as well as basic to advanced computer courses. Mr. Jones is excited by the possibilities.

"For 200 years," he says, "education has been the same—someone standing up and lecturing. This is the first time we can teach 15 different students all at their own rates."

There are some computer-savvy students here who will doubtless be putting the computers to good use. Travis Brown, for instance, went to computer camp last summer. He ties up the phone for hours, his sister complains, using it to hook up to other computers in the area. Computers mean so much to him that his parents have devised a new punishment: Recently they "grounded" him awhile from using the family computer.

Travis finds the school's three older computers pretty pedestrian. "These are the worst," he says. "They're no fun to use. They're probably five years old. There's stuff we can't do on them." ●

#### RETIREMENT OF BUD AND EVA CONRAD

#### HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. LEWIS of California. Mr. Speaker, next month, the Valley News, a newspaper in my district, which has been owned and published by the same family for over 33 years will change hands. The community of Apple Valley will be holding a dinner to honor the couple who have run this paper since 1950 and I would like to take this opportunity to join their many friends and admirers in expressing my gratitude and appreciation to my close friends, Bud and Eva Conrad.

Bud is a veteran of the U.S. Marine Corps. He served in World War II, was wounded in the South Pacific, and decorated for bravery with the Purple Heart. Following the Marine Corps, Bud went into the printing business where he met and married Eva who was a publicist with K F I in Los Angeles.

In 1950 they purchased the Valley News and it became their lives. Eva ran the news editorial and business angle of the paper while Bud managed the shop portion. During this career they found the time to raise two wonderful sons, John and Bowen.

Eva devoted much of her energies to promoting the community of Apple Valley and its businesses. She served on the Apple Valley Part District Board of Directors, the San Bernardino County Airport Commission, and the Saint Mary Desert Valley Hospital Board. Eva is a licensed pilot and a charter member of the 99's a women's pilot organization.

Over the years, the Valley News has supported causes and candidates that were not always popular. However, remaining true to its convictions, this newspaper has retained the reputation of being a very independent publication. Eva's column, "Speak no Eva," was gossipy, yet informative and has over the years become a Conrad family notebook. "Police Blotter" was another popular column which gives a story of the human tragedy as well as comedy in the community. Bud and Eva have been town boosters for clubs, organizations, law enforcement and youth activities.

Mr. Speaker, I take great pride in commending to my colleagues Mr. and Mrs. Bud Conrad—a classic team in a classic American community—running what will always be remembered as a classic among American newspapers. I know their efforts and service have helped to make the community of Apple Valley a better place in which to live. ●

#### THE NEED FOR A NEW AMERICAN POLICY TOWARD SOUTH AFRICA

#### HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. SOLARZ. Mr. Speaker, last February I introduced comprehensive legislation, H.R. 1693, which would modify our policy toward South Africa to manifest our opposition to the legally sanctioned system of racism which exists in that nation.

This bill, which is the product of 2 years of hearings and research I conducted as chairman of the Subcommittee on Africa, has three parts: First, establishment of a set of legally enforceable fair employment standards for American firms operating in South Africa with more than 20 employees; second, a ban on loans by U.S. banks to the South African Government or its parastatal entities, except for loans made for educational, housing, or health facilities which are available on a totally nondiscriminatory basis in areas open to all population groups; and third, a ban on the importation into the United States of the South African kruggerand or any other gold coin minted or offered for sale by the South African Government.

#### REASONS FOR THE BILL

South Africa offers the world a unique example of systematic, legally enshrined discrimination on the basis of race. Of the 24 million people who live in South Africa, only the 4 million whites enjoy full political, legal, and economic rights. Millions of blacks have been stripped of their citizenship and arbitrarily assigned to ethnically based homelands which have remained in a state of perpetual underdevelopment. Blacks are consigned to an inferior educational system in which per pupil spending is roughly one-tenth of the spending in white schools. Blacks and other nonwhite South Africans have been uprooted from their homes in order to allow white citizens to move in.

To keep the country locked into a policy of white supremacy, the Government refuses to allow political participation by nonwhites in parliamentary elections. The Government has shown no desire to discuss the possibility of political power-sharing arrangements which would include Asians, coloreds, and blacks, as well as whites. Nor has the Government recognized that by pursuing its present policies it greatly increases the chances of serious and sustained violence in South Africa. While supporters of the present South African regime call it a bastion against the advance of communism, the truth is that it is the very existence of the apartheid policies of



the South African Government which constitutes the greatest incentive for Communist expansion in southern Africa.

In the final analysis, a political resolution of South Africa's problems will come from within South Africa, not from the United States or any other outside nation. Yet given the large amount of economic interaction between our two countries, there are a number of steps we could take which would have a significant symbolic and substantive impact upon events in South Africa.

We should take those steps for humanitarian, as well as strategic reasons. In the first place, the apartheid system in South Africa is repugnant to our own democratic principles. Second, South Africa's racial policies are assailable on strategic grounds. It is inconceivable that a small minority in South Africa will be able to continue indefinitely the denial of political rights to the majority of its people solely on the basis of race. It is therefore in the enlightened self-interest of the United States, in terms of our future relations with South Africa as well as many other African and Third World countries, to distance ourselves from the South African regime and demonstrate in meaningful and concrete terms our affinity with the legitimate aspirations of nonwhite South Africans.

I believe we can achieve that goal through the legislation I have introduced.

#### THE ECONOMIC RELATIONSHIP

The United States maintains extensive economic ties with South Africa. The 350 American companies in South Africa employ nearly 100,000 workers, of whom about 70 percent are black.

While some American firms have been in the forefront of progressive reforms at the workplace, many others are paying lip service to fair employment principles. The Sullivan Code, a statement of fair employment principles drawn up by the Reverend Leon Sullivan of Philadelphia and signed by over 140 companies in South Africa, has provided some momentum for equal employment opportunity. But the Sullivan Code is voluntary, and as Reverend Sullivan himself has testified, many of its signatories have honored the code more in the breach than in the observance. Indeed, that is one of the reasons Reverend Sullivan has spoken out in favor of a mandatory code.

On a study mission to South Africa in 1980, I found that the overwhelming majority of blacks with whom I spoke felt that the United States should withdraw all investment, or at least prohibit new investment, in South Africa. Significantly, they also said that if those measures could not be achieved and U.S. firms were to remain in their country, those compa-

nies should abide by a fair employment code which eliminates racial bias and provides equal opportunity in the workplace.

Whatever the advantages of disinvestment by American firms may be, disinvestment is clearly not politically feasible at this time. There are, however, a number of other actions Congress could take which would have a constructive impact on the prospects for peaceful change in South Africa and which would be well received by the majority of the people in that country.

#### FAIR LABOR CODE

The bill I have introduced sets out seven fair employment principles which American companies with more than 20 employees must adhere to: No segregation at the workplace; equal employment; equal pay; establishment of minimum wage and salary structure; increased representation of nonwhites in managerial, supervisory, and administrative jobs; improvement of the quality of employees' lives outside the workplace; and labor union recognition and fair labor practices.

The bill empowers the Secretary of State, with help from corporations, labor unions, and other interested parties in South Africa and the United States, to monitor compliance with these principles. Failure to comply would result in the following penalties: loss of the right to enter into any contract with the U.S. Government; loss of the right to export any goods or technology directly or indirectly to South Africa; and loss of the use of any services of the Export-Import Bank.

The adoption of this enforceable code of fair employment for American firms in South Africa should not be viewed as legitimizing our corporate presence there. Nor should it be seen as a catalyst for wholesale, immediate change in South Africa. An effective fair employment code can, however, make a meaningful difference in the lives of the men and women who work for American firms and can send an unmistakable signal that our country does not countenance South Africa's system of racial discrimination.

#### BANK LOANS

Another component of my legislation is a ban on American bank loans to the South African Government or its parastatal institutions, except for any loans made for educational, housing, and health facilities which are available on a totally nondiscriminatory basis in areas open to all population groups. Some American banks have had the foresight to suspend all loans to the South African Government. Other American banks have taken a different approach and have thereby helped to provide financial and psychological sustenance for the apartheid regime.

The South African Government has hailed the loans if it has received from American banks as evidence of its international creditworthiness and respectability. South Africa says these loans are used to support black development—but always in the context of separate development, rather than for facilities accessible to and benefiting all population groups. It is simply unacceptable for American banks to directly promote a policy of racial separation through these loans.

My bill does not bar loans from U.S. banks to private entities in South Africa. However, it would limit U.S. sources of foreign exchange for the South African Government.

#### KRUGERRAND SALES

Finally, my legislation would bar the importation into the United States of the krugerrand or any other gold coin minted or offered for sale by South Africa. Current holders of these coins would be allowed to keep or sell them.

Since the U.S. Government removed the restrictions on the purchase of gold by American citizens in 1975, South Africa has flooded the U.S. market with krugerrands. Since 1978 Americans have purchased nearly half of all the krugerrands sold by South Africa. In 1982, this amounted to \$363 million.

South Africa in the past has used the sale of krugerrands to help push the cost of gold to abnormally high levels. While the resulting upsurge in gold prices has been the principal stimulus in the resurgence of the South African economy, South Africa has not used its increased wealth to promote genuine social change.

As gold prices have risen, the South African Government has not undertaken any steps to dismantle apartheid, institute nondiscriminatory franchise, end residential segregation, terminate its homelands policy, or put large sums of money into black education and social services. The majority of the government's increased earnings has gone into defense expenditures and major industrial and commercial projects run by the government, and to expand social services for whites—not blacks.

By barring the importation of the krugerrand, Congress will prevent South Africa from draining away precious foreign exchange from our country in a manner which supports apartheid. A prohibition on krugerrand sales will symbolize to black South Africans that the United States is increasingly allied with their struggle for human rights, social justice, and complete political equality.

#### WAIVER PROVISIONS

The legislation allows for termination or waiver of various provisions to meet changing circumstances. The President may waive fair employment provisions of the bill upon a Presiden-

tial determination that enforcement would harm the national security interest of the United States. Congress would then have 30 legislative days to overturn that decision by a joint resolution of disapproval. In addition, the fair employment guarantees in the bill would no longer apply if the President determined that the Government of South Africa has terminated its system of racial discrimination.

Provisions of the bill governing bank loans and krugerrand sales would be waived for up to 1 year if the President determines that the Government of South Africa has made substantial progress toward the full participation of all the people of South Africa in the social, political, and economic life of that country, and toward an end to discrimination based on race or ethnic origin. This waiver could also be overturned by joint action of the House and Senate within 30 legislative days.

The multifaceted, measured approach I have outlined here will not work miracles in South Africa. It can, however, demonstrate to the majority of the people of that country that the United States is willing to act, as well as speak out, against the day-to-day horrors of the apartheid system. It can demonstrate to many of our friends on the African Continent—including such strategically important nations as Nigeria, Kenya, and Zimbabwe—that the United States shares their view that South Africa's racial policies are unacceptable.

Passage of the bill would have a beneficial effect within South Africa and would help us shore up our relationships throughout the continent. Not incidentally, it would undermine efforts of the Soviet Union to portray us as defenders of the apartheid system while itself posing as an advocate of human dignity and freedom.

Some opponents of this type of legislation make the claim that quite diplomacy will prove more effective than mandated restrictions on commercial activity. But those who advocate a course of gentle persuasion and voluntarism toward South Africa carry a particularly heavy burden of proof. For 34 years, since the Nationalist Party came to power in South Africa, the United States has pursued quite diplomacy—and the situation inside South Africa has not significantly improved.

The current administration policy of "constructive engagement" with South Africa is being interpreted by Pretoria as an offer of tacit support. At the same time it is condemned as an implicit endorsement of racism by spokesmen for the black majority which will eventually rule South Africa, by African states, and even by some of our Western allies.

When change does come to South Africa—as it inevitably will—the United States may wind up paying a

heavy price for leaving the impression, our public pronouncements notwithstanding, that we would not offer meaningful opposition to the apartheid system.

Another critique of bills regulating our commerce with South Africa comes from those who claim it is wrong to single out South Africa when many other African nations, not to mention other countries elsewhere, have engaged in a systematic denial of human rights and escaped any punitive action by the United States. In fact, over the past several years, Congress has passed legislation directed against the Central African Empire, Uganda, Zaire, Cuba, Chile, Argentina, Vietnam, Cambodia, and other nations in an effort to improve human rights or simply to express American abhorrence over the way people in these nations have been treated. Having imposed on these countries sanctions ranging from reduction in military assistance to elimination of economic aid and trade, Congress would certainly be justified now in placing modest restrictions upon our commerce with South Africa.

This legislation, which I first introduced 3 years ago, has been the subject of extensive hearings in the House. It has won the support of the AFL-CIO, United Auto Workers, American Federation of State, County, and Municipal Employees, NAACP, Congressional Black Caucus, Rev. Leon Sullivan, Americans for Democratic Action, National Council of Churches, and the Washington Office on Africa.

I believe the bill I have introduced would serve both our sense of national purpose and our national interest. This bill is currently cosponsored by 48 of my colleagues, and I would very much welcome the support of other Members for this legislation.●

#### THE 60TH ANNIVERSARY OF SAN JOSE HOSPITAL

**HON. DON EDWARDS**

OF CALIFORNIA

**HON. NORMAN Y. MINETA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. EDWARDS of California. Mr. Speaker, it is our great pleasure to bring to the attention of our colleagues the 60th anniversary of San Jose Hospital in San Jose, Calif., and to recognize the important contributions it has made to the community.

In 1921, a group of local businessmen and physicians incorporated the original San Jose Hospital as a profit-making venture. Its founding was spurred by the aging, overcrowded hospitals then in existence, the burgeoning numbers of physicians moving

into the valley following the end of World War I, and the vision of a growing San Jose.

The hospital's first patient was admitted in June 1923 when it opened with 78 beds; 2 years later the first of many expansions began with a further addition of 33 beds. The postwar period and growth decades of the 1950's and 1960's in Santa Clara County produced several growth projects, most notably the 200-bed Oaks addition in 1968 which, in total increased the hospital's licensed bed capacity to 578 beds.

San Jose Hospital never produced a cent of profit for its incorporating stockholders and, in 1937, its capital stock was called for redemption at one-third its cost and the hospital became a nonprofit institution which it still is today.

Throughout its history, San Jose Hospital has had a reputation for being responsive to the health-care needs of the community. For example, it was one of the first community hospitals to provide for open-heart surgery, have an intensive care unit, and establish an oncology center for cancer patients. Also, it created an inpatient psychiatric care center for disturbed young people, and opened an alternative birth center.

Today, San Jose Hospital offers a broad range of health care services in each of the traditional areas—medicine, surgery, obstetrics, pediatrics, psychiatry, and emergency health care—plus a wide variety of specialized health care programs. It also provides a range of supplementary and special services, all tailored to meet the needs of those it serves.

We commend the achievements of San Jose Hospital, and we know our colleagues join us in congratulating all the individuals associated with that institution for its long and distinguished history of community service.●

#### COAL LABOR UNION OPPOSED TO SLURRY PIPELINES

**HON. NICK JOE RAHALL II**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. RAHALL. Mr. Speaker, as a member of both committees with jurisdiction over legislation which would grant coal slurry pipelines the power of Federal eminent domain authority, for several years now I have had the opportunity to hear every conceivable argument for and against the bill.

This is now the fifth consecutive Congress to consider coal slurry pipeline legislation. Only once during all these years has the full House had an opportunity to vote on such a bill when in July 1978 a coal slurry bill was defeated by a vote of 246 to 161.



However, both the Committee on Interior and Insular Affairs and the Committee on Public Works and Transportation have on occasion reported the bill in the past. This year is no different with the Interior Committee having already reported H.R. 1010, the Coal Pipeline Act of 1983, and the Public Works Committee currently considering the bill.

Coal slurry proponents say that enactment of H.R. 1010 is in the public interest. It is interesting to note, however, that those who mine this Nation's coal believe otherwise. For the benefit of my colleagues, following is a column by Richard Trumka, president of the United Mine Workers of America, which was recently printed in the Beckley (W. Va.) Post Herald. Mr. Trumka quite eloquently explains the union's reasons for opposing coal slurry pipelines.

The article follows:

[From the Beckley (W. Va.) Post Herald, May 17, 1983]

FROM THE UMWA—COAL SLURRY PIPELINES:  
FALSE PROMISES, FALSE HOPE

(By Richard L. Trumka, President, UMWA)

(Editor's note: Recently, we invited the United Mine Workers of America to provide us with guest columns concerning union affairs. This is the first column in response to that invitation. Subsequent columns will be published weekly on receipt. We appreciate the cooperation of the UMWA and are happy to participate in this joint venture in communication.)

In examining the coal slurry pipeline bill now before Congress, it is appropriate to ask the age-old question: Who benefits?

The proposed legislation grants the federal right of eminent domain to the coal slurry pipeline interests. Eminent domain is the awesome power to take private property and right-of-way from owners, whether they be local or state governments, private corporations, or individuals. Clearly it is a power that should be exercised with the utmost care, and only with the complete assurance that it is in the best interests of the American people.

There are only three groups of interests who will definitely benefit if this legislation passes—some large coal companies (who are themselves dominated by big oil), electric utility companies, and the pipeline companies. Conspicuously absent from this list is the American public.

A favorite argument of the pipeline promoters is that the American public would benefit by the lower utility rates that would result. Anyone who must pay utility bills every month can see immediate flaws in this idea. First, it is by no means proven that the coal slurry pipelines would in fact lower the transportation costs of coal. And if they did, the savings would not go to the consumer. In a memo to President Reagan, his Council of Economic Advisers stated, "coal will sell at the highest price possible, subject to competition from other fuels . . . If transportation rates drop, it will simply increase the return to owners of coal mines."

The argument of lower transportation costs also assumes that coal slurry pipelines will increase competition. But pipelines, by their nature, are inflexible transportation alternatives. Railroads can increase or reduce their ability to haul coal as demand

risks and falls. Pipelines will be designed to transport specific amounts of coal. Any increase in demand beyond the pipelines' design capacity, therefore, could not be handled by pipelines. Given this inflexibility, only minimal competition would be offered.

Not only would consumers not benefit, they would actually end up paying higher prices for other goods that are transported by rail. If coal slurry interests are allowed to usurp the most lucrative part of the railroads' business, the railroads would be forced to raise the transportation costs of other goods to make up for the loss of revenue. There certainly will be no benefit to the American people if this happens. And unless and until transportation costs of other goods are readjusted, the railroads and their employees' pension plans will be imperiled. This is not what Congress had in mind when in 1976 and again in 1980, it adopted legislation to ensure the survival and economic viability of our nation's rail transport systems.

The next question to be considered is the impact on employment. The proposed legislation would trade 40,000 permanent jobs in the railroad industry for 7,000 temporary jobs building the pipelines, according to most studies done on the subject, including one by the U.S. Office of Technology Assessment (OTA). The pipelines would also disrupt the traditional eastern coal production patterns and shift an ever increasing amount of production to the west, displacing workers and causing communities and entire regions to suffer.

The people of southern West Virginia have been told that the passage of the coal slurry pipeline bill would be a benefit to their economically depressed coal industry. The proposed pipeline from this area, which would join with another one from Cairo, Ill., and continue to Georgia, would primarily service a few large mines that produce steam coal. Most of the unemployment problems of the coal industry in the Beckley area, however, are caused by the lack of a market for metallurgical coal. Since it is not possible to transport metallurgical coal via coal slurry pipelines there will be no benefit to those miners employed at mines that produce metallurgical coal.

Another argument of the special interests in favor of coal slurry is that the railroads don't have the ability to transport increased amounts of coal. A look at the facts prove otherwise. When coal production increased by 38 percent from 1973 to 1980, the railroads met the need. And between 1977 and 1981, they increased their coal car loadings by nearly 22 percent.

The United Mine Workers of America is not suggesting that there are no problems with railroad transportation of coal. The Staggers Act of 1980 to deregulate the railroad industry is not being properly applied. As a result, rail costs are too high.

The solution is to make the Interstate Commerce Commission enforce the law. The UMWA is supporting the amendment to the Staggers Act of 1980 sponsored by Congressman Nick Joe Rahall, D-W. Va., and Sen. Wendell Ford, D-Ky., directing the ICC to follow the intent of Congress when it initiated the railroad deregulation.

In addition, there remain significant environmental questions that are unanswered. These questions also involve the rights of the states to control their own water resources.

To transport coal by slurry, it is pulverized to roughly the consistency of sugar and mixed with an equal weight of water—about

200 gallons of water for each ton of the coal. The western states where most of the coal slurry pipelines would be used, such as Wyoming, Montana, Arizona, etc., already have a shortage of water. To make enough water available for coal slurry without endangering the public, they would have to cut back the availability of water used by others, such as ranchers, agricultural interests, coal liquefaction and gasification projects and reclamation efforts.

When the coal gets to its destination and the water is extracted from it, there is the problem of what to do with the water. It is not clear whether elements that go into the water with the coal, such as mercury and lead, would be extracted along with the water. Coal slurry pipelines interests show no inclination to build a second pipeline to return the water to its point of origin for recycling—an expensive proposition that may prove necessary.

The results of this coal slurry pipeline bill would not even be good for the entire coal industry—only those large coal operators located near the point of origin of the pipeline who have long term markets and contacts for their coal would be insured access to the pipelines.

According to the minority view of the House Committee on Public Works and Transportation, written in part by Nick Joe Rahall, "The small operator cannot enter long-term contracts under these conditions and will not be able to gain access to the pipelines after the contracts are signed."

Again quoting the minority view of the House committee, "The coal slurry pipeline bill is blatant special interest legislation that confers the awesome power of the federal right of eminent domain to a select few private corporations. It should be defeated."

The United Mine Workers of America concurs with this position. This is bad legislation. It is bad for the consumers, for railroad workers, for coal miners, for small coal operators, for the environment and for the American public. This legislation does not serve the best interests of our nation. ●

## DEFENSE APPROPRIATIONS FISCAL YEAR 1984

HON. CARLISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mrs. COLLINS. Mr. Speaker, like other Americans, many Chicagoans have lost health benefits due to layoffs. The transfer of budget funds from social programs to the military budget, coupled with fiscal conservatism in all programs but defense appropriations, have made for a severely restricted allocation and distribution of funds. And Chicagoans, like other Americans, are getting wary of it.

While I have been a supporter of an adequate defense to insure U.S. safety, I do not appreciate the vicious and irrational way in which our social programs have been railroaded. It appears, by judging from the record of the Reagan administration, as soon as a program begins to show signs of development and progress, its budget is cut from underneath.

There is no better example of this need for a long-term commitment than in the area of health services. Benefits from health programs are sometimes not immediate. Instead, fruition may develop in the ensuing generations.

Today, I am submitting the testimony of Dr. William Rollow of the Chicago Coalition for a National Health Service as presented before the Chicago Peace Council on April 23, 1983. His statement encourages an excellent, yet long-range effort which will safeguard our health for the future.

**THE IMPACT OF MILITARY SPENDING ON CHICAGO AND ALTERNATIVES FOR 1984**

(By William Rollow, M.D.)

I appreciate the opportunity to provide testimony on these important issues.

I speak not only as a representative for the Chicago Coalition for a National Health Service, but also as a physician who has practiced in the public and private sectors in Chicago for the past six years.

Health care in Chicago is entering a very frightening period for patients and health providers. Our economy has been in decline since the early seventies. But this has only recently begun to have a substantial impact on the health sector. Health care expenditures, both public and private, were largely uncontrolled in the past two decades, making this one of the most profitable sectors of the economy. Now it has been decided by the Reagan administration that the health needs of our people must take second place to accelerated and exaggerated military expenditures. Money for health and welfare programs is being used to prepare us to intervene against peoples' movements in other countries and to confront the Soviet Union, which of necessity has always maintained a defensive posture with regard to nuclear war. The result has been a deterioration of health services for our own people, in addition to violence and the threat of catastrophe for people in other nations.

Cuts in health and welfare programs are not immediately followed by measurable declines in the health status of our people. Instead, there is a lag time. In some areas, the lag may be as long as two decades. This is true for the development of cancers due to less vigilant protection against occupational and environmental toxin exposures. In other areas, such as infant mortality and infectious disease control, the lag time is much shorter.

For the average Chicagoan, however, health statistics are not as visible a concern as health services. In this area, recent cuts at the federal and state levels have begun to strike fear in the hearts of our people.

Many Chicagoans have lost health insurance due to layoffs. In many cases, they look to public assistance in meeting their health care needs. In the past two years, however, the State has cut some \$400 million in medical expenditures. Even worse, 139,000 persons now receiving General Assistance—which primarily benefits those unemployed for extended periods—are about to be completely dropped from benefits. Elderly individuals who now pay more out of pocket for health care than they did prior to Medicare's implementation in 1966, are being hurt by new Medicare reimbursement formulas.

As a consequence of these cuts in public expenditures for health services, many Chicagoans are unable to get the necessary

care. Some stay at home with untreated illness, some come to the hospital or doctor's office and are of necessity turned away to seek care in crowded public facilities. Many live in neighborhoods where the local hospital is on the verge of closure due to financial problems, as eighteen of Chicago's hospitals are.

This is how health care looks to Chicagoans, and they are scared about it. Something must be done to improve this picture.

What is the solution? The solution is not a return to the days of uncontrolled spending on health care. However profitable this approach has been for private entrepreneurs, it only marginally improved health and services for our people. And, as is particularly clear in these hard times, these improvements are very inequitably distributed.

Instead, we need two things. First, we need a commitment to adequate spending on health care at the federal level. Second, we need for that spending to occur in a system which is accountable to and controllable by the public which is footing the bill.

Over the long run, this is only able to be accomplished through a nationalization of health service services, with funding on a per-person regionalized basis, and control over services at the level of the local community. Such a program is embodied in the National Health Services Act, which has been introduced into Congress on an annual basis since the early '70's. I commend this bill to your attention and support.

Over the short run, we must look to other measures. An initial step in the right direction would be the diversion of funds earmarked for unnecessary and wrong military expenditures to health and welfare programs. This money should be used to create an expanded network of public clinics which would be backed up by services provided in community hospitals and as necessary in tertiary public hospitals like Cook County and the University of Illinois. With real community input into the operation of such a system, and with the use of organizational techniques developed by health plans in recent years, we could insure in the most economical way possible that people get needed health services.

Let's restore the faith of Chicagoans in government. Let's dedicate ourselves again to building a society in which the needs of our people are met.●

**A HIGH PRODUCTION STRATEGY TO REBUILD AMERICA**

**HON. RICHARD L. OTTINGER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. OTTINGER. Mr. Speaker, for the past 2 years, I have been working with 75 of my Democratic colleagues to develop an alternative strategy to the collapse of President Reagan's economic policy. Under the name the "National Economic Recovery Project," we organized ourselves into separate task forces, each of which examined specific issues and outlined proposals designed to develop a coherent path toward economic recovery. On Tuesday, May 24, we held a press conference to announce the plan to the public.

Mr. Speaker, I would like to submit for the RECORD the statement of principles for the project "A High Production Strategy To Rebuild America." the basis of the plan is to help the millions of unemployed return to work, to reduce the deficit which has skyrocketed under Reagan's leadership and rebuild our Nation's industrial strength through high investment and high production; 150 of my Democratic colleagues have endorsed the outline of the project. I hope my colleagues will take the time to study this solid economic recovery proposal.

**A HIGH PRODUCTION STRATEGY TO REBUILD AMERICA**

A strong and growing economy is the basis of our prosperity, our social stability and justice, our national security and our influence in the world.

We believe that Americans are seeking a common vision and a practical plan to rebuild our economy in the wake of the devastation caused by Reaganomics. We Members of Congress have therefore proposed "A High Production Strategy To Rebuild America." Although not all of us agree with every proposal we describe, we believe they offer the direction and options Americans must consider if we are to rebuild our economy.

**INTRODUCTION**

America's recovery hinges on creation of a maximum production plan to create enough jobs in every community for all Americans who need work.

Maximum production in every community is needed to revive local tax bases, which finance essential services. It is needed to help stimulate increases in productivity by assuring business decision makers that demand for their products will be strong enough to justify capital investment to improve efficiency. And workers who have the security of a certain job can confidently adjust to—and initiate—new labor saving technology.

A maximum production jobs plan will also help solve our Social Security difficulties by increasing the number of employed people contributing to the system, ensuring solvency for generations to come.

**I. NATIONAL GOVERNMENT MUST NURTURE INVESTMENT, INNOVATION AND GROWTH AMONG PRIVATE BUSINESSES WHILE ENSURING SUFFICIENT PUBLIC INVESTMENT TO BOTH MEET THE NEEDS OF BUSINESS AND PROVIDE THE JOBS AND SERVICES THAT BUSINESS MAY NOT PROVIDE**

Economic growth and maximum production require a healthy and dynamic private sector aided by an efficient and humane public sector. Under federal leadership, business, labor and government must be brought together to work cooperatively to create a climate for growth.

**Monetary Policy and the Federal Reserve Board**

We must abandon the monetarist policy of restrictive money growth, which has produced high real interest rates and periodically starved crucial industries of investment capital. We must require the Federal Reserve Board to respond to national economic policy by reducing interest rates and ensuring sufficient availability of funds for productive investments. This should include disincentives on credit for unproductive purposes and encouragement of credit to improve productivity.



*National industrial policy*

We must develop a national industrial strategy to make essential industries competitive with foreign producers and to support and encourage newer, high technology industries, which will dominate future innovation and economic growth. Among its elements:

A national investment facility to meet the essential investment needs of industry and the economic development needs of our communities.

Expanded support of research and development by both business and government.

A renewed commitment by government and business to provide education and training programs for Americans, including those displaced from their jobs, so they will have the skills necessary to perform the jobs of the future.

An aggressive campaign to increase American exports, including expanded Export-Import Bank financing; export trading companies; and pursuit of international agreements that will open markets to U.S. goods, prevent dumping of subsidized imports in the U.S., and adjust currency exchange rates to achieve fair competition.

Strategies to encourage worker participation in management, profit-sharing, and ownership in U.S. corporations, to improve the quality of work life and enhance industrial productivity and innovation.

*Public investment*

Adequate public investment is essential to provide an assured and steady "locomotive" for economic growth, creating jobs that meet community needs while stimulating demand for the goods and services of private business.

To ensure that investment, Congress should institute a national "capital budget." It should also create an agency to coordinate and organize the many, disparate federal investment programs, including:

Maintenance of our highways.

Expansion and renovation of mass transit systems to improve service, attract new riders and conserve energy.

A modern and competitive railroad system.

A program to ensure adequate water supplies, including repair of existing systems and waste treatment and disposal.

Programs to improve energy efficiency.

Strategies to maintain our watersheds and protect and conserve the land and its resources.

Programs to stimulate the construction and renovation of housing.

II. THE FUNDAMENTAL SOLUTION TO THE URGENT PROBLEM OF GOVERNMENT FINANCING IS A MAXIMUM PRODUCTION ECONOMY, WHICH WILL GENERATE NEW TAX REVENUES AND SHRINK PERSISTENT DEFICITS IN FUTURE YEARS

A strategy to rebuild America will not require huge new taxes on the American people. Rather, it will be financed by resources shifted from wasteful to productive uses, by the increased revenues from a fully productive economy, and by a tax code that ensures that those who profit pay their fair share.

We must finance the cost of government with a tax system that is simple, fair, progressive and productive. We must repeal the Reagan tax giveaways, which have decimated our revenue base, and repeal those tax expenditures that reward unproductive investment. All tax expenditures should be put into the budget and be subject to the same review as other expenditures. Auto-

matic tax indexing without regard to the state of the economy must be repealed.

The explosion of Pentagon spending under President Reagan cannot reverse the decline of American power in the world that has resulted from his economic policies and his attempts to conduct foreign policy from behind the barrel of a gun. The Pentagon's spending frenzy is sapping our economic strength, distorting our industrial base and, ultimately, reducing our security.

While it is a staggering moral issue, the arms race is also an economic disaster. A mutual, verifiable agreement to control and reduce both nuclear and conventional arms is essential to a sound economy.

Even without such agreements, we must moderate the Pentagon's spending, redirecting those resources to areas that will truly increase our security. We believe that by eliminating wasteful expenditures and cancelling ineffective or redundant weapons, we should hold real growth in Pentagon spending to no more than three percent in fiscal year 1984. Such restraint will increase our national security and influence in the world.

III. WE MUST CONTROL INFLATION BY TAKING PREVENTIVE ACTION IN THE MOST VOLATILE AND INFLATIONARY SECTORS OF THE ECONOMY

Economic growth and maximum production cannot be sustained without an effective program to control inflation.

Throughout the 1970s, the major causes of the inflation that raged through the economy were energy, food, housing and health care. Prices rose in those four sectors twice as quickly as in the economy as a whole.

Inflation in oil and food prices has recently subsided, due to the temporary oil glut, current abundant world harvests, and the deepest recession since World War II. Some housing prices have stabilized because high interest rates have driven most potential buyers out of the market, artificially reducing demand. As a result, overall inflation rates have dropped dramatically, during the deep recession. However, energy, food, and housing prices could skyrocket at any time; the inflation of health care has never subsided. We need a tough-minded policy to prevent another round of 1970s-style inflation.

*Reducing our vulnerability by reducing oil imports*

We must reduce our vulnerability to inflationary price jolts due to oil company actions, OPEC policies or the instability of Middle East politics. We must move away from our dependence on imported fossil fuels and into a new era of renewable, safe energy sources.

We must reestablish emergency measures to cope with future external jolts or destabilizing price changes.

The federal government must play a lead role in a crash program to encourage energy efficiency, use our vast coal resources in an environmentally acceptable manner and build new, solar-based renewable energy industries, which promise significant economic growth in the coming decades. An energy efficiency program will save America billions: reducing our dependence on imported oil spares us the costly, futile effort of building a rapid deployment force to protect Middle East oil routes.

*Controlling food price inflation*

The U.S. exports more food than any other nation. Unlike other nations, though, we have weak mechanisms for insulating our domestic food market from temporary price jolts due to sudden shortages of

supply. Sudden price jolts ripple through the agricultural economy and eventually inflate farm land prices.

Growing corporate control and concentration in farming, processing and marketing presents a serious threat to future food prices.

Controlling inflation in food prices requires that we maintain adequate reserves to avoid wild fluctuations in grain and commodity prices which are a disaster for producer and consumer alike. It also requires that we establish a reliable floor under the income of family farmers, who are fast becoming an endangered species.

*Preventing housing price inflation*

The major cause of skyrocketing housing prices in the past decade has been a shortage of houses and apartments as the post-war "baby boom" has become a family boom. Misguided high interest policies have added to the problem by crippling the housing industry and adding outrageous financing costs on top of increasing housing prices. The steadily upward curve of housing costs has made this sector ripe for speculation further fueling inflation.

An anti-inflation program for housing must expand direct investment in housing, hold down interest rates and increase housing for low and moderate income people. Low-income people will need continued federal assistance to find, affordable housing.

*Controlling health care costs*

The dominant health care financing systems in this country have inflation built into them. "Health care delivery systems" are delivery systems for treatment after disease or injury has occurred.

The keys to an anti-inflation program in health care are a change in the financing system to encourage cost containment, greater commitment to health maintenance organizations, and much more emphasis on the prevention of disease.

*Adopting an incomes policy*

With an anti-inflation program, the government must seek a consensus with labor and business to achieve an "incomes policy," in which a balance is achieved among wages, productivity, the prices of necessities, lower interest rates, and resumed growth in investment and job creation.

IV. WE MUST RECOGNIZE THAT ECONOMIC GROWTH REQUIRES A HEALTHY AND LIVABLE ENVIRONMENT. ARGUMENTS THAT WE MUST ROLL BACK SAFETY, HEALTH AND ENVIRONMENTAL PROTECTIONS IGNORE THE HUGE, HIDDEN, HUMAN, ECONOMIC AND ENVIRONMENTAL COSTS OF SUCH ROLLBACKS

We must maintain a strong commitment to clean air and water, to the control of acid rain and the safe disposal of toxic wastes. Development of permanent disposal sites for nuclear waste should be accelerated.

We cannot go back to the era of economic growth fueled by wasteful consumption. The realities of the new era require that we plan our economic growth. Job creation and economic development must come primarily from investments in retooling the basic capital equipment of society to feed, house, transport and inform our society in ways that conserve rather than consume our natural resources. We should treat our resources as a public trust. We should make decisions about their use and development as trustees for this and future generations. We must protect the wild and natural land and unspoiled air and water that our country has left.

Based on these principles for a maximum production plan to rebuild America, we will be offering specific legislation and task force reports throughout this session of Congress. ●

DEPARTMENT OF TRANSPORTATION  
MARITIME PROMOTION  
PACKAGE

HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. FORSYTHE. Mr. Speaker, the health of our Nation's merchant marine is deteriorating. Our carriers in both the liner and bulk trades are having trouble securing adequate cargoes. The costs of constructing and operating ships in the United States have skyrocketed and have almost priced our carriers out of the world market. Moreover, our carriers who operate in international commerce are competing against foreign operators who are benefiting in many cases from massive government construction subsidies and drastically lower operating costs. I could go on about similar problems in other parts of our maritime industries, but right now I want to concentrate on the problems of our carriers.

It is time to focus our attention on this important segment of our Nation's economy. We must act now to save our merchant marine. We must try some new approaches to provide assistance because the construction and operating subsidies have not worked to the extent anticipated. A little fix here and there has not worked in the past and I do not see any reason to believe it will work in the future.

I hope today to start a process of reassessment of the Federal programs aimed at fostering the growth and competitiveness of our merchant marine. At the request of the administration, I am introducing the Department of Transportation's draft legislation "To amend the Merchant Marine Act, 1936, and for other purposes." While I do not necessarily agree with everything in this legislation, at least it is a starting point from which we can proceed. The draft legislation has five elements.

First. It would continue the statutory authority to permit subsidized U.S. operators to construct and acquire vessels outside the United States and then reflag them in order to receive operating subsidies.

Second. It would allow reflagged vessels of less than 5 years of age to be immediately eligible to carry government-impelled cargoes.

Third. It would encourage foreign investment in U.S.-flag shipping by increasing the allowed foreign owner-

ship limit from 49 percent to 75 percent.

Fourth. It would authorize a U.S.-flag operator engaged in foreign commerce to use capital construction funds in connection with foreign-built ships.

Fifth. It would permit subsidized U.S. operators who are eligible for repair subsidy to have repairs done in foreign shipyards without subsidy or in U.S. yards with subsidy.

This legislative proposal does not provide answers for all the problems besetting our maritime industries. In fact, there will undoubtedly be those who will argue that it might cause harm to some sectors of the industry. However, we need to be honest in our assessment of what the Federal Government can do to help our maritime industries. There are, after all, limits. We cannot be "all things to all people." It may not be possible, for example, to maintain a U.S. presence in the world's shipping trade and at the same time provide substantial financial support to the U.S. shipyards. We may have to look at other alternatives rather than forcing U.S. carriers to use U.S.-built ships. The cost impact of such a requirement across the board—increased capital costs to the carriers, increased charges for shippers for transporting goods, and increased prices for U.S. consumers—simply may not be worth it. Consequently, I believe this legislative proposal should be studied along with all the other proposals we are considering. We cannot afford to dismiss out-of-hand any ideas.

Included with the Executive communication was a "Statement of Purpose and Need" that was prepared by the Department of Transportation to describe the administration's proposed legislation. I have attached that document to my remarks for the benefit of my colleagues.

STATEMENT OF PURPOSE AND NEED

The draft bill provides the legislation to implement promotional elements of President Reagan's program to revitalize the U.S.-flag merchant marine. The cornerstone of this revitalization program is the authority to permit subsidized U.S.-flag operators to acquire modern and efficient vessels outside the United States. In order to enhance the ability of U.S.-flag carriers to profitably operate this foreign tonnage, the President's program encourages the investment of funds in such vessels, and removes obstacles to the carriage of certain reserved cargoes. The draft bill also encourages foreign investment in U.S.-flag shipping by authorizing the permissible foreign ownership in certain programs under the Merchant Marine Act, 1936, to be increased from 49 percent to 75 percent, and permits tax-deferred monies in Capital Construction Funds to be used to acquire ships outside the United States. In addition, the draft bill would amend the Cargo Preference Act of 1954, so that certain reflagged foreign-built tonnage would no longer be required to wait three years before being eligible to transport the substantial cargoes subject to that

Act. Finally, the draft bill would relieve all U.S.-flag ships of the current 50 percent ad valorem duty on repairs performed abroad, in order to provide flexibility to ship operators in making such repairs and to reduce the amount of subsidy paid for repair work.

Section 101 of the draft bill would amend the Merchant Marine Act, 1936, to provide authority for subsidized U.S.-flag ships operators to construct or acquire vessels outside the United States and still be eligible to receive operating-differential subsidies (ODS). Since the enactment of the Merchant Marine Act in 1936, ODS vessels have been required to be constructed in the United States. Such vessels were generally built with the aid of construction differential subsidy (CDS). In order to assist subsidized operators in meeting their contractual obligations to replace overaged ships, Public Law 97-35 (approved August 13, 1981) added a section 615 to the Merchant Marine Act that authorizes the payment of ODS for the operation of foreign-built, U.S.-flag vessels in the absence of available CDS until the end of fiscal year 1983. However, restrictions placed on this authority for fiscal year 1983 mean that, for all practical purposes, the authority provided by section 615 was available only in fiscal year 1982. The draft bill would amend section 615 to continue to authorize U.S.-flag operators to construct or acquire vessels outside the United States and still be eligible to receive ODS. It would also clarify current authority under section 615 to acquire existing vessels outside the United States to be reflagged and made eligible to receive ODS. Section 615 authority would be effective upon a determination by the Secretary that the foreign built vessel is over 5,000 DWT and would be suitable for use by the Federal government for national defense or military purposes in time of war or national emergency. This provision would allow replacement of overaged vessels to continue on schedule and thus avert a decline in the size of the U.S.-flag liner fleet, which is the primary U.S. source of military sealift capability.

Section 102 of the draft bill would amend the Merchant Marine Act, 1936, to provide immediate eligibility for reflagged vessels for the carriage of Government-impelled cargoes under section 901(b)(1) of that Act, commonly referred to as the Cargo Preference Act of 1954. Cargoes covered by the Cargo Preference Act of 1954 are a major source of revenue for virtually all U.S. liner operators and many U.S. bulk operators. However, that Act now requires that foreign-built or rebuilt vessels must be documented under U.S. laws for three years before they can carry such cargoes. This requirement is at variance with the thrust of sections 101 and 201 of the draft bill which seek to eliminate barriers to the acquisition of vessels constructed outside the United States. The U.S.-flag vessels constructed or acquired pursuant to these proposals cannot be denied immediate access to such important cargoes if we are to have a strong U.S.-flag merchant marine. Therefore, section 102 of the draft bill would amend the Cargo Preference Act of 1954 to provide immediate eligibility for certain reflagged vessels for the carriage of Government-impelled cargoes. In order to promote a strong, modern and efficient merchant marine, the Secretary of Transportation would have to find any such vessel to be less than five years of age on the date of current registry under the U.S.-flag. A vessel older than five years but less than ten years of age on the date of current registry could be given immediate



eligibility if the Secretary determined, upon consultation with the Secretary of Defense, that the particular ship was necessary for the security of the national defense. Vessels currently authorized to carry Government-impelled cargoes would not be required to meet proposed eligibility criteria.

Section 103 of the draft bill would amend the Merchant Marine Act, 1936, to encourage foreign investment in U.S.-flag shipping and permit the current 49 percent foreign ownership in U.S.-flag vessels to be increased to 75 percent. This would attract needed capital to the industry, but still retain U.S. management control.

There currently are no U.S. ownership requirements for a U.S. corporation to operate U.S.-flag vessels in the foreign trade of the United States. Section 104(3) of the Vessel Documentation Act, as amended (46 U.S.C. 65b(3)), requires that such a corporation be a U.S. corporation within the meaning of the Act, that the president or other chief executive officer and chairman of the board of directors of such corporation be citizens of the United States, and that no more of its directors be noncitizens than a minority of the number necessary to constitute a quorum. As long as these requirements are met, such a corporation may be wholly owned by noncitizens of the United States.

However, a problem arises with respect to the citizenship requirements for a U.S. corporation which avails itself of one or more of the promotional programs provided by the Merchant Marine Act, 1936. Subsection 905(c) of that Act (46 U.S.C. 1244(c)) mandates the use of the citizenship definition set forth in section 2 of the Shipping Act, 1916, as amended (46 U.S.C. 802, 803). This section 2 definition requires that the controlling interest of a U.S. corporation be owned by citizens of the United States. Since the fundamental purpose of the Merchant Marine Act, 1936, is to assist U.S.-flag vessels to compete in the foreign trade of the United States, and all U.S. corporations who operate such vessels have therefore benefited by one or more of the programs provided by that Act, the section 2 citizenship definition controls. As a result, foreign ownership in U.S. corporations operating U.S.-flag vessels in the foreign commerce of the United States is currently limited to 49 percent.

Revitalization and expansion of the foreign trade segment of the U.S.-flag fleet will require substantial capital investment. Therefore, section 103 of the draft bill would authorize an increase in the amount of foreign investment in such U.S. corporations from 49 percent to 75 percent. This relaxation of existing citizenship requirements would provide additional potential sources of capital for investment in U.S.-flag shipping that will be necessary to construct new vessels and to purchase and reflag used foreign-built tonnage.

Section 104 of the draft bill makes conforming changes to section 9 of the Shipping Act, 1916, which requires the Secretary's approval where a U.S. citizen charters or transfers a U.S.-flag vessel to any noncitizens. The provision would extend this approval process to any situation where a U.S.-flag vessel is transferred to foreign registry, even where the vessel is not owned by a U.S. citizen. This change will allow the Secretary to prevent operators from placing vessels under U.S. flag on a temporary basis only to take advantage of promotional benefits under the Merchant Marine Act, 1936.

Section 201 of the draft bill would amend the Merchant Marine Act, 1936, to permit

U.S.-flag vessel operators to use existing and newly deposited tax-deferred monies in Capital Construction Funds (CCF) to construct or acquire foreign-built vessels.

Section 607 of the Merchant Marine Act, 1936, authorizes the Secretary of Transportation to permit a citizen of the United States owning or leasing vessels to defer the tax on certain funds generated by "eligible" vessels when such funds are deposited into a CCF, and subsequently used for the acquisition (including construction or reconstruction) of "qualified" vessels. An "eligible" vessel must be constructed or reconstructed in the United States, documented under U.S. law, and operated in the foreign or domestic commerce or fisheries of the United States. A "qualified" vessel, for which CCF funds may be expended, must be constructed or reconstructed in the United States, documented under U.S. law, and generally operated in the foreign, Great Lakes, fisheries or noncontiguous domestic trades of the United States.

The tax-deferred funds from a CCF are an important source of capital for the construction of U.S. flag vessels, particularly for subsidized operators engaged in foreign commerce. Present law, however, requires that CCF funds may be used only in connection with vessels constructed in the United States. Thus, subsidized operators who acquire foreign built ships under section 101 of the Act would be deprived of this important source of capital for the acquisition of their vessels. Non-subsidized U.S. flag operators who acquire tonnage abroad all are in the same difficult position with regard to the availability of CCF funds to assist in their capital programs. Section 201 of the draft bill would amend section 607 of the Merchant Marine Act to authorize a U.S.-flag operator engaged in foreign commerce to use CCF funds in connection with foreign-built vessels.

Section 202 would amend the Merchant Marine Act, 1936, to conform section 615 of that Act to the amendments made by section 201 of the bill.

Sections 203 and 204 of the draft bill would amend the Tariff Act of 1930, and the Merchant Marine Act, 1936, to relieve all U.S.-flag operators of the current 50 percent ad valorem duty on repairs performed abroad. These actions would also permit subsidized operators who are eligible for repair subsidy to perform such repairs outside the United States without subsidy or within the United States with subsidy.

Pursuant to the Tariff Act of 1930, a 50 percent tariff is currently levied on the cost of non-emergency foreign repairs that have been made on U.S.-flag merchant vessels. This ad valorem duty adversely affects the ability of U.S.-flag vessels to compete with foreign-flag vessels in the international commerce of the United States. By requiring U.S.-flag vessels to return to the United States for such repairs, this ad valorem duty limits the flexibility of our liner operators, places undue hardship on our bulk carriers operating in foreign-to-foreign trades, and results in the interruption of service with the loss of operating revenues. Additionally, this duty places the U.S.-flag operator at a cost disadvantage with foreign competitors who are not subject to such a measure. Section 203 of the draft bill would repeal section 466 of the Tariff Act of 1930, as amended (19 U.S.C. 1466), so that the current 50 percent ad valorem duty would no longer apply to foreign repairs made to U.S.-flag vessels. This would help put U.S.-flag vessel operators on a par with foreign-flag competitors.

Section 606 of the Merchant Marine Act, 1936, currently requires subsidized operators to perform repairs in the United States or the Commonwealth of Puerto Rico. Section 204 of the draft bill would amend this section to permit subsidized operators who are eligible for repair subsidy to perform such repairs in foreign shipyards without subsidy, or within the United States and the Commonwealth of Puerto Rico with subsidy. As maintenance and repair costs currently account for about 5 percent of all ODS outlays, and the average differential for these costs is approximately 30 percent, allowing foreign repairs for subsidized vessels would result in significant ODS savings.●

**FORBES MAGAZINE SALUTES RICH PRODUCTS AND SAYS BUSINESSMEN LIKE ROBERT RICH ARE THE KEY TO AMERICAN ECONOMIC GREATNESS**

**HON. JACK F. KEMP**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. KEMP. Mr. Speaker, as an adamant believer in free enterprise and the entrepreneurial spirit, I rise to salute my friends, Robert E. Rich, Sr., and Bobby Rich, Jr., and their dynamic Buffalo company. Mr. Rich, Sr., turned a small dairy business of the 1940's into what is now a diversified, expanding food processing company. Through a series of innovative developments, Rich Products has dominated the frozen nondairy products industry. Under the leadership of its founder and his son, Rich Products is today one of western New York's largest employers and one of America's most dynamic enterprises.

A recent Forbes magazine article details the expansion of Rich Products. I commend this article to my colleagues and present Robert Rich and his son Bobby as example of the type of American citizen that have made our country great and will restore America to economic strength.

ALL IN THE FAMILY

(By Jonathan Greenberg)

Robert Rich pioneered the nondairy dairy industry with soybean-based whipping cream and coffee cream that isn't really cream. For nearly 40 years privately owned Rich Products Corp. has worked this niche profitably. Now Rich's son, Bob Jr., president, has plans to bring Rich out of the niches as a fully diversified food company.

He has already made a start. Rich Products has quadrupled its sales over the past seven years, to \$400 million last year, with earnings approaching a healthy 4 percent of revenues. More important, about half of that \$400 million was from nondairy replacement products, compared with about 71 percent in 1975. That's only the beginning, says Bob Jr. His goal is to diversify into all areas of prepared foods, including frozen seafoods, fruits and specialty meats. Rich Products will be a \$1 billion company by 1986, he says, and ultimately "one of the

major food processing companies in the world."

Bob Jr. is hoping Rich's new Freeze Flo technology will provide a big boost. The process replaces some of the free water molecules in a product with other naturally occurring molecules like sugar and salt. The remaining water becomes bound to these molecules, so that the product remains soft at temperatures lower than the freezing point of water. This means that substances containing quantities of sugar, such as frozen fruit in pie fillings, can be eaten right out of the freezer without being thawed. "Frozen doesn't necessarily mean hard," says Bob Jr.

Will Freeze Flo ever match Rich Products' most successful product, Coffee Rich? If it does, the company is all ready to cash in. It holds 39 patents on the process, which it says cost nearly \$5 million to develop. So far, it takes in \$2.5 million a year licensing the process to 50 companies. Most of them are in Europe, rather than in the U.S. Rich contends that American companies are embarrassed because his small company beat them to it.

Rich has another key strategy, acquisitions, which operates in an unusual way. It seems to work. Bob Sr. and Bob Jr. try to select other companies that are also run by father-son teams. "We come along as a viable alternative to the public companies," says Bob Sr. "They can still operate their business and not have the rug pulled out from under them if anything should happen." All Rich takeovers are friendly, he says, and most owners stay on afterward because the all-in-the-family policy practically turns them into in-laws. "This violates a lot of rules of the big public companies," says Bob Jr., "but nepotism works."

Robert Sr., now 69 and Rich Products chairman, stumbled onto the secret of nondairy replacement back in 1945 while trying to find commercial applications for what he had learned about product substitution with the War Food Administration during World War II. For the long train ride one day from Buffalo to a distributor on Long Island, he packed some of his new soybean-based "whipping cream" in dry ice to keep it cool. He didn't intend to freeze it, but when he arrived he found it frozen solid. Desperately he mashed it up and found that it still whipped perfectly. That, says Rich, was the beginning of the frozen nondairy products industry—an industry that Rich Products Corp., still based in Buffalo, has dominated ever since.

Rich was also shrewd enough to position his company as a supplier to the food-service sector, the part of the industry that services restaurants, hospitals, schools and the like, rather than supermarkets. The long storage life of his products, he reasoned, would appeal more to cost-conscious food-service operators than to taste-conscious consumers. And instead of competing head-on with General Foods-type conglomerates in ad-influenced retail markets, Rich quietly built up markets behind the scenes.

In 1960, 15 years after starting the company, Rich brought out Coffee Rich, a freezable, pourable, nondairy substitute. It has dominated its market since, currently with a 90% share, claims Rich. Then the company developed another timely product: frozen dough. Supermarkets wanted a fresh-baked aroma in their stores but didn't want the hassle of setting up expensive bakeries. Today Rich Products runs the largest frozen dough plant in the world. Rich claims that its dough for breads, rolls and

pastries is sold to most supermarket chains in the country. Last year this accounted for nearly \$100 million in sales.

While the Riches are out acquiring other companies, a lot of bigger acquirers would like to acquire Rich. "We've been approached by literally every major food company in the world," says Bob Jr. expansively. Every offer is promptly rejected before anyone even gets down to the figures. Rich's niche is so rich that the Rich family intends to keep on working it themselves. ●

## NATIONAL TRAGEDY OF ASBESTOS DISEASE

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. MILLER of California. Mr. Speaker, asbestos disease is a national tragedy of stunning proportions. Over 21 million Americans have been exposed to significant amounts of asbestos in occupations ranging from construction to shipbuilding to automobile maintenance.

In the San Francisco Bay area, a portion of which I represent, perhaps a quarter million men and women have been exposed to carcinogenic asbestos in shipyards since the end of World War II.

Hundreds of thousands of these men and women, over the course of many years, will develop disabling diseases as a result of that exposure. As many as 15 percent of heavily exposed workers will die of asbestosis; many more will also die of cancer attributable to occupational exposure to asbestos.

But few victims of occupational diseases will ever receive the workers' compensation awards to which they are entitled. The few who do will wait far longer and receive far less than occupational-injury victims. Less than 5 percent of their medical costs will be paid by the compensation system. And when they die, the survivors' benefits will be one-tenth those of an occupational injury victim.

The unworkability of the compensation system has led over 20,000 asbestos workers to file lawsuits against 260 manufacturers and other third parties; 500 new suits are being filed each week, totally overwhelming the ability of the courts to process the cases. While there have been a few large awards and settlements, the delays are long, and the average benefits, like those under workers' compensation, have been inadequate.

The average return to a successful plaintiff is under \$50,000—and one-third of that amount goes to attorneys. The remaining \$25,000 to \$30,000 represents the workers' lost wages, pain and suffering, medical expenses, and survivors' benefits. The settlement rarely covers the costs accrued by the disabled worker during the protracted litigation period.

And when those meager benefits are gone, the responsible industry is free from obligation, and the bills are paid by the taxpayer.

According to testimony before the Subcommittee on Labor Standards, the cost of providing public assistance to occupationally diseased workers is \$3 billion a year—an unwitting taxpayer subsidy of hazardous industries.

The payments of prompt compensation benefits, as well as settlements and judgments in the lawsuits have been further frustrated within the past year by the bankruptcy filings of the Manville Corp., and two other asbestos manufacturers. These actions not only delay the awarding of just benefits to workers, but also jeopardize the financial stability of businesses which are being called upon to shoulder a disproportionate share of the compensation burden.

The enactment of occupational disease compensation legislation has been an elusive goal for many years. Like the events which spurred toxic waste cleanup laws, however, we have failed to act until tragedy has struck.

Today, I am introducing legislation to respond to this sweeping national crisis. This legislation will establish a fair system for providing adequate benefits on a timely basis to occupationally disabled Americans and their survivors—at no expense to the taxpayer of this country.

I am especially proud that the eight cosponsors of this important legislation include every Democratic member of my Labor Standards Subcommittee.

The Occupational Disease Compensation Act replaces the 51 contradictory, complex, and ineffective State systems with a single administrative mechanism for delivering benefits to deserving disease victims.

This legislation builds on existing administrative structures within the Department of Labor. A special task force would be created within that Department to expedite the processing of the enormous backlog of asbestos claims. The asbestos task force would be totally funded by responsible industries, not by taxpayers.

The legislation provides disability and medical benefits to disabled workers, and death benefits to surviving spouses and family members. Compensation under this bill is limited to those with work-related deaths and disabilities, and eligibility tests are rigid to assure that only deserving applicants receive benefits.

Fairness is the central principle embodied in this bill.

The entire financial burden of this compensation program will be borne by responsible employers and the industry. The bill does not require the expenditure of any public funds.

The funding mechanism employed by the bill is an insurance pool based



upon the estimated liability of each participant. The average recipient under this plan would receive higher compensation at a much faster rate than the meager benefits received under the current compensation and tort liability systems. As with other workers' compensation laws, this system would be the exclusive means for workers to receive disability and medical benefits, except in the case of workers who have already sought benefits under the existing State compensation systems. Those workers would be able to proceed with lawsuits filed before the date of enactment of this new law.

My bill contains an important safeguard against the unlikely failure of the new compensation system. Workers who file a claim under this bill could also file a liability suit, but action on that suit would be suspended in order to give the compensation system an appropriate opportunity to process the claim. If the system fails to conclude a case within 18 months of filing, the injured worker will have the right to proceed instead with a lawsuit. This compromise provision will encourage the system to work expeditiously and fairly, while protecting workers' rights.

Last, this legislation recognizes that, as terrible as the asbestos tragedy is, there are many other ticking time bombs in our Nation's workplaces. Other workers who develop occupational diseases should not have to endure the long delays suffered by asbestos workers.

Therefore, my legislation establishes a mechanism for extending the coverage of this act to other diseases and disabilities which result from occupational exposures, based upon expert scientific and medical research.

This legislation has been developed over the course of a year and a half, with the cooperation and full participation of all parties to the asbestos dispute. I want to offer my appreciation to everyone who assisted in that process.

As we move forward with hearings, I expect to hear recommendations for improvements in the legislation. I welcome such advice. We must all recognize that the opposition of any of the major parties can doom this legislation. But it would also doom tens of thousands of disabled workers, their families and their survivors to impoverishment, medical inattention, and even greater tragedies. No responsible person or industry can permit that to occur.

This legislation is the very highest priority of the Subcommittee on Labor Standards. I am totally committed to expediting hearings, markup, and passage in this Congress, and we will begin on that process next month.

#### SECTION-BY-SECTION ANALYSIS

##### THE OCCUPATIONAL DISEASE COMPENSATION ACT, GEORGE MILLER, D-CALIF., AUTHOR

*Section 1.* Section 1 establishes the title of the Act, and provides a Table of Contents.

*Section 2.* Section 2 contains the Congressional findings and purposes which detail the risk of harmful substances to workers, the inadequacy of the current compensation and litigative processes, and the need for a federal compensation program for occupational disease victims.

*Section 3.* This section defines the terms which are used in the Act.

*Section 4.* Section 4 establishes the applicability of the Act to all employees and employers, and for all deaths or disabilities which result from work-related diseases which are covered by the Act.

*Section 5.* This section establishes the compensation provided the victims of occupational diseases for death or total or partial disability. All medical expenses associated with the diseases are to be compensated. In addition, monetary benefits which are fair, reasonable, and adequate to the needs of the victims will be provided. Benefits for total disability will be 80 percent of the National Construction Average Weekly Wage for disabled workers whose primary exposure to the harmful substance was during employment in the construction industry; and for all other workers, 80 percent of the National Manufacturing Average Weekly Wage. Monetary benefits for partially disabled workers will be based on their wage loss due to the disabling condition, or on the extent of the loss of their physical capacity due to the disabling condition. Death and survivors' benefits are fixed at five years' total disability benefits.

*Section 6.* This section establishes the criteria for determination of the eligibility of a claimant for compensation. Claimants must demonstrate that the death or disability of the employee was the result of a disease which arose out of employment exposure to a toxic substance, and that the employee did not receive workers' compensation benefits for the same death or disability under a state workers' compensation law or the Longshore Act. Because the initial scope of the bill is limited to asbestos cases, this section also contains medical presumptions establishing the cause and effect relationship between certain diseases and exposure to asbestos.

*Section 7.* This section requires that claims be filed with the local office of the Labor Department's Office of Workers' Compensation Programs within two years after the death or disability occurs and the claimant knew of the work-relatedness. Claims based on preenactment deaths or disabilities may be filed within two years of the effective date, if not otherwise compensated under the state workers' compensation law or the Longshore Act. Similar rules apply with respect to claims which may be filed based on subsequent coverage of other occupational diseases under the Act.

*Section 8.* This section establishes the procedure for the adjudication of claims. Claims are processed by the Office of Workers' Compensation Programs, which may submit medical questions of fact for binding determination by impartial medical examiners. The OWCP will issue an order awarding or denying compensation, based on the evidence adduced during the claims adjudicative process, unless a hearing is requested, in which case the administrative law judge will issue an opinion, which will form the basis of the final agency determination.

*Section 9.* Section 9 provides that any party may petition for review of the agency order by the Benefits Review Board of the Department of Labor, within 30 days of such orders. Subsequent appeals are to the U.S. Circuit Courts of Appeals.

*Section 10.* Section 10 establishes the relationship between the remedies under this Act and other litigative processes. This Act is to be the workers' exclusive remedy against the employer, union, and agents and insurers of the employer or the union. Those with preenactment deaths and disabilities may file for compensation under this Act if they haven't already received workers' compensation benefits, or have not been denied those benefits on an adjudication on the merits. Those with postenactment claims must file for compensation under this Act. The filing of a claim for compensation serves as an automatic stay of any law suit which the claimant may have against a third party. Such stay remains in effect for 18 months (for all claims filed within the first two years after enactment) and for 12 months (for all claims filed after the second year after enactment). If the final agency determination is made on the compensation claim within the 18 or 12 month period (as appropriate), the claimant must accept that determination, and the law suit is withdrawn. If the final agency determination is not made within the 18 or 12 month period (as appropriate), the claimant may withdraw the compensation claim and proceed with the prosecution of the law suit against the third party.

*Section 11.* Section 11 contains the mechanism by which the cost of compensating victims, as well as the cost of operating the compensation program, will be borne by responsible employers and industry. There will be no federal financial contribution to this program.

This section authorizes the Secretary to assist in the formation of a pool of insurers to underwrite liabilities under this Act. Responsible employers and manufacturers may secure liability insurance through this pool, or with the approval of the Secretary, self-insure their obligations.

The Secretary is directed to develop a formula for allocating the responsibility for funding benefits under the Act among responsible employers and manufacturers, and to insure through regulatory and enforcement authority provided, that employers and manufacturers meet their obligation to provide sufficient insurance to meet the need of the compensation program.

*Section 12.* This section provides that monetary benefits shall be paid bi-weekly, and shall commence promptly upon the filing of an uncontested claim, or after the final determination of a claim which has been contested. A mechanism for adjudicating questions arising out of the payment of benefits is provided, as well as penalties for the improper suspension of compensation payments.

*Section 13.* This section provides that the responsible employers and manufacturers will pay the representation fees of claimants who, because of challenges to their claims for compensation, must secure legal or non-legal assistance in processing their claims.

*Section 14.* Section 14 prohibits employer discrimination against an individual who has filed a compensation claim or other legal action, or who has previously been exposed to a toxic substance in the workplace, and provides enforcement procedures.

*Section 15.* This section establishes a program in the Department of Health and

Human Services for research into improving the surveillance of workers exposed to toxic substances, improving medical treatment of such workers, and studying the development of occupational diseases. This program is to be funded by the employers and manufacturers who contribute to the payment of compensation by a 1 percent surcharge on the cost of the compensation program.

**Section 16.** This section establishes the procedure by which the coverage of this Act may be expanded to include different workers who may be exposed to toxic substances other than asbestos. The National Institute for Occupational Safety and Health will conduct an ongoing review of medical research, and the Secretary of HHS will report annually on those studies which indicate that the risk of occupational disease among groups of workers exceed that which would be expected in a similar unexposed population by at least 30 percent. In these cases, the Secretary of HHS may recommend that the Secretary of Labor, by formal rulemaking, promulgate regulations to expand the coverage of this Act to include such disease or such groups of workers. The Secretary's regulation to expand coverage will include medically justified presumptions linking diseases with exposure to toxic substances, formulas for apportioning financial responsibility among employers and manufacturers, and provisions for providing insurance coverage of those liabilities. The Secretary's regulation is subject to a two-House Congressional veto.

**Section 17.** This section requires that the Office of Workers' Compensation Programs establish a separate task force to handle claims presented under this Act, and establish separate procedures for the processing and adjudication of those claims. It directs the Benefits Review Board to prescribe rules of procedure for the discretionary review of appeals taken from OWCP determinations on claims.

**Section 18.** This section contains the administrative provisions for the insurance pool which will pay the benefits under the Act, permits the designation of a manager of the pool, and authorizes the pool or the Secretary to enter into contracts for the administration of the pool and the management of its responsibilities.

**Section 19.** This section provides the Secretary with authority to seek to enjoin certain acts or practices which are violative of the Act.

**Section 20.** This section provides that the holding invalid of any provision of this Act will not result in the invalidation of the rest of the Act; but that a judicial determination that holds invalid the limitation of liability of manufacturers will result in the elimination of such manufacturers' obligation to provide funding of compensation benefits, and similarly, that the holding invalid of any aspect of the compensation program with respect to groups of disabled workers will enable those workers to pursue legal remedies outside the Act.

**Section 21.** Section 21 provides that the Act will become effective six months after its enactment.●

## JUDICIAL CONFERENCE SENTENCING PROPOSAL

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. RODINO. Mr. Speaker, I recently introduced, at the request of the Judicial Conference of the United States, the Sentencing Reform Act of 1983. This proposed legislation was developed by the Conference's Probation Committee under the distinguished leadership of U.S. Circuit Judge Gerald Bard Tjoflat, and was approved by the Judicial Conference at its March meeting. I welcome this proposal as a significant contribution to our efforts to reform the Federal sentencing system.

Few question that Federal sentencing procedures need revision. One pervasive flaw in current Federal sentencing practice is unwarranted disparity in the sentences imposed. The absence of congressional guidance to the judiciary has all but guaranteed that, without apparent justification, similarly situated offenders convicted of the same type of offense will receive different sentences. This disparity exists in part because judges are not required to state their reasons for imposing a particular sentence and in part because the sentencing system is premised on the belief that individualized justice is served by making ad hoc predictions about the likelihood of rehabilitation in a prison environment or on probation. Thus, current law permits persons convicted of the same offense and with the same criminal history to receive different sentences based on suppositions about how long it will take them to be "cured" in prison.

Congress took a substantial step toward eliminating unwarranted sentencing disparity in the Parole Commission and Reorganization Act of 1976 (Public Law 94-233). The direction provided to the U.S. Parole Commission by that act has largely resulted in similarly situated Federal inmates serving similar terms in prison. That act, however, has not enabled the Parole Commission to eliminate entirely such unwarranted disparity as is caused by the initial decision whether to incarcerate or by the sentencing court's setting parole eligibility at a later date than that which the applicable parole guideline establishes.

A second major problem in current law is the lack of clearly delineated procedures for imposing sentence. Present law specifically authorizes only imprisonment and fine. There is no sentence of supervised or unsupervised probation; restitution has only recently been added, and is not a separate sentence. There is also no explicit method of resolving factual disputes

which materially affect sentencing decisions.

Finally, our current sentencing system relies far too heavily on imprisonment, an incredibly expensive method of attempting to deter criminal behavior. Its usefulness is limited to its ability to punish offenders and to remove them from society so they cannot commit additional crimes. It should thus be reserved for violent or career criminals from whom there is no other appropriate protection. Current Federal law contains no provisions stimulating the use of alternative sentences for nonviolent offenders, and conversely no encouragement to the imprisonment of dangerous criminals.

The House of Representatives began significant efforts to remedy the deficiencies in Federal sentencing practices in the 96th Congress, when the Judiciary Committee's Criminal Justice Subcommittee, under the leadership of our former colleague Bob Drinan, drafted a criminal code reform bill. The Judiciary Committee reported that legislation, but the Congress adjourned before floor action could be taken. The reform effort continued last Congress under the guidance of our colleague from Michigan, JOHN CONYERS. The criminal code bill reported by his subcommittee last Congress has been introduced this Congress as H.R. 1013.

I welcome the Judicial Conference bill as a significant contribution to our work. I am very pleased to note that the bill draws heavily upon the legislation drafted by the Subcommittee on Criminal Justice in earlier Congresses. The basic features of the Judicial Conference bill—judicially developed sentencing guidelines, a more restricted role for parole, and appellate review of sentencing—are concepts which I have endorsed in the past, and which I believe will go far toward resolving the inefficiency and injustice of our current system. I cannot, however, fully endorse the Judicial Conference bill at this time because I believe that sentencing legislation must include two important matters that are insufficiently addressed in the proposal: the sentencing hearing and the use of alternatives to prison for nonviolent offenders.

First, the possession of accurate information is critical to making a sentencing decision, especially in a system utilizing sentencing guidelines. The methods and procedures for acquiring such information currently are not spelled out statutorily and the case law on the matter is not extensive. The Judicial Conference bill, by its silence, would carry forward the current state of the law. It seems to me that the better approach is to spell out in statutory language the means by which both the prosecution and the



defense can insure that all relevant information is provided to the court, and by which the court can resolve factual disputes.

Second, a vital element of sentencing reform is the encouragement of the use of alternatives to prison for non-violent offenders. Although the Judicial Conference bill takes a significant stride toward this goal by requiring that a judge choose the least restrictive sentence, I believe that the use of alternatives must be further encouraged by specific provisions for new, nonprison sentences. In the past, Judiciary Committee proposals have included such provisions. I also believe that a corollary principle should be considered: most chronic, violent offenders should be guaranteed a lengthy period of imprisonment for the protection of society. While neither the Judicial Conference bill nor the past Judiciary Committee proposals have included such provisions, a proposal along these lines should be studied.

In addition, I cannot now fully endorse the Judicial Conference bill's authorizing the Government to appeal sentences. There are compelling arguments on both sides of this issue which I believe deserve additional study as we consider reform during this Congress.

By submitting this proposal, the judicial branch has joined the administration and the Congress in recognizing the need for a new Federal sentencing system. I am confident that this Congress will enact legislation to that end. I introduce this legislation in the hope of encouraging further debate, and action, on the criminal justice issues before us.

The proposed Judicial Conference bill has three major features:

**Determinacy of sentences:** Under the bill, incarcerated defendants will know at the time of sentencing how long they will serve if they conform to the rules of the institutions in which they are confined.

**Sentencing pursuant to guidelines:** Guidelines are to be promulgated by the Judicial Conference on the advice of a Committee on Sentencing Guidelines. Sentencing judges may depart from the guidelines if they find, on the basis of circumstances of the particular offense or offender, that the purposes of sentencing are best served by departure.

**Appellate review of sentences:** Either the Government or the defendant may seek appellate review of a sentence on the ground that it was imposed as a result of incorrect application of the guidelines, or in violation of prescribed procedures, or otherwise in violation of the laws or Constitution. The defendant may appeal from an above-guideline sentence, and the Government from a below-guideline sentence, on the ground that the sentence is "plainly inappropriate." Government appeals will require a personal approval of the Attorney General or the Solicitor General.

#### DETERMINACY OF SENTENCES

The bill provides that the sentencing court shall include in the sentence, if a term of incarceration of more than a year is in-

cluded, the date on which the defendant is to be released on parole if he or she abides by the rules of the institution of confinement. Hence, unless the defendant is penalized for misbehavior in prison, the release date is fully determined at the time of sentencing. The guidelines to be prescribed by the Judicial Conference are to provide guidance on both the total duration of the sentence and the release date.

This bill does not abolish the parole function. The Parole Commission will decide whether—and for how long—a defendant is to be penalized for misbehavior; it will also continue to have responsibility for supervising parolees and making revocation decisions. However, the Parole Commission will no longer set parole dates based on the Commission's judgment of the severity of the offense and the offender's risk category. Under the proposed bill, it is the function of the sentencing judge, acting under the guideline system, to select the punishment for the offense; the function of the Parole Commission is to make decisions based on events that occur after sentencing.

The bill repeals the criminal provisions of the Narcotic Addict Rehabilitation Act, thus bringing addicts within the determinate sentencing schemes. It eliminates the indeterminate sentencing feature of the Youth Corrections Act, but preserves the requirement that persons sentenced under the act be confined in separate institutions of the opportunity for them to have the conviction set aside. Both the Narcotic Addict Rehabilitation Act and the Youth Corrections Act would be repealed by both the Senate and House bills.

#### SENTENCING PURSUANT TO GUIDELINES

Under the bill, sentence is to be imposed that accords with the applicable sentencing guideline unless the court finds, on the basis of the circumstances of the particular offense of information about the particular defendant, that the purposes of sentencing are best served by departing from the guidelines.

The guidelines are to be developed by a committee of the Judicial Conference, consisting of four judges in regular active service and three members who are not, or have not been, either federal or state judges. At least one of the three members must be a nonlawyer. The guidelines are to be submitted to the Congress by the Judicial Conference, and will take effect 180 days thereafter unless Congress prevents that outcome by act of Congress.

#### APPELLATE REVIEW OF SENTENCES

The bill provides that either the Government or the defendant may seek appellate review of a sentence on the ground that the guidelines were incorrectly applied, that prescribed procedures were not followed, or that the sentence is otherwise illegal. It also provides for defendants' appeals of above-guidelines sentences and Government appeals of below-guideline sentences. However, the Government may appeal only with the personal approval of the Attorney General or the Solicitor General. The bill contemplates that all issues about the sentence, as well as any challenge to the conviction, will be raised in a single appeal. The bill includes amendments to the Federal Rules of Criminal Procedure to ensure that the sentence appealed from is the final sentence of the district court.

In addition to appeals from above-guideline sentences, the bill authorizes a petition for leave to appeal from a within-guideline sentence on the ground that the sentence is "clearly unreasonable."

The present bill permits a Government appeal on the personal approval of the Attorney General or the Solicitor General and in denying appeals for within-guideline sentences. However, it permits an appeal from any sentence outside guidelines.

The fundamental motivation for a guideline system is to reduce disparity by producing binding standards for judges' sentencing decisions. The role of appellate review in such a system is to protect the binding nature of the guidelines, permitting departures from them only for legally acceptable reasons. Restricting appeals from sentences for minor offenses would undermine the binding nature of the guidelines for such cases. Moreover, in cases in which imprisonment is imposed in an above-guideline sentence for an offense that is lower than a Class A misdemeanor, it seems anomalous to restrict the defendant's appellate rights on the ground that the offense for which he was imprisoned was too minor to warrant appellate concern.

Similarly, prohibiting appeals by the Government would undermine the binding nature of the guidelines and—to that extent—permit disparity to persist. It would deny the courts of appeals not only the ability to correct unduly lenient sentences, but also the opportunity to enunciate law about the appropriate justification of below-guideline sentences. There is no sound reason for giving a convicted offender an entitlement to the benefit of a sentence imposed in violation of standards developed by the Congress and the Committee on Sentencing Guidelines. The goal of subjecting discretion to enforceable standards would be ill served by such a rule. The requirement that Government appeals be personally approved by the Attorney General or the Solicitor General should provide ample protection against abuse of the Government's right to take an appeal under the bill.●

#### SCAPEGOATING AMERICA

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mrs. HOLT. Mr. Speaker, the Williamsburg Summit Conference will bring together the leaders of the free world to discuss economic problems. The Conference comes at a time when the American economy has begun a stronger recovery than many forecasters expected.

We have achieved a dramatic reduction of inflation and cut taxes to generate economic growth, and there is considerable hope that the American recovery will stimulate a world recovery from recession.

However, we have critics among our allies. Some have pursued different economic policies than ours and are complaining that we have caused their problems.

The Summit Conference must not be allowed to become a forum for foreign leaders to blame the United States for their failed domestic economic policies. We must stand firmly for our policy of promoting economic growth without inflation.

Mr. Speaker, the Joint Economic Committee recently heard some excellent testimony on this subject by Dr. David Meiselman, professor of economics and director of the graduate economics programs in Northern Virginia for the Virginia Polytechnic Institute and State University.

I submit that testimony for the interest of the House:

**SCAPEGOATING AMERICA**  
(By David I. Meiselman)

Experience with almost a decade of economic summits suggests that, in general, we cannot expect significant changes in economic policy to follow such meetings. The advanced industrial countries participating in these annual events have close economic and political ties, and there is, and would be, much ongoing communication among the attending countries and their leaders even if economic summit meetings never took place. Such was the case before summits began, and such would be the case if no further summits were held.

To be sure, periodic summits do force leaders to come together on a systematic basis and much planning and discussion takes place in preparation for the event. Thus, there is some potential for facilitating an exchange of ideas, and perhaps some limited coordination of policies.

Along these lines, I would hope that the countries participating in the summit meeting will take effective action to lessen trade barriers, including those erected during the recent recession. Moreover, even if other countries do little to remove their own barriers, I would hope that the United States is wise enough to lower our barriers so that our own citizens can enjoy the benefits of less restricted trade and commerce. Among other things, lowering trade barriers is a sure and effective way to improve the economic situation and the debt repayment potential of the L.D.C.'s.

I would also hope that more effective policies with respect to east-west trade are adopted. At the very least, western countries should not subsidize trade with the Communist bloc, nor tolerate the export of strategic goods.

The foreign exchange value of the dollar always seems to be a major topic at economic summits. This is understandable in view of the importance of international trade and the key role of the dollar. It seems only yesterday that the French were loudly bewailing the fact that, in their view, the dollar was too weak—not that the franc was too strong, and that the U.S. was exporting inflation. Now, the French and six other socialist governments ranging from Greece and Sweden to Senegal complain of a strong dollar—not a weak franc, and call for intervention in foreign exchange markets to weaken the dollar, and perhaps also to move toward reinstituting large scale intervention in foreign exchange markets, even a resurrection of the failed and defunct Bretton Woods fixed exchange rate system.

To be sure, the dollar has been strong. Equivalently, the franc, the pound and the mark have been weak. Also, the United States is running a current account deficit in its balance of payments, largely because the value of imports exceeds the value of exports. The balance of payments is an accounting statement in which the net surplus (deficit) on current account must equal the net deficit (surplus) on capital account. Because the balance of payments, like other

accounting statements, must balance (and because there has been essentially no U.S. government intervention) the current account deficit balances and is essentially identical to the capital account surplus. One result of the capital account surplus is that U.S. interest rates are lower than they would otherwise be, which is most welcome. By the same token, the current account deficit also means that U.S. inflation is lower than it would otherwise be. The result of a strong dollar is, therefore, lower interest rates and less inflation than would otherwise be the case. I believe that most Americans would count both of these as strong pluses. Intervention to weaken the dollar, for given foreign interest rates and prices, must lead to higher interest rates in the U.S., more inflation, or both.

Moreover, a strong dollar is a spur to both export industries and import competing industries in foreign countries. This is why, especially during recessions, countries often try to depress their currencies in order to stimulate sales. Apparently, the French economy is so mismanaged by their socialist government that even a very weak franc has not helped them very much.

It seems to me that if the French wish to intervene in foreign exchange markets they can certainly do so themselves with their own assets, as they have done in recent months. This way, French rather than U.S. taxpayers bear the exchange risks resulting from what is essentially government speculation in exchange markets. This illustrates the important point that any discussion of exchange intervention or fixed exchange rates is largely empty unless it includes the crucial details of which country or international authority has which rights and obligations.

Alternatively, U.S. intervention to buy francs requires that the U.S. also sells dollars to finance the purchase. Where can these dollars come from? First, we could finance the purchase of francs by interesting taxes or increasing the budget deficit. It seems to me that if there is merit to U.S. intervention, then there is also merit in the usual budgetary review and controls. Let Congress appropriate the funds, as in the case of most foreign aid, and let there be the necessary congressional review and authorization. Unfortunately, in the past virtually all such intervention has not only been off-budget, it has also been financed directly by the Federal Reserve's printing press. The dollars created to buy foreign exchange are added to the U.S. money supply, and they are thereby an additional source of inflation and ultimately of higher interest rates, as well. In addition, the U.S. taxpayers, not the French taxpayers, bear the exchange risk.

By the same token, U.S. citizens who claim that the dollar is overvalued, in the sense that they believe that its foreign exchange value will fall, can readily put their own money where their judgments are and buy francs, marks and so forth, or sell the dollar short. But why ask the U.S. taxpayers to fund or participate in these speculations?

Note that the International Monetary Market of the Chicago Mercantile Exchange and other future exchanges offer easy and efficient access to those wishing either to speculate in foreign exchange markets or to hedge against exchange rate changes and volatility.

This is why any scheme that includes intervention in foreign exchange markets means that there is much less control over

the U.S. money supply. Indeed, a system of fixed exchange rates, such as the Bretton Woods system, means that the U.S. money supply becomes a by-product of U.S. intervention in foreign exchange markets, a mighty small tail to wag such a big dog.

I may add that, like other systems of government price fixing, the old Bretton Woods—IMF system did not work and could not and did not endure, even in the period of far greater stability and far less inflation. In the process of breaking up in the late 1960's and early 1970's, the fixed rate system itself became an engine of inflation, as country after country intervened to buy one currency or another with its own printing press money. The result was that the whole world was flooded with excess money that was the major cause of inflation in the first half of the 1970's which dwarfed the inflation creating power of O.P.E.C. (See *The Phenomenon of Worldwide Inflation*, ed. David I. Meiselman and Arthur B. Laffer, 1975.)

Let us not confuse cause and effect. When countries pursue non-inflationary and stable policies, exchange rates themselves are relatively stable. Little or no intervention is necessary to maintain the stable exchange rates. When, as in the 1960's, countries start to pursue inflationist policies and inflation rates differ, no amount of intervention can save the fixed rate regime. Indeed, the same conclusion for the efficacy—rather, lack of efficacy, of intervention was reached by the Working Group on Exchange Market Intervention established at the last Summit of Versailles in their report of March 1983. The Working Group was composed of experts from the countries participating in the Summit as well as representatives of the E.E.C. and the Bank for International Settlements. If countries follow non-inflationist, non-dirigiste policies where persons and property are secure, intervention is not necessary to guarantee exchange rate stability. If countries inflate or create conditions that encourage the flight of capital, no fixed exchange regime can endure or has persisted without the apparatus of a police state. To pursue policies that result in inflation and capital flight, and then to blame the U.S. for a weak franc is surely an exercise in international scapegoating.

U.S. or IMF intervention in exchange markets would effectively underwrite inflationist policies abroad. U.S. intervention in exchange markets, and perhaps also IMF intervention, may also lead to more inflation in the U.S. as well. Under the usual arrangements, if there is U.S. intervention to support the franc, it will mean that the Federal Reserve increases the money supply to buy francs. But for given prices in the United States, there can be no permanent effect on the exchange rate unless French policy also changes, which is not at all assured. The one sure thing is that faster money growth in the United States will make it impossible to maintain the current state of slow or no inflation. Faster money growth in the U.S. will lead to more U.S. inflation, thereby following the French lead. This is a necessary and inevitable result of fixed rates and U.S. intervention to finance them. It may also be one reason why countries and special interests eager for inflation propose or cheer on such policies.

The strong dollar is largely the consequence of the successful anti-inflation policy in the United States, the safe haven the United States affords foreign investors, and the improved prospects for substantial economic recovery. In my judgment, high



interest rates are not the major factor causing the strong dollar. When U.S. interest rates fell sharply from July through November of 1982, the dollar continued to strengthen against the U.K. pound, the German mark, the French franc, the Japanese yen, the Italian lire and other major foreign currencies. If U.S. interest rates are crucial in determining foreign rates, why did the dollar strengthen, not weaken, when U.S. rates cascaded down?

Some of the discussion about possible coordination of policies among countries participating in the Williamsburg Summit focuses, not on important issues of lowering trade barriers and restricting the export of strategic goods to the Communist bloc—an area where coordination is both necessary and possible, but instead centers on the hoped for coordination among nations of domestic monetary and fiscal policies. The details of the coordination are derived from the application of a simple Keynesian economic theory that has been standard fare for some years, especially among economists over the age of 40 who are unaware that the underlying Keynesian theory is essentially empty. The theory deals with the economic aggregates of fiscal policy, government spending, tax receipts and the deficit plus the economic aggregates of monetary policy, the quantity of money. The rate of interest is seen as determined by the interaction between the size of budget deficits and the quantity of money; hence, the presumptions of a tradeoff between fiscal and monetary policy.

In the Keynesian analysis, interest rates are seen as the price of money. Deficits, easy fiscal policy, are interpreted as increasing the demand for money. The first step in that mechanism is that deficits are understood to increase aggregate demand. With more spending, people wish to hold more money to carry on day-to-day spending. For a given supply of money, which would be a tight monetary policy, higher deficits, by stimulating the economy, increase the demand for money relative to the given supply, so interest rates rise. In this view, then, the mix of easy fiscal policy and tight monetary policy leads to higher interest rates, provided, of course, that the deficits stimulate the economy and leads to higher nominal G.N.P.

It follows that, according to Keynesian theory, in order to lower interest rates in one country, the rule is to reduce deficits and/or speed money growth. To coordinate the lowering of interest rates across countries, coordinate deficit reductions and faster money growth.

This theory is appealing, but wrong. If nothing else, interest rates are the price of time, not the cost of money. Interest rates cannot be lowered, except temporarily, by the use of the printing press. Indeed, we have learned from much sad and repeated experience that fast money growth leads to high, not low interest rates, and that slow, stable money growth is necessary for low interest rates.

With respect to fiscal policy, the main problem with this simple theory is that it simply doesn't work in practice. First, the complexity of budgets and taxes, and their impact on interest rates, cannot be understood by reference to the simple aggregate numbers used to describe budget aggregates and budget deficits, as is the current fashion. The inability of aggregate measures to capture the impacts of taxes and government spending may also help to explain why the usual statistical data on government

revenues, taxes and deficits have little or no historical relationship to inflation, interest rates, or G.N.P., evidence I presented to this Committee two years ago. (See, "Tax Cuts, Inflation and Interest Rates", Statement to the Joint Economic Committee, U.S. Congress, Hearings on Tax Policy: Are Tax Cuts Inflationary? February 22, 1981.)

One reason one cannot generalize about the effects of budget deficits on interest rates, inflation, and resource allocation, is that so much depends on how the deficits are financed. It makes a great deal of difference whether deficits are financed by selling bonds to the public or whether deficits are financed by the Federal Reserve and the printing press. Similarly, one cannot generalize about the consequences of eliminating deficits per se. It makes a difference whether government expenditures are reduced or taxes are increased. It also makes a difference which expenditures, and especially which taxes, are altered. Reducing the deficit by cutting government expenditures that have low productivity or subsidize consumption, in my judgment the bulk of the non-defense budget, would tend to lower interest rates and increase output and employment. Balancing the budget by increasing taxes that fall on investment and capital formation, by reducing returns to capital formation, and by reducing incentives to private borrowing to finance capital outlays may lead to a decline in interest rates, but at the heavy cost of impaired growth.

Thus, it does not even follow that reducing deficits necessarily leads to lower interest rates. That depends on which steps are taken to reduce spending or to increase revenues, not on the size of the deficit, per se.

This is why I am so skeptical about stated concerns for the size of the deficit and the presumed links between deficits and interest rates that omit both reference to the specific measures to eliminate the deficits and to the required analysis of what these budget-balancing measures would do. There is even more uncertainty about evaluating the impacts of stated budget deficits because of the peculiar and arbitrary character of government accounting and budgeting procedures and the statistics the current budget process happens to generate. For example, including so-called "off budget" items involving large numbers of loan and guarantee programs would increase the numbers in the budget and the numbers called "deficit." Treating capital outlays for roads, buildings and the like in a separate capital budget, as private businesses do, with only "expenses" for depreciation and maintenance included in current expenditures, might well reduce the numbers in the budget and shrink the numbers labeled "deficit," but alter nothing of substance. Moreover, because even the best, most disinterested forecasts of budget deficits have almost always been very far off the mark, there is little basis for confidence in the reliability of either budget or deficit estimates. Future government expenditures, revenues, and deficits depend on future inflation and economic circumstances that depend so heavily on future Federal Reserve policies. Future deficits also depend on actions of future Congresses, many members of which have not yet been elected to office.

In addition, the historical evidence also is that there is essentially no tradeoff between fiscal policy and monetary policy.

To avoid misunderstanding, when I state that jiggling with fiscal policy aggregates has little or no effect on short-run stabiliza-

tion targets, I am not arguing that fiscal policy doesn't matter. Taxes, spending and deficits do matter and do have a great effect on resource allocation, economic efficiency, income distribution, jobs, economic growth and interest rates. Indeed, bloated budgets, high marginal taxes and the tax and expenditure system that is severely biased against saving, investment, working, innovation, risk taking and economic growth and instead is biased toward consumption and encourages battling over how to slice up the pie rather than making the pie bigger is bound to matter greatly precisely because the economic structure and economic results are profoundly altered. The resulting slow growth, high unemployment, high real interest rates and loss of competitiveness surely represent an impact of great magnitude and severity. To paraphrase President Kennedy, "A falling tide lowers all boats."

U.S. real and nominal interest rates depend primarily on U.S. economic policies and economic results. Interest rates in other countries largely result from their separate policies. Under floating rates, there can be and are marked differences in interest rates among countries as exchange rates and the differentials between spot and forward exchange rates adjust in response to differences in nominal interest rates in order to maintain interest parity. Only in a fixed rate world, which no longer exists, do interest rates tend to equality. This is why, for many years, interest rates in Switzerland, Germany and Japan have generally been lower than in the U.S., while rates in Italy, France, Canada and the U.K. have generally been higher than in the U.S.

Countries such as the United States that persist in heavily taxing saving and capital will have little of it, and thereby real interest rates must remain high, whatever the short-run fiddling with the aggregates of fiscal and monetary policy. Countries that print too much money will have inflation and high nominal interest rates, whatever happens to their fiscal policy aggregates or whatever other countries do or do not do with their own fiscal and monetary policy aggregates, particularly in a floating rate world. In addition, the lags in the effects of these policies are so variable and so poorly understood, there is little or no basis for believing that complex coordination among countries can work at all. Forecasts for individual countries are surely full of error, unavoidable error given the current state of economics, so how can there be meaningful coordination among countries.

Moreover, since most proponents of some system of coordinating fiscal and monetary policies among countries wish to act on the basis of flawed economic theories, there is no way such efforts can ever work out as intended. In addition, the record is that despite hundreds of international meetings to discuss such coordination—usually held in some of the most pleasant settings, there is precious little evidence of any successful implementation or results.

There is one more aspect of repeated calls for coordination that troubles me. Most of the other countries participating in the Williamsburg Summit have parliamentary systems and cabinet government. They also have central banks which are effectively branches of their treasury departments. Only in America does the Legislative Branch have so much authority and responsibility for taxes and spending, and only in America is the central bank, the Federal Reserve, at least nominally independent of the Executive Branch of government. This

means that heads of state and government of other countries have a much wider range of options open to them in the operation of monetary and fiscal policies than is the case for our President. As a practical matter, then, I do not see many members of the U.S. House or Senate, who must vote on taxes and the budget, bound by or even strongly influenced by an decisions made by foreign leaders about what U.S. taxes and budget deficits ought to be.

Finally, I believe that, in general U.S. economic policies that result in economic growth and stable prices are not only best for our own people, they are also best for other countries, as well. This means policies of slow and steady money growth, continued deregulation, further tax reductions and tax reform to lessen the bias against saving and investment, and a reduction in bloated budgets. In the international area, this means removing barriers to trade, and exchange markets free of government intervention.

To paraphrase Shakespeare, the fault, dear members of the Joint Economic Committee, is not in our trading partners but in ourselves that we have been in such bad economic shape. And, I would hope that other participants in the Williamsburg Summit come to the point where they admit the same for themselves and their policies.

#### MAKEMIE CHAMPIONS RELIGIOUS FREEDOM

#### HON. ROY DYSON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. DYSON. Mr. Speaker, I would like to bring the attention of my colleagues to a remarkable individual who first arrived in this country 300 years ago. The Reverend Francis Makemie left the Presbytery of Laggan in Ireland to take up the ministry in what was then the Colony of Maryland. Francis Makemie is remembered for two important contributions to life in America: He built one of the cornerstones of religious liberty in a landmark trial and went on to found the Presbyterian Church. I am inserting the text of a brief historical passage which describes Francis Makemie's experiences in the Colonies.

#### MAKEMIE CHAMPIONS RELIGIOUS FREEDOM

You are hereby required & commanded to take into your Custody, the Bodies of Francis Makemie & John Hampton, pretended dissenting Protestant Ministers, for Preaching in this Province, without qualifying themselves according to an Act of Parliament. . . . Thus did Edward Viscount Cornbury, Governor of New York Colony, order the arrest of two Presbyterian ministers for preaching in New York without a special license.

Lord Cornbury held them in jail for a month before they were released on a writ of habeas corpus. Two months later, in 1707, at his trial Makemie argued that as a dissenting minister he had secured a license in Maryland, which was valid in all of England's possessions.

Although Lord Cornbury insisted that the queen had given him authority to require a special license of all ministers not connected

with the Church of England, this had not been promulgated. Makemie's lawyers argued that it was therefore not a law.

The jury found Makemie not guilty, on the ground that he had transgressed no law. Makemie lighted a beacon fire for religious freedom in New York.

Twenty-four years earlier, as a young minister in Ireland, Francis Makemie had responded to a call to minister to Presbyterians in the Colony of Maryland. There he served five churches by sailing up the rivers and creeks in a sloop and preaching to the people. To support himself he engaged in trade along the coast and with the West Indies.

Feeling the isolation and loneliness of the American wilderness, Makemie in 1706 invited six other ministers to meet with him in Philadelphia to form the first presbytery for mutual encouragement and to provide churches for needy communities. Thus was the Presbyterian Church first organized in America.

The State of Maryland proclaimed May 14, 1983, as Francis Makemie Day, to honor the achievements of this courageous man. The United States of America is as great and as free as it is today because of the efforts of liberty-loving individuals like the Reverend Francis Makemie. It is indeed an honor to remember the contributions he made to our way of life. ●

#### SUPPORT BUILDS FOR MARI- TIME SERVICES FINANCIAL RE- SPONSIBILITY BILL

#### HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. WYDEN. Mr. Speaker, earlier this year I introduced the Maritime Services Financial Responsibility Act (H.R. 1307), a bill to require vessels engaged in foreign commerce calling on U.S. ports to maintain evidence of financial responsibility to pay for shore-side services.

This legislation is necessary to put a halt to the growing and reprehensible practice of foreign ships—particularly foreign State-owned carriers skipping port without paying for services provided by stevedores, marine terminal operators, and similar small businesses in ports from Baltimore to Portland.

Last Friday, the House Merchant Marine Subcommittee held a comprehensive hearing on this legislation. Expert testimony was received from representatives of a wide spectrum of maritime interests forcefully outlining this problem and the need for corrective legislation. I am very pleased at the favorable response this bill has received from in the Merchant Marine Subcommittee and the fact that 14 members of the subcommittee have now agreed to sign on as cosponsors of H.R. 1307.

Further evidence of support can be seen in an editorial that appeared in the Baltimore News-American last

week entitled, "Muzzling Maritime Muggers." I ask permission that this editorial be printed in the RECORD and I urge my colleagues—particularly those who represent districts that rely on a strong and healthy maritime economy—to join me in supporting this legislation.

The editorial follows:

[From the Baltimore News American, May 18, 1983]

#### MUZZLING MARITIME MUGGERS

Time was when U.S. marshals in American ports could place ships with unpaid bills under arrest and post notices that they could not leave port until the bills were paid. Then in 1976 the U.S. government, in all its wisdom, signed foreign treaties prohibiting such action.

The consequences now have come to light with ships' chandlers, tugboat operators and stevedores revealing that irresponsible foreign shipping companies have been running up bills from coast to coast and leaving port without paying them. As a result, some firms have been forced into bankruptcy. In Baltimore alone the losses have been immense.

Now Rep. Barbara Mikulski has joined Rep. Ron Wyden, D-Ore., in introducing legislation in Congress that would require all vessels engaged in foreign trade to establish financial responsibility through insurance, surety bonds or equivalent measures. The bill also calls for a \$10,000 fine for any vessel leaving port owing money.

Aside from the direct help the legislation would give to ship suppliers, there would be an important side benefit. The "maritime muggers," as Rep. Mikulski calls them, would be weeded out, and that would mean more business for the legitimate shipping lines.

Needless to say, the legislation is vital for Baltimore and all U.S. ports. ●

#### COMMEMORATING THURSDAY, MAY 26, 1983, AS WORLD TRADE DAY IN CLEVELAND, OHIO

#### HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. FEIGHAN. Mr. Speaker, today has been designated as "World Trade Day" in Cleveland, Ohio.

The President of the United States has declared the week of May 22-28, 1983, as "World Trade Week" in the United States. I take this opportunity to salute the trading community in Greater Cleveland for designating Thursday, May 26, 1983, "World Trade Day" in and throughout northeastern Ohio. As I address this distinguished body, over 1,000 businesspersons are meeting at a world trade day conference in Cleveland, Ohio, to explore new and creative ways of becoming involved in international trade. The theme of their conference, "New Perspectives in World Trade," is highly appropriate in a world so dependent



on international trade for economic growth and development.

I appreciate the importance of international trade to the economy of Cleveland. Over 17,500 jobs in the area are dependent upon exports. As a county commissioner, I was instrumental in establishing Cuyahoga County's division for international trade. Now, as a member of the House Subcommittee on Economic Policy and Trade, I look forward to continuing my involvement in the development of a national trade policy, particularly as it affects the flow of international commerce in Greater Cleveland. Increasing the flow of trade by increasing exports means jobs for the unemployed.

In this increasingly interdependent world, American business, especially the small- and medium-sized companies, must focus more of its efforts on exporting goods and services.

I offer the assistance of my office to work with businesses in my district to become involved in international trade as a natural extension of commerce in the Cleveland area.

Thank you.●

#### ABORTION AND THE CONSCIENCE OF THE NATION

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. SMITH of New Jersey. Mr. Speaker, every 20 seconds another unborn child is killed by abortion.

The practitioners of abortion employ various poisons, suction devices, and scalpels to inflict death upon the unsuspecting child. This injustice, this violation of fundamental human rights will someday, perhaps soon, be reformed.

Mr. Speaker, it is important that more light be shed on this crucial issue. I therefore commend to my colleagues a very thoughtful, logical, insightful, and timely article on abortion by the President of the United States:

ABORTION AND THE CONSCIENCE OF THE  
NATION

(By Ronald Reagan)

The 10th anniversary of the Supreme Court decision in *Roe v. Wade* is a good time for us to pause and reflect. Our nationwide policy of abortion-on-demand through all nine months of pregnancy was neither voted for by our people nor enacted by our legislators—not a single state had such unrestricted abortion before the Supreme Court decreed it to be national policy in 1973. But the consequences of this judicial decision are now obvious: since 1973, more than 15 million unborn children have had their lives snuffed out by legalized abortions. That is over ten times the number of Americans lost in all our nation's wars.

Make no mistake, abortion-on-demand is not a right granted by the Constitution. No serious scholar, including one disposed to agree with the Court's result, has argued

that the framers of the Constitution intended to create such a right. Shortly after the *Roe v. Wade* decision, Professor John Hart Ely, now Dean of Stanford Law School, wrote that the opinion "is not constitutional law and gives almost no sense of an obligation to try to be." Nowhere do the plain words of the Constitution even hint at a "right" so sweeping as to permit abortion up to the time the child is ready to be born. Yet that is what the Court ruled.

As an act of "raw judicial power" (to use Justice White's biting phrase), the decision by the seven-man majority in *Roe v. Wade* has so far been made to stick. But the Court's decision has by no means settled the debate. Instead, *Roe v. Wade* has become a continuing prod to the conscience of the nation.

Abortion concerns not just the unborn child, it concerns every one of us. The English poet, John Donne, wrote: "... any man's death diminishes me, because I am involved in mankind; and therefore never send to know for whom the bell tolls; it tolls for thee."

We cannot diminish the value of one category of human life—the unborn—without diminishing the value of all human life. We saw tragic proof of this truism last year when the Indiana courts allowed the starvation death of "Baby Doe" in Bloomington because the child had Down's Syndrome.

Many of our fellow citizens grieve over the loss of life that has followed *Roe v. Wade*. Margaret Heckler, soon after being nominated to head the largest department of our government, Health and Human Services, told an audience that she believed abortion to be the greatest moral crisis facing our country today. And the revered Mother Teresa, who works in the streets of Calcutta ministering to dying people in her world-famous mission of mercy, has said that "the greatest misery of our time is the generalized abortion of children."

Over the first two years of my Administration I have closely followed and assisted efforts in Congress to reverse the tide of abortion—efforts of Congressmen, Senators and citizens responding to an urgent moral crisis. Regrettably, I have also seen the massive efforts of those who, under the banner of "freedom of choice," have so far blocked every effort to reverse nationwide abortion-on-demand.

Despite the formidable obstacles before us, we must not lose heart. This is not the first time our country has been divided by a Supreme Court decision that denied the value of certain human lives. The *Dred Scott* decision of 1857 was not overturned in a day, or a year, or even a decade. At first, only a minority of Americans recognized and deplored the moral crisis brought about by denying the full humanity of our black brothers and sisters; but that minority persisted in their vision and finally prevailed. They did it by appealing to the hearts and minds of their countrymen, to the truth of human dignity under God. From their example, we know that respect for the sacred value of human life is too deeply engrained in the hearts of our people to remain forever suppressed. But the great majority of the American people have not yet made their voices heard, and we cannot expect them to—any more than the public voice arose against slavery—until the issue is clearly framed and presented.

What, then, is the real issue? I have often said that when we talk about abortion, we are talking about two lives—the life of the mother and the life of the unborn child.

Why else do we call a pregnant woman a mother? I have also said that anyone who doesn't feel sure whether we are talking about a second human life should clearly give life the benefit of the doubt. If you don't know whether a body is alive or dead, you would never bury it. I think this consideration itself should be enough for all of us to insist on protecting the unborn.

The case against abortion does not rest here, however, for medical practice confirms at every step the correctness of these moral sensibilities. Modern medicine treats the unborn child as a patient. Medical pioneers have made great breakthroughs in treating the unborn—for genetic problems, vitamin deficiencies, irregular heart rhythms, and other medical conditions. Who can forget George Will's moving account of the little boy who underwent brain surgery six times during the nine weeks before he was born? Who is the *patient* if not that tiny unborn human being who can feel pain when he or she is approached by doctors who come to kill rather than to cure?

The real question today is not when human life begins, but, *What is the value of human life?* The abortionist who reassembles the arms and legs of a tiny baby to make sure all its parts have been torn from its mother's body can hardly doubt whether it is a human being. The real question for him and for all of us is whether that tiny human life has a God-given right to be protected by the law—the same right we have.

What more dramatic confirmation could we have of the real issue than the Baby Doe case in Bloomington, Indiana? The death of that tiny infant tore at the hearts of all Americans because the child was undeniably a live human being—one lying helpless before the eyes of the doctors and the eyes of the nation. The real issue for the courts was *not* whether Baby Doe was a human being. The real issue was whether to protect the life of a human being who had Down's Syndrome, who would probably be mentally handicapped, but who needed a routine surgical procedure to unblock his esophagus and allow him to eat. A doctor testified to the presiding judge that, even with his physical problem corrected, Baby Doe would have a "non-existent" possibility for "a minimally adequate quality of life"—in other words, that retardation was the equivalent of a crime deserving the death penalty. The judge let Baby Doe starve and die, and the Indiana Supreme Court sanctioned his decision.

Federal law does not allow federally-assisted hospitals to decide that Down's Syndrome infants are not worth treating, much less to decide to starve them to death. Accordingly, I have directed the Departments of Justice and HHS to apply civil rights regulations to protect handicapped newborns. All hospitals receiving federal funds must post notices which will clearly state that failure to feed handicapped babies is prohibited by federal law. The basic issue is whether to value and protect the lives of the handicapped, whether to recognize the sanctity of human life. This is the same basic issue that underlies the question of abortion.

The 1981 Senate hearings on the beginning of human life brought out the basic issue more clearly than ever before. The many medical and scientific witnesses who testified disagreed on many things, but not on the *scientific* evidence that the unborn child is alive, is a distinct individual, or is a member of the human species. They did disagree over the *value* question, whether to

give value to a human life at its early and most vulnerable stages of existence.

Regrettably, we live at a time when some persons do not value all human life. They want to pick and choose which individuals have value. Some have said that only those individuals with "consciousness of self" are human beings. One such writer has followed this deadly logic and concluded that "shocking as it may seem, a newly born infant is not a human being."

A Nobel Prize winning scientist has suggested that if a handicapped child "were not declared fully human until three days after birth, then all parents could be allowed the choice." In other words, "quality control" to see if newly born human beings are up to snuff.

Obviously, some influential people want to deny that every human life has intrinsic, sacred worth. They insist that a member of the human race must have certain qualities before they accord him or her status as a "human being."

Events have borne out the editorial in a California medical journal which explained three years before *Roe v. Wade* that the social acceptance of abortion is a "defiance of the long-held Western ethic of intrinsic and equal value for every human life regardless of its stage, condition, or status."

Every legislator, every doctor, and every citizen needs to recognize that the real issue is whether to affirm and protect the sanctity of all human life, or to embrace a social ethic where some human lives are valued and others are not. As a nation, we must choose between the sanctity of life ethic and the "quality of life" ethic.

I have no trouble identifying the answer our nation has always given to this basic question, and the answer that I hope and pray it will give in the future. America was founded by men and women who shared a vision of the value of each and every individual. They stated this vision clearly from the very start in the Declaration of Independence, using words that every schoolboy and schoolgirl can recite:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness."

We fought a terrible war to guarantee that one category of mankind—black people in America—could not be denied the inalienable rights with which their Creator endowed them. The great champion of the sanctity of all human life in that day, Abraham Lincoln, gave us his assessment of the Declaration's purpose. Speaking of the framers of that noble document, he said:

"This was their majestic interpretation of the economy of the Universe. This was their lofty, and wise, and noble understanding of the justice of the Creator to His creatures. Yes, gentleman, to all His creatures, to the whole great family of man. In their enlightened belief, nothing stamped with the divine image and likeness was sent into the world to be trodden on . . . They grasped not only the whole race of man then living, but they reached forward and sized upon the farthest posterity. They erected a beacon to guide their children and their children's children, and the countless myriads who should inhabit the earth in other ages."

He warned also of the danger we would face if we closed our eyes to the value of life in any category of human beings:

"I should like to know if taking this old Declaration of Independence, which de-

clares that all men are equal upon principle and making exceptions to it where will it stop. If one man says it does not mean a Negro, why not another say it does not mean some other man?"

When Congressman John A. Bingham of Ohio drafted the Fourteenth Amendment to guarantee the rights of life, liberty, and property to all human beings, he explained that all are "entitled to the protection of American law, because its divine spirit of equality declares that all men are created equal." He said the rights guaranteed by the amendment would therefore apply to "any human being." Justice William Brennan, writing in another case decided only the year before *Roe v. Wade*, referred to our society as one that "strongly affirms the sanctity of life."

Another William Brennan—not the Justice—has reminded us of the terrible consequences that can follow when a nation rejects the sanctity of life ethic:

"The cultural environment for a human holocaust is present whenever any society can be misled into defining individuals as less than human and therefore devoid of value and respect."

As a nation today, we have not rejected the sanctity of human life. The American people have not had an opportunity to express their view on the sanctity of human life in the unborn. I am convinced that Americans do not want to play God with the value of human life. It is not for us to decide who is worthy to live and who is not. Even the Supreme Court's opinion in *Roe v. Wade* did not explicitly reject the traditional American idea of intrinsic worth and value in all human life; it simply dodged this issue.

The Congress has before it several measures that would enable our people to reaffirm the sanctity of human life, even the smallest and the youngest and the most defenseless. The Human Life Bill expressly recognizes the unborn as human beings and accordingly protects them as persons under our Constitution. This bill, first introduced by Senator Jesse Helms, provided the vehicle for the Senate hearings in 1981 which contributed so much to our understanding of the real issue of abortion.

The Respect Human Life Act, just introduced in the 98th Congress, states in its first section that the policy of the United States is "to protect innocent life, both before and after birth." This bill, sponsored by Congressman Henry Hyde and Senator Roger Jepsen, prohibits the federal government from performing abortions or assisting those who do so, except to save the life of the mother. It also addresses the pressing issue of infanticide which, as we have seen, flows inevitably from permissive abortion as another step in the denial of the inviolability of innocent human life.

I have endorsed each of these measures, as well as the more difficult route of constitutional amendment, and I will give these initiatives my full support. Each of them, in different ways, attempts to reverse the tragic policy of abortion-on-demand imposed by the Supreme Court ten years ago. Each of them is a decisive way to affirm the sanctity of human life.

We must all educate ourselves to the reality of the horrors taking place. Doctors today know that unborn children can feel a touch within the womb and that they respond to pain. But how many Americans are aware that abortion techniques are allowed today, in all 50 states, that burn the skin of a baby with a salt solution, in an agonizing death that can last for hours?

Another example: two years ago, the *Philadelphia Inquirer* ran a Sunday special supplement on "The Dreaded Complication." "The dreaded complication" referred to in the article—the complication feared by doctors who perform abortions—is the survival of the child despite all the painful attacks during the abortion procedure. Some unborn children do survive the late-term abortions the Supreme Court has made legal. Is there any question that these victims of abortion deserve our attention and protection? Is there any question that those who don't survive were living human beings before they were killed?

Late-term abortions especially when the baby survives, but is then killed by starvation, neglect, or suffocation, show once again the link between abortion and infanticide. The time to stop both is now. As my Administration acts to stop infanticide, we will be fully aware of the real issue that underlies the death of babies before and soon after birth.

Our society has, fortunately, become sensitive to the rights and special needs of the handicapped, but I am shocked that physical or mental handicaps of newborns are still used to justify their extinction. This Administration has a Surgeon General, Dr. C. Everett Koop, who has done perhaps more than any other American for handicapped children, by pioneering surgical techniques to help them, by speaking out on the value of their lives, and by working with them in the context of loving families. You will not find his former patients advocating the so-called "quality-of-life" ethic.

I know that when the true issue of infanticide is placed before the American people, with all the facts openly aired, we will have no trouble deciding that a mentally or physically handicapped baby has the same intrinsic worth and right to life as the rest of us. As the New Jersey Supreme Court said two decades ago, in a decision upholding the sanctity of human life, "a child need not be perfect to have a worthwhile life."

Whether we are talking about pain suffered by unborn children, or about late-term abortions, or about infanticide, we inevitably focus on the humanity of the unborn child. Each of these issues is a potential rallying point for the sanctity of life ethic. Once we as a nation rally around any one of these issues to affirm the sanctity of life, we will see the importance of affirming this principle across the board.

Malcolm Muggeridge, the English writer, goes right to the heart of the matter: "Either life is always and in all circumstances sacred, or intrinsically of no account; it is inconceivable that it should be in some cases the one, and in some the other." The sanctity of innocent human life is a principle that Congress should proclaim at every opportunity.

It is possible that the Supreme Court itself may overturn its abortion rulings. We need only recall that in *Brown v. Board of Education* the court reversed its own earlier "separate-but-equal" decision. I believe if the Supreme Court took another look at *Roe v. Wade*, and considered the real issue between the sanctity of life ethic and the quality of life ethic, it would change its mind once again.

As we continue to work to overturn *Roe v. Wade*, we must also continue to lay the groundwork for a society in which abortion is not the accepted answer to unwanted pregnancy. Pro-life people have already taken heroic steps, often at great personal sacrifice, to provide for unwed mothers. I re-



cently spoke about a young pregnant woman named Victoria, who said, "in this society we save whales, we save timber wolves and bald eagles and Coke bottles. Yet, everyone wanted me to throw away my baby." She has been helped by Sav-a-Life, a group in Dallas, which provides a way for unwed mothers to preserve the human life within them when they might otherwise be tempted to resort to abortion. I think also of House of His Creation in Coatesville, Pennsylvania, where a loving couple has taken in almost 200 young women in the past ten years. They have seen, as a fact of life, that the girls are not better off having abortions than saving their babies. I am also reminded of the remarkable Rossow family of Ellington, Connecticut, who have opened their hearts and their home to nine handicapped adopted and foster children.

The Adolescent Family Life Program, adopted by Congress at the request of Senator Jeremiah Denton, has opened new opportunities for unwed mothers to give their children life. We should not rest until our entire society echoes the tone of John Powell in the dedication of his book, *Abortion: The Silent Holocaust*, a dedication to every woman carrying an unwanted child: "Please believe that you are not alone. There are many of us that truly love you, who want to stand at your side, and help in any way we can." And we can echo the always-practical woman of faith, Mother Teresa, when she says, "If you don't want the little child, that unborn child, give him to me." We have so many families in America seeking to adopt children that the slogan "every child a wanted child" is now the emptiest of all reasons to tolerate abortion.

I have often said we need to join in prayer to bring protection to the unborn. Prayer and action are needed to uphold the sanctity of human life. I believe it will not be possible to accomplish our work, the work of saving lives, "without being a soul of prayer." The famous British Member of Parliament, William Wilberforce, prayed with his small group of influential friends, the "Clapham Sect," for decades to see an end to slavery in the British empire. Wilberforce led that struggle in Parliament, unflinchingly, because he believed in the sanctity of human life. He saw the fulfillment of his impossible dream when Parliament outlawed slavery just before his death.

Let his faith and perseverance be our guide. We will never recognize the true value of our own lives until we affirm the value in the life of others, a value of which Malcolm Muggeridge says: "... however low it flickers or fiercely burns, it is still a Divine flame which no man dare presume to put out, be his motives ever so humane and enlightened."

Abraham Lincoln recognized that we could not survive as a free land when some men could decide that others were not fit to be free and should therefore be slaves. Likewise, we cannot survive as a free nation when some men decide that others are not fit to live and should be abandoned to abortion or infanticide. My administration is dedicated to the preservation of America as a free land, and there is no cause more important for preserving that freedom than affirming the transcendent right to life of all human beings, the right without which no other rights have any meaning.●

## BROTHER MELCHIOR NAMED TO HALL OF FAME

### HON. BOB LIVINGSTON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. LIVINGSTON. Mr. Speaker, I recently became aware of the life-long accomplishments of Brother Melchior Polowy of Holy Cross High School in the First Congressional District which I am proud to represent. Brother Melchior's dedication and hard work for Holy Cross' students deserves the highest praise and the attention of all Members. Following is an article which appeared in the Holy Cross High School Alumni Newsletter detailing Brother Melchior's achievements.

#### BROTHER MELCHIOR NAMED TO HALL OF FAME

If any one person could be called a living symbol of Holy Cross, it is Br. Melchior Polowy. The impression that he has left on generations of students make him a figure nearly larger than life. Br. Melchior, the man has almost become Br. Melchior, the legend.

For his achievements, he will soon be inducted into the New Orleans Sports Hall of Fame. "Br. Melchior was chosen to receive this award for his outstanding influence on interscholastic wrestling in New Orleans," said Austin Wilson, Louisiana-Mississippi Associated Press Sports Editor. "In a city as rich in sports history as New Orleans is, it is quite an honor."

"We began our wrestling team in 1944 when football coach Lou Brownson wanted an off-season conditioning program for linemen while backs were involved in other sports," explained Br. Melchior.

Often called the "Father of High School Wrestling in Louisiana," Br. Melchior coached the 1944 Holy Cross team that won the first interscholastic dual wrestling match ever held in Louisiana by defeating Newmen in seven of thirteen bouts. Under his guidance, Holy Cross won an incredible 23 state championships in the period of 1945-1970, including 21 state titles from 1945 to 1965.

"What is amazing about Br. Melchior's accomplishments is not that he won so many championships, but that he was able to keep wrestling alive in that time," said Ed Kavanaugh, head wrestling coach since 1971 and a state champion in 1967. "In those days, few schools had interest in wrestling, and it was only through Br. Melchior's dedication that high school wrestling exists today," he said.

According to Kavanaugh, Br. Melchior required all wrestlers to travel in pairs at all times and to wear a coat and tie to every match. "He had his standards, and if you didn't live up to them, he dismissed you, even if you were a state champion," he said.

Brother's coaching methods were very simple," said Paul Fradella, assistant wrestling coach and a team captain in 1967. "He taught us very few moves, but we knew those moves well. It was physical conditioning and team discipline that won for us. We knew that if we would do all Brother would tell us to do, we would win."

Br. Melchior's teams have always been known for their discipline. "Discipline begins in the home," said Br. Melchior, "and it is the job of the school to continue it."

There are numerous other tales about Br. Melchior, and many of them concern his great strength. "Brother was always strong," said Fradella. "In fact I can't think of one instance that anyone even thought of challenging his strength."

At the age of 12, Br. Melchior was competing with semiprofessional wrestlers at recreational parks and had already begun to train with weights. After becoming a brother in 1939, he came to Holy Cross, and in order to continue his training, he made a set of weights from concrete.

In addition to coaching the wrestling team, Br. Melchior has also served as prefect of the dormitories, prefect of the huddle, assistant coach in football and track, and a teacher of math, religion, and German.

"Brother is also willing to do the 'dirty work' on campus," said Fradella. As one story goes, Br. Melchior was asked in 1978 to tear down a brick wall in the gym in order to expand the training room. To do the job, he brought with him only his dogs and a sledge hammer, although several football players were on hand to help him. He told them to clear out of his way, and twenty minutes later, he had knocked down the wall."

Whether it's doing "dirty work" on campus, teaching classes, supervising the weight room, or coaching the wrestling team, Br. Melchior has willingly accepted every challenge that was put before him in his 44 years as a brother. His dedication is a clear sign to all of what it is to be a Holy Cross Man.●

## ANDREW E. HARE COMMENDED

### HON. ALAN B. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. MOLLOHAN. Mr. Speaker, often in these times the accomplishments and contributions of some of our citizens are overlooked. So with this in mind, I wish to bring to the attention of my colleagues the recognition of a Wheeling, W. Va., native by President Reagan and Secretary Schweiker.

Andrew E. Hare joined the Reagan administration as Deputy Assistant Secretary for the Department of Health and Human Services on March 1, 1981. He grew up in and around Wheeling, W. Va., graduated from Triadelphia High School there and Bethany College nearby. Several of his brothers and sisters and other relatives are long-time residents of the Wheeling area.

Recently, Andy was recognized by both President Reagan and Secretary Schweiker for his efforts as a vital part of the Reagan administration.

It is gratifying to see an individual from my home territory receive this kind of recognition, and I ask unanimous consent to reprint the letters from the President and Secretary Schweiker.

THE WHITE HOUSE,

Washington, April 22, 1983.

Mr. ANDREW E. HARE,  
Department of Health and Human Services,  
Washington, D.C.

DEAR ANDREW: I want to take this opportunity to extend my personal thanks for your fine efforts as a vital member of this Administration.

I can assure you that your personal contribution to our common goal of a leaner and more efficient Federal government will not be forgotten. You can be very proud of the service you are rendering to your Nation.

At this midterm period, it is time to rededicate ourselves to those fundamental principles that the American people entrusted us to carry out. Now, more than ever, I need your continued commitment to provide the leadership this Nation demands and deserves. There is much left to do.

The challenges of the 80's are great. Yet together, with God's help, we will meet them.

With best wishes,

Sincerely,

RONALD REAGAN.

SECRETARY OF HEALTH AND HUMAN  
SERVICES,

Washington, D.C., January 26, 1983.

ANDREW HARE,

Deputy Assistant Secretary for Legislation,  
Department of Health and Human Services,  
Washington, D.C.

DEAR ANDY: Because of your outstanding performance on behalf of the Department of Health and Human Services, I have selected you to receive the HHS Bronze Medallion Seal Award.

I appreciate greatly your personal efforts and hope you will always remember that this award was given to you as an expression of my appreciation for a job well done.

Sincerely,

RICHARD S. SCHWEIKER,  
Secretary.

### IS "INDUSTRIAL POLICY" REALLY A DIRTY "WORD"?

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. GAYDOS. Mr. Speaker, as recently as February 15 of this year I again asked my colleagues to consider the Nation's need for an industrial policy, an all-embracing policy that incorporates not only solutions to present problems but anticipates those of tomorrow as well.

The lack of such a commitment in the past, I am convinced was a factor, a major factor, in the loss of such domestic manufacturing industries as radio, television, leather, and glass.

I might remind the House that every major industrial nation in the world today has such a blueprint for the safeguarding of the future health and growth of key industries. Every major

industrial power, that is, except the one which set the example for the rest of the world then sat back to rest on its laurels while the rest of the world caught up with it and now is passing it by—the United States.

Mr. Speaker, I call the attention of the House to an editorial in the May 16 edition of Industry Week magazine. I urge my colleagues to read the article by Mr. Stanley Modic, editor. It provides food for thought.

### IS "INDUSTRIAL POLICY" REALLY A DIRTY "WORD"?

Should America adopt a national industrial policy? That question continues to be raised as if there were still a choice. The prostitution of free enterprise by government regulation makes it a moot point. The question to resolve is not "if" but rather "which one." The confusion and real danger lie in the fact that the Administration in power has any one of several industrial policies it can embrace depending on the timing, circumstances, and personalities involved, the visibility of the industry affected, and the international objectives at stake, not to mention the domestic political climate and the number of voters involved in any particular issue.

The subject seems to be the antithesis of American business. Yet what is the implementing of a quota or tariff, or negotiating a voluntary restraint on imports under the table, or bailing out one company with loan guarantees, or passing tax legislation promoting exports or investment in equipment or R&D if not pieces of national industry policy?

The head-in-the-sand attitude seems to be that as long as it's not coordinated or thought-out, as long as it's a knee-jerk reaction subject to periodic change, it can't be considered national policy—no matter that the end result of government meddling is the same. The latest example of muddled thinking in this area: Is GM's asking Toyota to bail it out with production and assembly know-how via a joint venture to build small cars any more anticompetitive than Chrysler asking the government to bail it out with loan guarantees? Chrysler thinks so and is asking the government to nix the GM proposal.

Any debate on an industrial policy invariably turns to national planning and assumes the creation of a central-government planning agency calling the economic shots, sitting in judgment on which industries are to prosper and which will be abandoned. As such, business people avoid it like the plague, as if even discussing it gives it credence. In one respect they are right: There is no place for a national central-planning agency, and discussing it would only lend it credibility.

There is, however, a need for a national debate on the elements of national policy in a democracy that are essential if its industry and economy are to maintain their security and standard of living while the world shifts from a series of domestic economies to an internationally competitive, interdependent market arena. It's time for business to start leading that debate, rather than following or avoiding it. ●

### RESTORE FAIRNESS IN OUR DEFENSE BUDGET

HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1983

● Mr. BOUCHER. Mr. Speaker, I urge my colleagues to support the amendment to the Defense authorization bill which will restore the scheduled 4 percent wage increase for military personnel. I firmly believe that the passage of this measure will preserve the traditional strength and morale of our combat troops.

In its efforts to sell the MX missile to the Congress and American people, the Reagan administration spoke of the need to strengthen our defenses in light of the increasing size of the Soviet arsenal. Although this theme has been a constant element of administration policy for 2½ years, the administration's proposed defense budget, with its wage freeze for military personnel, fails to recognize our uniformed men and women as the most important component of America's defense establishment.

I believe that the President's proposed wage freeze for military personnel is inconsistent with his goal of a strong America. The President asks us to send a message to the Soviet Union through our defense expenditures, but what kind of message does he send to our troops when he proposes a freeze on their wages? It is clear to me that if we can spend \$4.6 billion on a bargaining chip, we can well afford a raise for our combat troops. I urge my colleagues to seize this initiative and to restore fairness in our defense budget. ●

### DAVID BRODY: A FITTING TRIBUTE

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. GILMAN. Mr. Speaker, in today's New York Times there is an excellent article about a distinguished Washington attorney who is known to us all. David Brody, as Washington representative for the B'nai Brith Anti-Defamation League, has been in our Nation's Capital for over a generation, and has seen Presidents, Senators, and Representatives come and go. His particular style of approach has won him the admiration and affection of all of us here on Capitol Hill, and elsewhere. I commend to my colleagues this article as a fitting tribute to the fine work and statesmanship that David Brody exudes, and I am re-



questing that the article be reprinted at this point in the RECORD.

AN "UNELECTED MEMBER" OF THE SENATE  
(By Martin Tolchin)

WASHINGTON, May 25.—"Senators Only" said the sign in front of the Capitol subway, but David Brody was waved aboard by Senator Charles E. Grassley, Republican of Iowa, whom he thanked for signing a resolution opposing the sale of advanced weaponry to Jordan.

"Senators Only" said the sign above the elevators in the Capitol, but Mr. Brody was escorted onto the car by Senator Jesse Helms, Republican of North Carolina, whom he congratulated on North Carolina State's N.C.A.A. basketball championship.

"Dave Brody is the unelected member of the U.S. Senate," said Senator Charles McC. Mathias Jr., Republican of Maryland, who is an old friend.

Mr. Brody will be 67 years old next month, is a short, kinetic institution who seems to know just about everyone in Government. He is the Washington representative of B'nai B'rith's Anti-Defamation League, and, like those of many other lobbyists, his office walls are lined with signed photographs of Presidents and other White House notables. "What would we do without friends?" wrote Vice President Bush, and James A. Baker 3d, the White House chief of staff, called Mr. Brody "oftentimes a strong ally, occasionally a worthy adversary, but always a friend."

It is the Senate, however, where Mr. Brody presses his campaigns, which focus on aid to Israel and support of civil rights legislation. Some other lobbyists for Jewish organizations consider him a loner because of his failure to coordinate his activities with them, and some Capitol Hill people regard him as overly persistent. But most consider him effective.

#### STRATEGY ON AID TO ISRAEL

"Dave Brody can get in and out of more senators' offices quicker than any person I have ever met in my life," said former Vice President Walter F. Mondale.

Mr. Brody's present concerns include the foreign aid authorization bill, which contains an increase in aid to Israel, and legislation that would put teeth into a fair housing bill. On aid to Israel, Mr. Brody tells senators, "You can't win over the Arabs by weakening Israel. If Israel receives the aid it needs, it's in a better position to compromise; a weakened Israel cannot." On the fair housing bill he tells them, "Without effective enforcement, the bill doesn't mean very much."

Mr. Brody is a full-service lobbyist. He introduces senators to constituents, fund-raisers, reporters and "people I think they should meet." He gives personal advice. He suggests positions on a wide range of subjects, including those in which his organization is disinterested.

"I don't come around only when I need something," Mr. Brody said. "I come around to chat on a general exchange of views. I don't have a heavy-handed, demanding style."

"He's given me valuable advice," said Senator Howell Heflin, an Alabama Democrat. "He has a broad range of interests."

Mr. Brody doesn't seem to care if a senator is a Democrat or Republican, liberal or conservative. Some of his closest friends in the Senate voted for the sale of Awacs to the Saudis, which Mr. Brody lobbied hard, and unsuccessfully, to defeat. "Somebody

can be against you on one issue, and with you on the next," he said.

His manner can be direct. When Senator Lloyd Bentsen, the Texas Democrat, told him that Israel needed another Golda Meir, Mr. Brody replied, "Senator, if you have the power to resurrect Golda Meir, that's fine with me, but Golda Meir also had problems with our government."

Mr. Brody does considerable entertaining at home, often bringing senators together with the Israeli Ambassador. Rolf Pauls, former German Ambassador to Washington, once quipped that he had seen more senators at Mr. Brody's home than on the Senate floor.

Mr. Brody, a native New Yorker who is a graduate of City College and Columbia Law School came to Washington in 1940 to work for the Department of Agriculture, and joined the league in 1949. He was promoted to chief Washington representative in 1965.

His style has evolved over the decades. "Maybe I am a loner," he said. "I have my own style. You have to be able to relate to people, even when you find yourself in disagreement. You have to deal with members as individuals, and know what their concerns are. I'd have a very narrow range of friends if we had to agree on every issue." ●

#### CONCERN OVER AFGE UNION ACTIVITY

HON. ELDON RUDD

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. RUDD. Mr. Speaker, when I was in college, I worked for the Phelps Dodge Corp. during the summer months in the copper smelter in Clarkdale, Ariz.—at numerous jobs—driving trucks, swinging a 16-pound sledge to knock out two holes in converters, in the reverberatories, concentrators, and so forth.

Among other things, I learned to respect and appreciate the value of a good trade union.

I still believe in the right of workers in the private sector to organize and bargain collectively over wages and working conditions. But last week I was outraged by a story in the Washington Times regarding a new type of Government union activity.

The Times quoted transcripts of a March 15, 1982, AFGE (American Federation of Government Employees) executive council meeting.

The item said President Kenneth T. Blaylock claimed he had been appointed to an AFL-CIO committee established to "research into the national defense budget." According to the transcript, Blaylock said he had been appointed to the committee by AFL-CIO President Lane Kirkland because "Lane knows that our people work in these defense activities, and we are probably the best conduit for actual information, especially on the procurement systems." Blaylock complained that the appropriations subcommittees of Congress and defense subcom-

mittees do their markups in closed session.

Noting that the Department of Defense (DOD) classifies sensitive information concerning national security, Blaylock continued:

So, I think it's going to dictate that we set up a system inside where we're actually going out to our DOD locals and requesting, you know, that kind of information, and then we'll channel it in so we can begin to put together these horror stories and what have you to use politically and provide information to different committees on the Hill and to our friends up there, to begin to challenge this wide-open defense budget \* \* \*.

The inference of the above statements by the leader of one of our Nation's largest Government unions—whose workers are hired in public trust, as employees of the American people—leads to some serious concerns.

It seems to me there is implicit in this announcement a determined effort to disclose defense secrets—those matters which the Congress in its wisdom believes should be kept confidential.

There have been all too many leaks of our defense secrets. I do not question Mr. Kirkland's loyalty to the United States. I do not believe he would intentionally do anything to impair our ability to defend this Nation against all aggressors.

I do think what he proposes to do here might result in grave unintended consequences. I have asked Director Donald Devine of the Office of Personnel Management and William Webster, the Director of the FBI, to investigate this new union activity to insure that AFGE officials and Federal employees are complying with existing Federal statutes. ●

#### HEWLETT HIGH SCHOOL WINS AWARD FOR SERVICE

HON. RAYMOND J. McGRATH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. McGRATH. Mr. Speaker, on June 2, Hewlett High School, which is in my congressional district, will receive the 1983 Newsday Long Island High School of the Year Award for Community Service. In recognition of this accomplishment, I would like to insert in the RECORD an article describing the school's outstanding achievement:

#### HEWLETT HS WINS AWARD FOR SERVICE (By Douglas MacLeod)

Hewlett High School has won the eighth annual Newsday Long Island High School of the Year Award for Community Service. The student government organization will receive a check for \$2,500, a large banner proclaiming the school as the High School of the Year for Community Service 1983,

and an engraved plaque at a special ceremony at the school.

Hewlett was cited by the judges for several community service projects, but particularly for "Just Like You," and imaginative program designed to help break down the prejudice against the handicapped. Hewlett students expressed their position regarding the handicapped in their written presentation: "Disabled people are no different from the members of the society from which they have been segregated for so long. For many years, the disabled community has remained silent while other minority groups have striven to gain recognition. At long last, the handicapped have begun to claim their rightful place in the community. Unfortunately, much of their effort to this point has been in vain."

To meet this challenge, the students of Hewlett, with the cooperation of the South Shore Services for the Handicapped, held rap groups, activist meetings, movie nights and parties at the high school. The students felt that only by dealing with prejudice on an individual basis could its detrimental effects be reversed.

In January, the students held a Disabled Awareness Day. Five of them spent an entire day in wheelchairs accompanied by disabled students from Human Resources Schools. After school, there was a discussion group for all the students who were in wheelchairs, including the visiting disabled students. At the oral-presentations portion of the annual awards program, held May 10 in the Newsday auditorium, the students representing Hewlett stressed repeatedly the impact this experience had on them. They learned, they said, how it feels to be disabled and how it feels to be so confined. One of the first lessons they learned from this experience was that other students treated them differently.

Growing out of the "Just Like You" program was a project called "Let My People in" designed to make all the houses of worship in the Five Towns community accessible to the disabled. To accomplish this, the students sent out letters to 30 local synagogues and churches requesting permission to conduct an inspection for accessibility. The students were trained by the Easter Seal Society to conduct valid inspections.

In addition, the Hewlett students engaged in other effective community service activities. Through their Community Concerns Committee they sponsored a drive that collected canned foods from all schools in Hewlett's district. The food was then given to the needy in the community.

This year the students at Hewlett also formed the Drug Task Force to teach students about the dangers of alcohol and drug abuse. The task force is composed not only of students, but of teachers and parents. The students wore antidrug buttons and distributed a newsletter to other students that detailed the injurious effects of alcohol and drug abuse.

Hewlett students also held a holiday party for the residents of the Woodmere Nursing Home and Health-Related Facility, put on a 24-hour dance marathon that raised \$8,000 to help needy college bound students pay for spiraling school costs, and gave a talent show called Cabaret Night to raise money for Sloan Kettering Memorial Cancer Research Center, Manhattan, in memory of three Hewlett students lost to cancer in 1982.

Other activities included a clothing drive, an adopt-a-grandparent project, and the

Friends Program, where students volunteer to work through the Peninsula Counseling Center to help younger children with social, physical and mental problems. This year, 40 Hewlett High School students volunteered as "Friends" to young people.

The Newsday Long Island High School of the Year Award for Community Service is open to any public, private or parochial high school in Nassau or Suffolk. This year 36 schools submitted entries, which consist of written presentations of the school's community service activities. From these schools, six finalist schools were chosen, three from Nassau and three from Suffolk.

This year the Suffolk finalists were John R. Glenn High School in Huntington, Shoreham-Wading River High School and Longwood High School in Middle Island. The Nassau finalists were besides Hewlett, John F. Kennedy High School in Plainview and Paul D. Schreiber High School in Port Washington.

The "jury," which picked the eventual grand-prize winner, was composed of Robert M. Johnson, president of Newsday; James Kirby, commissioner of the Suffolk County Social Services Department; Dr. Salvatore Ambrosino, executive director of the Family Service Association of Nassau County; Ann Irvin, executive director of the Nassau County Youth Board; and Eleanor Seidman, associate director of the Community Service Program of Suffolk County.

The students of Hewlett summed up their feelings about their innovative program for the disabled in the final paragraphs of their written presentation: "Our work with the disabled this year has given us a new awareness of the problems in our community. We have also been enlightened by the similarities between disabled students and ourselves. It is our hope that one day no one will refer to a 'disabled community'; instead, the disabled will be accepted on their own merits as individuals. Without their handicaps, the disabled are just like us—and just like you!"

#### DAUPHIN COUNTY, PA., LAWYERS MEMBERS OF U.S. SUPREME COURT BAR

#### HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. GEKAS. Mr. Speaker, it is good for all of us from time to time to review the balance and separation of powers between the judiciary, executive, and legislative branches of Government.

This week, a group of lawyers came from my home district of Dauphin County, Pa., and presented themselves and were admitted to practice before the Supreme Court of the United States. It was an excellent review of that august body and that process. We heard opinions being rendered by various justices, and I myself was privileged to become a member of the Supreme Court bar. To those people who came down, I am sure it was an outstanding display of American democracy at work, as their visit to Washing-

ton also included a visit to the House of Representatives.

It is my pleasure to list here those persons who have become the newest members of the U.S. Supreme Court bar at the request of Carroll F. Purdy, Jr., Esquire, from Harrisburg, and were led as a delegation by Allen Levinthal, executive director of the Dauphin County Bar Association.

From Harrisburg, Pa.:

Karen M. Balaban, William Richard Balaban, Bernadette Barattini, Milton Bernstein, Jeffrey R. Boswell, James F. Carl, Paul James Esposito, John Stephen Feinour, Jack M. Hartman, John Havas, Gregory M. Kerwin, Robert L. Knupp, Robert D. Kodak, Robert B. Lieberman, Joseph R. Lohin, Timothy I. Mark, Larry L. Miller, Wm H. Nast, Jr., Steve C. Nicholas, David H. Radcliff, Andrew Simon Sisto, Craig Allen Stone, Michael Bendix Sutton, Kenneth Albert Wise, Paul L. Zeigler, Francis A. Zulli.

#### THE OLYMPIAD ROSE PROJECT

#### HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. WAXMAN. Mr. Speaker, I wish to commend the efforts of all those involved at the Armstrong Nurseries and the Los Angeles Beautiful, Inc., who together have graciously agreed to use all the proceeds from the sale of the Olympiad, the official Olympic rose, for a youth program to help beautify the southern California community as the city of Los Angeles prepares to host the 1984 Olympic games.

The Olympiad rose project will not only add beauty to our environment but allow our youth to become involved in their community and be active participants in the Olympic game preparation.

Armstrong Nurseries, the producers of the stunning Olympiad rose, will also make a large number of rosebushes available for direct sale with all proceeds going to the Los Angeles beautiful fund, and donating some 20,000 Olympiad rosebushes to public gardens, parks and cities across the country, including 7,500 for the city of Los Angeles. Their generosity shall not be forgotten.

As a member of the California delegation, and a representative from the Los Angeles area, I would like to thank Armstrong Nurseries and the Los Angeles Beautiful, Inc., for their work and contributions which will help insure a very successful Olympic event.



## MEMORIAL DAY

## HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Ms. SNOWE. Mr. Speaker, on Monday, we as a nation will pause for a few moments to honor the men and women who have given their lives in defense of our country.

Throughout this great Nation, from small farm communities to our large cities, millions will take part in Memorial Day ceremonies, parades, or visits to cemeteries to visibly express their gratitude to those who made the supreme sacrifice so that we live in freedom today.

Groups like the American Legion, the Veterans of Foreign Wars, their auxiliaries, and all veterans groups deserve the credit for not letting us forget this occasion.

Throughout the ages, nearly all civilizations have honored their dead. The designation of 1 day to honor our war dead began more than a century ago after a war which divided this Nation had ended. Originally, it was called Decoration Day, a day to take care of and decorate the graves of those who had fought in the Civil War. By 1869, more than 300 communities were holding such observations.

This Nation shall never forget the contributions of our veterans. Moreover, the memories of war will continue to live on in those who are survivors and the dependents of those lost at war. It can be seen in the faces of those who participate in Monday's ceremonies, in veterans who will once again proudly wear their uniforms.

Nearly every community in our Nation has some memorial to honor their sons and daughters who served in our wars. In Washington, there is a new memorial this year to honor those who died in Vietnam. This black granite memorial is simple in design but powerful in its message. More than 1 million people have viewed it since its dedication 6 months ago. This memorial demonstrates the respect and debt we owe to these Americans.

Our ceremonies this year should also be in a spirit of thanksgiving. For in the last decade America has not lost a single soldier from combat.

Today, Americans are at peace throughout the world and no American, thankfully, faces combat to protect our priceless rights. This is a testimonial both to our commitment to world peace and to our renewed pledge to protect our peace with determined strength.●

## EXTENSIONS OF REMARKS

## GOSHEN HISTORIC TRACK

## HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. GILMAN. Mr. Speaker, I am introducing today a bill which would require the Secretary of the Interior to determine the most viable means to protect the Goshen Historic Track in Goshen, N.Y., and to take the steps to preserve this valuable segment of our national heritage.

Mr. Speaker, it is incumbent upon us to strive to preserve for future generations sites of historic importance such as the Goshen Track. As a nation, it is far more difficult to chart our future course if we have no idea where we have been. And, too often in recent years, we have been penny-wise and pound-foolish in regard to preserving those monuments of our history. As a result of shortsightedness, we have too often lost vital segments of our heritage forever.

I do not want to see the same fate befall the Goshen Historic Track. The track has been beset with severe financial problems over the past few years, and only Federal involvement will be able to salvage it.

The Goshen Historic Track, which originated in 1838, is the site of the first harness racing in our Nation. The Goshen Track has been the site of the Hall of Fame of the Trotter since 1951, and the 21-acre site containing the track has been on the National Register of Historic Sites since 1967.

In 1980, the Goshen Historic Track was 1 of only 40 sites in the United States placed on the Endangered Properties List by the National Park Service. Most of the other 40 sites were saved by private donations; the Goshen Track was not so fortunate. By the terms of the will of C. Roland Harriman, who deeded the track to its current owners, fundraising activities which have been of great benefit to most other endangered historic sites are prohibited.

Mr. Speaker, I am inserting at this point in the RECORD a copy of my bill, and I urge my colleagues to join with me in supporting this effort to preserve a valuable national heritage:

H.R. 3160

A bill to require the Secretary of the Interior to conduct a study to determine the manner in which the area known as the Goshen Historic Track in Goshen, New York, can be protected

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior shall conduct a study to determine the most appropriate means of protecting the Goshen Historic Track in Goshen, New York. The Secretary shall examine the feasibility of—

(1) entering into cooperative agreements with the owners of the track to ensure its preservation;

(2) purchasing all or a portion of the track for inclusion in the National Park System for recreational and educational uses; and

(3) such other means of preserving the track as the Secretary may determine to be appropriate.

(b) The area referred to in subsection (a) as the Goshen Historic Track is the area of approximately twenty-one acres, situated within Goshen, New York, which is bounded on the north by Orange Avenue, on the south by South Church Street, on the west by Main Street, and on the east by Park Way.

Sec. 2. There is authorized to be appropriated to carry out this Act such sums as may be necessary for fiscal year 1984.●

## WILLIAMSBURG SUMMIT: IDEAL OPPORTUNITY FOR AGRICULTURAL TRADE

## HON. TOM CORCORAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. CORCORAN. Mr. Speaker, I recently sent a letter to the President of the United States urging him to take the opportunity while in Williamsburg to begin to address international trade problems in agriculture. The General Agreement on Tariffs and Trade, a multilateral agreement establishing standards and remedies in international trade, does not govern most agricultural commodities. In the absence of formal restraints on trade abuse, certain of our trading partners have felt free to subsidize dumping of agricultural goods in the United States and the free world market in general.

With the growing pressure toward protectionism, I believe it would be prudent to try to address these problems now. In my letter, I urge the President to begin the discussion in Williamsburg, and, if necessary, to call for another round of trade negotiations aimed specifically at agricultural trade issues. The text of my letter follows:

HOUSE OF REPRESENTATIVES,  
Washington, D.C., May 22, 1983.

HON. RONALD REAGAN,  
President of the United States,  
Washington, D.C.

DEAR MR. PRESIDENT: When you meet with other world leaders at the Williamsburg economic summit, I urge you to focus on agricultural issues as related to our international trade policy. The General Agreement on Tariffs and Trade (GATT) has not been successful in resolving the myriad trade problems confronting the American agricultural community, and the time has come to recognize that agriculture, as a major American industry, cannot realistically be excluded from a comprehensive trade policy.

We need to deal with international trade issues as a totality, rather than permitting the fragmentation of our trade policy to the advantage of other nations and to our detriment. I fear that this has been happening

and that we need to include agriculture under the umbrella of protection from abuse that is, at least potentially, provided under the GATT.

We achieved limited success in the Tokyo round of the GATT with agreements on meat and dairy trade liberalization and market stability. Unfortunately, on the whole, agriculture issues have not been successfully negotiated within the framework of the GATT. With the increase in tensions in the international trade arena and the growing pressure toward protectionism, it is more imperative than ever to try to resolve quickly and fairly the agriculture trade abuses that are taking place.

With particular mind to the clamor for protectionist legislation and the inherent destructiveness of trade wars, I sincerely hope that some progress can be made on the agriculture front now. If the Williamsburg summit is unable to address this issue adequately, I hope you will call for another round of trade negotiations with this specific focus for discussion in mind.

Sincerely,

TOM CORCORAN,  
Representative in Congress.●

# THE BONNEVILLE POWER ADMINISTRATION FAIR RATE-MAKING ACT OF 1983

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. WYDEN. Mr. Speaker, today I join with my colleagues, Mr. SWIFT, Mr. AUCOIN, Mr. BONKER, Mr. WILLIAMS and Mr. LOWRY in introducing legislation to give utility ratepayers in the Pacific Northwest a fair shake.

Over the past 3 years, wholesale electric rates in the region have skyrocketed—rapidly eroding our region's historical competitive advantage in a safe, affordable power supply and sending utility bills through the roof.

The rapid increase in these rates is unacceptable. Equally disturbing, however, is the process by which these increases are arrived at—a process in which the Bonneville Power Administration serves as prosecutor, judge, and jury.

Our bill, "The Bonneville Power Administration Fair Ratemaking Act of 1983" seeks to change this process—to insure that the process by which the BPA rates are determined is a fair and open one, and that the decisions made at the regional level are sound ones, thus avoiding costly and time-consuming administrative and judicial appeals.

This bill will not lower rates overnight. It will, however, give all Northwest users a better shot at affordable and equitable rates over the long run.

One cannot help but be distressed at the enormous controversy and uncertainty which has surrounded the BPA ratemaking process in the 3 years since enactment of the Pacific Northwest Power Act. The pyramiding of appeals before the FERC and the U.S.

Ninth Circuit Court of Appeals is but one sign of the frustrations over the present ratemaking procedures.

Perhaps the one point on which all of BPA's divergent customers will agree is that the FERC and the ninth circuit are the least desirable forums for the region to resolve the many complex issues raised in BPA ratemaking; if for no other reason than the paralysis that has occurred at both the FERC and the ninth circuit due to case overloads. The uncertainty over future costs, with the unstable business environment that results from pending appeals, mandates a fundamental reexamination of the process that produces such appeals.

By instilling credibility and fairness in the wholesale ratemaking process at the outset, our bill will result in a heightened sense of "fair play" on the part of BPA's customers, producing finality and reducing the number of appeals to FERC and to the ninth circuit.

Our bill accomplishes this through three significant changes to the conduct of the ratemaking process pursuant to section 7(i) of the Northwest Power Act.

First, our bill requires the hearing officer to be an independent decision-maker, evaluating evidence—both that of BPA staff and the parties—and rendering an initial decision for the Administrator of BPA to consider.

Currently, the hearing officer is merely a referee, ruling on the admissibility of evidence. He or she does not read the transcripts, examine the evidence or write a decision.

The BPA staff thus serves essentially as prosecutor, judge and jury. The staff formulates the initial rate proposal, presents testimony to defend the proposal, produces a "Staff Evaluation of the Record", and writes the final decision.

To lend credibility to this process, BPA staff proposals—once the initial BPA proposal is offered—need to be placed on an equal footing with those of other parties. To accomplish this, our bill calls for the hearing officer, not the staff, to evaluate the record and write an initial decision.

In order to insure objectivity on the part of the hearing officer, ex parte communication between the Administrator or his staff and the hearing officer is prohibited prior to the rendering of an initial decision. Similarly, the hearing officer will not be allowed to engage in any ex parte communication with any other party prior to the initial decision.

Second, our bill assures the Administrator's final decision is made on the record of the hearing. Under our bill, any new documents, studies or revised rates produced by the Administrator must be a part of the record, subject to reasonable opportunity for cross-ex-

amination and—if good cause is shown—rebuttal.

One of the most critical problems in the rate cases today is that the Administrator relies on important documents which the parties never have an opportunity to examine or challenge. Final cost-of-service, rate design, and revenue requirement studies—that often vary substantially from preliminary studies—are prepared and distributed after the hearings are concluded.

Third, our bill preserves the Administrator's authority to set rates under the act. The Administrator may establish final rates that are different than of the hearing officer. Under our bill, however, such rates must be supported in the record of the hearing and the Administrator must also provide a full and complete justification of the differences between the final rates established by the Administrator and those established by the hearing officer.

Finally, our bill resolves any question concerning the standing of the Pacific Northwest Power Council to participate in the ratemaking process by specifically defining "person" for the purposes of section 7(i) to include the power council.

No one has challenged the Council's right to participate to date; nor in our opinion would there be any valid arguments of law to support such a challenge. Nevertheless, our bill resolves any potential doubt that might arise. As the least cost mandate of the Northwest Power Act and the Power Council's plan are inextricably part of the ratemaking process, our bill guarantees the Council's right to participate and protect this mandate in the ratemaking process.

Our bill, though narrow in scope, addressing only section 7(i) of the Northwest Power Act, responds to the pervasive criticisms of the present ratemaking process we have heard from virtually every customer group in the Pacific Northwest.

The fairness and credibility our bill will instill in the ratemaking process will produce future dividends to us all in the form of confidence in our ability to resolve disputes at the regional level, without resorting to an inadequate appeals process that produces lingering uncertainty, and finality in our rates.

The legislation appears below:

H.R. 3177

*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 "Bonneville Power Administration Fair Ratemaking Act of 1983".*

SEC. 2. Subsection (i) of section 7 of the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839 et seq.) is amended as follows:

(1) strike out subparagraphs (A) and (B) of paragraph (2) and substitute:



"(A) any person shall be provided a reasonable opportunity to submit oral and written materials;

"(B) any person shall be provided an adequate opportunity by the hearing officer to offer refutation or rebuttal of any material submitted by any other person including the Administrator;

"(C) the hearing officer, shall allow a reasonable opportunity for cross-examination which, as determined by the hearing officer, is not dilatory, in order to develop information and material relevant to any such proposed rate, and

"(D) if the Administrator requests, before the close of the record of the hearing, the hearing officer shall allow the Administrator to file revised rates, provided that the hearing officer shall then allow adequate opportunity for cross-examination of such revised rates and any material submitted to support such rates and, for good cause shown, to offer rebuttal of such revised rates or supporting material."

(2) strike out paragraphs (3), (4), and (5) and substitute:

"(3) After the record of the hearing has been closed, the hearing officer shall accord persons who have participated in the hearing a reasonable opportunity to file proposed findings of fact and conclusions of law respecting the establishment of rates pursuant to this section.

"(4) As expeditiously as practicable after receiving proposed findings of fact and law pursuant to paragraph (3) of this subsection, the hearing officer shall publish an initial decision on the rates to be established pursuant to this section.

"(5) No interested person, including the Administrator or his staff, shall make or knowingly cause to be made to the hearing officer during the hearing and prior to the publication of his initial decision on rates any ex parte communication relevant to the merits of the hearing, nor shall the hearing officer make or knowingly cause to be made to any person, including the Administrator or his staff, an ex parte communication relevant to the merits of the hearing.

"(6) Any person who participated in the hearing may file exceptions to the hearing officer's initial decision with the Administrator within 30 days of the publication of the initial decision.

"(7) Rates determined by the hearing officer pursuant to paragraph (4) of this subsection shall become the final rates of the Administrator unless, within 60 days of the publication of the initial decision, the Administrator makes a final decision establishing rates that are different than those of the hearing officer, in which case the rates established by the Administrator are the final rates of the Administrator. Any such different rate shall be based on the record assembled by the hearing officer pursuant to the hearing conducted pursuant to this subsection. In any final decision establishing rates that are different than those established by the hearing officer, there shall be included a full and complete justification of the differences between the final rates established by the Administrator and those established by the hearing officer."

(3) renumber paragraph (6) as paragraph (8); and

(4) add the following new paragraph at the end thereof:

"(9) For purposes of this subsection 'person' includes the Pacific Northwest Electric Power and Conservation Planning Counsel."

## IS THE POST OFFICE ENDING HOME MAIL DELIVERY?

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. WALGREN. Mr. Speaker, I want to share with my colleagues a recent column by Jack Anderson outlining efforts by the U.S. Postal Service to cut home delivery of mail to American citizens.

Many Americans have expressed a similar concern that the U.S. Postal Service, so anxious to turn a profit, has forgotten its essential responsibility to provide direct mail service to the home of each American. Prescribed by the U.S. Constitution, postal service is an indispensable part of a democracy where citizens can freely communicate with each other. Particularly for the senior citizen, the handicapped, and—in fact—all of us, that communication is hampered when receipt of the mail is made more difficult and cumbersome.

Jack Anderson describes an effort by the Post Office to limit home delivery of our mail. I know from personal experience on behalf of residents in my district the tremendous difficulty caused by the Post Office's inflexible regulations designed to limit door-to-door mail delivery in favor of curbside delivery. Now, according to Mr. Anderson, the Post Office intends to "deliver" mail by leaving it in unsecured "clusterboxes" at the head of a street or road.

I am sure my colleagues on the Post Office and Civil Service Committee are closely monitoring this situation, but each of us in the Congress needs to keep abreast of the Post Office's actions to limit home mail delivery.

Jack Anderson's column follows:

[From the Pittsburgh Press, May 4, 1983]

POSTAL SERVICE BEGINS TO CUT HOME DELIVERY

(By Jack Anderson)

WASHINGTON.—The U.S. Postal Service has mounted a sneak attack on your legal right to have mail delivered to your home.

Without consulting Congress, the Postal Rate Commission or—least of all—the public, the post office poohbahs in Washington have been quietly promoting and installing "clusterboxes"—eight or more individual mailboxes grouped together at convenient neighborhood locations.

The convenience, of course, is all on the Postal Service's side. Customers, including the elderly and handicapped, no longer can pick up their mail at the front door or the curb, but must trudge out in snow, rain, heat or gloom of night to the communal clusterbox, which may be a block away.

Obviously, the clusterbox caper is saving the Postal Service money. But the way the authorities are going about it can best be described as highhanded—or underhanded. Here's how the postal Pearl Harbor works:

By law, all new homeowners are entitled to choose either curbside service or the clus-

terbox plan. But in new developments, they are rarely given this choice.

Under postal regulations, new housing developments aren't eligible for mail service until at least half the lots are "improved"—an ambiguous term that can mean anything from ground being broken to actual occupancy of the completed house.

But the requirement is waived if developers agree to install clusterboxes throughout the development. To ensure that the first home buyers can have mail delivery, the developers usually agree.

My associates Donald Goldberg and Indy Badhwar have uncovered some outrageous examples of the way the Postal Service's strong-arm strategy has been implemented around the country:

In Dickinson, N.D., clusterbox customers were given a snow job in the form of a congratulatory notice: "Your Postal Service is upgrading the mail delivery in your area . . . (which) is privileged to be one of the first in upper Midwest to receive this service."

Postmasters in East St. Louis, Ill., were exhorted: "NOW . . . you're asked to go out and SELL clusterboxes. . . . That's right . . . SELL!!! Very seldom will a customer come into your 'store' to buy a clusterbox. Furthermore, you are asked to do it now!"

New Jersey postmasters were urged to get developers' cooperation for clusterboxes with this revealing explanation: "The possibility for individual customer complaints about centralization is removed if the centralized delivery mode is in place when the first occupants of a new development move in."

When the residents of Greece, N.Y., a suburb of Rochester, voted to restrict clusterboxes to groups of four instead of eight, regional postal officials in Philadelphia slapped them down with the "supremacy clause" of the Constitution, and told the impertinent citizens that "the type and location of mailboxes is controlled solely by the Postal Service."

Rep. Glenn English, D-Okla., chairman of a House subcommittee on government information said he has received complaints about the communal mailboxes from across the country.

Assistant Postmaster General Eugene Hagburg insisted that clusterboxes do not constitute a reduction in service, and promised that steps would be taken to ensure that customers actually retain their legal right to choice of service.●

OLYMPIAD ROSE

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1983

● Mr. MOORHEAD. Mr. Speaker, I am pleased to join with my colleagues in commending Armstrong Nurseries of Ontario, Calif., for its beautiful and generous involvement in the 1984 Olympics.

Because of the efforts and expertise of Armstrong, the legacy of the 1984 Olympics will not only be athletic heroics, but the lasting and ingratiating beauty of a new hybrid of rose, the Olympiad.

Armstrong has given 20,000 rose-bushes to parks and gardens all across the United States. In addition, the nursery is giving its proceeds and royalties from the sale of the Olympiad toward the effort to beautify Los Angeles for the Olympic games.

Mr. Speaker, this sort of community support and beneficence deserves our support and sincere thanks.●

#### IN REMEMBRANCE OF OUR VETERANS

#### HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. LEWIS of Florida. Mr. Speaker, on Monday, May 30, we will honor the memory of the millions of Americans who have lost their lives in service to our country. These honored citizens believed in fighting for the principles of freedom upon which our Nation was founded, over 200 years ago. I would like to take a moment to pay a personal tribute to the servicemen and women who made the supreme sacrifice to protect the individual rights and freedoms that make the United States the greatest Nation in the world. In quoting from the Bible, "Greater love than this no man has than that he lay down his life for his friends."

The first Memorial Day was observed over 100 years ago, commemorating the lives of those who died during the Civil War. Across the Nation, millions of Americans will be attending and participating in ceremonies on this Memorial Day. Hundreds of thousands will visit cemeteries scattered across the United States, reflecting upon the great sacrifices made by family and by friends—sacrifices for the preservation of American liberty.

Here, in Washington, D.C., many will visit Arlington National Cemetery, the resting place of over 180,000 American military veterans, to pay tribute to American servicemen and women. Others will visit the Vietnam Veterans Memorial, inscribed with the names of the 57,000 plus Americans who gave their lives during the Vietnam war.

Memorial Day should not just be a day of remembrances. It should give us guidance for today and for the future. As we remember those who gave their lives in defense of this country, we need to recognize the millions of American veterans who served this Nation with courage and distinction and were able to return home. As citizens of this country, and as Members of Congress, we have a debt to these brave men and women which is difficult to repay and we must never lose sight of this.

Let us continue to honor our Nation's flag. It is a symbol that is known

throughout the world and looked to for inspiration. Our flag is a tribute to freedom, a tribute to those individuals who helped found our Nation over 200 years ago, and to those individuals who have fought and died to protect its values of liberty and democracy.

This proud legacy of liberty and democracy has been an ongoing tradition in my 12th Congressional District in Florida. Thousands of our men and women have ably served and sacrificed for our country, dutifully carrying out their responsibility when our Nation has needed them.

It is also to the credit of organizations like the American Legion, the VFW and other veterans' organizations who remind us to honor and respect those who have made the ultimate sacrifice and remind us too that freedom has a cost which is borne gladly by all who value our cherished institutions and rich tradition of freedom.

In remembrance of Memorial Day, let us look to a future of peace, a peace that will come through strength and negotiation, a peace that must be earned every day. Let us forget the nature and horror of war, lest those who gave their lives so that we might live in freedom and peace, will have done so in vain.●

#### OLYMPIAD—OFFICIAL ROSE OF THE 1984 OLYMPICS

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

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. BROWN of California. Mr. Speaker, I would like to use this opportunity to commend the Olympic rose as a California product, and Armstrong Nurseries for developing it.

"Olympiad" is the name of the official rose of the 1984 Olympics. The hybrid was developed in Ontario, Calif., which is a city in my congressional district. The flowers are a beautiful deep red; unique in that they hold their color perfectly. The rose is 4 to 5 inches in diameter, with 30 to 35 broad petals in each bloom.

Armstrong Nurseries, the rose's creator, is donating 20,000 Olympiad rose plants to public gardens and parks in cities across the United States; 7,500 plants have already been donated to beautify local Los Angeles communities in preparation for the 1984 Olympic games.

Beginning in December of this year, Olympiad will go on sale to the general public. Proceeds from this sale will go toward the support of America's Olympic program.

I am very proud that the producer of the Olympic rose, Armstrong Nurseries, is in my congressional district. I am also thankful to have this opportu-

nity to acknowledge them and their product for their contribution to the 1984 Olympic games.●

#### HOUSE RESOLUTION 172 TO ROLL BACK IMPORTS IN U.S. APPAREL MARKET

#### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. GILMAN. Mr. Speaker, over the past 25 years we have witnessed a startling influx in the number of imported goods that are being absorbed into the U.S. market. This increase is no less evident than in the textile and apparel industries. Where two decades ago imports comprised only 4 out of every 100 garments sold, they now account for 40 out of every 100 garments sold.

In an effort to protect certain jobs in the U.S. apparel industry by rolling back the present percentage of imports into the American market, I was pleased to see House Resolution 172 introduced.

It is estimated that 660,000 job opportunities have been permanently forfeited to foreign labor sources in this industry alone. House Resolution 172 requests that the President reduce imports of apparel so that imported garments comprise no more than 25 percent of the American apparel market.

This sense of the House resolution illustrates in no uncertain terms the dire threat of extinction facing the American textile and apparel industries. Such a death would directly affect at the least, 38 States that have apparel manufacturing plants. As a co-sponsor of House Resolution 172, I believe it is imperative that American industry be given the opportunity to compete; however, we cannot allow ourselves to be so overwhelmed as to decimate an entire industry.

A brief examination of the industry reveals a labor force 80 percent of whom are female and minorities whose job skills rarely extend beyond the apparel industry. In an economy where the majority of households could not exist without dual incomes, and where we as a Congress should be doing everything within our legislative powers to prevent the movement of an entire population from the payroll line to the unemployment line, it is imperative that we confront and attempt to alleviate this situation. I believe that once imports are rolled back to a 25 percent maximum of the total apparel market, that the U.S. industry could begin a recovery and 950,000 jobs would be saved.

Accordingly, I urge my fellow Members to join in expediting the passage of House Resolution 172.●



A TRIBUTE TO MR. JAMES A.  
FORREST, SR.

**HON. ROY DYSON**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. DYSON. Mr. Speaker, it gives me great pleasure to recognize Mr. James A. Forrest, Sr., a remarkable man from St. Mary's County, Md. Jim Forrest has demonstrated outstanding leadership in creating a strong and vibrant community, and St. Mary's County has been fortunate to have him as a caring, dedicated citizen for over 70 years. He was born in Ridge, Md., on April 15, 1911, and attended elementary school at St. Peter Claver. He graduated from Cardinal Gibbons Institute in 1931 and then entered the Hampton Institute, but hard economic times forced him to leave school and look for work. It is a measure of this man that throughout the Great Depression he always found work, and from 1931 until 1935 he held a variety of jobs.

In that year he and his wife Harriet were married, and they have been married for 48 loving years. From 1935 to 1941 he worked first at St. Mary's Female Seminary, which later became St. Mary's College of Maryland, and then at the Naval Powder Factory—now the Naval Ordnance Station—in Indian Head, Md. He was working there in 1941 when World War II broke out. In the same year he began a long and successful career with the C&P Telephone Co., and retired in 1976 as a supervisor.

During those years Jim and Harriet Forrest raised five children, all of whom have become professionals. It is also a measure of this man that as hard as times were, he was able to educate his children and send all of them on to college. That required sacrifices and long hours of work, but Jim Forrest persevered, and his children all had the benefit of a college education. His first four children had attended Banneker High School, and his fifth child was in the first class of black children that voluntarily desegregated the high schools of St. Mary's County.

Jim Forrest originally became active in community affairs when his children were enrolled in Banneker High School, where he was a member and officer of the Parent-Teacher Association. That began a long and distinguished record of service to his community, which has continued to the present day.

After making a name for himself as a conscientious, dedicated member and officer of the PTA's of his children's schools, word spread of Jim Forrest's talent. In 1973 the Governor of Maryland appointed him to the St. Mary's County Board of Education, and after distinguishing himself in that position

he was reappointed to another 5-year term. He became the first black president of the St. Mary's County Board of Education, and held at one time or another all the officer positions on the board.

He has also been a longstanding member of the county fair board, hospital board, the 4-H association, the NAACP minority alliance, the United Parent-Trustee Association, and a number of other civic groups. In addition, he has been very active in St. Alloysius Church.

Jim Forrest is indeed a pillar of his community. He has been devoted to the cause of excellent education both for his family and his fellow citizens, and St. Mary's County has benefited tremendously from his invaluable service. He is now retiring from the St. Mary's County Board of Education, and his community is honoring him on Saturday, June 4, 1983. I would like to bring the attention of my colleagues to Jim Forrest, for he is the kind of man on which strong communities are based. It has been an honor to have Jim Forrest in my congressional district, and although he will no longer be on the board of education, I know his wise and trusted counsel will still be available to those who seek it. ●

A VALUABLE SOURCE OF INFORMATION ON THE ARMS RACE

**HON. MIKE LOWRY**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. LOWRY of Washington. Mr. Speaker, now that the House has voted on House Concurrent Resolution 113, we are faced with a wide range of other arms race issues. Future votes on the MX, the impending deployment of Pershing II and ground-launched cruise missiles in Europe, the progress or lack of it in arms negotiations—these events obligate us to ponder the future direction of American nuclear weapons policy.

As we think about our national security needs, our greatest need is for dependable and objective information. I was therefore very pleased to note the recent publication of the new volume in the Foreign Policy Association's Headline Series, entitled "Nuclear Strategy and Arms Control." This book, by Stanley R. Sloan and Robert C. Gray, offers a concise and thoughtful overview of the nuclear arms race and explains how past decisions relate to the problems which now face us.

In my opinion, the book's most valuable contribution lies in its analysis of the nuclear arms balance and its explanation of the different ways to measure this balance. In particular, it points out the problems with the present administration's pessimistic es-

timate of the United States-Soviet strategic balance. The measures often used by administration officials give an incomplete picture of our strengths and weaknesses; when other measures are added, we find that, as one example, "under all conditions of war initiation, the United States would have available—after a Soviet attack and American retaliation—a larger number of warheads than would the Soviets."

Nuclear strategy and arms control also analyzes different proposals for arms control. In light of the Strategic Forces Commission's recommendation for emphasis on single-warhead missiles to reduce the value of individual targets, I was especially interested in this comment on the President's START proposal: "The START proposal could lead to a situation in which the Soviet warhead to American silo ratio went from the current 4:1 to 5:1. The ratio of American warheads to Soviet silos could increase from 2:1 to 11:1. Both sides could be faced with the prospect of increased vulnerability of their ICBM's. Thus, the American proposal fails to solve the key problem it is allegedly designed to address."

There is much more of interest in this book, and I recommend it highly. It sets the historical context for our present situation and offers valuable insights for our future decisions. I would only add that one of its authors, Stan Sloan, is a specialist in United States-Alliance relations at the Congressional Research Service. I have benefited from his help and advice in the past, and we in Congress are fortunate to have his knowledge and abilities at our disposal. ●

A TRIBUTE TO A DEDICATED  
PUBLIC SERVANT

**HON. VIC FAZIO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. FAZIO. Mr. Speaker, I would like to note, with appreciation and regret, that Martin J. Fitzgerald has recently resigned as Director of the Office of Congressional Relations at the General Accounting Office to accept a position with the law firm of Ragan & Mason. Too often, in my view, we tend to overlook the key role of congressional liaison staff in the workings of Government. In our committee assignments, we all have occasion to work with career Federal employees who must juggle our demands and those of their agency. The congressional liaison officer must be part diplomat, part press secretary, and must be capable of patrolling the border that separates legislative powers from executive powers.

The best congressional liaison officers take the heat from all sides—and

still get the job done. The officer confronts what the Congress considers imperative and what the agency claims is unmanageable and blends those needs to arrive at workable solutions. Martin J. Fitzgerald, in my view, was and is the prototype of this individual. Without compromising the independence or integrity of the GAO, he made it possible for all the committees of Congress to find the ways in which the GAO could best serve the public's interest. He demonstrated flexibility and toughness with an uncanny knack for selecting the appropriate posture.

Mr. Fitzgerald devoted 16 years of service to the GAO, the last 6 of which he served as Congressional Relations Director. His dedication, integrity, and skill earned him the well-deserved respect of his colleagues in both the Congress and the GAO. I believe I speak for all the individuals who worked with Martin Fitzgerald when I say that he will be sorely missed. ●

#### CBS' TRIAL BY OUTTAKE

#### HON. JAMES G. MARTIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. MARTIN of North Carolina. Mr. Speaker, I wish to bring to the attention of my colleagues a most interesting story concerning a libel case against CBS News' hit show, "60 Minutes." At issue is whether CBS defamed a physician in a 1979 program on insurance fraud.

Van Gordon Sauter, president of CBS News, said on the "Evening News" that "these suits will intimidate many news organizations because the cost of doing aggressive journalism . . . is going to be exorbitant." That is one way of looking at the question.

Another way is whether, as George Kennan recently put it, the networks and other commercial media are dedicated "to the oversimplification and dramatization of reality rather than the education of the public to the recognition of its bitter complexities."

In short, the question posed by this case, and by the multimillion-dollar libel suit against CBS by General Westmoreland, is whether CBS News is in the news business, or the entertainment business.

I ask my colleagues to consider this matter, because it has profound implications for the quality of information available to the public on important issues and for the intelligence with which our country makes decisions. It also is directly related to the level of support we give to public broadcasting and to the whole issue of broadcast de-regulation.

The article follows:

#### "60 MINUTES" AND RATHER: UNEDITED AND IN COURT

(By Peter J. Boyer)

LOS ANGELES.—"And now, your honor," announced the attorney for the plaintiff, "it's show time again!"

With that, the lights dimmed, the videotape machine rolled and three color TV sets in the courtroom lit up with a fascinating piece of television footage. Dan Rather, star reporter for CBS News, was seen in a complete and unedited version of a heated confrontation interview, including the banal asides and off-camera directions that usually are purged in the CBS editing room.

It is show time quite often these days in the courtroom of Los Angeles County Superior Court Judge Jack W. Swink, where a jury is hearing the slander suit of a Lynwood, Calif., physician, who says he was wronged in a 1979 episode of "60 Minutes" dealing with insurance fraud. Rather himself is missing a few nights on the "CBS Evening News," where he is anchor, to take the stand this week.

By a series of novel legal maneuverings and pretrial court rulings, the case has become something more than a simple slander suit. Galloway v. CBS has put "60 Minutes" itself on trial testing the credibility of the most popular news program in television history and CBS' most valuable and visible reporter, Dan Rather. And to some extent, all of television news is on trial.

Most galling to CBS is the fact that in his "prosecution" of the case, the plaintiff's attorney is freely, and gleefully, using CBS' own outtakes—portions of interviews filmed for the disputed broadcast that were not aired.

Outtakes are sacred property to a TV news organization, the television equivalent of a print reporter's note. Although outtakes on occasion have been selectively released, CBS News has never before had to defend itself in a trial in which the court handed the opposition free and complete access, against the network's will, to all of a broadcast's outtakes (nor, for that matter, has ABC or NBC ever been in that position).

The experience has been an embarrassing and humbling one for CBS.

In the outtake mentioned above, the end of a "take" came in the middle of a tough interrogation. Rather, apparently trying to maintain a rapport during the break, assured the flustered woman who was the subject of the surprise interview, "You look terrific!" In another scene, played for the jury in the opening week of the trial, Rather was shown trying to confront a man in a parking lot outside a medical clinic suspected of insurance fraud. Rather, microphone in hand, chased the man about in circles for a while, trying to get him to confess that he was the administrator of the clinic. Finally, giving up, Rather said, "Adios—see you on television."

The man turned out to be a passer-by. The tape of that scene was picked up by the syndicated entertainment news program "Entertainment Tonight," and aired on 132 stations around the country.

The Galloway trial, in its third week, is a difficult public test for CBS News; even if CBS wins the lawsuit, it will not emerge unscathed. For one thing, the trial comes on the heels of another setback for CBS News, the court-ordered release of a network self-examination that determined that a CBS documentary on Gen. William C. Westmoreland was one-sided. With that embarrassment fresh on the public mind, there now comes Dan Rather being publicly grilled

under the fire of cross-examination. The image may not quickly fade.

How did CBS News get into this fix?

It began on the night of Dec. 9, 1979, with the airing of a "60 Minutes" segment called "It's No Accident." Rather, who was then a regular correspondent on "60 Minutes," was the narrator and on-camera reporter for the segment.

The report was a dramatic exposé on insurance frauds, in which the perpetrators faked automobile accidents and injuries, then filed phony claims with insurance companies for damages that never occurred. As Rather explained, "A lawyer, who is in on the set-up, sends the alleged victims to a crooked doctor . . . and they conspire to file phony claims."

"60 Minutes" examined these scams through interviews with an insurance investigator and with people who admitted to having participated in insurance fraud. They spoke to a doctor, a lawyer and a "capper"—a go-between who provides the fabricated claimants and accidents. The identities of these men were hidden.

The thrust of the program was that insurance fraud is not only widespread and hugely profitable, but relatively easy to accomplish. To demonstrate the point, "60 Minutes" had the assistant to an investigator who helped with the program visit a suspect medical clinic to try to obtain a phony medical report. She succeeded. Rather, holding the faked report in his hand, then said, "It was signed by Carl A. Galloway, M.D."

One of the more than 40 million people watching that episode of "60 Minutes" was Carl A. Galloway, M.D.

Galloway had worked part time for six months at that clinic. In fact, the clinic was owned by a shirttail relative—the brother of Galloway's sister-in-law. Galloway says he was told by acquaintances at the clinic that a "60 Minutes" crew had been there, and that his name had been mentioned. But Galloway claims he was stunned when Rather said he signed the phony medical report. He no longer worked at the clinic, and he had never spoken to Rather or anyone else from CBS (Rather maintained in a deposition that he tried twice to telephone Galloway, and, failing to reach him, left a message that "Dan Rather called").

The signature on the report that Rather displayed in the broadcast, Galloway claims, was a forgery.

The doctor did not notify the authorities about the alleged forgery, or take to task those at the clinic responsible for signing his name (a point CBS lawyers have emphasized to the jury). Instead, Galloway hired a lawyer, who wrote a letter to CBS protesting Galloway's innocence, with two affidavits supporting his claim, and asking for a retraction and \$1.5 million. CBS declined.

At that point, in early 1980, Galloway's complaint seemed bound to the fate found by so many others—years of costly litigation, resulting in dismissal, negligible settlement or the complainant being run out of court by high legal costs.

Galloway's lawyer, Virgil Roberts, filed suit in federal court, and the case was soon thrown out, the court declaring that it had no jurisdiction. Then, in November 1980, 11 months after the broadcast and just a month within the statute of limitations, Roberts filed suit in Los Angeles Superior Court, naming Rather and CBS.

CBS, on the recommendation of its insurance company, hired the Los Angeles law firm of Lillick, McHose and Charles to



defend the case, with attorney Andrew Robertson assigned to it. Robertson soon asked for an extension from Galloway's attorney, and his request was granted.

A few more months passed, and Galloway, tired of the delays, fired his lawyer and, at the suggestion of a friend, hired Bruce Friedman, a sole practitioner who in 21 years as an attorney had never brought a defamation case to court. His specialty had been automobile accidents and medical malpractice suits.

Friedman hit the ground running. He notified CBS' lawyer that his extension was up and refiled the cases, adding to the list of defendants producer Steve Glauber, who did much of the legwork on the broadcast, and Don Hewitt, creator and executive producer of "60 Minutes."

And Friedman did something else. While boning up on libel law, he came across a provision in the civil code giving certain defamation cases priority status. He applied for priority and won, pushing the Galloway case two years closer to trial.

In the pretrial discovery phase, Friedman asked for a good deal of material related to the disputed segment, including the outtakes. Superior Court Judge Bruce R. Geernaert, who presided over the pretrial phase, asked CBS to yield to Friedman voluntarily all outtakes from the broadcast relating to Galloway.

CBS turned over some outtakes. But Friedman knew of at least one other interview in which his client was mentioned by name that was not among the material CBS voluntarily provided. CBS said it inadvertently omitted the material.

Geernaert questioned the faith of CBS' effort to comply with his order and instructed the network to turn over all of the segment's outtakes for his inspection. CBS did not strongly challenge that order, and gave him the material.

Then, last Dec. 16, Geernaert took an action that dramatically transformed Galloway v. CBS into something special. He called the lawyers from both sides into court, and told them that after studying the "60 Minutes" outtakes, he had decided to order all of the material turned over to Friedman. Geernaert said that a good deal of the material related directly to Galloway, and beyond that, he felt the plaintiff would benefit by getting a feeling as to "the way this program, 'CBS 60 Minutes,' is put together."

Geernaert went on to explain his decision, and in so doing, effectively put "60 Minutes" itself on trial.

"There's a thread of irresponsibility and lack of concern about reliability and lack of concern about foundation that I don't know how the plaintiff could ever be informed of, other than by listening to and viewing all of the material," Geernaert said.

Geernaert noted some interview techniques he had seen in the outtakes, the way questions would be asked "first in a leading fashion, and even suggesting words that the . . . interviewee might want to use" and then asked again, "without the leading inference . . . clearly to leave the impression that those words and the momentum of the interview was coming from the interviewee, rather than the interviewer . . ."

"In effect, there is a misleading concept there," Geernaert said. "It's almost suggested that there should be a 60-minute program on the way the '60 Minutes' program is produced."

Geernaert's ruling and explanation redefined Friedman's case. Friedman decided he

would not only seek to prove the narrow point of slander against his client, he would also try to expose "60 Minutes" as "a fraud on the public," assuming that success in the one would assure victory in the other.

The ruling also may have been instrumental in CBS' firing of Lillick, McHose and Charles just before the trial originally was scheduled to begin. The firm was replaced by the firm of O'Melveny and Myers.

In the weeks before the trial, Friedman tried in vain to get Geernaert's permission to go public with what he claimed he had found in the outtakes—proof that "60 Minutes" had staged and rehearsed interviews to dramatize its point. When Geernaert said no, Friedman circumvented the confidentiality order by having a complaint against "60 Minutes" filed with the Federal Communications Commission and including the transcripts of the outtakes as evidence. At that point, the transcripts became public record. (CBS says it may seek sanctions against Friedman for violation of Geernaert's order of confidentiality regarding the outtakes.)

Friedman's strategy was cemented when the trial judge, Swink, allowed him full reference to the outtakes in the trial. Indeed, in presenting his case, Friedman has spent a great deal of time not directly related to the alleged slander of his client, but to the broader matter of "60 Minutes" methods.

Thus has the world learned such TV news esoterica as the meaning of the terms "sit-down stand-up" (when the TV reporter, sitting down, looks into the camera and gives a narrative) and "reverse." A reverse is employed when a TV reporter is conducting an interview with only one camera present. To suggest an interplay between interviewer and subject when the piece is put together in the editing room, part of the interview is briefly run through a second time, to get footage of the person who was not in the lone camera's frame the first time around.

The jury got a lesson in reverses when Friedman showed a long interview between an insurance claimant and an insurance investigator who was working with "60 Minutes."

The investigator questioned the woman, getting her to change her story, on camera, about a phony accident she had claimed to her insurance company. Then they went through the story again, the woman once more claiming she had had an accident and the investigator once again "breaking" her story.

The investigator, asserting wisdom now in the ways of TV news, testified that the second run-through was an innocent reverse, a common TV news practice. Producer Glauber confirmed that statement in testimony Monday. Friedman argued that it was staging. (More significant, perhaps, was the revelation that the investigator had the woman's signed confession five days before the on-camera interrogation, a development that had little to do with Friedman's access to the outtakes.)

In fact, most of the revelations born of the outtakes have been more of the nature of curiosities than damning evidence of news staging. CBS News insiders privately confess that the outtakes reveal two or three violations of CBS News standards—the worst case, perhaps, being an apparent editing abuse by which the answer to one question was tacked on to a different query.

But the public airing of what is a passionately guarded private process has been painful to CBS, and is not being taken lightly. There are two O'Melveny and Myers attor-

neys defending the case, trial lawyer William W. Vaughn and First Amendment specialist Robert C. Vanderet. Sitting just behind them is one (sometimes two) CBS Inc. staff lawyer. Joining them last week was Gene Mater, senior vice president of CBS News. Other CBS graysuits occasionally slip in and out of the courtroom.

The Galloway trial presents a special problem to CBS brass. The network's annual convention of affiliated stations takes place this week. The meeting is supposed to be an exercise in self-congratulation, with an emphasis on CBS' bold leadership in television.

Looming above all is the matter of a news organization's claimed right to protect the news gathering process from outside scrutiny and punitive litigation. CBS presented a story on the matter recently on the "Evening News." In that piece, CBS News President Van Gordon Sauter worried that "these suits will intimidate many news organizations because the cost of doing aggressive journalism, journalism that inherently carries some form of legal vulnerability, no matter how reliable the report is, is going to be exorbitant." ●

#### AGRICULTURAL MARKETING AGREEMENT ACT OF 1937

#### HON. ANDY IRELAND

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. IRELAND. Mr. Speaker, today I am introducing on behalf of myself and several other members of the Florida delegation legislation which will amend the Agricultural Marketing Agreement Act of 1937, to require that imported tomatoes conform with pack of container standards imposed on domestic tomatoes under marketing orders. This legislation would not halt imports—it would simply force imported tomatoes to compete fairly with Florida tomatoes.

Further, the bill imposes no requirements on the imported tomatoes which are not also imposed on the domestic produce. It does not seek to exclude imports, but rather to make possible market regulations of equal benefit to domestic and foreign producers.

Regulations imposed on Florida handlers of fresh tomatoes prevent them from mixing different grades and/or sizes of tomatoes within a shipping container. These regulations are important and are designed to create orderly marketing of fresh tomatoes. Different sizes of tomatoes sell for different prices and the same is true for different grades of tomatoes.

Mexico has over the years flooded the U.S. market with tons of tomatoes offered for sale at prices that do not even approach costs of production in Florida. They undercut the Florida price on all packs since there are no regulations to enforce what they put in a package. The ultimate consumer pays dearly for this preferential treatment to Mexican imports.

The USDA's interpretation of the present law requires that imports meet only the minimum requirements being imposed on domestic producers under a Federal marketing order. Hence, tomato imports from Mexico can be all grades and sizes commingled in a single shipping container. USDA contends that the prohibition against the mixing of grades or sizes within a container is a pack regulation and not a grade or size regulation. The Department further maintains that pack regulations cannot be imposed on imports under section 8e of the Agricultural Marketing Agreement Act.

The result of this interpretation is that foreign shippers are permitted to ship different grades and sizes of tomatoes in a single container while American producers must comply with the pack regulation. Foreign-grown tomatoes constitute a substantial volume of tomatoes sold in the United States. Consequently, the lack of pack restrictions on these tomatoes is disruptive to marketing procedures, since the buyer often does not know what he is getting, and also places the domestic producer at a distinct disadvantage.

Mr. Speaker, this legislation has on separate occasions, passed both the House and Senate, but has never been enacted. It would allow several advantages: Standardization of the sizes and grades of tomatoes offered for sale in the United States; and creation of an orderly marketing process. The enactment of this bill would benefit the consumer, grower, shipper, importer, and is fair to domestic and foreign producers alike, since they would be treated equally.

Mr. Speaker, I believe the advantages of this bill far outweigh any other considerations. I, therefore, urge prompt action on this bill in the 98th Congress.●

#### WORLD TRADE WEEK

#### HON. JERRY M. PATTERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. PATTERSON. Mr. Speaker, this week, May 22-28, has been designated by the President as World Trade Week 1983. World Trade Week is an expression of the importance of international trade to the future of the United States. The growth of the American economy is heavily dependent on the sales of U.S. companies abroad. International trade is our key to greater prosperity. The benefits include more jobs for American workers, profits for business, and a better selection of products for consumers.

Exports now account for more than 16 percent of the total value of all goods produced in this country. Two of every five acres of farmland

produce for export, and one of every seven manufacturing jobs depends on overseas trade. However, despite the high volume of our international trade, the United States is left behind when we compare ourselves to the international sales efforts of our leading competitors. Only 10 percent of our firms export and only 7 percent of our gross national product is sold in foreign markets which is less than one-half the total of the other major trading nations. The simple fact is that we and must do much better.

World Trade Week highlights the need for an increased awareness in the United States as to the importance of exporting. We in the Congress must continue to search for means which facilitate export expansion and enhance our understanding of how economically interdependent the world has become.●

#### RENEWABLE ENERGY INCENTIVE FOR DEVELOPING COUNTRIES

#### HON. CECIL (CEC) HEFTTEL

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. HEFTTEL of Hawaii. Mr. Speaker, today I am introducing legislation that is cosponsored by my colleague, Mr. WYDEN, to provide that the business energy tax credits provided for investment in renewable energy property will be available for the installation of solar, geothermal, wind, and other U.S. manufactured alternative energy equipment that is installed in developing countries. As the administration and Congress continue to search for ways to help the lesser developed regions of the world, this legislation would greatly assist developing countries in coping with one of their greatest problems: Coping with soaring energy costs and diminishing supplies.

This bill is one of two bills that Mr. WYDEN and I are introducing today to focus this Nation's attention on the place of our renewable energy industry in the international marketplace. This bill in particular accomplishes two goals. First, it provides significant energy benefits for developing countries that install renewable energy equipment to meet their national energy needs. The Caribbean region, for example, is especially suited for renewable energy installations due to its warm sunny climate and reliable winds in certain areas.

Second, the bill requires that the equipment must be substantially constructed in the United States. Thus, this legislation also is designed to create additional U.S. jobs and build a healthier U.S. renewable energy industry.

The introduction of this legislation is particularly timely in view of the re-

newed interest in Congress in the President's Caribbean Basin Initiative. Under the definitions in this bill, only countries that qualify as "beneficiary developing countries" for the purposes of receiving special tariff considerations under the generalized system of preferences in our trade laws would be eligible for U.S. business energy tax credit treatment. At this time, every country qualifying for benefits provided by the Caribbean Basin Initiative already qualifies as a beneficiary developing country under the generalized system of preferences. Thus, the Caribbean nations would directly benefit from the provisions of our bill.

Mr. Speaker, I hope that Congress can give serious consideration to this bill to extend business energy tax credit treatment to investments in renewable energy equipment that is installed in Caribbean and other developing countries. If we and the administration are truly sincere in our desire to help such countries become independent, stable nations, then helping to free such countries from their reliance on costly imported fossil fuel will go a long way toward accomplishing that goal.●

#### A TRIBUTE TO BOY SCOUT TROOP 386

#### HON. HOWARD C. NIELSON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 24, 1983

● Mr. NIELSON of Utah. Mr. Speaker, I would like to bring to the attention of my colleagues the great achievement of Boy Scout Troop 386, sponsored by the West Jordan 30th Ward of the Church of Jesus Christ of Latter-day Saints. At a special court of honor held May 19, 1983, 17 Scouts received the highest award possible for a Boy Scout, the Eagle. The enormity of this accomplishment is aptly demonstrated when one considers that only 2 out of every 100 Scouts ever earn the Eagle. I applaud the tremendous efforts of the troop's Scoutmasters Chris Butters and Carmi McDougal, and their assistants Marty Camberlange, Sheldon Kirkham, and Ralph Reading. Without their constant help and encouragement, this would never have been possible. I think it is fitting that we recognize each of these young men for their fine achievement. They are David D. Butters, Ky R. Ekstrom, Mike E. Gronning, Doug A. Helton, Raymond A. "Tony" Kemp, Lance R. Kuehne, Brent D. McDougal, Troy D. McDougal, Wilbern L. McDougal, Jr., Keith D. Musig, David C. Palmer, Jeffrey E. Rawlins, Jason R. Reading, Jeffrey E. Reading, Lynn R. Rosier, Jason C. Simonsen, and Kirk William Wiley. Their ages range from 13 to 15



years. The troop committee chairman is Allan Tolman.

It is evident that the Scouting program in Troop 386 is a big success. The success of these Scouts is a great example to show before all the young men in our country to encourage them to do the same. As a father of Eagle Scouts, I can attest to the character development that occurs from being involved in the Scouting program. It teaches leadership skills and duty to one's country. These 17 boys are far more likely to become responsible and productive citizens now that they have learned such important Scouting fundamentals. I encourage my colleagues in the Congress to take every opportunity to support the Scouting tradition. ●

**BETSY BEAVER: AN  
ACHIEVEMENT TO BE NOTED**

**HON. GEORGE W. GEKAS**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. GEKAS. Mr. Speaker, so often we, who are Members of this great deliberative body, tend to overlook the extremely important achievements of our constituents. Thus, it is with great pride that I bring to your attention the accomplishments of young Betsy Beaver, a constituent of mine from Millerstown, Pa., as presented in a recent edition of the Shippensburg News-Chronicle:

**BETSY BEAVER—THE IVORIES DID NOT SCARE HER**

(By Rich Armel)

This is a story of determination and friendship, of shared inconveniences and the gentle support which led to the crumbling of a barrier erected by a physical handicap.

The unlikely friendship is that of a 13-year-old Millerstown girl named Betsy and an Orrstown man named Melvin. The threads that now bind them first intertwined seven years ago.

Betsy Beaver was born a congenital amputee, her left arm not extending much beyond the elbow. She received a residual limb which tapers to a point without fingers. Betsy sees a prosthetist at Elizabethtown Habilitation Center about every year and a half to have the limb refitted to accommodate her growth.

Her parents, Rosemary Beaver and the late Larry Beaver, and Betsy's elder sister Meg, began early to instill a confidence in Betsy that has been a factor in her successful efforts to lead the life typical of any young girl.

"I would say that generally speaking, I have always let her (Betsy) take the lead in the endeavors she chooses," Rosemary Beaver said during a recent telephone interview. "But if there's any way I can help her, I will try to move Heaven and earth to do so. If there is something that she wants to do, we may not be able to go straight through to reach the end, but maybe find another route."

So, when, at age six, Betsy announced that she wished to play the piano, Mrs. Beaver, who plays piano and oboe, put her friends on alert, asking them if they knew of anyone who could show Betsy how she might approach the piano.

"When Betsy expressed an interest, I knew there would have to be some sort of adaptation," she explained.

One of those persons Mrs. Beaver spoke to was her niece, Mary Kathryn Miller, herself a piano instructor. Mary Kathryn was a co-worker of Debra Fortna Haglen. Debra Fortna Haglen had once been a piano student of a Mr. Melvin Rohrabach, an Orrstown man who despite having a left hand crippled by polio, is an accomplished organist and pianist. Local residents may recall that Rohrabach is assistant organist at the Middle Spring United Presbyterian Church.

Mrs. Beaver remembers that, after hearing of Mr. Rohrabach, "I picked up the phone, dialed his number and said, 'You don't know me, but . . .'" So we piled in the car and were off to Orrstown.

There, they saw how Rohrabach worked with the piano, minimizing the use of the left hand. "It was very inspirational to me and I know it was to Betsy," said Mrs. Beaver, recalling the "complete stranger's" hospitality during that June visit several years ago.

Melvin showed Betsy how she would have to learn to play. He also agreed to meet with Mary Kathryn Miller to give her tips on how to teach Betsy.

But, perhaps more importantly, Melvin left Betsy with an inspiration and a pledge to help her set a goal. "I told her that when she learned to play 'How Great Thou Art,' I'd come to sing at her church and she could accompany me," Rohrabach said.

It was a promise he kept five years later. He and Michael Reese, who also will be in the Middle Spring program Sunday night, ventured to Betsy's home church, the Pfoutz Valley United Methodist Church, where Betsy and Melvin performed together.

Melvin remains impressed by Betsy's spirit. "This young girl has mastered the piano," he says with a trace of wonder. "It's just remarkable to see her," he says, adding that he's looking forward to her playing Sunday night at the Middle Spring United Presbyterian Church. He invited her to participate in the service.

Betsy began taking lessons from Mary Kathryn Miller shortly after visiting Melvin. When her instructor temporarily stopped giving lessons in order to devote time to a new baby, Betsy was fortunate enough to find another pianist willing to assist her in her unusual approach to the piano. Linda Brofee, also of Millerstown, and an organist at the Pfoutz Valley church, taught Betsy for an interim period.

When Mrs. Brofee quit giving lessons, also to have a baby, Betsy went back to taking lessons from Mary Kathryn who had resumed her instruction.

"She's been very fortunate to have such capable instructors," Rosemary Beaver said.

As the years passed, Betsy occasionally would receive a note from her friend Melvin who would inquire about her progress and remind her of the pact they made.

She was learning to play and play well.

"It's not really that hard," Betsy said recently. She explained, "If there's more than one note for the lower hand on the sheet music, I play the upper note with my right hand."

She said she's looking forward to playing this weekend and revealed she will be the

accompanist on "Amazing Grace" and "How Great Thou Art."

She's quick to dismiss her achievements (she also plays cornet and developed an interest in gymnastics), and responds to questions about her efforts with matter-of-fact monosyllables. But others remain struck by her resolve.

"She just excels. She does things the average amputee does not consider," said Jack Smith, the prosthetist who has worked with Betsy since she was seven months old. "Betsy is a remarkable young girl. I've seen a lot of amputees through the years, but if I were to pick a handful of them who could demonstrate what can be done, Betsy would be right there."

The young pianist is currently practicing numbers for a special Sunday School program and has just finished appearing in a production of "Music Man" with sister Meg (their mom played in the orchestra for the show.)

That family togetherness has, no doubt, created an atmosphere conducive to Betsy's drive. But when you hear Betsy and her mother talk, you get the idea that perhaps of equal significance is the tie Betsy shares with a man named Melvin who reinforced her belief that it could be done.

I think we can all be proud of Betsy and happy that she is yet another reminder of the great American spirit to succeed in whatever task we attend. ●

**OLYMPIAD ROSE**

**HON. CHARLES PASHAYAN, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. PASHAYAN. Mr. Speaker, the city of Wasco, Calif., in the 17th Congressional District, is home to a thriving industry that employs some 920 people, involved in the cultivation of nearly 3,075 of the most beautiful acres imaginable.

This industry produces roses. One of those varieties, the Olympiad, has been developed to commemorate the 1984 Olympic games to be held in Los Angeles.

The Olympiad is a hybrid tea rose produced by Armstrong Nurseries of Ontario, Calif., which is in the 36th Congressional District, ably represented by our colleague, GEORGE BROWN, and grown in Wasco in the district I have the honor of representing.

Armstrong Nurseries has joined with Los Angeles Beautiful, Inc., to provide the royalties and proceeds from the sale of the Olympiad rose to the youth program of Los Angeles beautiful to beautify the communities of southern California in preparation for the Olympics.

And this public-spirited firm has to date donated 20,000 Olympiad rose bushes to public gardens, parks, and cities across the United States, including 7,500 to the city and county of Los Angeles.

I should like to commend Armstrong Nurseries, Los Angeles beautiful, and

everyone involved with the Olympiad rose project for their efforts to beautify southern California for the 1984 Olympics.●

## FARMERS' EQUITY ACT

**HON. TOM CORCORAN**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. CORCORAN. Mr. Speaker, today, along with my colleagues, the Honorable BOB MICHEL and the Honorable EDWARD MADIGAN, I am introducing legislation to correct an oversight in the tax treatment of farm and small business heirs electing the special use valuation method of valuing family farms and businesses for estate tax purposes. When Congress passed the Estate and Gift Tax Reform Act of 1976, it sought to amend the Internal Revenue Code to preserve family farms and businesses by permitting these family operations to establish the estate tax value based on current use value as a farm or business, rather than by assessing the highest possible value assuming the highest and best use of the property. Under the highest and best method, families were losing their farms and businesses, having to sell them to pay ridiculously high estate taxes, a policy of which our Government could not have been proud.

The special use valuation provision was a great step forward, and many heirs immediately elected to use this method. Unfortunately, the IRS took 3 years to publish final regulations implementing this provision, and some of the heirs to these family operations unwittingly violated the yet-to-be-published regulations by cash renting to other family members. The IRS held that this did not constitute qualified use by the qualified heir, and these individuals retroactively lost the right to the special use valuation. This was a harsh and very expensive lesson in the complexity of tax law.

In recognition of the problems created by the delay in publication of final regulations, Congress corrected this in the Economic Recovery Tax Act of 1981—for most individuals. We established a 2-year grace period following death during which period the qualified heir's failure to put the farm to a qualified use will not result in forfeiting the right to elect the special use valuation method. This 2-year grace period was made retroactive and it covered most of the individuals who had failed to anticipate the IRS regulation covering cash rental to another family member.

An unknown but very small number of heirs cash rented for the entire 3-year period preceding publication of the final regulations and are not, therefore, covered by the 2-year grace period. The bill that I and my col-

## EXTENSIONS OF REMARKS

leagues are introducing today will foresee the failure of these individuals to foresee the details of the IRS regulations on special use valuation. It will provide, only for these individuals, a full 3-year grace period, to cover the 3 years during which no final regulations were available.

I urge my colleagues to support my bill to restore justice to family farmers and business men and women.●

## FOREIGNERS FIRST, SAYS CHEESE INSTITUTE

**HON. FORTNEY H. (PETE) STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. STARK. Mr. Speaker, first prize for objectionable letter of the month goes to the National Cheese Institute for their letter of May 20, supporting a reduction in the USDA's cheese disposal program to poor and hungry Americans.

The letter says this winter's expanded cheese disposal program reduced cheese sales, urges reductions in the milk price support program to discourage excess production—an idea I support—but then it suggests "other solutions to the surplus cheese problem, such as increasing exports to needy countries \* \* \*."

With unemployment still at more than 10 percent, I think charity should begin at home.

At least Marie Antoinette let her people eat cake.●

## H.R. 2420, THE FIREARMS OWNERS PROTECTION ACT

**HON. BUTLER DERRICK**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. DERRICK. Mr. Speaker, I rise today to join over 100 of my colleagues in the House in cosponsoring H.R. 2420, the Firearms Owners Protection Act. As a cosponsor of similar legislation during the last Congress, I am pleased to again join my colleague from Missouri, Hon. HAROLD L. VOLKMER, in his efforts to reform and redirect the Gun Control Act of 1968.

Mr. Speaker, while I am vitally concerned over the level of crime and violence in our Nation, I am also fearful that well-meaning efforts to control it have focused almost exclusively on the gun usage, rather than upon the criminal using the weapon. Moreover, I believe that more stringent and mandatory sentencing of criminals using firearms may be the most effective means of achieving the goals we all seek, and wholeheartedly support the mandatory sentencing provisions of H.R. 2420.

Our experience with the Gun Control Act has pointed to some serious

deficiencies in the statute, deficiencies which most often impact upon the legitimate and lawful gun owner and collector. Many of the provisions of the statute are vague and have led to inconsistent and arbitrary enforcement. In this respect, H.R. 2420 seeks to set a precise meaning on the definition of "engaging in the business," one of the most ambiguous provisions which has been used to convict collectors who sell only a few firearms without a license. H.R. 2420 draws a careful distinction between persons who are actually engaged in the business of selling firearms, and private citizens who may occasionally purchase or exchange a firearm.

This bill would also require that criminal intent be shown before an individual is subject to penalties for a Federal felony. Under existing law, an individual is subject to such penalties for any violation of the Gun Control Act, regardless of the seriousness or degree of the offense. This bill would also set specific time limits for filing of charges, and mandates the return of firearms upon acquittal.

Mr. Speaker, because this legislation does safeguard an individual's right to own firearms, while eliminating many of the abuses that have occurred under present law, this bill does receive my full support. I urge my colleagues to join in this worthwhile effort.●

## THE YOUNG MEN'S INSTITUTE

**HON. NORMAN Y. MINETA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. MINETA. Mr. Speaker, it gives me great pleasure to speak today in honor of one of my community's finest civic organizations, the Young Men's Institute. This fine institution is about to celebrate its 100th anniversary.

The Young Men's Institute, an international Catholic fraternal organization, was founded in San Francisco, Calif. in 1883. Since that time, YMI has helped encourage men to attain spiritual and social benefits from their religion, and it has offered these young men opportunities to help improve their communities.

The Young Men's Institute has maintained scholarships for the education of men who aspire to the religious life, and YMI has supported an educational program for the study of religious, social, and economic problems and its has sponsored a wide variety of charitable activities.

The Young Men's Institute offered tremendous benefits to my community by sponsoring the Special Olympics at Agnews State Hospital, the Volunteer Service Group of Agnews State Hospital, a little league team in the city of Santa Clara, and the yearly YMI Parade of Champions.



I would, therefore, like to take this occasion, Mr. Speaker, to ask you and all the Members of the House of Representatives to join me in extending our thanks and good wishes to the Young Men's Institute.

Thank you.●

### ARMS CONTROL CIRCLES OPTIMISTIC ON BUILD-DOWN

**HON. DOUG BARNARD, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. BARNARD. Mr. Speaker, even though our immediate debate on the MX is over, the question of arms control will probably always be with us. Since an arms control treaty requires both our country and the Soviet Union to agree, we must look for the most realistic, yet flexible, approach that we can find. I have been impressed by the "build-down" proposals, submitted in the Senate by Senator SAM NUNN and Senator WILLIAM COHEN, and in the House by my distinguished colleague, Representative ELLIOTT LEVITAS.

In a recent article in the Atlanta Constitution, Representative LEVITAS outlines this proposal and the support for it. This article is as good an explanation for the lay person as I have seen, and I would like to have it reprinted in the CONGRESSIONAL RECORD.

[From the Atlanta Journal/the Atlanta Constitution, May 22, 1983]

#### ARMS CONTROL CIRCLES OPTIMISTIC ON BUILD-DOWN

(By Representative Elliott H. Levitas)

There is optimism in the arms control arena these days over an innovative proposal that would reverse the rising tide of nuclear arms, and at the same time provide reliability and survivability of our nuclear deterrent forces. The "mutual guaranteed build-down" approach to arms control offers a realistic, responsible and sane method of bringing the arms race under control.

The concept is that whenever the United States or the Soviet Union adds one new nuclear weapon to its strategic force, two older, less stabilizing weapons would have to be eliminated.

This could be negotiated in the context of the nuclear arms talks which are proceeding in Geneva. The negotiations would have to assure proper verification as well as spelling out the precise details of the ratio between weapons added and those removed, the types of weapons that will be counted and the reduction of megatonnage as well as numbers. The "2-for-1" build-down is the conceptual starting point and the Geneva negotiations could flesh out the details in the arms control treaty.

The build-down answers many of the concerns explicit in the arms control debate. It ends the arms build-up in terms of total number of strategic nuclear warheads. It answers the question of how you can move toward actually reducing the nuclear arsenals of the United States and the Soviet Union while at the same time allowing for the necessary modernization of our nuclear forces.

Modernization of our weapons systems is an important element of arms control. In order to reduce the nuclear threat, we must

do away with the weapons systems that have the highest potential for first strike use and are vulnerable to attack. We must, therefore, develop weapons which will increase the survivability and reliability of our deployed systems.

By doing away with vulnerable weapons systems, we can reduce the possibility of a "hair-trigger" response to a perceived threat. Under the build-down approach for example, the United States and the Soviet Union could move toward development of single-warhead "midgetman" missiles and away from the dangers of the large, multiple warhead missiles now deployed. This direction has been endorsed by the President's Commission on Strategic Forces—the Scowcroft Commission.

The build-down proposal, however, would force an explicit trade-off between the deployment of new weapons and reductions in existing systems. It would direct decision-making toward the primary concern of developing survivable systems which will contribute to overall stability, but at the same time, it would force a net reduction in the total number of nuclear warheads. Furthermore, by counting warheads rather than missiles, bombers or other delivery systems, we get to the heart of the problem.

Since an arms control treaty requires both our country and the Soviet Union to agree, the build-down is a realistic proposal since it gives each nation the flexibility to build-down in accordance with their own strategies and needs.

The plan has other advantages as an approach to arms control. The build-down concept gives our negotiators some much-needed flexibility. The "2-for-1" formula is an example of how the build-down principle could be applied, but the precise numerical ratio and the precise elements of the formula could be crafted to focus exclusively on one type of weapons mix, or broadened to encompass a wide range of nuclear armaments.

In addition, the mutual guaranteed build-down could easily be implemented as useful counting rules and implementation procedures from the SALT agreements could be applied, and verification procedures could be developed to assure compliance.

Given the rationale of this approach, it is not surprising that it has gained such widespread support. The build-down resolution was originally introduced by Sen. Bill Cohen and Sen. Sam Nunn. I have introduced the build-down resolution in the House along with significant bipartisan co-sponsorship.

The proposal has the support of many proponents of military force modernization such as Sen. Charles Percy, chairman of the Senate Foreign Relations Committee, Sen. Strom Thurmond of South Carolina, Sen. John Stennis of Mississippi and Sen. Orrin Hatch of Utah, as well as the support of many nuclear freeze supporters such as Sen. Gary Hart of Colorado, Sen. Daniel Moynihan of New York, Sen. Bill Bradley of New Jersey, Sen. Robert Byrd of West Virginia and former Secretary of State Edmund Muskie.

President Reagan has recently said he believes the build-down principle "would be a useful means to achieve the reductions (in nuclear weapons) we all seek."

The build-down approach is consistent with, and in fact, complements ongoing arms control efforts, and it is compatible with the goals of the resolution recently passed by the House of Representatives, which calls for freezing the level of nuclear weapons provided we achieve actual reductions in the nuclear arsenals of the superpowers within a specified reasonable period of time. The reduction part of that resolution could accommodate the build-down.

There is no sane person on this planet who does not wish to erase the threat of the ever-spiraling nuclear arms race and make this world a safer place. The mutual guaranteed build-down provides a rational means of arriving at that goal.

I predict that the Congress will adopt a resolution calling for implementation of the build-down principle, which could be incorporated into ongoing arms control efforts, such as the START talks.

The mutual guaranteed build-down supplies a solution to the most complex and perilous problem mankind has ever faced. This appealing, simple and rational approach to nuclear arms control gives all of us hope that it can be accomplished.●

### EVELYN ROSE RETIREMENT

**HON. DON EDWARDS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. EDWARDS of California. Mr. Speaker, on Saturday, June 11, the Fremont Unified School District in California is honoring an employee who has served public education for 42 years. The honoree, Mrs. Evelyn Rose, began work on July 1, 1941 and served as secretary to five superintendents during the following 42 years.

Although employees of long duration have offered valuable years of usefulness in various public service agencies, I feel this individual is deserving of special recognition.

Since beginning her employment in the high school from which she graduated, Mrs. Rose worked through the war years expanding the usual secretarial duties to civilian defense responsibilities. She personally wrote to hundreds of local service people who went away to war, keeping them informed of home activities and news of friends.

The Fremont area schools have grown from an enrollment of 450 in 1941 to approximately 25,000 students. Through these years, Mrs. Rose has remained a loyal, conscientious employee and provided her coworkers with the pleasure of her unique humor and candid personality.

I congratulate Mrs. Rose for her many years of service and wish her happiness in her retirement.●

### NEW TECHNOLOGY TO CLEAN UP HAZARDOUS WASTE

**HON. ROBERT G. TORRICELLI**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. TORRICELLI. Mr. Speaker, the issue of hazardous waste and the problem of how to clean it up is one of the greatest challenges facing our country.

The health of all Americans is threatened by hazardous waste. No situation threatens the lives of people more than when these wastes contaminate local water supplies.

Bergen County, N.J., offers both evidence of the problem and hope for the future. In my congressional district alone there are four major hazardous waste sites. However, also in Bergen County is a company, Groundwater Decontamination Systems, Inc., that has developed a new technology for addressing this terrible problem. This company, and its president, Harold Snyder, deserve praise for their efforts in this area. The process is worthy of careful consideration and I hope the Environmental Protection Agency and companies now beginning to clean up these wastes will take a serious look at this new technology. A description of the process is described below:

Groundwater Decontamination Systems, Inc. (G.D.S.), offers a unique, new, viable and low cost solution to the problem of hydrocarbon and halogenated hydrocarbon ground and groundwater contamination. The system is an efficient and cost effective onsite natural process, which accelerates the biodegradation of hydrocarbon and halogenated hydrocarbon contamination on the soil and in the groundwater.

Biodegradation of organics by naturally occurring soil microorganisms is a process as old as the earth itself. This process takes advantage of that which naturally exists. The technique involves pumping contaminated ground water from the affected area into an environmentally controlled tank. With the aid of nutrients and air, the process of biodegradation by the naturally occurring microorganisms is accelerated. Once treated, the water is recirculated through the contaminated area of ground and stimulates the biodegradation of the contaminants deposited on the soil. Injection of air into the ground and ground water further accelerates microorganism activity in the contaminated area.

This process has been vigorously tested and is now being used on a site in Waldwick, N.J. Thus far, the process has been very successful. Mr. Snyder and Groundwater Contamination Systems must be applauded for their work in cleaning up the environment.●

#### THE 196TH ANNIVERSARY OF DEBT

**HON. JOHN EDWARD PORTER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. PORTER. Mr. Speaker, the Treasury announced a record \$129.2 billion deficit for the first 6 months of this fiscal year. That is more than last year's total deficit. Last week the House and Senate raised the public debt limit to over \$1,300 billion.

Many believe each of the next 4 fiscal years will produce deficits of

over \$150 billion. If so, the present public debt of well over a trillion dollars might very well be \$2 trillion by 1987—the 200th anniversary of the writing of the Constitution with its famous sixth article concerning the “assumption of debts” by the new government.

The Founding Fathers were worried about the public debt when they gathered for their first meeting in Philadelphia on May 25, 1787. We should be as worried.

It is true that debts have been part of the Nation's history from the very beginning but it is also true that for almost all of the Nation's history, the Congress endeavored to pay the debt and labored to eliminate deficits. Only in the past two decades has the Nation had a Congress that does nothing or little to reduce the debt and to erase the deficit. It is only in the last few years that Congress permitted the debt to increase yearly as the deficits shot up.

This is the anniversary of the start of the Philadelphia Constitutional Convention. It is time for this Congress to be as concerned with the public debt as were the members of the greatest convention in the history of man.●

#### NATIONAL HISTORICALLY BLACK COLLEGE DAY

**HON. CARROLL A. CAMPBELL, JR.**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. CAMPBELL. Mr. Speaker, on January 27, 1983, I, along with my distinguished colleague, HAROLD FORD, introduced a resolution directing the President to designate September 21, 1983, as “National Historically Black Colleges Day.”

This bill (H.J. Res. 105), recognizes the achievements of the 103 historically black post-secondary institutions of the United States. I feel that a speedy adoption of this resolution will signal this body's support for the work of the faculties, administrations, and the 30,000 young men and women who graduate annually from these colleges and universities.

To date, the following members have cosponsored this resolution:

Joe Addabbo, Bill Alexander, Glenn Anderson, Ike Andrews, Beryl Anthony, Bill Archer, Doug Barnard, Mike Barnes, Jim Bates, Charles Bennett, Howard Berman, Ed Bethune, Tom Bevill, Lindy Boggs, Bill Boner, David Bonier, Rick Boucher, Barbara Boxer, Robin Britt, John Bryant, and Tom Carper.

Bill Chappell, William Clay, Cardiss Collins, Silvio Conte, Jim Cooper, George Crockett, William Dannemeyer, Hal Daub, Kika de la Garza, Ron de Lugo, Ron Dellums, Butler Derrick, Mike DeWine, Julian Dixon, Brian Donnelly, John Duncan, Bernard Dwyer, Mervyn Dymally, Bob Edgar, Mickey Edwards, and Benjamin Erdreich.

Walter Fauntroy, Vic Fazio, Geraldine Ferraro, Ronnie Flippo, Thomas Foglietta, Edwin Forsythe, Wyche Fowler, Bill Frenzel, Martin Frost, Don Fuqua, Newt Gingrich, Henry Gonzales, Bill Gray, Bill Green, Frank Guarini, Katie Hall, Sam Hall, Tommy Hartnett, Charles Hatcher, Marjorie Holt, and Frank Horton.

Steny Hoyer, William Hughes, Jim Jeffords, Ed Jones, John Kasich, Jack Kemp, Bob Lagomarsino, Mickey Leland, Bob Livingston, Gillis Long, Jim Martin, Bob Matsui, Romano Mazzoli, Bill McCollum, Barbara Mikulski, Norman Mineta, Parren Mitchell, Henson Moore, Robert Mrazek, Stephen Neal, and Bill Nichols.

Major Owens, Leon Panetta, Bill Patman, Jerry Patterson, Nick Rahall, Charles Rangel, William Ratchford, Richard Ray, Bill Richardson, Robert Roe, Buddy Roemer, Charlie Rose, Augustus Savage, Paul Simon, Norman Sisisky, Larry Smith, Floyd Spence, John Spratt, Jr., Louis Stokes, and Fofa Sunia.

Robin Tallon, Thomas Tauke, Billy Tauzin, Lindsay Thomas, Robert Torricelli, Tim Valentine, Bob Walker, Harold Washington, Henry Waxman, Ted Weiss, Alan Wheat, Bill Whitehurst, Lyle Williams, Charles Wilson, Larry Winn, Jr., Robert Wise, Antonio Won Pat, and Ron Wyden.●

#### THE OFFICIAL OLYMPIC ROSE

**HON. ALFRED A. McCANDLESS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. McCANDLESS. Mr. Speaker, the official rose for the 1984 Olympic games in Los Angeles is a beautiful, deep red tea rose, developed in Ontario, Calif., by Armstrong Nurseries. It is named the “Olympiad.”

I want to commend Armstrong Nurseries, which has announced that royalties and proceeds from the sale of the Olympiad rose will be used for the Los Angeles beautiful youth programs fund. In addition, Armstrong nurseries is donating 20,000 Olympiad rose bushes to public gardens and parks all across the United States. Of these, 7,500 rose bushes will be donated to the city and county of Los Angeles, to help beautify the area in preparation for the Olympic games.

Mr. Speaker, I think that all concerned with this joint project should be congratulated. It appears to me that with the Olympiad the United States already has a winner in the Olympics.●

#### HOWARD INTRODUCES BILL TO INVESTIGATE MASS PRODUCTION OF LIVESTOCK

**HON. JAMES J. HOWARD**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. HOWARD. Mr. Speaker, on behalf of all consumers, I am introducing legislation today which would establish a Commission to study the ef-



fects of modern farm animal production. I urge my colleagues to join me in this important effort.

As many of my colleagues know, this practice involves the close confinement of livestock for mass production. Human antibiotics, such as penicillin and tetracycline, are mixed with livestock feed to prevent the widespread disease which would result from such conditions. Many of these drugs are also used to accelerate livestock growth.

In addition to the damaging effects intensive farming has on the animals involved, there is great concern that this practice is potentially dangerous to humans. Several news articles have detailed claims by experts that the use of these drugs in livestock feed could eventually lead to their ineffectiveness in the treatment of human diseases.

It is quite clear that these serious questions will not go away unanswered and it is also clear that a comprehensive study should be immediately commissioned for the sake of all consumers.

Under my bill, the Commission would be comprised of 12 members, 5 of whom are associated with farm animal production. The remaining 7 members would be selected by the National Academy of Sciences with expertise in such fields as physiology, ethology, nutrition, microbiology, epidemiology, etiology, and economics. Following a 2-year study, the commission would report its findings to the Congress.

There will be those that say this matter has been investigated enough already. I admit that this subject has been the focus of many studies. However, under my legislation, the commission would study all the relevant literature published on this subject, in addition to conducting their own hearings. This would result in one comprehensive report on the complex and diverse subject of modern farm animal production. It is time that such an investigation is conducted under close congressional scrutiny, free of any special interest group pressure.

On a final note, I am pleased to report that this legislation has the strong endorsement of consumer, humane, and nutrition groups. I hope that the farming community will also join us in supporting this legislation. It is obviously in their best interests to put these serious questions to rest once and for all.●

#### DESTRUCTIVE REGULATIONS AIMED AT FEDERAL EMPLOYEES

**HON. BARBARA BOXER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mrs. BOXER. Mr. Speaker, I am pleased that the House voted favor-

ably on a bill yesterday to delay the latest line of destructive regulations aimed at Federal employees.

I strongly supported the language in this bill carried by my colleague Representative STENY HOYER, which delays the proposed OPM regulations until a full GAO study is completed.

I have serious concerns about the substance of regulations proposed by OPM and published recently by OPM on March 30. I believe there are a host of both technical and policy problems connected with implementation of the regulations and have expressed my concerns in a letter to the Office of Personnel Management which I co-signed along with a number of my colleagues.

Apart from my specific concerns about the regulations, however, I feel that it is important that an independent agency conduct its own study of the regulations before they are implemented. I believe that such a major set of reforms affecting pay retention and management rights provisions require careful scrutiny. I agree with Mr. HOYER and the members of the Appropriations Committee who specifically included language in the bill calling for a study by the General Accounting Office. Existing statute enables the GAO to review Federal performance appraisal systems and GAO can provide Congress with expert assistance in assessing the prospects of whether or not OPM's proposals can achieve their stated objectives. Additionally, it is my hope that such a study might shed some light on whether the regulations conflict with the intent and substance of existing law.●

#### A TRIBUTE TO DANIEL ABRAHAM

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. LANTOS. Mr. Speaker, today I want to take this opportunity to honor a man who is a true giant of American industry and commerce.

Daniel Abraham is as exemplary a figure as one could find of a person who started with very little and through grit, determination, imagination and effort, has built one of the most impressive business organizations in the country, Thompson Medical Co. This is a company that Danny Abraham helped start in 1947, when he purchased a small Pennsylvania firm for \$5,000—much of that saved from his Army disability checks. He is today the chief executive officer. Today, 36 years later, Thompson sales total \$84 million.

Clearly, it takes a person with extraordinary energy, ability and fore-

sight to build, manage and guide in every sense the growth of a small company into a giant, at each turn anticipating correctly the needs of the American public, and responding to those needs with new and useful products.

To gain recognition for his products, Danny Abraham first had to hitchhike from one town to another, not only developing sales but also his interest in marketing. After he moved the company to New York City, he would call on 50 stores a day, helping to build his growing firm.

But Danny Abraham's interests range far beyond his business. Over the years, he has become a leader in scores of philanthropic and educational institutions.

One of his many philanthropic interests is Bar-Ilan University.

On June 8, Mr. Abraham will be awarded an honorary doctorate for his monumental work on behalf of that outstanding institution.

Danny is a member of the American Board of Overseers and the Global Board to Trustees of Bar-Ilan. Most significantly, he is the founding chairman of the school of economics and business at the university. He has devoted countless hours to developing the business administration program at Bar-Ilan, to help transfer American business management theories and practices to the Middle East.

It has been my privilege today, Mr. Speaker, to honor this great man who has made such an impact on the American business community and on business communities and business education abroad.

We wish him all the best in his commercial and philanthropic endeavors.●

#### THE DEATH OF COMDR. ALBERT SCHAUFELBERGER

**HON. MANUEL LUJAN, JR.**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. LUJAN. Mr. Speaker, this morning, I am sad and I am mad. I am sad for the family and friends of a U.S. Navy commander who was brutally shot to death last night in El Salvador.

I am mad because I do not hear the cries of outrage that this terrible terrorism requires. The human rights of this brave man have been ruthlessly violated. The human rights of the United States have been attacked. Where are the voices of concern? This man was sitting in an automobile, unarmed waiting for a friend when he was shot in the head four times. Does he not deserve the concern and complaint for his rights? I shall be listening for the outcry.

The United States did not provoke this horrible event. The United States has not escalated the situation. The United States is the victim of this terrorist murder. I for one, am very sad, and very mad.

Mr. Speaker, this country has lost a valiant and honorable man, Navy Comdr. Albert Schaufelberger. We are in his debt.●

#### PIEDMONT'S NEW HUB OPERATION AT BWI

#### HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. HOYER. Mr. Speaker, as my colleagues are well aware, the Washington area is served by three air carrier airports, Washington National and Dulles, owned and operated by the Federal Aviation Administration, and Baltimore/Washington International Airport, BWI, under the auspices of the State of Maryland. As a Marylander deeply committed to BWI, and as a Member of this legislative body, I note with great pleasure the decision by Piedmont Airlines establishing a regional hub operation at BWI. Effective July 15 of this year Piedmont will add 22 daily departures to 11 new markets out of BWI, and the State of Maryland is already hard at work building a \$20.9 million expansion of facilities at BWI to accommodate an even larger Piedmont hub operation.

This is certainly the kind of activity Congress had in mind when it passed the Airline Deregulation Act. The aggressive action on the part of Piedmont and Maryland, however, is much more than an airline deregulation success story.

After several attempts at formulating a comprehensive Metropolitan Washington airports policy, former Transportation Secretary Drew Lewis and Aviation Administrator J. Lynn Helms established a policy aimed at achieving a more balanced utilization of the area's three airports. Our new Secretary of Transportation, Elizabeth Dole, is now in the process of implementing and fine tuning this operating policy. I am confident she shares my pleasure in witnessing an airline making a marketplace decision which supports and advances the laudable efforts by her Department to direct future air service growth to BWI and Dulles. I urge my colleagues to see what Maryland and Piedmont are doing, and to "Fly BWI."●

#### TRIBUTE TO GEORGE MERSHON

#### HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. ACKERMAN. Mr. Speaker, today I have the privilege of sharing with you a story of heroism by a brave young boy from my congressional district in Queens County, N.Y., who saved the lives of two of his schoolmates.

On the morning of December 9, 1982, School Safety Patrol Capt. George Mershon was on duty at the corner of 41st Avenue and 99th Street near Public School 19 in Corona, Queens. On their way to school that day, students, held by patrol members, waited at the corner for the traffic to pass. At this time, George spotted two girls who were about to step into the street in front of an oncoming truck.

One of the youngsters had a sprained ankle and her friend was helping her along. They did not notice the truck heading toward them and did not hear the patrol boy yelling to them to move out of the way. Then, immediately responding to the crisis, George dashed from his post into the street, grabbed the girls, and rescued them from danger. George's action forced the truckdriver to make an abrupt stop—barely 4 feet from the children.

For his valor and quick thinking, George, only 10 years old, will be honored today in a special ceremony as a recipient of the American Automobile Association School Safety Patrol Lifesaving Award. For 34 years the lifesaving medal program has recognized more than 250 youngsters from 28 States for their heroic, lifesaving achievements. The award focuses the spotlight on brave and responsible young leaders of our communities. But the award presented today does more than that. By paying tribute to George's heroism we are also calling attention to the valuable and much-appreciated contributions of the more than 1 million students who serve as patrol members at busy intersections in cities all across the United States.●

#### TENNESSEE'S SMALL BUSINESS PERSON OF THE YEAR

#### HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. SUNDQUIST. Mr. Speaker, I would like to take this opportunity to congratulate a fellow Tennessean, Mr. Jerry W. Cooper of McMinnville,

Tenn., for being chosen Tennessee's Small Business Person of the Year.

Ten years ago Mr. Cooper began a small wood-products manufacturing business which has seen sales grow from under \$200,000 to \$1.5 million and assets grow from \$80,000 to now over \$1 million.

The Small Business Administration judges nominees for this award on business activities and civic involvement. More than two dozen criteria including employment practices, profitability, energy and environmental policies, and demonstrated initiative are used in the selection process.

I applaud Mr. Cooper for his achievements. His company's record of success is proof that Jerry W. Cooper is worthy of being National Small Business Person of the Year.●

#### NATIONAL FREEDOM SHRINE AWARD

#### HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 1983

● Mr. LONG of Maryland. Mr. Speaker, I am honored to announce that the Towson Exchange Club will present its National Freedom Shrine Award to Pine Grove Elementary School in a ceremony this afternoon. Pine Grove has earned this honor for exhibiting an outstanding sense of patriotism and history. I had planned to take part in the presentation, but unfortunately legislative business required my presence here.

The Freedom Shrine Award is just one of the many ways that Exchange Clubs all over the Nation remind Americans of our heritage and freedom. It is a collection of 28 historic American documents from the Mayflower compact to the Axis Powers surrenders of World War II. These documents remind us that the freedom we enjoy is the product of the determination and sacrifice of the courageous people that made it all possible.

It is fitting that this award is presented on this Memorial Day weekend when as a nation, we remember those who made the supreme sacrifice to insure the freedom we enjoy this very day. Ours is a very young country, even while it is the oldest continuously existing Republic on Earth. It has a great and glorious past, but to insure an even greater future, we must rededicated ourselves on occasions such as this—to achieving even greater justice and freedom for our fellow human beings. Only in this way can we truly honor the monumental sacrifices that our forefathers made for us.●