EXTENSIONS OF REMARKS

PROF. PHILLIP A. GRANT, JR., PRESENTS PAPER ON CONGRESSIONAL BLACK CAUCUS AND NUCLEAR FREEZE RESOLUTION

HON. PARREN J. MITCHELL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. MITCHELL. Mr. Speaker, I am happy to share a copy of the paper entitled, "The Congressional Black Caucus and the Nuclear Freeze Resolution." This paper was presented by Phillip A. Grant, Jr., associate professor of History at Pace University of New York, at the June 4 conference on the Arms Race versus Human Needs in Nashville, TN. The complete text follows:

"THE CONGRESSIONAL BLACK CAUCUS AND THE NUCLEAR FREEZE RESOLUTION"

(By Phillip A. Grant, Jr.)

On June 23, 1982 the Committee on Foreign Affairs of the House of Representatives voted 26-11 in favor of a joint resolution calling for a nuclear freeze. The nuclear freeze resolution had been introduced earlier on the same day by the committee's chairman, Representative Clement J. Zablocki of Wisconsin. The avowed object of the resolution was to express profound concern over the threat posed to the peace and safety of the world by the nuclear arms race.[1]

Voting for the nuclear freeze resolution were nineteen Democrats and seven Republicans, while opposing the measure were two Democrats and nine Republicans. The dissenting Democrats were Lawrence H. Fountain of North Carolina and Andy Ireland of Florida. Fountain, completing his fifteenth term in the House, had announced his decision to retire on March 27, and Ireland, seeking re-election to his fourth term in 1982, was the spokesman for an affluent constituency on Florida's Gulf Coast. Extremely conservative southerners, Fountain and Ireland had compiled virtually unblemished records of support for the domestic and foreign policy legislation advocated by Republican President Ronald Reagan.[2]

Among the twenty-six congressmen voting affirmatively on the nuclear freeze question were two members of the Congressional Black Caucus, Representatives George W. Crockett, Jr. of Michigan and Mervyn M. Dymally of California. Crockett, a former municipal judge in Detroit, served a district which had been occupied by a Black since 1955. Dymally, who previously had been Lieutenant-Governor of California, had recently been renominated to a second term.[3]

Zablocki, in behalf of the committee, issued the formal report on the nuclear freeze resolution on July 19. It was anticipated that the resolution would be brought to the House floor for consideration in early August. In what was destined to be the most exciting foreign policy debate since the height of the Vietnam War the four hundred and thirty-five members of the House would be afforded the opportunity to voice their convictions on the role which the United States government should play in facilitating a reversal of nuclear armament.[4]

On August 4, 1982 the House scheduled nine hours of debate on the nuclear freeze resolution. The proponents insisted that adoption of the resolution would convey the message that the House genuinely desired a halt to the nuclear arms race. The adversaries argued that passage of the resolution would weaken the Reagan Administration's leverage in negotiating a satisfactory arms agreement with the Soviet Union. The Reagan Administration was adamant in its opposition to the resolution and worked diligently to assure that the vast majority of House Republicans and Southern Democrats would cast negative votes.

Voicing unqualified support for the nuclear freeze resolution were five members of the Congressional Black Caucus, William H. Gray III of Pennsylvania, Louis Stokes of Ohio, Cardiss Collins of Illinois, William Clay of Missouri, and Ronald V. Dellums of California. Denouncing a nuclear war as an "equal opportunity destroyer," Gray asserted that the resolution emphasized that the "world's leaders must recognize this ultimate threat to humanity." Stokes, hailing the resolution as an "idea whose time has come," was encouraged that the American people in ever increasing numbers were demanding an end to the "madness" of producing large quantities of nuclear arms. According to Collins, passage of the resolution "will not only move America a step closer to a safer and brighter future, but will bring the whole world a step closer to that future." Branding the threat of nuclear war the "gravest danger to humanity ever known in the history of the world," Clay urged his colleagues to acknowledge that it was "time to stand up in the name of the human race." Dellums, convinced that the world was "in imminent danger from the potential of nuclear holocaust," implored the House to have the "boldness to challenge these weapons systems that are threatening our lives and challenging the future of the American people."[5]

The tone of the debate in the House chamber suggested that the membership was almost evenly divided on the nuclear freeze issue. Instead of attempting to effect the outright defeat of the resolution, most of its House critics wished to dilute its impact. Accordingly, they rallied around a substitute resolution authored by Republican Representative William S. Broomfield of Michigan. The Broomfield Substitute was in effect a vague endorsement of the Administration's nuclear policy. In an extraordinarily close roll call the substitute prevailed by a 204-202 margin. If a single vote had changed, the tabulation would have been 203-203 and the substitute would have been defeated. Rejection of the Broomfield measure would have guaranteed a fateful House vote strictly for or against the original Zablocki Resolution.[6]

As expected, the Broomfield Substitute attracted broad support within the ranks of Republicans and Southern Democrats. Republicans approved the substitute 151-27 (85.3 percent) and Democrats from the South were aligned 42-26 (61.8 percent) in favor of its passage. By contrast Northern Democrats opposed the substitute by a resounding 149-11 majority (93.1 percent). Interestingly, five of these eleven Northern Democrats were serving the final months of their congressional careers.[7]

The members of the Congressional Black Caucus ballotted 16-0 against the Broomfield Substitute, thus providing the largest bloc of negative votes in the House. These Black congressmen, representing urban districts from Brooklyn, New York in the Northeast to Los Angeles in the Southwest, were deeply upset over the Reagan Administration's obsession with an unprecedented defense buildup and its determination to secure massive cuts in social programs.[8]

In the aftermath of the elections of 1982 there were several indicators which proved quite encouraging to the future prospects of a nuclear freeze resolution. On November 2, 1982 the Democrats gained an impressive total of twenty-six seats in the House. Among those defeated were twenty-one Republican incumbents who had cast votes for the Broomfield Substitute. Also, eight Republicans and four Democrats who had supported the substitute opted to retire from public life at the expiration of their congressional terms. Finally, ten other congressmen who had contributed to passage of the substitute were either defeated in party primaries or relinquished their House seats to engage in contests for governorships or the United States Senate. When the newly elected Congress assembled in January 1983, forty-three of the individuals who had favored the Broomfield Substitute were no longer members of the House of Representatives.[9]

Among the liberal Democrats elected to the House on November 2 were three new members of the Congressional Black Caucus. They were Edolphus Towns of New York, Katie Hall of Indiana, and Alan Wheat of Missouri. Towns, Deputy Borough President of Brooklyn, was elected from a district created after New York lost five congressional seats in the Census of 1980. A veteran of both Houses of the Indiana Legislature, Hall succeeded a highly respected white Democrat who had died in the late summer. Wheat, a member of the Missouri House of Representatives, was chosen as the congressman from a constituency embracing Kansas City. Towns, Hall, and Wheat had campaigned for Congress as harsh critics of the policies espoused by the Reagan Administration.[10]

On the opening day of the Ninety-Eighth Congress Chairman Zablocki reintroduced his nuclear freeze resolution. After nine weeks, the Foreign Affairs Committee voted 27-9 in favor of the Zablocki Resolution. Twenty-three Democrats were joined by four Republicans in support of the resolution, while one Democrat and eight Republicans were recorded against the resolution. Consistent with their previous stands, the

[1] Footnotes at end of article.

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

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resolution was endorsed by Black Caucus members Crockett and Dymally.[11]

Pledging their enthusiastic support of the 1983 nuclear freeze resolution were Representatives Collins, Parren J. Mitchell of Maryland, and Harold E. Ford of Tennessee and Delegate Walter B. Fauntroy of the District of Columbia. Collins, satisfied that the Congress was "responding to the loud clamor of the American people," identified the nuclear freeze resolution as "one of the most important issues this Congress, or indeed any Congress, has to deal with." Declaring that the genius of mankind should be used to "protect and preserve life," Mitchell complained that, because of nuclear weapons, "life on this earth, as we know it, stands in grave jeopardy". Ford warned that without the passage of the nuclear freeze resolution "we will continue to waste billions of dollars on weapons that can only assure our eventual destruction." Foreseeing that the continuing arms race increased the possibility of a nuclear conflict, Fauntroy perceived a "moral link between the vast spending on arms and the disgracefully low spending on measures to remove hunger and ill-health in the Third World." [12]

Unlike 1982, the House debated the Zablocki Resolution for forty-two hours over a period of eight weeks. Hoping to delay a final vote on the resolution's merits, the Republicans resorted to obstructionist tactics by offering dozens of substantive amendments. Amendments proposed by Representatives Mark D. Siljander of Michigan and James G. Martin of North Carolina, both of which would have emasculated the text of the resolution, were defeated by tallies of 215-209 and 211-204 respectively. Siljander, an apologist for the "Moral Majority", had succeeded Budget Director David Stockman in the House, while Martin was serving his sixth term from a district which in the nineteen seventies had been the scene of the nation's most acrimonious school desegregation dispute. Republicans supported the Siljander Amendment 152-11 (93.7 percent) and Southern Democrats voted 49-37 (56.9 percent) for its passage. The comparative figures for the Martin Amendment were 142-21 (87.4 percent) and 52-33 (61.2 percent). The members of the Congressional Black Caucus ballotted 19-0 against the Siljander Amendment and 17-0 against the Martin Amendment, thus furnishing the margins of victory on the two pivotal roll calls.[13]

Shortly before the vote on the ultimate disposition of the Zablocki Resolution, the House on a 221-203 roll call attached an amendment by Elliott H. Levitas of Georgia, a conservative Democrat from suburban Atlanta. The Levitas Amendment decreed that a nuclear freeze must be followed by a nuclear arms reduction, thereby prescribing a condition to the Zablocki Resolution. The amendment was supported 155-11 (93.7 percent) by Republicans and 54-34 by Southern Democrats. The Black Caucus, recognizing that the Levitas Amendment would needlessly complicate a basically simple issue, voted 17-0 against its adoption. After the Speaker's gavel fell, the House was recorded 278-149 in favor of the modified Zablocki Resolution. Notwithstanding the inclusion of the Levitas Amendment, Republicans opposed the resolution's passage 106-60 (63.8 percent). Southern Democrats divided 50-39 (56.2 percent) in the affirmative. The Congressional Black Caucus voted 18-0 for the Zablocki Resolution, thus maintaining a pattern of unanimity which had been evident since the early stages of the House debate on the nuclear freeze in the summer of 1982.[14]

Between June 1982 and May 1983 the nuclear freeze resolution was subjected to an extraordinary amount of sustained publicity. The nuclear freeze issue proved to be a major, if not overriding, consideration in the congressional elections of November 1982. According to all the respected public opinion polls, a overwhelming majority of the American people favor a firm commitment to a nuclear freeze. The twenty-one members of the Black Caucus, like their several hundred colleagues in the House of Representatives, were addressing themselves to a question of paramount concern to the welfare of our nation. By unanimously supporting a nuclear freeze resolution they were contributing positively to the betterment of our democratic system as well as to the future of humanity. The Congressional Black Caucus, which for more than a decade has been in the forefront of the social justice movement, in 1982 and 1983 mobilized its efforts in behalf of a resolution of unprecedented magnitude.

FOOTNOTES

[1] House of Representatives, H.J. Res. 521-A joint resolution calling for a mutual and verifiable freeze on and reduction in nuclear weapons and for approval of the Salt II agreement, June 13, 1982; Times, New York, N.Y., June 24, 1982, p. 10.

[2] United States Congress, Congressional Directory, 1981 (Washington: United States Government Printing Office, 1981), pp. 37, 130-131; Michael Barone and Grant Ujifusa, The Almanac of American Politics, 1982 (Washington: 1982), pp. 226-228, 822-824; Congressional Quarterly, January 9, 1982, pp. 54-55; April 3, 1982, p. 763; January 15, 1983, pp. 104-105.

[3] Congressional Directory, 1981, pp. 22-23, 87; Almanac of American Politics, 1982, pp. 137-138, 551-554; Congressional Quarterly, January 3, 1981, pp. 6-7, 15; June 12, 1982, p. 1420.

[4] House of Representatives, Report Number 630, July 19, 1982.

[5] United States Congress, Congressional Record (Washington: United States Government Printing Office, 1982), CXXVIII, H5311-H5312, H5217-H5218, H5320-H5322.

[6] Congressional Record, CXXVIII, H5359-H5360; Congressional Quarterly, August 7, 1982, pp. 1883-1886; August 14, 1982, p. 2022; Times, New York, N.Y., August 6, 1982, pp. A1, B4.

[7] One Democrat, Bob Stump of Arizona, had already announced his decision to defect to the Republican Party, while two others, Joseph F. Smith and Don Bailey of Pennsylvania, were defeated for renomination in their party's primary. Another individual, Jim Santini of Nevada, failed in his quest for the Democratic senatorial nomination. The fifth gentleman, Robert H. Mollohan of West Virginia, had chosen to retire after nine terms on Capitol Hill. Congressional Quarterly, January 30, 1982, p. 163; February 20, 1982, p. 334; May 22, 1982, p. 1202; September 18, 1982, p. 2320.

[8] These congressmen represented districts in New York, Philadelphia, Baltimore, Cleveland, Detroit, Chicago, Saint Louis, Memphis, Houston, Los Angeles, and Berkeley, California. Biographical sketches may be found in the following works: Congressional Quarterly, January 3, 1981, pp. 4, 10, 11, 15; Maurine Christopher, America's Black Congressmen (New York: Thomas Y. Crowell, 1971), pp. 221-227, 237-261; W. Augustus Low and Virgil A. Clift, Encyclopedia of Black America (New York: McGraw-Hill Book Company, 1981), pp. 225, 274, 278, 286, 295, 307, 384, 390, 408, 423, 564-565, 728, 810.

[9] The defeated Republicans were John LeBoutillier of New York, Charles F. Dougherty, Jim Coyne, James L. Nelligan, and Eugene V. Atkinson of Pennsylvania, Thomas B. Evans, Jr. of Delaware, Mike Staton of West Virginia, Eugene Johnston and Bill Hendon of North Carolina, John L. Napier of South Carolina, Albert L. Smith, Jr. of Alabama, Ed Weber of Ohio, Joel Deckard of Indiana, Jim Dunn of Michigan, Tom Hegedorn of Minnesota, Wendell Bailey of Missouri, Clint Roberts of South Dakota, and Don H. Clausen and John H. Rousselot of California. Retiring from Congress were Republicans Gregory W. Carman and Donald J. Mitchell of New York, Marc L. Marks of Pennsylvania, J. William Stanton of Ohio, M. Caldwell Butler of Virginia, Jim Jeffries of Kansas, John J. Rhodes of Arizona, and Clair W. Burgener of California and Democrats Robert H. Mollohan of West Virginia, Lawrence H. Fountain of North Carolina, Jack Brinkley of Georgia, and Richard C. White of Texas. Congressional Quarterly, November 6, 1982, pp. 2783-2784, 2817-2825.

[10] Congressional Quarterly, August 7, 1982, p. 1911; September 15, 1982, p. 2336; October 2, 1982, p. 2450; November 6, 1982, pp. 2819, 2821, 2822; December 4, 1982, p. 2978; January 3, 1983, pp. 34, 37.

[11] H.J. Res. 13-A joint resolution calling for a mutual and verifiable freeze on and reduction in nuclear weapons, January 3, 1983; *House Report 31*, March 14, 1983; *Congressional Quarterly*, March 12, 1983, pp. 509-511.

[12] CONGRESSIONAL RECORD, CXXIX, H1222-H1223, H2061-H2062, H2229-H2230.

[13] CONGRESSIONAL RECORD, CXXIX, H1315-H1316, H2212-H2213; Congressional Quarterly, March 12, 1983, pp. 509-511; March 19, 1983, pp. 546-548; April 16, 1983, p. 730; April 23, 1983, pp. 773-774; April 30, 1983, p. 827; Politics in America, 1982, pp. 593, 912-913; Post, Washington, D.C., March 17, 1983, pp. 1, 6.

[14] CONGRESSIONAL RECORD, CXXIX, H2646-H2647, H2661; Congressional Quarterly, May 7, 1983, pp. 868-869; Politics in America, 1982, pp. 279-281; Times, New York, May 5, 1983, pp. A1, B11.●

SUPPORT GROWS FOR BAN ON "COP KILLER BULLETS"

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. BIAGGI. Mr. Speaker, as a 23-year veteran of the New York City Police Department, I am pleased to report that support for my bill, H.R. 953, to outlaw "Cop Killer Bullets"—armor-piercing handgun ammunition that can penetrate the bulletproof vests worn by police—is growing.

Police departments and organizations across the country have endorsed my bill, without dissent. Endorsements have come from such leading police groups as the International Association of Chiefs of Police, the Fraternal Order of Police, the International Union of Police Associations, the International Brotherhood of Police Officers, the National Association of Police Organizations, and the Federal Law Enforcement Officers Association.

Eleven States have already enacted laws against armor-piercing handgun bullets. They include Alabama, California, Florida, Illinois, Indiana, Kansas, Minnesota, Oklahoma, Rhode Island, Texas, and Virginia.

H.R. 953 has the bipartisan support of over 170 House cosponsors, and an identical bill, S. 555, has been introduced in the Senate by Senator MOYNIHAN.

The U.S. Justice Department has also expressed their support for a ban on armor-piercing handgun bullets. In a letter to me earlier this year they wrote:

The Department of Justice fully shares your commitment to protecting law enforcement officials from the threat posed by armor-piercing ammunition * * * our clear objective is to prevent criminals from

having access to handgun bullets designed to penetrate armor * * * any further delay is a tragic mistake.

Specifically, my bill would ban the future manufacture, importation and sale of armor-piercing handgun ammunition, except when needed for law enforcement or military use. It would also provide a mandatory 1-to-10 year prison sentence for any person using these bullets in a crime.

The ban would only apply to armor-piercing handgun bullets. H.R. 953 is not designed to affect rifle ammunition in any way.

There are approximately eight different handgun bullets that H.R. 953 seeks to ban. These bullets are not used for legitimate purposes, but they have been used by criminals to shoot and kill police officers.

Ironically, armor-piercing handgun ammunition was originally designed for police use. However, police departments do not use these bullets because they are far too dangerous; not only because of their awesome penetration capacity, but also because they pose greater ricochet hazards than the more conventional ammunition.

Mr. Speaker, other convincing arguments for a Federal ban on "Cop Killer Bullets" were recently presented in a New York Times' editorial, and in an article on the subject by nationally syndicated columnist Mike Royko. At this time I wish to insert those endorsements in the RECORD:

[From the New York Times, Aug. 29, 1983]

KILL THE "COP-KILLER" BULLETS

"Apple greens" are bullets so hard that without their coating of light green Teflon they would tear up the inside of a gun's barrel when fired. That hardness permits them to penetrate the Kevlar vests credited with saving the lives of more than 400 police officers. Such penetrating bullets offer little advantage to the sportsman. Their only purpose is to kill human beings—whether policemen, presidents or popes—who wear Kevlar vests.

Yet such "cop-killer" ammunition remains available for sale to potential criminals and terrorists. Bills in Congress would ban it, but the Administration has yet to take a position, apparently for fear of offending its friends at the National Rifle Association. This bow to politics is not only misguided, it's dangerous.

Bills introduced by Representative Mario Biaggi and Senator Daniel Moynihan of New York would give Washington authority to ban handgun ammunition that can penetrate the most common police vest. The bills have 170 co-sponsors in the House and 15 in the Senate.

Police records don't always reveal the kind of ammunition criminals use to shoot officers, so the magnitude of the threat is hard to assess. Mr. Biaggi cites two cases of law enforcement officers shot with the bullets. Armor-piercing bullets are thought to be popular in the Florida drug and gunrunning community, where criminals wear vests and want the penetration power for their own wars.

More than half the nation's police now wear the vests, and police groups support the bill with unusual unanimity, from unions to the conservative International Association of Chiefs of Police. Its president says flatly that the bullets have "no legitimate use . . . either in or out of law enforcement."

Such talk prompts anxiety at the N.R.A. The gun lobby values its friendly relations with police, to whom it offers firearms training. It favors voluntary restrictions by manufacturers but gags on the idea of any new regulation, even to protect police lives. So the N.R.A. raises technical issues. The bill is unacceptable, it argues, because it would also ban some hunting rifle ammuniton, which, if fired from certain handguns, might penetrate a Kevlar vest.

Those kind of handguns aren't practical for street crime, and it's unlikely the Feds would ban hunting ammunition because of them. The effect of voluntary controls is dubious. But once the N.R.A., with its conservative following, spoke up, an issue that seemed as appealing as apple pie began to feel more like a hot potato. The Administration referred it to the National Institute of Justice and National Bureau of Standards, in hopes they can produce a definition that will please the N.R.A. The agencies promise a report soon.

There's no reason for Congress even to wait for the agencies' findings. In 1982, a less formal F.B.I. report identified eight kinds of imported and domestically made ammunition that seemed to fit the "cop-killer" category. The Treasury Secretary could be given the power to ban them but forbidden to restrict popular sporting ammunition. The ban might then be extended as further study demonstrated a clear need.

Only the most fanatical gun-lobby ideologues could find fault with that.

[From the Sunday Sun-Times, Sept. 4, 1983]

GUN LOBBY HAZARDOUS TO POLICEMEN'S LIVES

(By Mike Royko)

It appears that the National Rifle Association is in favor of policemen being shot.

The NRA will be furious at the thought that they want policemen shot—or at least are indifferent to the possible carnage—but I can't see how any other conclusion can be drawn from their position on the superhard bullet.

This bullet, as you may have read, is the one that's so hard it easily pierces the Kevlar vests that many policemen are now wearing.

These vests have been credited with saving the lives of at least 400 cops who were hit with ordinary bullets. Had these cops been hit with the Teflon-coated, superhard slug, there would have been 400 funerals.

For a long time, some congressmen who don't fear the mighty pro-gun lobby have been trying to get these bullets banned.

But the National Rifle Association is against this bill and has been putting its potent pressure on less courageous congressmen.

The NRA likes to portray itself as a sensible organization. It spreads ads for itself all over magazines—especially those directed at teenagers. It talks about how it is in favor of responsible gun ownership and responsible behavior.

At the same time, it fights with teeth bared against a law that would ban a bullet that has no other purpose than to blow away a human being.

These bullets aren't used in hunting, target-shooting or any other sporting activity—unless you consider zapping a cop to be jolly good sport.

Why, you ask, would an allegedly responsible, sensible organization take such a daffy position?

The answer is simple enough: The NRA's responsible posture is a phony. The NRA is against any kind of laws that provide any kind of restrictions on the ownership, sale and manufacturing of guns and ammunition.

If the NRA had its way, you would be able to buy guns and ammo in your corner liquor store. And you wouldn't have to register them or even leave your name with the clerk.

It's against any and all gun laws and it does all it can to intimidate congressmen, state legislators, local councilmen and any other politicians who don't share its views.

So it shouldn't be a surprise to anyone that the NRA is fighting against banning the superhard bullet.

It's no surprise to Rep. Mario Biaggi (D-N.Y.), an ex-cop who sponsored the bill in the House.

"There's no real, rational reason why the NRA is opposing this bill," Biaggi told us. "They're just paranoiac. They go crazy if they think someone is trying to encroach on their preserve of munitions or guns.

"They're tried real hard to defuse the issue with false statements. For example, they say the bill will affect hunters and sportsmen. That's nonsense. We're talking about handguns with barrels no longer then five inches. It should be clear we're trying to protect the law enforcement people—many of whom believe they'll be protected by wearing bulletproof vests.

"Then they say the bullets are only sold to police. That's clearly untrue. Time and time again it's been proven that just about anyone can go into a gun shop and buy these bullets right off the counter.

"They also say that the thieves and felons are using these bullets because we've publicized them.

"Now, that argument would be all right if you were talking to a naive high school kid. But I was on the police force for 23 years and I can tell you this; the felons know what's out there before the members of the police department do.

"All of the NRA arguments are just silly.

"The irony of this whole thing is that, while we wait for this legislation, the criminals are getting smarter. They're wearing bulletproof vests. Police use their traditional bullets and the felons are protected with these vests. But cops aren't protected against the felons using the killer bullets."

This is the fourth time that Biaggi has introduced a bill to ban the vest-piercers. Each time, the NRA has its loyal, gun-loving members put heat on their congressmen. And each time the bill died in committee.

But this time Biaggi thinks he can get the bill passed, once some studies are made that define what an armor-piercing bullet is.

You see, the NRA says that there is absolutely no way such a definition can be made. It argues that if you ban this bullet, all other bullets might be banned.

That's about as bright as saying that if you ban opium, which is a mood-altering, habit-forming substance, you will inevitably wind up also banning bottles of Lafitte Rothschild, 1959, because it, too, can be a mood-altering, habit-forming substance.

So I'm sure the agencies making these tests and drawing up guidelines will be able

to come up with a satisfactory definition that can be written into the law:

No handgun ammunition can be sold if it can pierce anything as hard and thick as a police vest—or the thick skull of a National Rifle Association official.●

FAST FOR LIFE

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. STARK. Mr. Speaker, four dedicated and concerned individuals are trying to save our lives. They are doing it by fasting. It is their way of praying for mankind, and crying for the poor.

These four fasters—Dorothy Granada, 52, Charles Gray, 58, Mitsuyoshi Kohijima, 34, and Andre Leriviere, 34—began their journey, in Oakland, Calif., on August 6, the anniversary of the Hiroshima nuclear holocaust. They were joined by several other fasters in Europe to draw attention to the dangers of militarism and nuclear weapons, and focus the world's attention on those people who are starving to death around the world when so many of our global resources are use to make war.

In recent days, we witnessed a tragic example of what the fasters are protesting—the destruction of a civilian aircraft. The climate of fear and paranoia that permeates our world erupted in a flash of light that extinguished the lives of 269 men, women, and children. The extermination of the Korean airliner and its occupants was a sample of what mankind can expect for itself unless we begin thinking less in terms of mutual annihilation, and more of mutual accommodation.

The Oakland fasters want us to think about what is happening to the world.

"We are asking people to look into their own hearts and to ask themselves what their responsibility is to what is going on," Dorothy Granada told a newspaper reporter. "We are not asking people to be like us. We are asking them to look at the mess we are in, at the holocaust that is coming very fast if we don't do something about it, and at our brothers and sisters starving."

This kind of self-examination is long overdue.

I have attached a newspaper article that recently appeared in the Oakland Tribune regarding the fasters and their commitment to world peace. Their story should be an inspiration to us all. I urge my colleagues to read about this extraordinary dedication.

FASTING IS WAY TO "CRY FOR THE POOR"—11 DEMAND AN END TO MILITARISM

(By Raul Ramires)

For Dorothy Granada, whose body is slowly wasting away in Oakland in a "Fast for Life" aimed at fostering a turnabout in the nuclear arms race, joining the risky action was a logical expression of commitment.

For more than a decade, Granada, a former nurse, has revealed her sense of responsibility to humanity in unorthodox, mettlesome ways.

Granada, 52, has ingested nothing but distilled water for four weeks, adhering to a vow to not eat again unless a "significant" step is taken toward reversing the nuclear arms race.

She is among 11 people who launched the fast a month ago, along with her 58-year-old husband, Charles Gray, a former sociology professor and carpenter. They have been joined in Oakland by Mitsuyoshi Kohilma, 34, a former Buddhist monk from Tokyo, and Andre Leriyiere, 34, a Quebec forester and musician.

Six fasters in Europe also began the action on Aug. 6, the anniversary of the Hiroshima nuclear holocaust. Thousands others have held brief support fasts.

Granada discussed her life and the fast the other day at the Holy Redeemer Center's House on Golf Links Road in Oakland, where she has spent most of her time since the action began.

The fast, in her view, is a prayer aimed at dramatizing the dangers of nuclear posturing and the immense human toll that can be linked to militarism. By itself, an end to the nuclear arms race would be only a step toward resolving these larger conflicts she says.

"A very small percentage of the U.S. military budget is spent on nuclear weapons," she notes, frustrated at being unable to recall the specific figure as she could a week earlier.

"The rest is spent on so-called conventional weapons. You are not going to feed the poor only with that percentage that goes to nuclear weapons now.

"Any step away from militarism is in the right direction," she says. "Until we put away violence and the threat of violence, people will not be fed."

Granada, who was born in East Los Angeles of Filipino and Chicano parents, says she has witnessed firsthand the toll of militarism on America's minority and poor communities, whose young men often turn to the military as a way out of poverty.

"I remember World War II," she says, "My uncle, 18 years old, jumped at the opportunity to join the army. You get three squares and a salary. It's one way to get out."

For Granada's uncle, the way out led to the Corregidor Death March in the Philippines, in which he died, she says.

For Granada, the way out was through marriage and education—a path to comfort and, in 1970, to spiritual crisis.

"I got out of the barrio and I split," she says. "I said, 'No way am I going to hang around here. These people are failures. I'm going to where people are making it, where they've got cars, clothes, good education. These Mexicans have shabby houses; they've got old cars.'

"So I got out, went to college, nursing school, married this Harvard physician—the whole bit."

By the late 1960s, Granada recalls, she settled into prosperity with her husband and son, Christopher, now 20. She became director of medical nursing at the University of Chicago Hospital.

"For 11 years, I had the American dream—the doctor husband, the car, the house, the fancy vacation in Europe," she says. "But over my shoulder I could still hear those people I left behind—my people . . ."

Maybe what triggered it was her marriage falling apart, she says. Or maybe the divorce was a consequence of a new, subtle awareness. Either way, by 1970, Dorothy Granada's life had shifted abruptly.

"I saw this middle class, wasteful lifestyle," she says. "We had not only our share—we had 50 times our share.

"I learned more about the dynamics of why people are poor, particularly Latino people in this country. I began to realize that I was in the wrong place, that I did not belong in the white middle class. I gave it up and went to work in the barrio in Chicago."

Her work in that city's first heroin treatment program for Hispanics paid $11,000 yearly—a far cry from her university salary of $25,000.

"Suddenly, I was downwardly mobile—by choice," she says.

In Puerto Rico, she worked as a missionary nurse. In Oregon, where she and Gray lived before moving to Oakland, she helped organize clinics for Southeast Asian refugees.

For years, she and Gray, a longtime peace activist, have worked in anti-militarist causes. Both prepared for the fast by abstaining from food for periods of up to two weeks and researching similar actions throughout history.

Granada's downward economic journey has accelerated since it began 13 years ago. Now, she and her husband exist on what they call their "world equity budget."

"Me, I just want to be poor," she says. "Charles—he used to teach statistics—he has worked out this formula . . ."

The formula—a ratio of the gross national product of the world's nations to its human population, adjusted to offset excessive consumption in industrialized nations—means that Gray and Granada each lives on a $100 monthly budget.

They have done it for more than five years by sharing homes with friends, growing vegetables, bartering and picking through grocery store dumpsters.

"In Eugene (Oregon) we would only 'garbage' at natural food stores dumpsters," she says. "They have so many there. We grew sprouts and then we would barter for bread and eggs. We ate pure food. We eat rice and beans. Sometimes for variation we eat beans and rice. And I make tortillas."

Granada grows serious.

"Don't get me wrong," she adds. "We are not saints. I love being middle class. I love going to little cafes and having capuccino . . . But not at the expense of taking food out of somebody else's mouth.

"You see, we are still very rich. There are people in the world who live on $100 a year," she adds.

And the fast?

"The fast is the most intense way we know to pray," Granada says. "It is also the strongest way we know to cry for the poor. When I do without food and I think, 'Oh, man, am I getting tired of this. I want a cup of broth,' I tell myself that there are babies dying in Latin America and nobody is giving them a cup of broth.

"We are crying for them. We are giving them voices," she says.

The fasters' goal?

"We are asking (people) to look in their own hearts and to ask themselves what their responsibility is to what is going on.

"We are not asking people to be like us," she adds. "We are asking them to look at the mess we are in, at the holocaust that is coming very fast if we don't do something about it, and at our brothers and sisters starving.

"You see, if the bomb drops we are going to incinerate together. We all are going to be the same color—gray. We all are going to be poor.

"We believe that as soon as people start asking questions they will come down to their own conclusions and do what is best for them. Maybe for some of them the way to act will be to write a letter to Congress, or to go to the nuclear freeze office and get some information . . .

In recent days, both Granada and Gray appear to be weakening faster than anticipated. By Friday, Granada, who has lost 28 pounds—from 150 to 122—was taken to an area hospital for out-patient "balancing of her fluids," according to supporters.

The fasters have agreed that each will decide on his or her own whether to continue.

"If I come to coma facing me, and if I feel called to give my life, I will," she says, "I don't know if I will be called. I don't know if I will have the courage. As a Christian, I have to be God's servant."

She expresses concern about Gray—the oldest faster—and about several fasters who have young spouses and children, but says she has no personal fear.

"I got scared before the fast," she says. "Not any more."

One concern persists, however.

"I do worry about how we are going to end the fast and how we are going to keep it open and loving and non-violent. I can see a lot of pressures, a lot of things happening when we are very weak.

"People may want to make decisions then because they want to save our lives. I worry about getting kind of a mess. I just don't know how it's going to be toward the end."●

HERSHEY MEDICAL CENTER RESEARCH: "CANCER RESISTANCE AND OBESITY"

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. GEKAS. Mr. Speaker, in recent years, cancer has become the most feared disease for the men and women of the United States. As the possibility of contracting cancer increases, so does the medical world's drive to find causes and cures for this devastating disease. Each study conducted brings us one step closer to finding the answers to many of the baffling questions that surround cancer.

The 17th District of Pennsylvania is very fortunate to have the well-known Hershey Medical Center within its borders. One of the most recent research studies from the medical center links cancer resistance and obesity. The recent article in the Federation of American Societies for Environmental Biology's Feature Service, "Cancer Resistance and Obesity," tells of the fine work of Carl Thompson, John Kreider, Paul Black, Thomas Schmidt, and David Margules in this area. I submit the article for the review of my colleagues.

CANCER RESISTANCE AND OBESITY

Obesity seems to confer cancer resistance, a curiosity some Pennsylvania scientists are trying to explain with the help of genetically obese mice.

The scientists, who conduct their research at the Hershey Medical Center of the Pennsylvania State University and at Temple University in Philadelphia, have found that obese mice injected with skin cancer cells at 10 to 11 months of age, develop primary tumors more slowly than lean littermates. Obese animals also develop far fewer secondary tumors in their lungs. One reason for the difference, the investigators suggested, could be an enhanced immune response in the obese animals.

Carl I. Thompson, John W. Kreider, Paul L. Black, Thomas J. Schmidt, and David L. Margules published the results of their cancer and obesity study in the June 10, 1983 issue of Science. Dr. Kreider is a member of the American Association of Pathologists and the American Association of Immunologists, both member societies of the Federation of American Societies for Experimental Biology. The research was supported in part by a grant from the National Science Foundation to Dr. Margules.

Obesity has been linked to all sorts of health problems, including diabetes, atherosclerosis, heart disease, and stroke. But oddly enough, obesity seems to work in one's favor when the discussion turns to cancer. Obese people often appear to be highly resistant to cancer. Malignancies occur less often in morbidly obese men than in the general population. Data from the now-famous Framingham study (the long-term, ongoing study of heart disease) indicate that death rates due to cancer decrease steadily with increases in body build for men aged 40 to 69 years. While it's true that obese women show an increased incidence of breast cancer after menopause, the reverse is true for younger women. In both men and women, follow-ups of individuals who are initially free of disease indicate that those designed to develop malignancy weigh less at original screening than similar people who will not develop cancer.

Why should obesity confer cancer resistance? To help answer that question, the Pennsylvania scientists compared cancer growth in genetically obese mice and lean littermates born without the necessary "obesity" genes. Both groups were injected with melanoma cells—a form of skin cancer that readily spreads (metastasizes) from its primary site to other parts of the body, particularly the lungs.

Two experiments were performed. In the first, animals were given melanoma cell injections at 10 to 11 months of age. In the second, mice were injected at age 4 to 7 months. The investigators also sampled lymphocytes from the spleens of the mice and tested the responsiveness of these immunologically important cells to chemicals that stimulate cell growth and division. The idea is that the more responsive these cells are to the chemicals (called mitogens) in the test tube, the more active they are in the animal.

Starting from 12 days after cancer cell injection, the researchers measured tumor size at 2-day intervals until the animals died. After death, the mice were autopsied and their major organs examined for tumors.

The investigators found that primary tumors appeared at about the same time (at around 16 days in Experiment 1 and 14 days in Experiment 2) in obese and lean animals, but obese mice survived longer than lean animals. In the first experiment, the primary tumor growth was slower after its initial appearance in obese than in lean mice.

Autopsies revealed that all secondary tumors (metastases) were confined to the lungs. In both experiments, obese mice had far fewer of these metastases than did lean animals.

Tests of immune cell responsiveness revealed that splenic lymphocytes from obese mice were at least three times more responsive to the mitogen concanavalin A than those from lean littermates.

So is the immune system of an obese person better able than that of a thin person to fight off cancer? Perhaps. Immune responsiveness could partly explain the observed cancer resistance. But other factors, such as hormonal differences, are probably also involved. More research is needed to define these factors and clarify how interactions between the hormonal and immunological systems enable the obese to resist cancer.

The work of these and the other researchers at Hershey Medical Center should be praised for they are bringing us one step closer toward a cancer-free society.●

KNOW THINE ENEMY

HON. GERALD B. H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. SOLOMON. Mr. Speaker, "Know Thine Enemy" is wise counsel for free nations determined to preserve their freedom from international Communist totalitarianism. In the wake of the Korean Air Line massacre, a deliberate act of barbarism by the Soviet Union, the attention of the free world is now focused on what this incident reveals about the true nature of Soviet-brand communism. All the world knows now what President Reagan, myself, and many of my colleagues, including the late Representative Larry McDonald have long warned—Soviet-brand communism is an atheistic philosophy of raw, brute totalitarian force without regard for human rights, or, indeed, for human life itself.

Columnist William Randolph Hearst, Jr. also knows our common enemy. His column of Sunday, September 11 is well worth contemplating.

The article follows:

KNOW THINE ENEMY

NEW YORK—It took the Soviet Union nearly a week after shooting down an unarmed civilian South Korean jetliner to back into an admission that they committed the ghastly act.

But the Soviets stubbornly refuse to apologize for wantonly killing all 269 people aboard, among them more than 60 Americans, including a congressman. They keep

blaming us instead for having had a reconnaissance aircraft in the area.

Our "recon" plane had been back home in Alaska for two hours while Soviet fighters still stalked the ill-fated South Korean jumbo jet.

The latest big name in the Soviet pantheon to assail the U.S. for launching "a wave of slander" is Soviet Foreign Minister Andrei Gromyko. He spoke to a 35-nation assembly in Madrid primarily concerned with human rights.

The Gromyko tirade came after Western nations angrily denounced Moscow for shooting down South Korean Flight 007. Secretary of State George Shultz said of Gromyko's speech: "This shows the Soviet Union places no weight on human values."

In a head-to-head session later lasting more than an hour, Secretary Shultz angrily rejected Gromyko's personal explanation to him as "totally unacceptable." The angered secretary added: "Foreign Minister Gromyko's response was even worse than the one he gave a day earlier."

President Reagan was described in Washington as "mad as hell" by a highly placed administration official following the Gromyko effort to deceive a 35-nation conference. It wasn't the first time Gromyko told a whopper.

Many of us remember the photo printed in most papers across the country of Gromyko talking to the late President John F. Kennedy in the latter's Oval Office in 1962.

He insisted the Soviets were not installing missiles in Cuba but had to rescind his lie when the president showed him our aerial photos of the missiles on board the deck of a Soviet freighter.

In a measured TV address to the nation, President Reagan said the Soviet cover-up was a tissue of lies. He handled himself in a statesmanlike manner while the Soviet hierarchy—No. 1 Yuri Andropov still hasn't been heard from—stumbled and fumbled from deceit to outright lying. They have since settled on trying to pin the blame on us, mind you, for their totally uncivilized atrocity.

The President has been hearing many points of view: From those who are fighting mad and want to go to the mat with the Russkies, to counselors urging step-by-step coordination with our friends and allies that will make the Soviets think twice before killing innocent folks.

They should, among other things, be placed beyond the pale: Soviets assigned abroad should be excluded from all receptions as "Ni kulturny," or not cultured, a terrible insult. Make them pariahs while justice and indemnification are sought from the World Court of International Justice.

President Reagan has taken a sound step in that direction in conjunction with old friends and allies as well as outraged Communist nations like the People's Republic of China and Yugoslavia.

International pilots' associations, thoroughly alarmed over the grisly South Korean commercial aircraft incident, have already initiated measures in West Germany and France barring Aeroflot landing and refueling rights. That should put a crimp into Soviet tourism and the accompanying inflow of Western hard currencies.

I like the effort of the pilots' organizations to boycott Soviet and all other flights headed to and from the U.S.S.R. until the Red regime makes a proper apology and offers compensation to families of the 269 victims.

A hushed and packed U.N. Security Council heard tapes in full (which President Reagan used briefly during his TV talk) of the Soviet pilots stalking the South Korean plane. Then came the dreaded cutoff word from a pilot who finished the job: "Destroyed."

The tape, apparently recorded by Japanese monitors, took 11 minutes. The Soviets in the U.S.S.R. delegation didn't challenge the authenticity of the voices. Chief U.S. U.N. delegate Jeane Kirkpatrick targeted the Soviet delegation with a blistering attack for its inhumanity.

Soviet U.N. Ambassador Oleg Troyanovsky, who graduated from Swarthmore College when his father was a pre-World War II diplomat in the U.S., pretended total indifference while the tapes were played. But his urbanity vanished when he heard that the Soviet Union in Moscow conceded that its plane shot down the Korean jumbo jet. When asked to comment, he replied that he would have to study TASS reports.

Some of them are pretty well known to Troyanovsky by heart. For instance, the U.S.S.R. claims the airliner was flying in Soviet airspace without navigational lights. Yet even the pilots chasing the aircraft say on tape that they saw the 747's lights on.

Next, the Soviets contend the South Korean airliner was flying in bad visibility. President Reagan asserted that it "was a clear night with a half moon."

The U.S.S.R. insists that the South Korean crew ignored efforts to establish radio contact. President Reagan asserted that Soviet military are not equipped with the radio channel used internationally for distress signals. Why? It would make it easier for Soviet pilots to defect. Quite a few have, flying blind.

What needs doing by the U.N., I believe, is a forceful presentation before the world court for compensation of a million dollars per passenger and the cost of the jet to Korea.

Granted that the South Korean airliner veered somehow off course into Soviet airspace, it's still extraordinary that an Su-15 approached within 2 kilometers of the jumbo jet for a good visual look. A jumbo jet has a vastly different silhouette from any of our "recon" aircraft that fly high-altitude missions. The Soviets shot the South Korean plane down and Gromyko said they'd do it again if any other aircraft "violated" U.S.S.R. airspace.

From the very beginning of this macabre episode, I favored a Soviet apology attributing shooting down of the plane to a trigger-happy pilot and for the U.S.S.R. to offer an apology to the world as well as compensation to those who lost their lives. The U.N. should now adopt such a resolution even if the Soviets veto a majority demand. The world will then know, if they really want to.

Their charge that the United States is to blame for the incident is the biggest lie of all and won't be believed by anyone other than dyed-in-the-wool Communists because they damn well have to.

Nowadays we have high-flying spy planes and satellites that can pinpoint all kinds of buildups on the ground. The age of post-World War II espionage aircraft went out with the dark ages years ago.

The big lie, the big smear technique is part of the Soviet counter-espionage system of blaming others for their own atrocities. It boomeranged badly as the Soviets dig themselves deeper holes every time top mouthpieces blame others for their own savagery. They won't get away with it.●

TRIBUTE TO FOUR AMERICAN MARINE HEROES KILLED IN LEBANON

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. BIAGGI. Mr. Speaker, this Nation was saddened over the deaths of four American marines killed while serving as part of the peacekeeping force in Lebanon. These soldiers died as so many before them—as patriots having made the supreme sacrifice in service to their Nation.

Our sympathies are also extended to the almost 20 other soldiers who were injured in the two separate incidents affecting our marines.

The renewed fighting which produced these American casualties and which prompted the President to dispatch another 2,000 Marines to positions off the coast of Lebanon has escalated this conflict in the world community. It may produce a resolution in the House and Senate to invoke the War Powers Act. While this matter is still pending, I consider it more appropriate for us to pay tribute to those brave soldiers who have given up their lives in the cafe of peace and freedom. A safe and secure Middle East is as vital a national security issue as we have. Peace cannot come to Lebanon until such time as all foreign forces are removed from her borders and the Lebanese Army become able to gain the upper hand. U.S. Marines together with other nations are in Lebanon to keep the peace while the Lebanese Army gains control. It has produced bloodshed—and in these past weeks this has included American blood.

The death of an American fighting man is both a profound personal and national tragedy. For the families of the four marines killed—their loss is even more intense. Yet as a nation we should also take time to pay our respects to these brave Americans and remember what they represented and work to support all of our efforts for peace in the world.●

LOOPHOLE OF THE MONTH

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. STARK. Mr. Speaker, one of the most interesting monthly publications is People & Taxes, and its regular feature article, "The Loophole of the Month."

In August, the newsletter described the latest wrinkles in Caribbean tax havens.

I am pleased to announce that one of the issues discussed in the article may soon be dealt with. My Subcommittee on Select Revenue Measures will hold hearings on September 21 on H.R. 3096, to eliminate the type of E. F. Hutton tax straddle gimmicks which use various Caribbean tax holiday and bank secrecy countries.

But clearly, a great deal more needs to be done. The Treasury is due to report to the Congress before November 3 on the tax abuse situation in these tax haven countries, and their impact on U.S. tax compliance and revenues. This report should help the Congress prepare for a comprehensive, overall solution to the types of problem described in the People & Taxes article.

The article follows:

[From People & Taxes, August 1983]

LOOPHOLE OF THE MONTH: IT IS BETTER IN THE BAHAMAS

Well-heeled investors seeking lessons on "how to reduce, defer or eliminate personal, corporate income taxes" recently joined former Senator Eugene McCarthy for a long weekend in the Cayman Islands. There they attended seminars covering the use of foreign corporations, wheeling and dealing in commodities, and tax "audit strategy." Most important, they got to meet Cayman Island officials, who reassured them of the tiny nation's undying devotion to the privacy of investment records—a practice that has helped make the Caymans a notorious tax haven.

Long a favorite hiding place for the ill-gotten gains of gangsters and dope peddlers, the Cayman Islands are one of a number of Caribbean countries that provide lucrative opportunities for moneyed Americans to avoid or evade the harsh extractions of the federal tax collector.

A deal currently being promoted by the folks at E. F. Hutton & Co.—which bills itself as the country's largest purveyor of tax shelters—offers a classic roadmap to how tax haven manipulations work, including a geographic tour of some of the leading Caribbean tax havens.

Hutton's American clients want to trade in the U.S. commodities markets. If they do so directly, however, they will have to pay tax on their profits, at a 32 percent rate set by reforms enacted in 1981. Hutton's "Commodity Reserve Fund Limited" is designed to dodge those reforms and cut the tax rate to 20 percent, with even that deferred as long as the investors desire.

According to the staff of the congressional Joint Committee on Taxation, the Hutton shelter package "involves exploitation or circumvention of the following: the corporate income tax, the rules taxing corporate shareholders, the accumulated earnings tax rules, the rules requiring gains in commodity futures to be marked to market, and the capital gains rules."

The scheme begins with two companies, one a subsidiary of the other, incorporated in the British Virgin Islands, a genteel place where business taxes are considered quite incorrect. These two corporations have their offices in the Bahamas, another idyllic no-tax zone, and for investment advice they will look to experts from the Netherlands Antilles, a nation best known for facilitating deals between multinational corporate borrowers and European and American tax evaders.

The double layer of foreign corporations is supposed to pesuade the IRS that a bona fide foreign business is engaged in the commodities trading and to insulate the American investors from a number of anti-tax-avoidance rules. In addition, by requiring the investors to sell their shares in the corporations to take out cash profits, Hutton argues that the income should be treated as a capital gains—60 percent of which are exempted from tax.

These machinations are not only complex, they're controversial. As the Joint Committee on Taxation staff notes, to some degree "Hutton is avoiding tax by taking advantage of uncertainty in tax laws." But despite the technical doubts, the deal probably works. Even if the IRS could successfully challenge some of the manipulations, it will have trouble getting its hands on the necessary information to do so, due to the investor secrecy laws of the various tax havens involved. In fact, many of Hutton's clients may find it easy and convenient not to report their profits at all.

Unfortunately for Hutton, one of its prospectuses for the Commodity Reserve Fund came to the attention of Rep. Fortney H. (Pete) Stark of California, Chairman of the House Ways and Means Select Revenue Measures Subcommittee. Properly outraged by what he read, Stark has introduced legislation to outlaw the Hutton deal. The Treasury Department supports Stark's bill, so it seems likely to pass.

Unfortunately for the rest of us, however, Stark's bill deals only with the tip of a massive iceberg of tax haven abuses. The scope and depth of the problem was intricately detailed in a 235-page, single-spaced report undertaken by the IRS and the Justice Department in 1980. That study found $23 billion in tax haven investments by Americans in 1978 and the amount is undoubtedly much higher today. But Congress has taken no comprehensive action to follow up on the study.

Hence, while Hutton's deal may be nixed, there's still plenty of tax avoidance and evasion potential from investing in Caribbean tax havens. According to Senator McCarthy, you can even take a tax write-off for flying down to check out the possibilities. But don't go overboard. Your suntan lotion is not deductible.

Footnote: Millions of Americans who went clean for Gene back in 1968 may be surprised at Senator McCarthy's involvement in the apparently sleazy undertaking of promoting Caribbean tax havens. But the Senator's latest line of work will come as no shock to Washington oldtimers. They remember him as a consummate loophole-monger in his days as a member of the Senate Finance Committee in the 1960s.

Insiders are also aware that the former Minnesota Senator currently sits on the board of directors of a Washington, D.C.-based trade association called the "American Council for Capital Formation." This group of Fortune 500 firms and their hangers-on is unabashedly devoted to "reduction in the corporate tax rate, reduction in taxes on capital gains, and improved investment tax credit, more effective capital recovery allowances, reduction in estate and gift taxes, and elimination of the . . . taxation of corporate dividends."

Senator McCarthy, you see, believes in doing something for the "productive members of society," in hopes of spurring them to more "capital formation."

But, you may plausibly ask, what do Caribbean tax havens like the Cayman Islands have to do with capital formation? Don't they attract funds away from productive investments? Well, maybe, but serious taxaphobes like Senator McCarthy and his conferees have a simpler theory: Captial formation and tax relief for the prosperous are synonymous.

At a recent hearing before the House Ways and Means Committee, a former employee of McCarthy's Council, now chief economist for the U.S. Chamber of Commerce, came out in favor of tax loopholes for speculating in gold and collectibles. His rationale, one supposes, was that at least the tax breaks go mainly to the rich. No one asked him for his views on adding extra writeoffs for champagne and caviar, but one can presume he'd look on that favorably too.

If you buy this approach, you'll see lots of capital formation going on in the Caribbean. Otherwise, you'll probably have some serious questions, not just about Senator McCarthy, but about the entire lobbying agenda of America's corporate community.●

H.R. 1510

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. MAZZOLI. Mr. Speaker, the House of Representatives will soon consider H.R. 1510, the Immigration Reform and Control Act of 1983, which passed the House Judiciary Committee by a vote of 20 to 10, on May 5. It is now pending before the House Rules Committee.

The bill has delicate checks and balances which build on recommendations of four successive administrations, including President Reagan's, the Select Commission on Immigration and Refugee Policy, headed by my good friend and the president of my alma mater, Notre Dame, Father Theodore M. Hesburgh, numerous academic studies, the incredibly detailed hearings by my Subcommitee on Immigration, Refugees, and International Law, and the work done over the past 13 years by the dedicated chairman of the House Judiciary Committee, the Honorable PETER W. RODINO, Jr.

One of the most controversial aspects of the bill is the legalization program. My feelings regarding the legalization proposal when I first heard it were, frankly, negative.

However, after studying this issue at length during the 3 years I have chaired the Subcommittee on Immigration, Refugees, and International Law, I have come to the conclusion that a carefully controlled, but at the same time, generous legalization program is an essential element of any immigration reform.

Recently, two of our very distinguished colleagues circulated a "Dear Colleague" letter making an extremely

strong case for a legalization program such as that contained in H.R. 1510. These two gentlemen, Congressmen BARNEY FRANK and JOHN ERLENBORN, in a persuasive and thoughtful manner have developed the importance of legalization as a component of a comprehensive reform of the Nation's immigration laws.

For the benefit of those who have not had the chance to see the argument put forth by my colleagues, I am including a copy of their letter at the conclusion of my remarks. The letter is well worth a careful reading.

HOUSE OF REPRESENTATIVES,
Washington, D.C., August 2, 1983.

Congressman ROMANO L. MAZZOLI,
Rayburn House Office Building,
Washington, D.C.

DEAR RON: The House Judiciary Committee recently completed action on H.R. 1510, the modified version of the comprehensive immigration reform bill which we debated last December. Among the changes agreed to in subcommittee and full committee was a restructuring of the legalization program. In the package now before the House, the legalization program has been consolidated into one, rather than two tiers, and the eligibility cut-off date has been advanced to January 1, 1982.

We support these changes. A one-time-only, case-by-case legalization program is an integral component of any meaningful immigration reform.

After years of debate, working closely with the Reagan Administration, organized labor, civil rights groups, and the Select Commission on Immigration and Refugee Policy, the concept of legalization emerged. It serves as both the necessary political counterbalance to employer sanctions, as well as the only realistic and humane way of dealing with the problem of a large and unaccountable illegal population in America. Moreover, as most people now acknowledge, bringing the illegal shadow population forward is a necessary precondition to any future enforcement activities.

The alternatives are not attractive. Mass deportations have been ruled out as both costly and ineffective. Expecting voluntary departures is also impractical, as it will merely encourage people to remain in their present jobs, thereby outside of the scope of the new laws. And a perpetuation of the status quo, with millions of people beyond the reach and protection of the law and vulnerable to exploitation constitutes an unprecedented challenge to the basic rights of all workers in America.

Let us be clear on one point: either we legalize as many qualified illegal immigrants as possible now, or they will continue to remain in illegal status, undermining and straining all future enforcement activities.

The rationale for a legalization program is best explained by the House report to H.R. 1510:

"The U.S. has a large undocumented alien population living and working within its borders. Many of these people have been here for a number of years and may have become part of their communities. Many have strong family ties which include U.S. citizens and lawful residents. They have built social networks in this country. They have contributed to the U.S. in myriad ways, including providing their labor and tax dollars. However, because of their undocumented status, these people live in fear, afraid to seek help when their rights are violated or they become ill. Moreover, their presence, in violation of our immigration law, bears witness to our past failure to maintain the integrity of our borders."

Against this backdrop, the Judiciary Committee has crafted a one-tiered legalization program in which all illegal aliens who have continuously resided in the U.S. since January 1, 1982 are eligible to apply. It is explicit that it be a one-time-only opportunity. Determinations would be made by the Attorney General on a case-by-case basis, would depend on the alien's ability to meet certain eligibility standards, and could result in the granting of permanent resident status.

The House program is purposefully straightforward and administratively efficient. It is designed not to unduly strain an already overburdened Immigration and Naturalization Service (INS). Instead, it will permit the INS to concentrate their resources where they are needed—to the task of preventing future illegal immigration. It is further meant to offer a strong incentive for illegal aliens to take advantage of it. In no way, however, can it be construed as a granting of blanket amnesty, as some critics argue. A closer look at both the criteria used to evaluate applications for legalization and the subsequent restrictions imposed on those who qualify challenges this claim.

Under the terms of the House bill, applicants for legalization would have to prove that they have resided continuously in the United States since 1982, are not likely to become a public charge, that they satisfy certain health requirements, that they have not been convicted of a felony or more than two misdemeanors, and that they meet the existing tests for admission or immigration under the law.

Once legalized, they would receive permanent resident status, subject to a five-year probation period and all the existing naturalization requirements before they could apply for citizenship. During that period, they would be ineligible for any Federal financial assistance, Medicaid, or food stamps, with limited exceptions related to the interests of public health or because of serious injury or illness. These restrictions were designed to insure that legalized aliens remain productive and self-sufficient.

It is often argued that any legalization program would be too expensive. Who, on the other hand, can accurately guage the costs to society of uncontrolled immigration? The logic of a successful legalization program is that both society and the illegal alien will be better served if an underground work force is brought into the mainstream and given the protections of all other workers. That necessarily means more revenues for the government, with fewer opportunities for exploitation. In the absence of legalization, the illegal population will continue to be preyed upon, and their tax contributions will continue to be voluntary rather than mandatory.

In the debate ahead, it is important to consider the consequences of either eliminating legalization or of imposing further restrictions. In the former case, the comprehensive reform package before us would die. Legalization and employer sanctions are inextricably linked and the removal of either would be fatal to both. In the latter case, the success of the program to encourage people to come forward would be seriously jeopardized.

Reasonable people will disagree on the various specific proposals contained in H.R. 1510. It is a bill that often looks awkward on close inspection, but has considerable merit when faced with the alternatives. Once the illegal sub-class in America comes out of the shadows and enters the work force through the front door, we can begin the long-overdue task of controlling our borders and cracking down against employers who lure and sustain the illegal population in this country.

BARNEY FRANK.
JOHN ERLENBORN●

WILL THEY SELL CITY HALL NEXT?

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. PICKLE. Mr. Speaker, I wish to share with my colleagues an article published in Newsday on August 22. This article describes very clearly the problems with the proliferation of sale-leaseback deals between cities and private developers. It is a problem that has been addressed by such other prominent publications as the Washington Post, the Wall Street Journal, Fortune magazine, Barron's, the National Journal, Business Week and many more. As you may know, I have introduced H.R. 3110 to curtail this kind of financing scheme, which constitutes a major drain on the Federal Treasury. I reprint this article in the CONGRESSIONAL RECORD so that my colleagues may see the name and nature of this threat.

[From Newsday, Long Island, N.Y., Monday, Aug. 22, 1983]

WILL THEY SELL CITY HALL NEXT?

(By Tyler Bridges)

Municipalities are selling their buildings to investors, then leasing them back. The Southwest Sewer District and the City's Convention Center are eyeing such plans. But federal taxpayers pay.

Pssst—wanna buy City Hall? How about a Navy cargo ship? Does the Orange Bowl catch your fancy? Surely the Brooklyn Bridge . . .

A crazy idea? Apparently not. Buying local jails, city fire stations and even university basketball pavilions has become the latest craze. It goes by the technical name of "sale-leaseback" financing.

Hit by the twin blows of the recession and federal budget cuts, everyone from city managers to college presidents is hailing this new financing gimmick as a salvation. Tax lawyers and investments banks who expect to earn big money in arranging the deals view it as the tax shelter of the 1980's for private investors.

But others are seeing red—as in red ink in the federal budget. "This thing is so big, it could amount to the biggest atom bomb in public finance in this century," said Rep. J. J. Pickle (D-Texas), who has introduced legislation to curtail sale-leaseback deals.

Traditionally, no one ever questioned whether a city owned its police station or whether the Air Force owned its planes. But sale-leaseback financing promises to change this situation.

Most of these deals work basically the same way. A nontaxable agency or organization, the City of Miami, for example, arranges to have a private group buy or build some big-ticket item, such as the Orange Bowl. The new owners, being taxpayers, claim a number of tax benefits available to investors, including accelerated depreciation, interest deductions and the investment tax credit.

Then Miami rents, or leases, the Orange Bowl back from the owners at a favorable price, since the owners' tax benefits enable them to be generous. The owners are happy because their tax bills have been reduced at virtually no risk.

Miami officials congratulate themselves because even after paying the rental, the city still comes out ahead from the sale. But federal taxpayers will end up footing the bill—and paying much more than if Uncle Sam had simply written a check to Miami.

You don't have to understand the complex arithmetic to realize that leasing costs the federal government much more than handing out subsidies directly. Somehow or other, the government must pay more, if only because of the middlemen involved—who will presumably want to be paid for their services.

Moreover, this tax hocus-pocus sometimes rewards inefficiency. The Southwest Sewer District in Suffolk County is negotiating to sell to and lease back from private investors its recently completed wastewater treatment plant. The revenue from the deal will cover the enormous cost overruns the project had incurred. Normally, the county would have to raise property taxes to cover the operating deficit. Instead, if the deal goes through, the county will make federal taxpayers pick up the tab.

Similarly, New York City is trying to peddle and lease back its soon-to-be completed convention center to cover cost overruns of $75 million. So instead of having to ask the State Legislature for the money in additional bond funding—and having to justify the cost overruns in the process—the city will simply have taxpayers across the country bailing out the project.

As these two deals demonstrate, under sale-leaseback financing, there is virtually no check on the irresponsibility of builders and local officials.

The most celebrated sale-leaseback to date has the Navy renting—instead of purchasing—13 TAKX cargo ships worth $2.3 billion for the Rapid Deployment Force; the transaction involves General Dynamics and other companies. The Navy says it will save $750 million.

But the Navy's accounting ignores the various tax breaks the deal will create. The staff of Congress' Joint Committee on taxation estimates the cost to the government of leasing the ships to be 12 per cent more than an outright purchase.

But the Navy doesn't care about the higher overall cost to the federal government. Leasing is cheaper for it—and allows it to shift 30 per cent of the cost of its ships from its budget to the treasury's "tax-expenditure" budget. With Congress beginning to take a closer look at defense spending, this is a useful trick.

"If this kind of thing continues, we're going to see E. F. Hutton own the Air Force and Merrill Lynch rule the waves," says Pickle. "Can you imagine the average taxpayer's response? It's no wonder that citizens are losing confidence in the tax system."

Exactly how many sale-leaseback deals have been carried out and how much this has cost federal taxpayers thus far is unknown. Among the completed deals, Oakland has sold and leased back its convention center; Alexandria, Va., has peddled its Torpedo Factory Art Museum; Tacoma, Wash., has vended its Pantages Centre for the Performing Arts, and Bennington College in Vermont has sold its campus buildings.

The Clinch River breeder reactor, the Philadelphia public schools, the Atlanta City Hall and the Kleinhans Music Hall in Buffalo are among the dozens of items on the auction block. (All deals are in limbo until Congress decides whether to curtail further transactions).

The Congressional Budget Office recently estimated that governments and tax-exempt organizations own more than $1 trillion in property that could be transferred to private investors and then leased back. "The only real limit on the potential extent of this activity is the capacity of private investors to absorb the tax deductions and credits that sale-leasebacks make available," CBO reported. In other words, the only limitation on the potential revenue loss of billions of dollars is that private investors will have bought so many tax breaks they won't owe any more taxes.

Pickle is seeking to prevent any additional revenue loss. His bill would sharply restrict the use of the tax breaks available to investors in this Alice in Wonderland type of financing. The agencies would still be able to enter into leases, but could do so only if the deals do not cost the Treasury money in forgone tax revenue.

Virtually every group has said piously that while it supports the general thrust of the legislation, its particular activities should be exempted. Gore everyone's tax except our own, they are saying. Bennington College President Michael Hooker, for example, says he finds tax shelters "appalling," but asks that small liberal-arts colleges be excluded from the bill's coverage because they face increasing financial difficulties.

Certainly, cities and colleges need help. But Hooker's argument ignores that while selling and leasing back its campus may benefit Bennington in the short run, Bennington—and everyone—loses from soaring budget deficits over the long term. If Congress believes that Bennington, Philadelphia, or any other tax-exempt organization or local government needs aid, then it should give the group money openly and aboveboard, rather than create a paper shuffle that feathers the nests of lawyers and investment bankers at the expense of ordinary taxpayers.

"What we have here is an open invitation for groups to back their trucks up to the federal Treasury and load up, no questions asked," says a congressional aide. "It's a backdoor method of public finance."

The tax-writing House Ways and Means Committee recently approved Pickle's bill. Sen. Robert Dole (R-Kansas) has introduced similar legislation in the Senate. Both bills are backed by the Reagan administration and have bipartisan congressional support.

But E. F. Hutton, Boeing, the National Housing Rehabilitation Association and many other groups are mounting a full-scale attack on the legislation. As Ways and Means member Rep. Byron Dorgan (D-N.D.) has said, if these special interests succeed, then sale-leaseback financing "could become the Grand Canyon of tax loopholes."●

SKELTON CALLS FOR DISASTER RELIEF

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. SKELTON. Mr. Speaker, during the August recess, I toured all 21 counties in my congressional district, and I found the drought situation to be the worst since 1936. In my area of the county, economic recovery is heavily dependent upon the health of the agricultural economy. With this severe drought preceded by several years of economic crisis in agriculture, the agricultural sector of our economy is anything but healthy. Therefore, today I am sending a letter to Secretary of Agriculture John Block urging him to act swiftly to put into effect appropriate disaster relief programs for the State of Missouri, and similar drought-ravaged areas.

Mr. Speaker, I wish to insert the text of my letter to Secretary Block at this point in the RECORD:

HOUSE OF REPRESENTATIVES,
Washington, D.C., September 13, 1983.

Hon. JOHN R. BLOCK,
Secretary, Department of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: Having just returned from a tour of all twenty-one counties in Missouri's Fourth Congressional District, I can report to you that the drought situation is the worst in almost fifty years. The months of July and August, 1983, were the worst two consecutive months for rain since 1936. As a result, the latest report of the Missouri Crop and Livestock Reporting Service shows 90 percent of the state's corn crop and 67 percent of the soybean crop in poor condition. Estimated yields are down at least 50 percent from last year. Faced with a shortage of pasture, many cattle producers have been forced to begin to feed hay, a practice not usually undertaken until December or January.

Recently, you visited Missouri and you say, as I did, the damaged croplands, and the severe hardship this drought has caused for Missouri farmers. In light of this disaster, I urge you to move expeditiously and approve the request of the State of Missouri for appropriate disaster relief. Under the law, you have broad authority to provide disaster assistance to farmers who have been struck by drought, including direct disaster assistance payments, payments to livestock producers for the purchase of feed, and low interest disaster loans. Given the seriousness of this drought, and the economic crisis faced by agriculture in the past few years, I believe that full disaster assistance to Missouri farmers, and farmers from throughout the nation who have been similarly affected by drought, is clearly warranted.

In closing, let me again urge you to take swift action. Disaster relief is important not only to farmers, but also to those many businesses and workers who depend on a healthy farm economy. In my area of the

country, and in many others, agriculture is the key to economic recovery.

Best regards,
Yours truly,

IKE SKELTON,
Member of Congress.●

TRIBUTE TO THE LATE HON. HENRY M. "SCOOP" JACKSON

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. BIAGGI. Mr. Speaker, the people of the State of Washington and of this Nation were shocked and saddened over the death September 1 of the distinguished senior Senator from Washington, Henry M. "Scoop" Jackson. For those of us who had the dual honor of serving in Congress with "Scoop" and to have been friends, the news of his death was even more devastating.

Scoop Jackson epitomized what a dedicated public servant was supposed to be. For a total of 43 productive years, Henry Jackson graced the halls of Congress with his presence and lent the House and the Senate the benefit of his wisdom, compassion, and expertise. He served a total of 12 years in the House and 31 more in the Senate.

Scoop Jackson's influence in American legislative and foreign policy was immense and diversified. He was best known as a champion of a strong national defense and an especially ardent foe of the Soviet Union. History will record with appropriate respect that Henry Jackson's last public appearance and action was to conduct a press conference to condemn the Soviet Union for their barbarism in shooting down the Korean airliner killing its 269 passengers.

Yet Scoop Jackson did not feel constrained to limit his expertise or talents and he made his mark in other distinct areas as well. He was a staunch supporter of the State of Israel and was one of the few Members of Congress who served during the entire 35-year history of the modern State of Israel. His passing was especially mourned in the Jewish community, who viewed Senator Jackson as a true and loyal friend, not only for his support of Israel but also for his coauthorship of a landmark amendment linking preferential trade between the United States and the Soviet Union to the Soviets permitting more of their Jewish citizens to emigrate. This was viewed as precedent-setting legislation in that it put the United States squarely in the position of defending the basic human right of emigration for Soviet Jews.

Scoop Jackson was a man of vision. In his capacity as chairman of the Energy and Natural Resources Committee, he was one of the first people in Congress to urge that we develop a national energy policy based on domestic production and conservation. No man worked harder on this important cause than Scoop Jackson, and the extent to which this Nation has reduced its reliance on foreign energy through effective conservation is owed in large part to Henry Jackson.

As one reviews the legislative accomplishments of Henry Jackson is his more than four decades in Congress, one simply stands in awe. It would do him injustice to speak only of the quantity of these accomplishments. It would be far more appropriate to evaluate them according to how much they improved the quality of life for people in this Nation. All segments of our society from the farmer to the senior citizen, from the handicapped child to the U.S. serviceman abroad, from the members of minority groups to women and children, Scoop Jackson through his work improved the quality of life for all in this Nation and many in the world.

One recalls Senator Jackson's attempts in both 1972 and 1976 to capture the nomination of the Democratic Party to be President of the United States. I have special and fond memories for I was a Jackson delegate and helped lead what was a most successful campaign by Scoop Jackson in my home State of New York. I said then and I felt throughout his life that Scoop Jackson would have made a fine President and the American political process was greatly enhanced simply by his involving himself in two Presidential campaigns.

While Scoop Jackson may have had his dream of being President elude his grasp, his influence among the Presidents in his lifetime was enormous. Senator Jackson could be counted on to provided good solid counsel on important matters related to national security and knew when not to invoke partisanship. What better tribute could be paid to Senator Jackson than the words of the President both during his press conference as he left California for Washington on September 1 or during his nationally televised speech of September 6?

The Nation has been deprived of one of its true legends with the death of Henry Jackson. He was a man who wanted to be measured on his accomplishments, not his attempts. He was a man who demonstrated tremendous abilities and energies for those causes that he believed in. To have Scoop Jackson in your corner gave you a decided edge in any policy issue.

It seems almost an impossible challenge to pay tribute to a man who did as much and as well as Henry Jackson conducted his life. However, all who had the benefit of knowing and working with Scoop want to try. Perhaps the best tribute we can pay to Scoop is to try and advance those issues which he championed so that his work was not in vain. Perhaps the best tribute we can pay to Scoop Jackson is to try and maintain the highest standards of integrity and purpose in our work in the Congresss. In this way, we can show history of the good example which Scooop Jackson set for the 535 Members of the House and Senate.

The people of Everett, Wash., turned out in tremendous numbers to pay their last respects to their native son Henry Jackson, born there on May 31, 1912. They came to pay their respects to a man who had been a law student at the University of Washington, who was elected prosecuting attorney of Snohomish County, and of course served them so ably in the House and Senate.

To his widow, Helen, and his children, Anna Marie and Peter Hardin, I convey my profound condolences and hope they are able to find solace during this time of grief from all that Henry Jackson did for his fellow man and woman in the United States. History will treat him with the highest amount of respect and his legacy of service, commitment, and compassion will endure for years to come.●

UNEMPLOYMENT INSURANCE REFORM

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. STARK. Mr. Speaker, today, the Ways and Means Public Assistance and Unemployment Compensation Subcommittee is holding another round of hearings on the need to provide additional weeks of unemployment.

With unemployment stuck at 9.5 percent, we of course need to provide additional weeks of help.

But in a larger sense, continued extensions of unemployment insurance without addressing the underlying issues do a disservice to the recipients and to the taxpayers.

It is time that we undertake a major rewrite of the unemployment insurance laws.

I took one step in this direction yesterday by the introduction, along with Representatives PEASE and KAPTUR, of the House version of S. 1784, a bill which replaces the postregular unemployment insurance benefits schemes, with a single, rational, easily calculable system.

But it is equally important that we find a way to coordinate those who will need extra weeks of unemployment insurance—the so-called displaced worker—with a new and major program of retraining, education, and relocation assistance.

It just does not make sense to confine our discussions to the simple extension of unemployment insurance

benefits or the reworking of trigger mechanisms. We ought to be talking about getting people back to work.

We must realize that for millions of workers in today's rapidly changing economy, unemployment insurance benefits can disguise the fact that we have a problem. To that extent—these benefits can be a painkiller, but that is really no benefit at all in the long run.

In the past, it made sense to have a simple system of unemployment insurance benefits that aspired to little more than helping people get by until the next job. But for a year now, we have been saddled with the worst unemployment since the Great Depression, and people are just not being reabsorbed into the work force. Why? Because the technology of work is changing a lot faster than we people are—that is why.

The Congressional Budget Office has said, recently, that roughly 25 percent of today's jobless workers will not be able to find the same kind of work, because those jobs are fast disappearing.

Thus, today's unemployed need more than traditional unemployment insurance benefits and benefit extensions. They need retraining and help in relocating. Otherwise, the year of unemployment insurance benefits which we have been providing in many States is just prolonging the painful experience of unemployment.

There are jobs out there that people can be trained for, in spite of the record unemployment we are experiencing. The National Tool & Machining Association is projecting a shortage of about 250,000 machinists and toolmakers by 1985. In fact, there is such an extreme shortage of workers in these skilled trades that wages are reaching $60,000 a year for some experienced tradesmen. The Department of Labor projects annual shortages of 57,000 workers in industrial machinery repair, 28,000 computer operators, 21,300 machinists, and 5,000 tool and diemakers through the end of the decade. There is a projected cumulative shortage of 2.5 million workers in just 13 skilled occupations by 1990. There is even a lot of concern because we do not have the skilled factory help to gear up production for the administration's defense buildup.

But we are not helping people on long-term unemployment insurance be retrained. Senator SAM NUNN said, recently, that:

> . . . a very small proportion of those collecting unemployment benefits are actually enrolled in training programs. For example, according to the U.S. Department of Labor, of the 7 million unemployment insurance claimants nationwide registered with the Employment Service at any given time during fiscal year 1982, only 17,680 or one-quarter of 1 percent were enrolled in training programs while collecting benefits . . . and in California, only 1,140 of the average 546,140 insured unemployed were enrolled in training programs. So, it is clear that we as a Nation are failing miserably in doing anything significant to help the long-term unemployed develop new skills to improve their own chances of rejoining the active labor force.

This need for retraining is not a temporary one, either. It is hitting right at the heart of our traditional, heavy-industry infrastructure. Take the auto industry, for example. Researchers at Cornell University conducted a study of autoworkers who lost their jobs when Ford shut down its plant in Mahwah, N. J. Half of the workers were still unemployed 2 years later. It was discovered that one of the major problems for the autoworkers was that their skills could not be transferred to new jobs. It is the same story in steel and other industries. And, it is getting worse all the time. According to Harley Shaiken, an MIT researcher, installation of robots at General Motors will eliminate about 40,000 additional jobs by 1990—about the current domestic employment at Chrysler Corp. Researchers at Carnegie-Mellon University are predicting the loss of 1 million jobs in manufacturing, by 1990, due to the current generation of robots. They say that more advanced robots, machines that can "see" and "feel" may cause the loss of an additional 3 million jobs.

This rapid displacement of workers will continue as long as the rate of change in technology keeps accelerating. What that means is that the need for retraining and other adjustment assistance is going to be reaching a crisis in the next few years. So, for millions of workers, it just does not make sense to keep pretending that continual unemployment insurance benefit extensions are going to help.

I hope that in the coming weeks the Congress, the administration, and groups throughout the country will come up with ideas on ways to improve the unemployment insurance program, and to coordinate long-range unemployment insurance benefits for displaced workers with new job retraining and relocation programs.

I have suggested one approach to this problem in H.R. 3501 (see CONGRESSIONAL RECORD of June 30, p. H4878 for a detailed explanation of the bill). Basically, this bill seeks to improve the operation of the established unemployment insurance programs by providing to the unemployed during the period of regular unemployment insurance payments the option of retraining, education, and relocation assistance in lieu of additional unemployment compensation to which they are entitled.

Mr. Speaker, my proposal, H.R. 3501, may not be the answer to the displaced worker/structurally unemployed problem—but at least it recognizes a problem. I urge all concerned to help devise an answer to the problem. For the sake of the unemployed and for the taxpayer, we must improve the effectiveness of this program.●

SANCTIONS THAT BITE

HON. BOB CARR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. CARR. Mr. Speaker, the Soviet Union has committed an aviation crime of the highest order. For this they deserve an aviation punishment.

President Reagan has taken a step in the right direction by cutting off all connection between Aeroflot and all U.S. airlines. But he does not go far enough. Since these connections were minimal in any case, wiping them out is little more than a slap on the wrist.

We need sanctions that bite. We need to tell the Soviets, and the entire world, that murder in the air is unacceptable.

We need an international convention in which the signatories agree to deny landing and overflight rights to the Soviet Union. And to give it teeth, the signatories must also agree to deny these rights to any nation granting them to the Soviet Union.

I have introduced a concurrent resolution calling on the President to take these steps. Let me know if you would like to cosponsor.

I realize that this agreement would cause considerable inconvenience, and some financial sacrifice for European airlines. I am proposing that we play with a very hard ball—or, as the saying goes, that we shoot with real bullets. But our bullets still will not be as real as the missiles that brought down flight 007.●

THE BATTLE OF VIENNA

HON. HENRY J. NOWAK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. NOWAK. Mr. Speaker, September 12, 1983, marked the 300th anniversary of the Battle of Vienna, an event which helped to shape the destiny of Europe. The anniversary commemorates a historic day and the courageous man, Jan Sobieski, King John III of Poland, who led the Christian forces to victory over the powerful Turkish Army.

In the early part of the 17th century, the power of the Ottoman Empire posed a major threat to Europe. It was evident in the spring of 1683 that Vienna, the center of the Holy Roman Empire, would be the next target of the Turks, and Pope Innocent XI called upon the famed military leader and great King of Poland, Jan So-

bieski, to save the city of Vienna from total collapse. Leading a combined army of 70,000 troops, King John III charged the Ottoman lines. The Turks were routed and their camps dispersed. King John's unquestionable valor and personal conviction saved not only Vienna but all of Europe as well.

Despite her great heritage, Poland again finds herself struggling against blatant social injustices and repression. We have witnessed this summer the noble political valor of another Polish emissary, Pope John Paul II, and his effort to ease the repression felt by his homeland. In remembering the significance of the Battle of Vienna, let us reinforce our commitment to bring about world peace, justice, and freedom.

Mr. Speaker, I would like to share with my colleagues an extensive account of the Battle of Vienna which appeared recently in the AM-POL Eagle, a weekly newspaper in my district, Buffalo, N.Y.

SOBIESKI'S VICTORY AT VIENNA SAVED CHRISTIAN EUROPE FROM TURKISH INVASION

In the first half of the 17th Century the Ottoman Empire experienced a period of peace and prosperity and extended the Sultan's rule over all of North Africa, Western Asia and most of Eastern Europe. The empire controlled the mouths of the rivers of Tigris, Euphrates, Nile, Dnieper, Danube and Bug with all the riches of the trade on these rivers. The manpower was almost inexhaustible. The consolidation of the empire and build-up of a large army made her a great danger to Christian Europe.

On August 17, 1629, a boy was born in the Castle of Olesko. His long life was to be dedicated to the war against the expanding Turkish Crescent, and he was the last of the heroic kings to personally lead the Christian Armies in defense of Faith and Western Civilization. John Sobieski was born in the Palatinate of Ruthenia in Southeastern Poland, which was in the path of Turkish and Tartar invasions. His father James, was Castellan of Cracow and four times marshal of the Diet. His mother was the granddaughter of the great Hetman Zolkiewski, who occupied Moscow in 1610, brought the Czar captive to Warsaw and placed a Polish prince on the throne of Moscow.

He died in battle on the Moldavian steppe in 1620 at the age of 73. The young Sobieski grew up with his brother among relics of old campaigns, and they were taken every day to pray at the marble tomb of Zolkiewski at the Castle of Zolkiew, near Lwow. After finishing the University of Cracow, they were sent for an educational tour of Western Europe. John Sobieski was soon recognized as a brilliant leader on the battlefield and in politics. In 1665, he became Grand Marshal of the Diet and in May, 1666 he was given the Baton of the Field Hetman of the Armies of the Crown.

In 1667, with only 9,000 regulars and 6,000 militia, he completely defeated the 50,000 men army of Khan of Crimea at Podhajce. The following year he became the Grand Hetman and was received as a hero in Warsaw. Several future campaigns established his name as a brilliant commander, and the victory at Chocim in November, 1673, where with a force of about 30,000 men he attacked and completely defeated a Turkish Army of 70,000 entrenched in a strongly fortified camp, spead his fame across all of Europe.

The victory at Chocim drove off the Turks temporarily, nevertheless it left a permanent moral effect. The campaign of 1673, increased the stature of Sobieski to such an extent that his name began to possess that power over the Turks and Tartars which alone held off the invaders in his old age.

In May, 1674, he was elected King of Poland and Grand Duke of Lithuania. Again and again he returned triumphantly from victorious campaigns but often was forced to see the advantages he gained over the invaders fritter away in domestic and international intrigues. In 1682, the Turks assembled an immense army, estimated at 300,000 men and moved northward across the Balkans.

By Spring of 1683, it became clear that the Turkish might would strike at Vienna—the heart of the Holy Roman Empire. Pope Innocent XI had placed himself at the head of the crusade to save the Faith and his emissaries were searching for help in the capitals of Europe. Poland was arming with the eyes of Europe upon her. On July 5th, Prince Charles V of Lorraine, Commander of the Austrian Army encountered the first Tartar hoards and was forced to retreat. On July 7th, Emperor Leopold and his court fled Vienna; thousands followed. Count Starhemberg was appointed to command the defenses of Vienna which were reached by the Turkish cavalry on July 13th and fully encircled by its army the next day. Pope Innocent XI was in constant communication with Sobieski and dispatched urgent messages. The Emperor did the same. In the meantime the enemy built tunnels and trenches, and crept closer to the walls of the city every day. On August 8th, both Hetmans, St. Jablonowski and M. Sienawski, reported that 27,000 men were assembled.

After reading the imploring letters from the Austrian court and receiving news that Vienna was in imminent danger of collapse, the King decided not to wait for the arrival of the remaining troops. He hurriedly marched south and met the Prince of Lorraine on August 31st. On September 3rd, he was joined by German Princes and at a War Council, King John III Sobieski was handed the Marshal's Baton of the Imperial Army as a symbol of the Commander in Chief.

On the morning of September 6th, the bridges on the Danube were finished and the Christian armies, approximately 70,000 strong crossed the river within two days. After a study of the surrounding terrain, it became apparent that the mountain slopes on this side of Vienna were covered by forests and vineyards with numerous deep ravines and stone walls and could be conquered only step by step.

The King called the War Council and established the "Ordre de la Bataille". The infantry had to attack in the front line with cavalry and artillery closely behind, until they would reach the plains at the foot of the mountains. Then the cavalry would move forward. The Imperial Austrian forces were on the left wing under the command of Prince of Lorraine, he had 2,800 Polish troops under Prince Lubomirski with him.

The German armies were in the center under Prince of Waldeck and the Polish forces were on the right wing. Great Hetman Jablonski was on the far right. General Katski with the infantry and artillery in the center of the Polish wing and Field Hetman Sieniawski on the left. The Polish forces had to cross the longest and most difficult mountain terrain before reaching their positions.

Kara Mustafa did not believe until the last day that John III himself would appear with the Polish Army. When the Austrian commanders observed from the top of Kahlenberg the enormous fields of the Turkish encampment and expressed doubt in the possibility of an attack with their relative small forces, the King stated: "The commander, who in spite of the approach of our army, did not gather his forces and did not fortify his encampment, is foredoomed to loss."

On September 12th, in the early morning the Austrian forces were closest to reach the enemy lines and Prince Charles of Lorrain started the attack on the left wing. The Turks were pushed out from the strategic position at Nussberg. The King was personally here and served at the Holy Mass celebrated by the Papal Envoy to give thanks for the first success. At about 1:00 p.m., General Katski's artillery reached the top of the hills and the King started the infantry assault and routed the enemy from the vineyards on the mountain slopes in hard-fought separate battles. The Tartars massed their forces and staged a lightning attack with thousands of calvary directed at the flank of the Polish right wing. Jablonski quickly regrouped and successfully repulsed the attack. At about 4:00 p.m. all passes to the plain of the Turkish camp were in the hands of the Allies. When the Grand Vizir saw the mass of Polish troops emerge from the forests on the mountain slopes, he realized the the main danger was approaching from this side and issued orders to move a great portion of his army to the south in order to form a strong front against the Polish wing.

The King came to the conclusion that the enemy should not be given time to regroup and ordered the Polish and German cavalry to assemble for the final assault. To find out how suitable the ground conditions were for a cavalry attack, he sent a squadron of hussars first. The squadron came back with heavy losses, but the King was certain that a cavalry attack was possible.

Masses of newly assembled Turkish cavalry rushed against the Christian forces. In the meantime, the King and his cavalry of close to 20,000 horsemen formed in his own special chessboard formation—hussar blocks in the front line with saber, and carbine-equipped armored cavalry stationed at intervals of a hundred paces behind; the heavy reiters of Sieniawski's left wing and the royal lead center were reinforced farther back by dragoons and flanked to the northeast by Sachsen-Lauenburg's regiments and to the southwest by Jablonowski's corps. In the lead, astride a handsome Podolian charger, was John III himself in luxurious garb, upon his head the cap with feathers held by a priceless jewel-clasp and boby armor covered by a dark blue robe. Close by were a herald and a hussar, bearing the crown escutcheon and the royal sign—a white falcon's wing mounted high on a lance. The first lines of hussars lowered their 16 foot lances as the wind uplifted the eagle's wings and the leopard and wolf pelts attached to their shoulders. The polished and gleaming armor plates, visible from afar caused the German infantry on the far left to pause briefly and a loud cheer echoed through the vineyards. The German cavalry attached to the right wing was making an attack in full gallop for the first time in riding shoulder to shoulder with the elite of the Polish gentry. Slowly they picked up

speed. The Turks staged repeated counterattacks and the roar of the battle resounded time after time like rolling thunder. At about 6:00 p.m. Jablonowski's hussars reached the Grand Vizir's camp. Kara Mustafa made one last attempt to resist. All his staff and body-guards fell and he was able to save only his private treasure.

The victory was complete. The Turkish camp with all tents, artillery and uncounted riches were left by the fleeing enemy. Sobieski was enthusiastically greeted by the people of Vienna and declared "The Savior of Christendom" by the Pope. The victorious campaign brought new international pride to the Polish King and attracted the eyes of the whole world to the Republic.●

DENNIS BRUTUS

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. FRANK. Mr. Speaker, in August, I filed legislation which would allow Dennis Brutus to remain a resident of the United States. As Anthony Lewis says in his August 25 article in the New York Times, "Dennis Brutus is an African poet renowned as a campaigner against South African racism and a refugee from South African justice." In what the world can only interpret as a wholly unjustified gesture of solidarity with South African racism, this administration is intent on forcibly expelling Dennis Brutus from the United States. In his article, Anthony Lewis explains the circumstances which have given the Justice Department the pretext on which to pursue this callous action.

The case for welcoming Dennis Brutus to America is also made in an eloquent resolution adopted this summer by the Massachusetts State Senate.

During the district work period, a judge wisely decided against the Justice Department's effort to expel Dennis Brutus and ruled that his life would be endangered if he were forced to leave the United States. I hope that the administration will accept this sensible ruling and drop all further efforts to expel Dennis Brutus. As the accompanying material argues, he is a man whose presence here should make us proud, for his choice of America as a residence reaffirms our tradition as a place where people cherish and fight for freedom. I ask that the column by Anthony Lewis and Massachusetts State Senate resolution be printed here.

[From the New York Times, Aug. 25, 1983]

CASE FOR ASYLUM

(By Anthony Lewis)

BOSTON, Aug. 24.—Two cases, two human situations; consider what they say about official United States attitudes toward people seeking refuge from tyranny.

Andrei Berezhkov, the 16-year-old son of a Soviet diplomat in Washington, was the subject of intense U.S. concern when a letter with his name said he wanted to stay in this country. He was not a noted opponent of political tyranny. He had few ties to America; international law made any U.S. intervention difficult. But two Assistant Secretaries of State involved themselves in his case before finding, as they did, that he was leaving voluntarily.

Dennis Brutus is an African poet renowned as a campaigner against South African racism and a refugee from South African justice. He has lived in the United States for 12 years and is a tenured professor at Northwestern University. But the Reagan Administration is trying to expel him. Its lawyers have scoffed at fears for his safety if he is sent near South Africa. They have offered a judge secret evidence to support their argument that he does not deserve asylum.

Mr. Brutus has a distinction that makes him a hated symbol to the white rulers of South Africa, and a heroic one to the critics of their regime: He has actually succeeded in bringing about some change in one aspect of apartheid, the official system of racial discrimination.

Segregated sport was his target. He was a teacher in Port Elizabeth, South Africa, in the 1950's when he read the charter of the International Olympic Committee and discovered that it called for exclusion from the games of any country that discriminated on the grounds of race or religion. He began campaigning in international sports groups to bar South African teams.

The results have been startling—and extremely painful to sports-loving South Africa. Its teams have been kept out of the Olympics for years, and out of official international competitions in cricket and rugby and other games. And it all was inspired by the efforts of this one man.

In an attempt to meet the objections of sports federations and governments abroad, South Africa has taken steps to let blacks play along with whites—at least at the level of international competition. Observers differ about the extent of the change. Critics call it a facade, not affecting the discrimination that runs through education and all of life in South Africa. Others argue that the attempt to meet international standards has, at a minimum, exposed the cruelties and absurdities of the racial policy.

For Dennis Brutus, the result of his campaign was repression: first the official silencing called "banning," then imprisonment on Robben Island. He was shot in the back while trying to avoid arrest in Johannesburg. After his release from prison in 1965 he was put under house arrest, then given a one-way exit permit. He reached the United States in 1971.

His problem with American immigration law is of the kind usually called "technical." He was born in 1924 in what was actually then Rhodesia, though he was taken to neighboring South Africa as an infant and was treated by its courts as a subject. While Rhodesia was formally under British control, he traveled with a British passport. When it became independent Zimbabwe in 1980, he failed to get a Zimbabwe passport soon enough and U.S. authorities cried foul.

A former South African secret agent, Gordon Winter, has said that his Government rated Dennis Brutus "one of the 20 most dangerous South African political figures overseas." Mr. Brutus believes that, anywhere in Africa, he would be a likely target of South African assassins. Agents of Pretoria are widely regarded as responsible for recent political murders in Mozambique and Zimbabwe, and its soldiers have carried out operations in several nearby black-ruled countries.

On the facts, it is a compelling case for asylum. But in a hearing that began last month and is due to resume shortly, the Reagan Administration has opposed American refuge for Dennis Brutus. Why?

Chester Crocker, the Assistant Secretary of State for African Affairs, said recently on "Nightline," the ABC television program: "Mr. Brutus is being treated like anybody else. . . . We have laws, and they must be applied." But political considerations are not exactly unknown when American officials think about giving someone asylum—as the case of Andrei Berezhkov shows. If the United States does finally expel Dennis Brutus, a lot of people will believe that the reason was not a technical violation of immigration rule but his committed and successful opposition to apartheid. Is that the message we want to send?

THE COMMONWEALTH OF MASSACHUSETTS RESOLUTION REQUESTING POLITICAL ASYLUM FOR DENNIS BRUTUS OF SOUTH AFRICA

Whereas, Dennis Brutus, now a poet without a country, has graced the Commonwealth of Massachusetts as a teacher within one of our free and independent colleges; and

Whereas, Dennis Brutus, came to our land after an across-the-world journey from the apartheid state of South Africa, where from his youth he cried out for the freedom of his oppressed people in a country where one's life is at risk for independence of spirit; and

Whereas, Dennis Brutus is now a tenured, respected college professor in Illinois at one of our Nation's great universities, a free man in search of peace for his people of South Africa; and

Whereas, the Senate of the Commonwealth of Massachusetts, the oldest, continuous constitutional legislative assembly of free men and women in the world, with a heritage of independence of mind, and opportunity granted to millions of the oppressed of the world, responds to the cry of Dennis Brutus, which has gone unanswered since has asserted in Nairobi, Africa in nineteen hundred and sixty-seven.

"How much longer must we doggedly importune in the anterooms of governors of the world or huddle stubborn on the draughty frontiers of strange lands?

How long must we endure?

And how shall I express my gratitude and love?"; and

Whereas, Dennis Brutus is now requesting political asylum in the United States and is in imminent risk of deportation in proceedings before the United States Immigration and Naturalization Service; Now, therefore be it

Resolved, That the Massachusetts Senate asserts its support of the plea of Dennis Brutus and calls upon the United States Immigration and Naturalization Service, the United States State Department, the United States Congress and the President of the United States to grant political asylum to Dennis Brutus and that he be released from the status of pending deportation and be otherwise offered the privilege of residency in this our land; and be it further

Resolved, That a copy of these resolutions be transmitted forthwith by the Clerk of the Senate to the United States Immigration and Naturalization Service, the United

States State Department, the Massachusetts congressional Delegation, the President of the United States and to Dennis Brutus.●

TAXES—TROUBLING FACTS

HON. DOUGLAS K. BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. BEREUTER. Mr. Speaker, the editor in the Omaha World Herald recently made some very thoughtful comments about the tax burden facing our Nation's citizens. The questions raised by the editorial and the directions it suggests for Federal tax policy merit the attention of all Members of Congress. I commend the following editorial to all my colleagues:

NEW LIGHT SHED ON TAXES

Some critics have said that upper-income Americans received unfairly large benefits from the round of tax-rate reductions approved by Congress and President Reagan in 1981.

A recent Census Bureau study is instructive. It compares amounts paid in federal income taxes by a cross section of the population in 1980, before the three-stage "supply-side" tax cuts took effect.

The findings suggest that, if upper-income taxpayers enjoyed more tax relief from the recent tax changes, it might have been the result of their carrying a much heavier tax burden in relation to their income.

Families with adjusted gross incomes between $10,000 and $12,000 paid federal income taxes representing 9 percent of their income.

Those with incomes between $25,000 and $30,000 paid 14.8 percent. The rate went up to 24.4 percent for households with incomes of $50,000 to $75,000. And those with over $75,000 paid 34.2 percent.

There may be those who take the position that 34.2 percent is still too low for people making $75,000 or more. But upper-income Americans, the bureau figures indicate, give up nearly four times the percentage of their income as those at the bottom of the scale.

That suggests a highly progressive tax system, a system that remains progressive even after the introduction of Reaganomics.

Another part of the study showed how the tax bite has been rising for everyone.

In 1980, the average household paid 23 percent of its income in federal and state income taxes, property taxes and Social Security payroll taxes. That was up from 19.9 percent just six years earlier.

The survey produced another troubling set of figures. In 1974, average pre-tax household income was $21,880. After-tax income was $17,527. By 1980, pre-tax income had slipped to $21,063, but after-tax income dropped all the way to $16,272.

The situation probably has not improved since 1980—despite the tax rate reductions approved by Congress and the Reagan administration in 1981. Higher Social Security payroll taxes, bracket creep and burgeoning state and local taxes have all but offset the federal income tax cuts, Census officials said.

How much of a nation's income should be consumed by taxes? The 23 percent of 1980? Thirty percent? We don't know, but the trend is disturbing.

There are two ways to reverse the trend. One is to increase productivity and, by doing so, boost income. The other is to reduce government spending.

An approach that incorporates both productivity and economy would be best.●

WILL KIBBY

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. MINETA. Mr. Speaker, it gives me great pleasure to rise today in honor of one of my community's most valuable citizens. Mr. Will Kibby, president of the Santa Clara Valley YMCA, retired on August 30, after a 36-year career with the YMCA, and he has spent the last 14 serving citizens in the city of San Jose. Today, I want to thank Will Kibby for all that he has done.

Since coming to San Jose in 1969, Will has greatly increased the visibility and influence of the "Y" in our community. Much of Will's early work involved expanding and adding facilities. He used the proceeds of the 1968 Capital Campaign for, among other purposes, the construction of the South Valley Branch to help provide for a previously unserved community.

Will always understood that some of the most effective forms of altruism take money, and he was a master at raising funds for his community-oriented institution. For example, under Will's direction, the 1978 Capital Campaign raised $1.7 million.

Will Kibby has seen to it that the YMCA in San Jose has responded to the demands placed by new clientele and by ever-expanding needs for services. During Will's presidency, for example, the number of women and girls participating in YMCA activities has risen dramatically, and child care programs have been added to the YMCA's catalog of activities. Thus, as Will leaves the YMCA family, he passes on an organization committed to meeting the challenges of tomorrow.

Mr. Speaker, Will Kibby has left an admirable legacy, and I ask you and all the Members of this House to join me in honoring this dedicated, effective professional.●

MORRIE ROSEN

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. LEVINE of California. Mr. Speaker, last Wednesday the Los Angeles Times printed an article about one of the most remarkable men I know. This man, Morrie Rosen, is the director of the Israel Levin Senior Citizen Center in Venice, Calif.

Morrie is much more than just the director of the center, however. For hundreds of senior citizens who live in the Venice, Santa Monica, and west Los Angeles area Morrie is an outspoken and articulate advocate champion of their cause. He is also a sympathetic listener and counsellor for their everyday problems in living. For many Morrie fills a critical role in making their lives livable.

Morrie's community service extends well beyond serving the elderly of our community, however. He is a forceful advocate for preserving and protecting the first amendment rights of Americans, an outspoken opponent of the harsh and uncaring policies which many elected officials have found expedient in today's political climate, and a tireless worker on behalf of programs which aid the unemployed, the handicapped, the poor, blacks, Hispanics, and every other disadvantaged group of people in our society today.

Morrie is a precious resource to the people of the community which I represent. I am deeply saddened to read that he is considering retiring from his position as director of the center. It will be very difficult indeed for any successor to take Morrie's place at the center, in the lives of its members, and his role in our community.

Even when he leaves the center, however, I am confident that Morrie will remain outspoken in his advocacy of the rights and needs of the poor, the elderly, and the handicapped and will remain the conscience of our community.

I ask my colleagues to join with me in honoring a remarkable man, and ask that the attached article be printed in the CONGRESSIONAL RECORD:

SENIOR CITIZEN CENTER DIRECTOR KEEPS AN EYE ON CHANGES IN SOCIETY THROUGH HIS WINDOW ON THE BOARDWALK

(By Joel Engel)

Social worker, sociologist, philosopher, psychologist. Out of necessity, and sometimes self-defense, Morrie Rosen is all of these. As director of the Israel Levin Center, the senior citizen center on the Venice boardwalk, Rosen has had to call on an array of skills in order to survive the last 19 years.

Now, at 68, Rosen is planning to retire soon. Sitting in his small office, which is dominated by a large picture window overlooking the boardwalk and ocean, Rosen contemplated the changes he has seen passing by.

DISPLACED AND FORGOTTEN

From a haven for the elderly, most of whom were Eastern European Jewish refugees, the area has been transformed into a carnival celebrating youth. Sadly, he said, his eyes tracing the motion of a bikini-clad girl whizzing by on roller skates, the elderly have been most displaced and forgotten.

After World War II, as many as 10,000 of these refugees migrated to the Ocean Park-Venice community. There, in rickety wooden cottages purchased cheaply with their life savings, they re-created the bustling Jewish ghettos of their homelands. Al-

though the area was basically a slum these "incredible survivors," as Rosen calls them—who had survived czarist pogroms, the Depression, Hitler—and now were able to thrive.

BUILDING COST $70,000

But their peace was short-lived. In the early 1960s, the city of Santa Monica laid claim to their properties for a community redevelopment program. The great majority of the residents took their modest recompense and scattered to points unknown. A few held out, however, including the group that had been preparing to convert a vacant warehouse donated by a wealthy refugee from New York, Israel Levin, into a community center.

To avoid a court battle, the city agreed to double the price for the warehouse to $36,000. With that money, the group hoped to obtain a nearby site where the remaining 3,000 residents, who had moved into the area's shabby apartments, could gather. But the only suitable building, located on the boardwalk just north of Rose Avenue, cost $70,000. To the rescue came Israel Levin, and the center bearing his name was dedicated in August, 1964. The location was in Venice, part of the city of Los Angeles, and just south of the Ocean Park area of Santa Monica.

Membership was modest at the outset. The ones who had stayed encompassed many, often conflicting idealogies and philosophies. There were even reports of physical violence among members caught up in the fervor of their beliefs. It became, Rosen said, a veritable Tower of Babel, with six or seven of the most aggressive, single-minded members trying to run the center each in his or her own way.

Under the terms of the deed the center fell under the auspices of the Jewish Federation Council, which was responsible for funding operations and employing a center director. But, because of the combative atmosphere, the center went through three directors in its first six months. That's when the job was offered to Rosen.

"I never experienced anything as intense in my whole life," he said. "But I saw something that the others who'd worked here before me didn't see. That sort of violent emotional environment was in every way what I was accustomed to as a child. I was reliving my youth."

Born on the Lower East Side of New York in 1915, Rosen was the youngest of four children. Since he was the only son, his poor immigrant parents deemed it necessary to sacrifice so that he might go to college. His intentions, at Long Island University, where he majored in chemistry, were to teach and do research.

The Depression, however, forced him to quit school for a Work Projects Administration job in which he helped to build several New York City playgrounds. He later became a playground director.

Then came the war. Rosen immediately volunteered but was rejected because of two perforated eardrums. He was disappointed, particularly as he watched most of his friends depart for Europe. Fewer than half returned. "That war changed my whole relationship to the world," he said. "I never felt the same again."

Trying to escape a romantic heartbreak, Rosen recalled, he came to Los Angeles in 1946 for what he thought would be a three-week job at the community center in City Terrace near Boyle Heights. He had hoped to pocket most of the $50-a-week salary and return to school in New York.

Before his sojourn was up, the community center workers all received a raise to $75, and he decided to stay, calculating that if he worked hard for two years he would be able to save $5,000 toward his education.

Then, Rosen said, he fell in love and in 1948 married a woman with a son from a previous marriage. Now a husband and father, he was deeply committed.

DEGREE IN SOCIAL WORK

He attended UCLA in the mornings while working at the center until late at night. With the degree in social work he eventually earned, Rosen climbed in the hierarchy of the then-burgeoning Jewish Community Centers organization.

Transferred to the East Side Center in the early '50s, Rosen was instrumental in instituting cultural programs for the elderly. "People were just sitting on benches watching Fords go by," he said. "They had nothing to do. We got them into these large auditoriums where singers and actors would perform. It gave them joy."

It was while he was director of the B'nai Emet Center in Montebello from 1956 to '63, Rosen said, that he began to notice incredible changes in the traditional American family way of life. "Call it distintegration, the falling apart of the family. When I first started there it was a golden age. Parents and children were supportive of the programs. Everyone, young and old, enjoyed each other. Then, the last couple of years, the kids suddenly became rowdy, and the parents didn't seem to care."

The elderly still dominated the boardwalk, however, when Rosen accepted the job at Israel Levin Center. "They were so beautiful parading up and back in their distinctive clothing," he said, his voice a characteristic gentle rasp. "The women wore long, flowing dresses and tremendous oversize hats to shade their faces from the sun. It was a fashion show. Everyone looked serene and beautiful."

Inside the center, though, the seniors were contentious, he said. "The first two years I tried to contain the chaos. There were about 75 members, and if you didn't agree with them, they abused, taunted, vilified you. I survived by getting people to lower their voices to loud screams."

LESS TURBULENT MEETINGS

Actually, he survived by inaugurating compromise, rotating each rebellious group's favorite activity on a daily basis. Luncheons, entertainment, book reviews, medical and psychiatric lectures, and political programs were scheduled. Eventually, meetings became slightly less turbulent, and membership grew.

Meanwhile, outside on the boardwalk, "the first wave of youth," Rosen said, had begun to discover Venice. "The beatniks, flower children, hippies, drop-outs, cop-outs—all kinds of movements with brief life spans came here. One wave would overlap the next. The affluent society was turning off the affluent youth."

At first, Rosen said, the young people and elderly related well to each other. "The flower children loved to be with old people. They were so kind. They gave flowers to them and wore the clothing the old people wore." He noted, with irony, that the fashionable boutiques that were beginning to spring up all over town, soon to find their way even to Beverly Hills, sold the clothes that the seniors had always worn. "It was lovely to see the old and young together. It made a lot of the old people happy."

That happiness, too, was relatively short-lived for these "incredible survivors."

"The flower children were replaced by the hippies," Rosen said. "One hippie would rent an apartment, invite all his friends in, and everyone would sleep on pads on the floor. These young people didn't care how dirty the place was, or if it was maintained or not. They had contempt for material things."

At the time, the elderly were being charged about $60 a month for ther small apartments. But some landlords soon realized that they could multiply that sum by charging rent for each "hippie" in the apartment without having to maintain the premises, Rosen said, and many of the old people were forced out. "That's when things really started to change. I noticed less and less of the old people on the boardwalk. Then the kids stopped speaking to them. And they were smoking pot all over the boardwalk."

Soon the first of the "disillusioned Vietnam veterans" came to live in Venice, Rosen said. "A lot of them were . . . smashed, wounded, both physically and psychologically." Not surprisingly, he said, drugs like heroin, which they'd first used in Asia, became abundant. So did the junkies.

As the atmosphere degenerated and the rents climbed, the numbers of the elderly began to diminish at an accelerated pace. Yet membership in the center rose dramatically, with the panicked rushing there for protection. The roll swelled steadily toward the 500 mark, where it stands today, even though the elderly population had declined from 3,000 to 1,000. "This place is their haven, their security net," Rosen said.

CONTRAST TO USUAL RAGS

Conditions in the area continued to worsen. "Now you had these pathetic guys, the cop-outs," he said. "They'd just sit there all doped up."

Then something completely unexpected developed. Looking out his window, Rosen began to notice well-dressed young men—a contrast to the usual rags and tatters—carrying briefcases, walking along the boardwalk and side streets. They were the first wave of real estate speculators who bought and sold properties at an alarming rate, sometimes turning over a single building several times within a year. Besides driving up real estate prices, their speculation again resulted in rent increases, was planning to raise their rents by more than a third. After contacting Venice Legal Services, Rosen organized a rent strike that lasted bitterly for two months, producing a compromise agreement favorable to the existing tenants.

Rosen contends it was greed, in the actions of these speculators, that he saw growing rampant during the decade.

Such outspoken views have earned Rosen a reputation as a firebrand. When a drunken wino defiled the center and then pulled a knife on him, Rosen naturally called the police. Later, when a group of area merchants tried to enlist his aid to ban winos from sitting on boardwalk benches, he asserted angrily that winos have civil liberties like anyone else. And when this case attracted representatives from the Los Angeles City Council and state Senate, all of whom "pretended to be my friends," Rosen said, "I let them have it but good. Where were they before Anna Gerber was killed?"

Gerber was an 87-year-old woman who died in 1979 after being struck by a bicyclist as she attempted to cross the boardwalk. "The members were mad, agitated, scared," Rosen said. "I called a press conference to see if we could get some action. We wanted

the chief of police and the City Council to know they were just as responsible for Anna's death as that bicyclist."

Yet no ordinance banning bicyclists and skaters was enacted, as the center members wanted. So Rosen organized a protest march, carrying a symbolic empty coffin up and down the boardwalk, culminating in mock memorial services at the Bay Cities Synagogue several hundred yards to the south. Because of all the attendant press coverage, he said, a proclamation was soon issued that banned bicyclists and skaters from the area near the center. But too many police were needed to enforce the order, and the scene returned to normal chaos within a few days. Even now, he noted, the members are being hit. "The only difference is that none have been killed yet," he said.

Rosen traces the roots of Venice's crime problems to the period near the end of the decade when nude bathing was briefly legalized. "The newspapers and television stations really went to town," he said. "So then you suddently got the middle-age men with their cameras trying to get a peek. You couldn't find a space anywhere, it was so crowded. Then the business people came around trying to capitalize on all this potential. So more people came, and the whole thing feeds off itself."

This began the decade of the 1970s, "the decade of decimation," he said. "The elderly and the poor were all but driven from Venice."

He related the story of how several center members, "looking like they'd just stepped out of 'The Grapes of Wrath,'" came down the boardwalk one day to tell him that a real estate investor had bought their ramshackle, rat- and roach-infested building at a court auction and * * *.●

DR. FRANK PELLEGRINI

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. LIPINSKI. Mr. Speaker, I would like to join with the people of All Saints-Saint Anthony Parish to celebrate on September 25, 1983, the 25th anniversary of the parish organist and choir director, Dr. Frank Pellegrini's service to the parish.

Dr. Pellegrini is a cornerstone of the southwest side Chicago community. He earned his doctorate in sociology from the University of Chicago and has taught at Loyola University of Quigley Preparatory Seminary South; he is presently employed at Chicago City Colleges.

Dr. Pellegrini has conducted the award winning boys' choir of Saint Anthony Parish, the Little Singers of Saint Anthony, for 18 years, and he was active in Pueri Cantores for almost 20 years.

Frank has shown the same spirit of dedication to his civic community as to his church community. He is one of the founders of the Greater Bridgeport Organization, and served as its president. He organized citizen community improvement efforts and cultural events to further improve our area.

Dr. Frank Pellegrini is a man of whom we can all be proud. As a teacher for the past 25 years, he enjoys a reputation as a concerned and caring instructor whose confidence one can seek and whose opinions one can respect.

It is reassuring to know that a man with his spirit of brotherhood and concern for all is active in our community. I congratulate Dr. Frank Pellegrini on 25 years of service to All Saints-Saint Anthony Parish, and wish him many years of success in the future.●

SHORT TIME COMPENSATION MODEL LEGISLATION—AID FOR THE STATES

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. STARK. Mr. Speaker, after most a year of foot-dragging, the Department of Labor released in late July model legislative language for the States to use in implementing short time compensation (STC) programs. The legislation is described in "Unemployment Insurance Program Letter No. 39-83," issued July 29 to all State employment security agencies.

The Department was instructed to provide this service in last year's tax bill (TEFRA), signed into law on September 3, 1982. While the delay was disappointing, the release of the model legislation may be very helpful to States in setting up STC programs nationwide.

STC is a novel kind of aid to moderate the impact of periods of unemployment, and three States—California, Arizona, and Oregon—have already developed successful programs of their own.

STC is a program that operates through State unemployment insurance programs to provide an alternative to regular, full-time layoffs. Instead of layoffs and separations, it gives employers who must cutback on production the option of reducing work hours for those employees who voluntarily participate. In return, workers receive partial UI benefits and most of their regular pay. Everyone keeps their jobs and skills, and everyone keeps their retirement and health benefits. Instead of separations, companies and employees are pulled together in a cooperative effort that can help improve morale and productivity.

I hope that other States will use this model legislation to add an important new option to their UI programs.●

CHILE: EVIDENCE OF TORTURE

HON. MATTHEW F. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. McHUGH. Mr. Speaker, as the 10th anniversary of the coup in Chile approaches, concerns about human rights violations under the government of General Augusto Pinochet have intensified.

In May of this year, Amnesty International released a report documenting the widespread and systematic use of torture in Chile. The report documented the cases of 18 victims of torture who were examined extensively by an Amnesty International delegation that visited Chile. The victims of torture have included human rights workers, students, political opponents of the current Government, and manual laborers.

For the benefit of those of our colleagues who may not have read this report, I am inserting into the RECORD the cases of two of the victims of torture documented by Amnesty International, a social worker and a sales agent. I hope that this information will serve as a reminder that abuses of human rights continue to this day in Chile.

The following material was submitted for the RECORD:

CASE No. 9

Anonymous.

PERSONAL DETAILS

He is 28. His father was an officer who resigned after the military coup. He studied history and geography at university, but has not been able to get work as a teacher since graduating in 1979. He therefore became a sales agent. Because of a knee operation, he has been off sick since early 1982. He is married. His wife was pregnant at the time of his arrest. Their child was born 11 days later.

STATE OF HEALTH BEFORE ARREST

His left knee was injured in mid-1973 and he was in hospital for almost a month. After he left hospital he continued to suffer pain in the knee, so his left medical meniscus was removed in early 1982.

Ever since 1973 he has had sporadic "nervous heart" attacks with precordial pain and difficulty in breathing. Apart from this he did not connect any symptoms with his arrest and detention in 1973.

PREVIOUS DETENTION AND ALLEGED TORTURE

He was arrested and held briefly in 1973 after attending a student meeting which was surrounded by the police. He was kicked and pistol-whipped all over. Afterwards, he was taken to a boat called the "Maipo", where he was not actually ill-treated, although he was held in appalling sanitary conditions.

TIME AND PLACE OF ARREST AND DETENTION

He was arrested in the first quarter of 1982 and held at the CNI centre in Valparaiso for 10 days. He was then transferred to the CNI centre in Santiago, where he was held for a week. Then he was moved to Val-

paraiso prison, where he remained until his unconditional release 21 days after arrest.

DURATION OF ALLEGED TORTURE

He was tortured on 10 days; on four of them the torture was exclusively psychological. He was held incommunicado for 16 days.

INTERROGATION AND TORTURE

His account of events was as follows:

In mid-March five men in plain-clothes who said they were members of SICAR, the *Carabineros'* intelligence agency, searched his home and removed several of his belongings. No arrest-warrant was shown. He was taken down to a car, hooded and threatened.

They drove him to an old house in Valparaiso, where he was made to sit on a chair to which his hands and feet were tied. He was asked about his personal relationships and kept tied to the chair all night.

He stayed tied to the chair throughout the following day, forced to listen to a cassette recording of a Mexican song played over and over again at full volume. The door was opened loudly a number of times during the day, but those who opened it said nothing to him.

That night he was allowed to go to bed but was tied to it by one hand. During the night he was woken up several times by somebody kicking him in the stomach.

Next day he was tied to the chair again and made to listen to music all day. In the evening, he was interrogated and kicked and beaten, mainly in the abdomen and on the back. He was undressed and electrically tortured for about an hour, primarily on the back and neck.

He sat on the chair throughout the next day, listening to the cassette player. In the evening he was interrogated for an hour and a half. During the interrogation he was punched on the body and neck, hit on the back of the head three or four times, slapped on the face and underwent telefono from five to 10 times. He was also frequently threatened with "disappearance" and execution.

The next day he was tied to the chair again and made to listen to a loud radio all day. A basic medical examination was carried out by a person who claimed to be a doctor.

He was interrogated for most of the following afternoon. Every time he refused to answer he was punched, mainly on the nose, which bled.

The next day he was interrogated, threatened and insulted, but the day after he was not interrogated—although he was made to spend the entire time sitting tied to a chair.

On the following day a "friendly" interrogator chatted to him all day trying to persuade him to tell the truth and so avoid further torture. Later someone else threatened him again with execution.

He was not interrogated the following day, but the day after his clothes were returned to him and he was made to sign various forms. Then some evidently important person came and shouted that they were incorrectly filled in. All his belongings were again removed and he was taken down to a car. He thought he was going to be killed and felt both frightened and resigned. Instead, however, he was taken to the CNI centre in Santiago where he was given overalls and zapatillas and was blindfolded. He was put in a small concrete cell measuring about 2m by 1.5m. That evening a person he took to be a doctor examined him with a stethoscope and measured his blood pressure, and he was interrogated yet again, this interrogation being far worse than any of the previous ones. He was made to lie on a bed and was severely beaten, including on the knee which had just been operated on. He was electrically tortured more severely than before with two electrodes, one attached to his chest, the other shifted about from his testicles to his right ankle to the lobe of his right ear. Later the picana torture was inflicted with a pencil-shaped object on his face and lips. A dry cloth was put over his mouth and nose a number of times, which made him feel as though he were being suffocated. Each time he nearly fainted. When he was finally taken back to his cell he heard the voice and screams of a friend (also interviewed by the medical delegates—Case No. 1).

He was left in his cell throughout the next two days. Someone who he thought may have been a doctor applied cream to his bruises.

The following day he was interrogated and beaten, in particular on the abdomen and back.

Next day the "doctor" came to his cell and tried to hypnotize him, but, by making a strenuous effort, he managed to resist this.

He was taken to the Fiscalia Militar (Military Prosecutor's Office) the following day and, still blindfold, made to sign some papers.

Next day he was given back his clothes and belongings and driven to the CNI centre in Valparaiso then on to Valparaiso prison, where he was no longer kept in isolation.

He was freed after 21 days but followed by agents for two days after release.

RÉSUMÉ OF INTERROGATION AND TORTURE

He was slapped, particularly in the face. He underwent teléfono a number of times. He was frequently punched, once on the neck, once on the nose (which gave him a nosebleed and many times in the abdomen and on the back, arms and legs. He was frequently kicked, in particular on the buttocks and the knee that had just been operated on.

He was electrically tortured twice: once in Valparaiso for an hour and once in Santiago. The shocks were administered on the lobe of his right ear, chest, testicles, right ankle, neck and back. *Picana* torture (at a lower voltage) was inflicted too, particularly on the lips, earlobes and cheeks.

He was gagged a number of times in such a way that he could not breathe and nearly fainted.

He was partially deprived of sleep the first two nights and made to spend an entire night naked, as well as being naked during several interrogation sessions.

He received many threats. He was threatened with execution and "disappearance", with being tortured in other ways, and with the imprisonment of his wife. He was tortured by noise for many days: Forced to hear the same tune on a cassette player again and again at maximum volume.

An attempt was made to hypnotize him, and the "friendly" interrogator tried to get him to give information.

He was kept in isolation and blindfolded for 16 days. For the first 10 days he was forced to sit up straight, tied to a chair. Except for the first night, when he was forced to remain sitting, he was allowed to sleep in bed. For his five days in Santiago he was kept in a concrete cell measuring about 1.5m by 2m.

MEDICAL EXAMINATION AND/OR ATTENTION DURING DETENTION

Once in Valparaiso and the first day in Santiago he was examined by someone claiming to be a doctor. During his final days at the CNI centre in Santiago he was given ointment to rub on his skin in order, he thought, to hasten the disappearance of his bruises.

EARLY SYMPTONS DESCRIBED

After being tortured he was tired and stiff, felt sore all over and could hardly move. Near both elbows were two parallel blue stripes which he said were the result of the tight binding of his arms with cord during torture. The cords were tied especially tightly during electric torture when his arms moved involuntarily. There were bruises on the right hypogastrium, as well as medially on the left leg just under the knee. His nose bled after being punched, his lip was swollen for a week and his ears itched and were scaly in the auditory canal. He suffered from precordial pain in the chest, without radiation, and had difficulty breathing for about half an hour several times a week. This happened particularly at night, and he himself believed it was due to anxiety since he had had similar anxiety attacks before being arrested. He had nightmares and his memory was somewhat impaired. Just after he was released he found himself forgetting small matters, such as where he had put things, appointments and telephone numbers. He was emotionally labile, irritable and aggressive.

PRESENT SYMPTOMS DESCRIBED

He still has slight discomfort in his left knee and pain in the medial part of his left calf, where he can feel a hard lump near the tibia. He suffers from "nervous" attacks of difficulty in breathing about once a week. His memory is slightly impaired.

CLINICAL EXAMINATION (ONE MONTH AFTER THE ALLEGED TORTURE)

He was well-balanced and relaxed, cooperated with the interviewer and was able to give a clear and detailed account of what had happened to him.

There was some soreness in the medial anterior cleft of his left knee, and a slight atrophy of the quadriceps muscle. On the medial side of the left tibia, between 16cm and 19cm below the knee, there was a 3cm by 2cm hard, indolent lump, unattached to the skin and tibia (it felt very much like an organized haematoma). The skin over the knot was unchanged. Medial to this area and between 12cm and 16cm distal to the knee joint a 5cm-long, 1cm-diameter, rod-shaped indolent swelling could be felt (probably an area of superficial phlebitis).

Near both elbows were two sets of two light brown pigmented parallel stripes 1cm wide and separated by 2cm, crossing each other approximately in the middle of the bend of the elbow.

CONCLUSION

The medical delegates found consistency between the torture alleged, the symptoms described and the clinical findings.

CASE NO. 10

Anonymous.

PERSONAL DETAILS

He is 29. He went through high school, was trained as a social worker and has been employed by a church organization since 1978. He is unmarried but has a steady woman friend.

STATE OF HEALTH BEFORE ARREST

He has situs inversus (internal organs in positions which are the reverse of normal; for example, with the heart on the right rather than left side).

TIME AND PLACE OF ARREST AND DETENTION

He was arrested in early 1982 and was taken to the CNI centre in Santiago where he was held for two days. After two days he was transferred to the Cárcel Pública where he was held for a day. Next day he was moved to the Penitenciaria, where he was held for 79 days before being released on bail.

DURATION OF ALLEGED TORTURE

He was tortured on two days, during which time he was held incommunicado.

INTERROGATION AND TORTURE

His account of events was as follows:

While driving early in 1982 he was followed by a car, then stopped. Four men in civilian clothes, armed with pistols, examined his documents, then forced him into their car. No arrest-warrant was shown. He was blindfolded with tape, handcuffed, required to give information about himself, insulted and threatened with death. (He later learned that his home was searched the same day by CNI agents.)

He was driven to the CNI centre in Santiago, where he was punched hard on the left cheek. He was forced to stand facing the wall for half an hour, during which time he was punched at random on the head and body. Afterwards he was examined by a person he took to be a doctor, photographed and given overalls and zapatillas.

That night, around midnight, he was interrogated. During the interrogation he was beaten and electrically tortured for about an hour. Later that night he was again interrogated. Two people he knew were brought into the room and all three were interrogated together for two hours. Towards morning he was once more interrogated, beaten and electrically tortured. This meant he did not sleep at all that night. He was interrogated again at 10.00 am and once more at 2.00 pm. A "friendly" interrogator talked to him for a long time, asking him why he was involved in such "subversive organizations". Towards evening he was given back his clothes and taken into a "TV studio" in the same building. This room had a large mirror on one wall, which he presumed was a two-way mirror. Here, he and his two acquaintances were interrogated, having been told they were being video-recorded. When they did not answer they could hear the machine being switched off. Later that night he was yet again taken to be interrogated, this time on his own. He was dressed in the overalls again and once more beaten, threatened and insulted.

Two days after arrest he was examined by a person he took to be a doctor. Then his clothes were returned to him and he was brought before a judge. He was made to sign a statement and was then sent to the Cárcel Pública, where he remained for just under three months.

He was released on bail in April 1982.

RÉSUMÉ OF INTERROGATION AND TORTURE

On the first two days, he was frequently slapped on the forehead, neck, chest and back, and was punched on the left cheek, chest and back. He was electrically tortured. He was made to hold a key attached to a wire in each hand. The wire was then charged with electricity, which gave him violent convulsions. Picana was then inflicted—a black, pencil-shaped object was applied to his throat, hands, thighs, lower legs and ankles. He was never sure where they were going to apply the current next. This form of torture lasted for about an hour.

He was held incommunicado for two days and partially deprived of sleep for two days, during which he slept for only three hours altogether. The first night he was interrogated almost continuously; the next, he did not return to his cell until quite late and afterwards was disturbed a number of times. All the while, he was nervous and agitated. He underwent frequent, prolonged interrogations—four three-hour sessions in the course of two days. He was threatened with parrilla. He heard other prisoners crying and screaming.

MEDICAL EXAMINATION AND/OR ATTENTION DURING DETENTION

On arrival at the CNI centre he was examined by a person he took to be a doctor. He was questioned about previous illnesses and operations. His blood pressure and pulse were taken and he was examined with a stethoscope. To discover whether it really was a doctor examining him he told him he had situs inversus and that this was very serious. The doctor assured him it was not and gave a correct account of the condition. He was again examined by a person he thought was a doctor after being tortured.

While in prison, he requested a forensic examination but this was never done.

EARLY SYMPTOMS DESCRIBED

He was generally extremely tired and weak and had difficulty walking and moving for the first few days. His left cheek was very sore—presumably through being punched—and for the first three days he had diarrhea and nausea. He found it hard to fall asleep while in prison and several times had nightmares. (Following release, he slept for 24 hours.) He did not notice any marks on his skin.

PRESENT SYMPTOMS DESCRIBED

He feels completely normal.

CLINICAL EXAMINATION (THREE MONTHS AFTER THE ALLEGED TORTURE)

He was well-balanced, behaved naturally and cooperated with the interviewer.

Examination by stethoscope revealed situs inversus. He had scattered acne.

CONCLUSION

The medical delegates found consistency between the torture alleged and early symptoms described.●

JO ANN KOVALCIK HONORED FOR EXTRAORDINARY SERVICE

HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. RINALDO. Mr. Speaker, I wish to commend Mrs. Jo Ann Kovalcik of Scotch Plains, N.J., for her extraordinary service and leadership in assisting the handicapped through her volunteer work with the Occupational Center of Union County, N.J., and for her leadership with the New Jersey Kidney Foundation.

Mrs. Kovalcik is a woman of extraordinary talents and energy that compliment her deep sense of compassion for the lives of people born with physical and mental afflications.

Through her love and devotion to her sister, who is handicapped, Jo Ann Kovalcik has brought hope to the lives of many people. She symbolizes those thousands of community volunteers who have committed themselves to sponsoring and supporting programs that aid the handicapped. It is most visible in the achievements of the Occupational Center in Union County, with training centers and workshops for the handicapped in Roselle and Berkeley Heights.

Far more than the large amount of money she has raised for the Kidney Foundation of New Jersey and the occupational center, Jo Ann Kovalcik brings to these worthwhile programs a spirit and enthusiasm that arouses the best instincts and compassion in other people. She is unselfish and devoted to helping other people who need assistance.

In addition to her outstanding efforts in behalf of the occupational center and Kidney Foundation, Jo Ann Kovalcik also serves on the Union County Unit of the American Cancer Society and is a member of the Union County Children's Shelter Advisory Board and the New Jersey State Banking Advisory Board. A highly successful businesswoman and executive with Hahne's in New Jersey, Mrs. Kovalcik is the essence of the modern American woman capable of succeeding at any job and still finding time to contribute her talents and energy to the community. She is, indeed, an extraordinary American woman and one of New Jersey's finest citizens.●

H.R. 2025

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. MINETA. Mr. Speaker, I am today introducing legislation to forstall the transfer of social security off the unified Federal budget. Such a transfer, to be effective in 1993, was a provision of the Social Security Amendments in 1983.

In 1967 the President's budget concepts commission recommended that all Federal programs be shown as part of the same budget, a "unified budget."

Starting in the early 1970's some programs (notably the Federal Financing Bank) were placed "off-budget" by statute. Off-budget spending is exactly the same as on-budget spending—it is simply not counted. But it is a part of the Federal debt since the Treasury finances all spending.

Moving social security and medicare off-budget is ill-advised for three reasons.

It is bad for the budget process since it results in a budget that is understat-

ed by over $300 billion. Members will not be in a position to consider Federal spending as a percent of the economy. Nor will they be able to directly compare similar programs—for example, medicare will be off-budget but medicaid on-budget. Nor will they get a valid comparison of different components of Federal spending—defense, means-tested programs, grants to States, and so forth, will all be overstated as percent of total spending. Nor will the revenue portion of the budget give an adequate portrayal of the total tax burden on taxpayers.

It may be bad for social security benefits. Currently it is widely believed that social security and medicare are financed by taxes on the potential beneficiaries. This is not true—there are a number of general fund subsidies (by 1988 they could total $20 to $30 billion.)

Those subsidies are not obvious now, since they are paid by one fund and received by another—a net zero. But, with social security off-budget, these subsidies will be very visible since they alone will remain as on-budget payments. Highlighting these subsidies could provide more ammunition for groups that want to cut benefits.

It is bad for the deficit, hence for other spending programs. With the reforms recently enacted, social security will be solvent—that is, in surplus—through the end of the century. This surplus would be shown off-budget, so the on-budget deficit would be overstated. Voting for unnecessarily overstated deficits seems unnecessary.

As the former chairman of the Budget Committee's task force on the budget process, I have introduced a comprehensive budget reform bill which, among other things, would bring all off-budget agencies on-budget—H.R. 2025. In the 96th Congress we included language in our budget resolution of fiscal year 1980 to affirm our commitment to "relate accurately the outlays of off-budget Federal entities to the budget." Again in 1982 and 1983 we carried forward this commitment with language in the budget resolution which expressed the sense of Congress that future budget resolutions should also portray off-budget spending.

I am pleased to have my colleague, LEON PANETTA, as an original cosponsor of this legislation.●

PALM BEACH COUNTY PSI VOLUNTEERS PRAISED

HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. LEWIS. Mr. Speaker, today I would like to pay tribute to the following people for lending their strong support and talents to the Palm Beach County private sector initiative program: Judy Goodman, Robert Miller, Lee Horton, William Brooks, Col. Don R. Kohl, USAF (Retired), Bill Burson, Harry L. Smith, Pat Wilson, Lucy Runyon, Thomas I. Davis, Jr., Judy Finn, Kay Mansolill, Terry Lino, John Ollis, Robert Coker, Sandra Chamblee, Bernadette O'Grady, Thomas J. Heran, Donn Colee, Sr., John List, Natalie Wohlert, Beverly Green, Mike Hardwick, Robin Stein, Ruth Hardy, Pat McKenna, Art Giles, and David Bludworth.

More than 70 million Americans volunteered for community service in the past 3 years and more than half volunteered at least 5 hours a week to community service programs.

These volunteers, joining with private organizations, provide job training and placement, health care, transportation, education, housing, nutrition, senior and youth activities, legal and consumer advice, and other community activities. The manner in which this American partnership is being practiced in Palm Beach County and other American communities is creating worthwhile changes in the way social services are delivered and economic progress is stimulated in the United States.●

PROPOSED ELIGIBILITY GUIDELINES FOR LEGAL SERVICES CLIENTS WOULD DENY REPRESENTATION TO MILLIONS

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. RODINO. Mr. Speaker, the Legal Services Corporation recently published proposed regulations concerning client eligibility which would have the effect of precluding representation for millions of poor people, particularly the elderly and the handicapped.

Taken by themselves, these proposals appear to be an ill-conceived effort to deal with the cuts in the Corporation's budget. But taken in the context of the Reagan administration's hostility to this program, the proposals appear to be another in a series of attempts by the administration to deny legal representation to low-income people.

Despite the overwhelming support for the Legal Services Corporation demonstrated by the Congress and the American people, the administration has tried every year to eliminate all funding for the Corporation. Having failed to do so, the administration is now trying to weaken the Corporation's effectiveness and its ability to serve the poor in legal disputes.

One of the most onerous proposals is a regulation which would deny legal assistance to individuals who have over $15,000 equity in a home. This would drastically affect the elderly, who may have paid for their homes years ago, and who may be in desperate need of legal representation. These are the very people the Corporation was established to serve.

An essential aspect of the legal services program is local control—each program is administered by a local board of directors which is most knowledgeable about the needs of the client community. These mandated eligibility guidelines would fly in the face of local decisionmaking.

Most important, however, is the fact that these regulations were developed by individuals who have neither the experience with, nor the demonstrated commitment to the delivery of legal services for the poor. The Corporation is being administered by an unconfirmed board of directors, presently numbering four individuals, who have recruited a staff of questionable dedication to the effectiveness of this program. These proposals reflect a lack of understanding about the legal needs of the poor, and I hope that the Corporation will reconsider implementing them.

Further, I hope President Reagan will end his hostility to this program which seeks to provide "equal justice under law." I urge him to demonstrate his willingness to let the Corporation survive by nominating a board of directors promptly—individuals who have both the commitment and the experience necessary to administer this program.●

SOVIET DOWNING OF KOREAN FLIGHT 007

HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mrs. SCHNEIDER. Mr. Speaker, few incidents in this country's history have provoked the shock and outrage that greeted the Soviet Union's recent downing of Korean Air Lines flight 007. Unfortunately, the 269 passengers aboard were the innocent victims of the acute paranoia that seems to dominate Soviet foreign policy. Those Rhode Islanders who knew Lillian Fitzpatrick and Lucille Dawson—two Warwick residents on board the plane—understand first-hand the sense of loss and pain which this barbaric act brings to all U.S. citizens.

The Soviet's response to the shooting down of flight 007 has been perhaps more inflamatory than the act itself. First, the Russians denied that the plane had been shot down. Then, in the face of indisputable evidence that the barbrous act had occurred, the Soviets admitted their complicity

but concluded that it was the rational response to a provocation under international and Soviet law. One spokesman went so far as to suggest that we would do the same if a Soviet plane strayed over our airspace. In fact, in 1981, a Soviet Aeroflot plane departed from its normal flight route off the Atlantic Coast and flew over the naval shipyard in Groton, Conn. The U.S. response was to simply lead the plane back into international airspace. Comparisons aside, the lies and misinformation emanating from the Soviet Union since the tragedy clearly indicate that the country does not share the Western World's humanitarian appreciation for human life.

The President and Congress are now faced with the task of responding to Soviet brutality. The first step, I believe, should be passage of a resolution officially condemning the Soviet Union for their behavior, demanding that the country pay monetary retribution to the families of U.S. citizens on board the plane, and urging U.S. representatives to the United Nations to seek agreements making future attacks on commercial airliners illegal international acts subject to immediate and automatic sanctions. Once these steps have been approved, Congress and the President can then assess the long-term implications of this cowardly act on relationships between the two superpowers.●

SOVIET BARBARISM SHOWS FACE—AGAIN

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. SKELTON. Mr. Speaker, I commend to my colleagues an article which appeared in the Sedalia Democrat in the Fourth District of Missouri. This article on the Korean airline massacre accurately reflects the feelings of Americans across the country and makes some excellent points concerning the basic nature of Russian communism and the Soviet Union.

SOVIET BARBARISM SHOWS FACE—AGAIN

In attempting to apply the rules of civilized behavior to the Soviet downing of a South Korean jumbo jet carrying 269 people, we make a fundamental error. The fact is that Russian communism is by its very nature barbarian. This is hardly the first indication we've had of that fact, with Afghanistan being the latest, but by no means only, example.

Still, this was a new low even for the Soviets. No conceivable reason can justify shooting down a civilian jetliner packed with men, women and children. Among the victims were 50-some Americans, including a member of Congress.

Let us assume that the plane had deviated from its route and was skirting sensitive Soviet military installations. What possible threat did it pose? A Boeing 747 is not a bomber, nor does it have a reconnaissance capability. It is designed to carry innocent passengers from one place to another.

Yet a Soviet fighter pilot, acting on direct commands from the ground, fired a heat-seeking missile into the airliner, which crashed in the cold waters of the northern Pacific. No survivors have been found.

Considering the rigidity of the Soviet command structure, the "fire" order could not have been given without high-level consent from the Kremlin, knowledgeable observers agree. What this says about the Soviet leadership should be a sobering lesson for those in the West who still harbor illusions about its reasonableness and peace-loving intentions.

What can be done on our part? Everything possible to punish Moscow short of armed retaliation. Cancel the grain agreement (the terms of which are extremely undesirable from our standpoint anyway). Revoke Aeroflot's landing privileges in this country. Stop all cultural and scientific exchanges and review all trade pacts.

We must demand that Russia own up to what it did and make a full apology—including restitution to the American victims' survivors. We should encourage our allies and other responsible nations to take similar steps. In all ways possible we must let the Soviets know that such ruthless behavior exacts a price among civilized people.●

TRIBUTE TO BAY CITY CHEVROLET SMALL PARTS PLANT

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. TRAXLER. Mr. Speaker, I rise before this distinguished body today, to honor the 75th anniversary of the General Motors Corp. And in particular, the Bay City Chevrolet small parts plant which is located in the Eighth Congressional District of Michigan.

Over the years, General Motors has responded to the demands of American consumers with high quality products. There are current news reports of increasing automobile sales compared to past years, which is good news to a beleaguered industry. This proves that the domestic automobile industry is responding properly to consumer demand. Also, let us not lose sight of the fact that according to Government tests, American cars—especially General Motors models—are also the safest vehicles on the road today.

Bay City's Chevrolet small parts plant has been a member of the General Motors family since its purchase from the National Cycle Manufacturing Co., on April 10, 1916. Bay City Chevrolet has been one of the largest and oldest employers in the Bay County area, and is a respected, honored, and welcomed industry in the community.

Despite setbacks such as the Great Depression and World War I, Bay City Chevrolet has continued to grow and prosper and change with the times. Though the history of the Chevrolet Bay City plant is one of continued expansion over the years, the greatest growth has come in the last several decades. And this plant growth over the years has been accompanied by many important advancements in production methods.

For many years, Bay City Chevrolet has been playing an active role in various local community developments, activities and organizations. They have been a strong booster to the Bay Area Chamber of Commerce, the Forward Bay County Corp., and the Bay County United Way; for which they have time and again received the United Way Gold Award for Distinguished Service.

General Motors should be commended and thanked for the confidence which they have placed in the bay area community and its citizens. For the Bay City Chevrolet plant has worked to the mutual benefit of both General Motors and the area residents. The Bay City small parts plant has employed thousands of area workers, and has assisted in the bolstering of the areas' economy.

I am truly honored to represent such a large group of dedicated, hard working individuals. Please join with me in congratulating the Bay City Chevrolet small parts plant and General Motors Corp., along with all the people involved with these companies, both past and present, for a job well done.●

IN SUPPORT OF H.R. 3318

HON. BARBER B. CONABLE, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. CONABLE. Mr. Speaker, an American student, upon returning to this country after spending a year in Japan, was quoted as saying,

The most wonderful part of Japan for me was the family I stayed with. My Japanese family shared their home, life, and culture unselfishly with me.

Every year thousands of young Americans return to the United States from exchange experiences such as this. An exchange is more than a sightseeing tour, for a student does not gain access to the intricacies of a culture through monuments and museums. Social complexities are discovered only if a student loses the comfort and security of an observer and finds himself completely immersed in another lifestyle. In the midst of this immersion a student contemplates his identity as an American and balances it with the influence of another culture.

A similar process of reflection occurs when a foreign student becomes a member of an American family. By explaining and sharing its customs and

habits with the student, the host family grasps a renewed sense of itself and its culture. Its members have the unusual opportunity to rediscover the meaning of the American environment in their lives. Both benefit in many ways.

This reciprocity creates an international web of human relations which is delicate and yet strong enough to withstand almost all political tension between nations. The active role exchange programs play as an elementary form of foreign relations is being eroded by rising costs. As a result, thousands of families and students who want to reach out in this way find it more difficult.

Currently, American families who host high school students can deduct $50 a month from their income tax for the expenses they incur while the students are attending high school and living in their American homes. Under current economic conditions this deduction, which was established in 1960, is nominal and should be raised to a more realistic figure.

For this reason, I have introduced H.R. 3318, a bill which would increase the current deduction to $100 per month, up to a maximum of $1,000 a year. At this level, more families might have the opportunity to open their homes to foreign exchange students. In addition, given the tremendous educational benefit provided by foreign exchange programs, as well as the expense incurred in adding another member to one's family, I think that this increase in the present deduction is entirely appropriate.

I hope that H.R. 3318 will receive favorable consideration at the earliest possible date.●

RECENT UTILITY COAL DEAL SHOWS COAL SLURRY PIPELINES CANNOT COMPETE

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. SHUSTER. Mr. Speaker, the House may soon consider H.R. 1010, the Coal Pipeline Act of 1983. This special interest bill is not a simple right-of-way bill, but rather is the possible catalyst for the elimination of all competition in the coal transportation arena.

An actual field test of a coal slurry pipeline, ETSI (Energy Transportation Systems, Inc.), and two railroads bidding for a large coal contract from the Arkansas Power & Light Co. raised serious questions on major arguments put forth by coal slurry proponents on why Congress should confer upon these private companies the privilege of Federal condemnation of private and public property. The arguments and the doubts raised about coal slurry pipelines are listed below:

Slurry argument No. 1. Coal slurry pipelines will provide cheaper coal transportation.

Response. Obviously in this instance, the coal slurry pipelines did not provide the cheaper transportation. The Arkansas Power & Light utility expressed doubt whether coal slurry pipelines will be in a position to compete for cheap coal transportation when it commented, "The projected costs of the slurry pipeline system have jumped three to four times from original estimations." The utility is nearly correct. In 1975, the ETSI pipeline estimated construction costs at $750 million. Today that figure is $3.8 billion or a 500-percent increase. From this development, it appears that time, coupled with high costs and other factors, have made coal slurry pipelines obsolete.

Slurry argument No. 2. Coal slurry pipelines will cause lower coal rates which will be reflected in savings for consumers.

Response. There is no evidence, whatsoever, that if only two railroads had been competing with each other that the coal rates in the contract would have been higher. In fact, there would have been real competition for this contract even if the slurry pipeline had not been a factor. Competition now exists in the coal hauling business, if it is not with other railroads, then it is with trucks or barges.

According to the Arkansas Power & Light press release, substantial savings to electric consumers served by Arkansas Power & Light apparently will be realized through the year 2016 at a level of $16.5 billion as a result of this railroad contract. These savings, of course, were realized under the present system without the necessity of an operating coal slurry pipeline. We are also pleased that this utility, unlike many others, will pass the savings on to consumers.

Slurry argument No. 3. Coal slurry pipelines need Federal eminent domain authority because railroads are blocking the way.

Response. This contract signing in itself strongly argues that the granting in H.R. 1010 of the special privilege of Federal condemnation of private property to for-profit coal slurry pipeline companies is not needed. The ETSI pipeline has acquired over 90 percent of its 1,400 miles of right-of-way without this special privilege at a cost of only six-tenths of 1 percent of the projected project cost. Such a cost is hardly prohibitive as evidenced by the fact that ETSI is competing, along with the railroads, for business.

The ETSI has accomplished a great deal within the presently competitive system, and therefore, they are a perfect example of why there is no pressing need for Congress to pass H.R. 1010.

Slurry argument No. 4. The coal slurry pipelines need take-or-pay contract arrangements in order to guarantee project financing and business for the pipelines.

Response. According to the Arkansas Power & Light Co., the coal slurry proposal was much more restrictive and the utility expressed a preference for the greater flexibility provided by the railroads' proposal. From the start, a coal slurry pipeline will be placed at a competitive disadvantage and if the slurry proponents insist on take-or-pay contracts, the dangers to the consumers of sky-high electric rates in forcing utilities to accept coal they may not need is obvious.

Slurry argument No. 5. There are presently nine coal slurry pipelines under serious design and development.

Response. The signing of this contract and the utility's reaction raises serious doubts whether these pipelines really exist or are figments of someone's imagination in order to attempt to put alleged pressure on the railroads. One has to wonder how many of these pipelines are real and what is the real motivation behind the utilities' support of H.R. 1010?

In conclusion, this contract signed by the Arkansas Power & Light Co. raises many serious questions whether H.R. 1010 is needed. I would bring to the attention of my colleagues the following article from the Washington Post of July 23, 1983, concerning the Arkansas Power & Light Co. contract.

[From the Washington Post, July 23, 1983]

TWO RAILROADS OUTBID PIPELINE CONSORTIUM FOR COAL SHIPMENT

(By Cliff Tan)

Two major railroads yesterday won a contract to deliver coal from Wyoming to Arkansas power plants, outbidding a coal slurry pipeline consortium, in an apparent setback for coal slurry promoters.

The Arkansas Power & Light Co. announced a 20-year contract with the Chicago North Western Transportation Co. and the Union Pacific System, which includes the Union Pacific and Missouri Pacific railroads, to move low-sulphur coal from the Powder River Basin in Wyoming to its White Bluff and Independence power plants.

Chicago North Western and Union Pacific had underbid the ETSI (Energy Transportation Systems Inc.) Pipeline Project for the transportation contract. The two railroads and ETSI, along with Burlington Northern Inc., submitted bids to Arkansas Power & Light April 15.

Coal slurry is coal crushed and mixed with water and then transported along a pipeline system. Proponents of slurry pipelines claim that these systems present a low-cost alternative to the railroad's virtual monopoly on transporting coal.

Railroads have opposed the pipelines, saying that they will suffer greatly and that the cost of shipping other commodities will go up if pipeline transport comes into being.

In the intense political debate over the two competing systems, Congress is considering legislation that would give pipeline operators eminent domain, the power to acquire rights of way despite railroad protestations. A spokesman for the Slurry Transport Association said legislation probably will be voted on in September.

Previously, pipelines have been blocked either by states worried about whether their water resources should be used to make slurry, or, pipeline supporters claim, by railroads which will not let pipelines acquire the right-of-way beneath the tracks.

A staff member of the House water and power subcommittee said even though ETSI had been underbid, that still does not mean that the slurry-pipeline measures will fail in Congress.

The issue for proponents of the measures, he said, is whether maximum competition will hold in the coal-transportation field. What is important is giving pipeline operators the chance to compete, he said, adding it is less important whether railroads underbid pipeline operators as long as competition exists.

"We personally don't know how they could do it and make money," said Stuart Serkin, of the Slurry Transport Association, about the railroads' bid. "It makes you think they're doing this to put ETSI out of business," he added.

A spokesman for Union Pacific, however, said his company will fully recover costs and make money from the bid it submitted to Arkansas Power & Light. He also denied a conscious attempt by Union Pacific to put ETSI out of business.

Jerry L. Maulden, president of Arkansas Power & Light, said his company has been a supporter of the slurry pipelines in the past and still believes they are a viable alternative.

Charles Steel, senior vice president of Arkansas Power & Light, said competition has increased for pipeline proponents since passage of the Staggers Act in 1980, the major rail deregulation legislation that permits many railroads to conclude specific-commodity contracts with utilities, at lower rates than before deregulation.

In addition, the projected costs of the slurry pipeline system have jumped three to four times from original estimations, he said.

The White Bluff and Independence power plants in Arkansas will require between 10 and 11 million tons of coal a year at full operation. At currently regulated coal transportation, that would represent a shipping bill of between $230 million and $250 million a year.●

TRIBUTE TO THE LATE DISTRICT JUSTICE JOHN BEDNARZ

HON. FRANK HARRISON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. HARRISON. Mr. Speaker, on Monday, September 5, the city of Wilkes-Barre lost one its most beloved citizens and one of its most accomplished sons. District Justice John Bednarz died at the age of 67.

Magistrate Bednarz was born in Wilkes-Barre on April 28, 1916, the son of the late Wojiech and Rozalia Bednarz. He graduated from the James M. Coughlin High School and served in the United States Army for 4 years during World War II, seeing action in Africa, Sicily, and Italy.

Over the years, John Bednarz was active in community and veterans organizations almost without number. His service as grand commander of the Order of the Alhambra, Alhamar Caravan, comes to mind. So does his work with the Red Cross, the North End Slovak Citizens' Club, the North End Little League and so many, many other worthy causes.

But most of all, John will be remembered as the "judge" of the North End. He was an alderman in Wilkes-Barre's city 16th ward, 7th district for 25 years. Then, in 1969, when the newly ratified Pennsylvania Constitution created the position of district justice, John was elected to a 6-year term. His record in office was such that even though he was a lifelong member of the Republican party, John Bednarz received the nomination of both political parties on the two successive occasions when he ran for re-election.

Those of us who as lawyers, young and older, appeared before him, know why. He was always as firm and fair as he was courteous and compassionate. Everyone who appeared before District Justice John Bednarz received respect, fair treatment and, above all, equal justice.

I rise today, Mr. Speaker, to take note of his passing in the House and to extend my own deep sympathy to his wife, the former Helen Palute; his son, Attorney John A. Bednarz, Jr.; his grandson, John Russell Bednarz; and his brothers and sisters: Thomas J. Bednarz, Mrs. Sophie Karpinski, Mrs. Stella Shea, Mrs. Anne Urbanski, and Miss Hedwig J. Bednarz.●

HONORING EDWARD AND HELEN REYNOLDS

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. MURTHA. Mr. Speaker, as America has experienced difficult times in recent years, I think more and more focus has been placed on the American family and its key role in preserving the spirit and hope of our citizens.

It is with that background that I am particularly proud to insert these comments into the CONGRESSIONAL RECORD noting the 40th wedding anniversary of Edward A. and Helen L. Reynolds of Mineral Point.

They were married in New York City on September 12, 1943, when America was very different. In the 40 years of their married life together, they have experienced more changes in America and more dramatic events than during any other time of American history. Throughout that period, they contributed to their community, helped their friends, and raised a family. In fact, it was their daughter Diane who I came to know through working together with her. I am sure the Reynolds take great pride in Diane, as they should, and she is an excellent indication of the kind of people the Reynolds are and the deepfelt commitment they have to their community, family, and Nation.

It is my pleasure to join in noting the 40th wedding anniversary of Edward and Helen Reynolds, and wishing them many more happy, productive years ahead.●

LIMITING THE PRESIDENT'S SERVICE

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington report for Wednesday, August 10, 1983, into the CONGRESSIONAL RECORD:

LIMITING THE PRESIDENT'S SERVICE

In November of 1982, a bipartisan group of prominent Americans announced the formation of a committee to promote an important amendment to the Constitution. The amendment would hold Presidents to a single six-year term in office.

The idea of limiting Presidents to a single term is not new. It is as old as the Republic itself. Although their reasons differed from those given today, the delegates to the Constitutional Convention in 1787 originally proposed a single seven-year term before settling on the renewable four-year term finally included in the Constitution. The idea of a single term has been raised many times since.

The main argument of the proponents is that a single six-year term would free Presidents from preoccupation with re-election. The basic view is that far from motivating positive behavior on the part of Presidents, elections hinder it. Presidents are forced to cater to electorally powerful special interests. Difficult but necessary decisions are put off in order to avoid offending potential supporters. Free from the burden of partisan politics, Presidents could focus on the nation's problems during the precious time that is now lost pursuing re-election. Proponents also say that a single six-year term would help strengthen a President's relations with other actors in the political system. For example, a President could send Congress proposals that would address problems directly because there would be less need to maneuver with factions in Congress for partisan advantage. The bureaucracy would be more professional because political appointees could stress management initiatives instead of re-election issues. The political parties would be able to concentrate on organizing themselves, not just on re-electing the incumbent.

As might be expected, opponents of the amendment dispute these claims. They say that by freeing Presidents from preoccupation with relection, a single six-year term would reduce presidential effectiveness. "Playing politics" is neither improper nor a waste of time. Rather, it is a key part of democracy. Paying attention to special interests and postponing tough decisions are often necessary parts of the give and take of the political process. Opponents also say that it is the possibility of re-election with strong support among the voters that gives Presidents their influence with other political actors. Congress would be less likely to go along with a President's programs if they were not tested in elections. The bureaucracy, in tandem with friends in Congress, would be less likely to bend to the will of a President who it knew would be in office for a maximum of six years, not eight. Political parties would be essentially leaderless, and without his party a President would have difficulty generating support for his programs.

Arguments for and against a single six-year term sound convincing because they appeal to contradictory yet fundamental beliefs that Americans have about government. The argument for the proposal reflects the view that politics is bad and that political considerations detract from sound decisions based on what is best for the people. The argument against the proposal reflects the view that politics is an integral part of the democratic process and that political considerations represent nothing more or less than the people's judgment of what is best for them. Proponents of the amendment ultimately base their argument on the public interest. Opponents cite the public interest as well. In fact, that is the crux of the problem. What is the "public interest" in this context?

While there is something to be said for the idea of freeing Presidents from politics so that they may solve problems and make decisions, I find the argument against a single six-year term more compelling. An election does not prevent a President from doing what he thinks is in the country's best interest. It merely insures that he will not ignore the public as he formulates his position. If his view differs from that which prevails in the public, it falls to the President to explain why he is right. A President should never be relieved of the responsibility to educate and mobilize the public in support of his position. At bottom, I side with the opponents of the amendment because I believe that elections make Presidents accountable to the people. I also think that six years is too long a time to retain a President who has lost public confidence, but too short a time for a President who has won it.

I find myself uneasy with the essentially anti-democratic argument of the proponents, which suggests that the President can make better judgments when he is isolated from the messy business of politics. A President above politics is both remote from the people and alien to our system of government. Presidential accountability should be built into the system. The people are not nuisances the President should avoid, but sources of strength and wisdom on which he should rely. Implicit in the proposal for a single six-year term is the notion that a political elite knows best, that the President and his advisers should be permitted to make decisions for the people without being reminded that they are servants of the people and are subject to the popular will. It seems to me that a single six-year term would create a six-year "lame duck" without political power, at least as political power ought to be understood in our nation. The prospect of his re-election and his standing with the people are what give the President his true political power.

Calls for a single presidential term will continue for as long as the Republic survives. The search for a mechanism to overcome the fallibilities of our present system of government will (and should) persist. Purging politics from the system is an objective that many Americans support. However, I think that it would be a mistake, and a serious one, to ratify the amendment now being proposed. A single six-year term would make Presidents less effective and less accountable, and it would be inconsistent with our way of governing ourselves, based as it is on the will of the people expressed through elections.●

THE NEED FOR THE VOICE OF AMERICA

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. MICHEL. Mr. Speaker, I came across and article in the Christian Science Monitor that shed new light on the Korean airliner massacre. The article told of the reaction of the Russian man in the street to the tragedy. Most of those interviewed by the Monitor said the Soviet Union was "absolutely right" in shooting down the aircraft. "On issues like this we are very tough" said one Muscovite.

Another article, appearing in The Wilson Quarterly (Autumn, 1983), written by Walter Reich, contains a passage telling of the author's first contact with Soviet citizens who believe the United States is planning for war. He then writes:

> When I first heard that, I thought it was a line inevitably fed to a foreigner. But I began to realize that I was hearing it even from those who were willing to express their antipathy to Soviet life and their sympathy with American ways. Could it be that they really believed their own media? It could be. If the same thing is said again and again, in every place one looks, without variation or demurral, how could it not sink in? * * * The Soviet media have really been successful in presenting the government's case on the question of war and peace. Not everyone believes everything, but many believe much of it. In the large cities, perhaps 50 percent believe 50 percent of it; elsewhere in the country, among groups with little sophistication, the figures may be higher, much higher.

These are sobering reminders that we are dealing with a closed society in which all but the most determined citizen is going to eventually begin to believe at least a portion of what he hears and sees in state-controlled media. Such a population is not only ignorant of the truth—it is easier to control, much more likely to approve of get-tough measures—no matter how brutal—and less likely to question the government, if only in the privacy of their own minds.

What does this attitude tell us? For one thing it reminds us that the Communist Party of the Soviet Union has total control over information media. The Russian people and others in the Soviet Union—are a captive audience and they get the kind of information—we could call it propaganda—that the Soviet rulers want them to get. After a barrage of that kind of thing, no wonder we get the kind of reaction that the Monitor reports.

The people behind the Iron Curtain need to know the truth. One way of doing that is through our international broadcasting stations. The Voice of America increased its broadcasting to Eastern Europe and the Soviet Union during the Korean airliner crisis. But our transmitters are so ancient and in such need of repair that we could continue this increased broadcasting only for a short while. And, even then, our signals are not strong enough to cut through sophisticated Soviet electronic jamming.

We need to build the best international broadcasting stations in the world if we expect to give the Russian people and the people of Eastern Europe a chance to hear another point of view. The Voice of America and Radio Free Europe/Radio Liberty are underfunded. We should immediately do all we can to give them the funds they need to do the job we expect them to do.

At this point I wish to insert in the RECORD, "Enter Our Space, You Get Shot, Say Most Russians on the Street," from the Christian Science Monitor, September 8, 1983.

ENTER OUR SPACE, YOU GET SHOT, SAY MOST RUSSIANS ON THE STREET

(By Ned Temko)

"If I may be frank, we were absolutely right to shoot down the Korean plane," said the stocky, middle-aged man near Moscow's central farm market.

And what of the 269 passengers aboard?

"Look. Tell your readers that they should be absolutely clear on one thing. On issues like this we are very tough. You enter our airspace like this, and you get shot down.

"And that's the way things should be . . . And if you want to test us, test us, and you will surely not be the winner."

Most Muscovites strolling under an Indian summer sun Wednesday seemed generally to agree. And where days earlier pedestrians were loath to discuss the air disaster, a crescendo of (anti-American) accounts in the Soviet news media seems to have loosened unofficial tongues as well.●

LIST OF PASSENGERS KILLED ON KOREAN AIR LINES FLIGHT 007

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. GEKAS. Mr. Speaker, the entire world was horrified to learn this month that the Soviet Union shot and destroyed a civilian Korean airliner with 269 men, women, and children aboard. The Soviet Government has yet to apologize for their inhumane action, and the international condemnation of the brutal shooting grows daily. I am certain that the Congress will be taking swift action this week to officially denounce the U.S.S.R., and as part of our consideration of this matter, I would like to insert a list of the passengers killed on Korean Air Lines flight 007, as printed in the New York Times of September 2. Also included is a list of those Americans who died in this tragedy.

LIST OF PASSENGERS KILLED ON KOREAN AIR LINES FLIGHT 007 AS PRINTED IN THE NEW YORK TIMES OF SEPTEMBER 2, 1983

Ariyadej, Diane, Mrs.; Ariyadej, Sammy (child); Avecilla, J., Miss; Baek, Yunj, Mr.; Bahk, Mric, Mr.; Bayona, A., Ms.; Bayona, L., Ms.; Be, Bun Soon, Mr.; Beirn, James, 50, Piscataway, N.J.; Bessell, Eleanor; Bevins, Richard, Mr., New Windsor, N.Y.; Bolante, E., Mr.; Bolante, N., Ms.; Brownspier, K., Ms.; Burgess, James, 57, Seneca, S.C.; Campbell, S., Miss; Carrasco, C., Mr.; Carrasco, M. E., Miss; Caser, C., Mr.; Chai, Soom Yung (child).

Chambers, Joyce, Detroit; Chan, Amado, Mr.; Chan, Joseph, Mr.; Chan, S. J., Mr.; Chang, Mason, Mr.; Chang, Tsai Chen, Mr.; Chanlin, Y. S., Mrs.; Chen, Fu Long, Mr.; Chen, Juyen, Ms.; Chen, Shiaofen, Miss; Cheng, C. C., Mr.; Chenlee, Jenrong (child); Cho, Jae Mook, Mr.; Choi, Nyum Soon, Mrs.; Chouapoco, C., Mr.; Chouapoco, C., Ms.; Chouapoco, M., Mrs.; Chung, Hwa Sun, Mrs.; Chung, Ok Soon, Mrs.; Covey, Merrylou, Ms.

Cruz, Alfred, Mr.; Cruz, Edith, Miss, 23, Chattanooga, Tenn.; Cruz, Edgardo, 60, Irvington, N.J.; Cruz, Frisca, Mrs., 60, Irvington, N.J.; Culp, Marie, 75, Pontiac, Mich.; Dang, Loc, Mr.; Dawson, Lucille, 57, Warwick, R.I.; Demassy, F., Mr.; Dorman, S., Mr.; Draughn, S., Miss; Eilgen, R., Mr.; Ephraimsonabt, A., Miss; Fitzpatrick, Lillian, 60, Warwick, R.I.; Forman, E., Mrs.; Galang, B., Ms.; Gregoire, John Paul, Mr.; Grenfell, Neil, 36, Australia; Grenfell, Carol Ann, 33, Australia; Grenfell, Noelle Ann, 5, Australia; Grenfell, Stacy Marie, 3, Australia.

Guevara, A., Mrs.; Guevara, T.; Ha, Myo Soon, Mrs.; Haba, Hiroki, Mr.; Han, Jung Min, Miss.; Han, Man Chul, Mr.; Han, Sun Suk, Mr.; Han, Ung Jun, (child); Hansuwanpisit, A. Ms.; Hendrie, Mary Jane, 25, Sault Ste. Marie, Ontario; Hjalmarsson, J., Mr.; Ho, Ming Tai, Mr.; Ho, Yuk Yee, Ms.; Homlaor, T., (child); Hong, Bill, 41, Greenville, S.C.; Hwang, Byungs, Mrs.; Inoue, A., (child); Inoue, K. Mrs.; Inoue, M., Miss.; Ishihara, Masuyo, Mrs.

Iu, Wai Kong, Mr.; James, Hazel, Detroit; Jang, Sang Jun; Jang, G. S.; Jang, S. T.; Jang, S. Y.; Jang, Y. T.; Jung, H.; Kang, Yong Cha (child); Katz, Jack, Mr.; Kawana, H., Mr.; Kim, Beum Chen, Mr.; Kim, Cy, Mr.; Kim, Ek Yu, Mr.; Kim, Gan Nan, Mrs.; Kim, Jinh, Mr.; Kim, Lee Sik, Mr.; Kim, Rae Soo, Mr.; Kim, Soon Taek; Kim, Won Bok, Mrs.

Kim, Woo Shik, Mr.; Kim, Yung Sik, Mr.; Kitao, Hitomi, Ms.; Ko, Y. Mr.; Kobayashi, Ikiko, Miss.; Kobayashi, Shoi Chi, Mr.; Kohn, Allan; Kohn, Lilian; Kole, Muriel; Kong, King; Kono, Tomiko, Mrs.; Kung, C. F., Mr.; Kwon, Sung Hee, Miss.; Kwon, Youn Keum, Mrs.; Lai, Yung, Mr.; Lantin, Raymundo, Mr.; Lee, Chul Kyun, Mr.; Lee, Eun Hyung; Lee Hee Young; Lee, Inho, Mr.

Lee, Jeong Bong, Mr.; Lee, Joong Keu; Lee, Kwih Yon, Ms.; Lee, Kyong Gae (child); Lee, L. C., Mr.; Lee, Myung Hwan, Mr.; Lee, Myung Jae, Mr.; Lee, Sang Kyun, Mr.; Lee, Seong Joo (child); Lee, Zun Hyouk (child); Lee, Zun Won (child); Leung, Chiman; Leung, K. O., Mr.; Lim, Jong Chull, Mr.; Lim, Jong Jind; Lim, S. M., Mr.; Lin, San Mel, Mr.; Liu, C., Mrs.; Liu, C., Mr.; Liu, P., Miss.

Liu, Y.; Lombart, Aiden, Mr.; Lombart, Don, Mr.; Lui, John, Mr.; Ma, S. J., Mr.; Mano, Sayori, Miss.; McDonald, Lawrence, 48, Marietta, Ga.; McGetrick, Mark, Mr.; McNiff, Kevin, 28, Beverly, Mass.; Metcalf, Chong; Metcalf, Christa (child); Metcalf, Rita (child); Miller, Edna; Min, Kyoung Hun Mr.; Moline, Jan Mrs.; Nakao, N.; Nakazawa, Takeshi Mr.; Nassief, Anthony, Jr.; Ocampo, C. Miss; Ocampo, M. C., Miss.

Ocampo, S. E. Mrs.; Oh, Chung Choom Mr.; Okai, M. Mr.; Okai, Y. Mrs.; Oldham, John, Mr.; Omblero, A.; Oren, William, 31, Middletown, N.Y.; Osaka, Noriyu, Osedo, Midori Mrs.; Pakaranodom, S., Mr.; Pakaranodom; Pakaranodom (child); Pan, Limel, Ms.; Panagopoulos, G., Mr.; Park, Ahe Kyung, Mrs.; Park, Graham, 2, Buffalo, N.Y.; Park, Han Tae, Mr.; Park, Heung Seol, Mr.; Park, Hong Soon, Mrs.; Park, Jahn Guan, Mr.

Park, Min Sik, Dr., 31, Buffalo, N.Y.; Park, Sarah, 4, Buffalo, N.Y.; Park, Seung Ha, Mr.; Patel, K., Mr.; Petroski, Raymond, Dunellen, N.J.; Powrie, Ian, Mr.; Putong, J., Mrs.; Rhee, Soo Shick, Mr.; Rheepark, Jae Il, Mrs.; Robert, F., Mr.; Ryu, Gyung Geun, Mr.; Ryu, Ok Myung, (child); Ryu, Choon Taek, Mr.; Sayers, L., Mr.; Scruton, Rebecca, 28, Meriden, Conn.; Seo, Joook, Mrs.; Shiiki, L., Ms.; Shiiki, S., Mrs.; Shimizu, Miyako, Mrs.; Siow, Woon Kwang, Mr.

Siripoon, J., Mrs.; Slaton, Jessie, 75, Detroit; Sohn, Kyune Ok, Mr.; Son, Soja, Mrs.; Son, Young Jam.; Song, Anna, Mrs.; Steckler, I., Mr.; Steckler, S., Mrs.; Stevens, Hiroko, Ms.; Swift, Frances; Siu, Robin; Takemoto, K., Mr.; Takemoto, T., Mrs.; Tanaka, Keiko; Tien, Chi, Mrs.; Tomitaka, Yae, Mr.; Truppin, Michael, Dr.; Tsao, Yuen, Mr.; Wang, Yunshen; Wee, Kang Il, Mr.

Weng, M. T., Mr.; Wong, Michael, Mr.; Wuduun, S., Ms.; Yamaguchi, M., Mr.; Yamaguchi, M., Mrs.; Yeh, C.; Yeh, C. L., Mrs.; Yeung, Oik Ing, Mrs.; Yi, Y., Mr.; Yoden, Kazuko, Ms.; Yoo, Byeong Sook, Mrs.; Yoo, Chung Soo, Mr., 47, Pittsburgh; Yoon, Sung Boo; Yu, Kabil, Mr.; Yuen, Chibong, Mr.; Yuen, Wai Sum (child); Yuh, Tong Yeal; Yun, Eisik, Mr.; Zareh, D., Mr.; Zarif, Margaret, Detroit.

LIST OF AMERICANS WHO DIED ON KOREAN AIR LINES FLIGHT 007

Ariyadej, Diane Lebow, NY; Ariyadej, Sammy, NY; Beirn, James, NY; Bevins, Richard J., NY; Bissell, Eleanor, MI; Bolante, Eusebio, NJ; Brown-Spier, Kathy, WA; Burgess, James H., SC; Campbell, Susan L., MA; Carrasco, Maria Elizabeth I., NY; Carrasco, Christian Mauricio Vega, NY; Chambers, Joyce, MI; Chuapoco, Celita, NJ; Chuapoco, Joseph, NJ; Chuapoco, Mary, NJ; Cruz, Alfred, NY; Culp, Marie, MI; Dawson, Lucille, MA; Dorman, Stanley, NY; Draughn, Sarah; Eilgen, Richard.

Ephraimson-Abt, Alice, NJ; Fitzpatrick, Lillian, RI; Grenfell, Carol, NY; Grenfell, Noelle, NY; Grenfell, Stacey, NY; Guevara, Tara; Homlaor, Thomas; Hong, Hyong Yung, SC; James, Hazel, MI; Katz, Jacob, NY; Kohn, Allen, KY; Kohn, Lillian, KY; Kole, Muriel, NY; Kim, Jong J., NJ; Lombard, Alden, PA; Lombard, Donald, PA; McDonald, Lawrence, GA; McGetrick, Mark, CT; McNiff, Kevin, MA; Metcalf, Christa; Metcalf, Rita.

Miller, Edna, MI; Moline, Jan, NY; Ocampo, Cecelia, NY; Ocampo, Corazon, NY; Ocampo, Susan, NY; Oldham, John, MD; Oren, William, NY; Park, Graham, CA; Park, Sara, CA; Petroski, Raymond, NJ; Scruton, Rebecca; Slaton, Jessie, MI; Song, Anna, NY; Steckler, Irene, NY; Steckler, Stuart, NY; Swift, Frances Mae, NY; Truppin, Michael, MA; Weng, Ming Tsan, OH; WuDunn, Sirena, NY; Yoo, Chung Soo, PA; Zarif, Margaret, MI.●

LARRY McDONALD A MARTYR IN THE CAUSE OF FREEDOM AND DEMOCRACY

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. STUMP. Mr. Speaker, the definition of murder is the wanton, malicious, and premeditated killing of another. That definition clearly applies to the Soviet missile action which killed 269 passengers of the Korean Airlines flight 007. That missile was specifically ordered by Soviet military authorities.

The tragic irony of that Soviet mass murder is that among those 269 innocent victims it struck down Congressman Larry McDonald, of Georgia, who had spent his career in public life trying to convince the free world that the Soviets were not ony capable of murder, but that in their passion to subjugate the peoples of the world they were willing to use any violent means. They have proven their capabilities in Afghanistan and Southeast Asia. Larry McDonald was not just a thorn in the side of the Soviets, he was the most dedicated Member of Congress, if not the United States in the fight against communism. He constantly was exposing their "peace" efforts as a sham, a confidence game in which the Soviets were lulling western democracies into disarmament and weaknesses, so the free world could be terrorized into submission to Soviet power.

Through the years in which this country was led by those who held the naive belief that unilateral disarmament would somehow change the

blood thirsty character of the Soviet Government, Larry McDonald preached that the real road to peace was through strength.

Through those years, his messages stressing courage as a virtue were often received by small audiences. His work defending freedom and democracy was ridiculed and reviled by those opponents who tried to undermine the purpose and will of this country by crying for appeasement with their slogan "better red than dead."

Congressman McDonald, with his outspoken views on Soviets and communism, helped reawaken the American public to the dangers that we face so that they would support leadership who believe in peace through strength.

It is ironic that just as the message about the Soviets, that he had labored so long and hard to carry, was being recognized, and we were finally moving to strengthen national defense, Larry McDonald was struck from the roll of patriots by the trigger finger of those who feared his rallying cry to the American people.

Throughout our history our country has been preserved by voices crying in the wilderness warning us of dangers. Larry McDonald has been one of those voices. He is truly a martyr in the cause of freedom and democracy.●

TRIBUTE TO THE LATE MAYOR CON SALWOSKI

HON. FRANK HARRISON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. HARRISON. Mr. Speaker, on Monday, September 5, the city of Wilkes-Barre lost one of its foremost sons and its former mayor, when Con (Firpo) Salwoski died suddenly at the age of 78.

The son of the late Constanty and Barbara Salwoski, the mayor worked and lived in the city of Wilkes-Barre all of his life. For years, he headed the Wilkes-Barre Parks Department and served as superintendent of buildings and grounds. From 1970 to 1978, he was an elected member of the Wilkes-Barre City Council.

Under the form of government then in effect, the seven members of the city council elected one of their number as mayor. For two terms, from 1972 to 1976, the council bestowed this honor on Con Salwoski. It fell to him, therefore, to lead the city during those trying days when the Susquehanna River swept over its boundaries as a result of Hurricane Agnes and inundated almost the entire city in one of the greatest natural disasters in the history of the United States. It was under his leadership that the city began the long road back from the trying days after the river receded, through the recovery and into the beautiful "newest old city in America" which it has become.

In addition to his political and governmental service, Mayor Salwoski was active in a large number of community endeavors. Among them were both the American Legion and the Catholic War Veterans, the Polish American Citizens' Club of Dupont, the Wyoming Valley Fraternal Order of Police and, of course, St. Mary's Church of the Maternity, of which he was a parishioner. In addition, he operated the Heights Independent Democratic Club for 30 years.

I rise today, Mr. Speaker, to take note of his passing in this House and to extend my deep sympathy to his widow, the former Isabelle Adamski; his son, Raymond, his daughter, Mrs. Florence Martin; five grandchildren and one great-grandaughter; as well as his sisters, Mrs. Mary Quinn and Stella Sypiewski.●

THE 75TH ANNIVERSARY OF HOLY TRINITY BYZANTINE CHURCH

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. MURTHA. Mr. Speaker, on Sunday, September 25, the parishioners and friends of Holy Trinity Byzantine Catholic Church will observe the 75th anniversary of the church's founding.

I believe the letter I received from Msgr. John Kostival and Nicholas Gelles, the committee chairman, said it very well when noting that "we will pay tribute to our church's founding fathers for their vision, zeal, and sacrifice and for their dedication to Catholic ideals and their strong love for our Byzantine Rite heritage."

I would like to add that it is extremely important that we take time to celebrate these church anniversaries. Across the entire United States, the role of leadership of the chruch in our history and progress is well documented. In addition, in our community of Johnstown over the 75 years of this church we have known our share of problems and disappointments, including two disastrous floods, record high unemployment levels, and major changes in life styles and manners. The role of churches in our community has been essential during these times to preserve the human spirit and rededicate the people to the struggles of the community.

It is in this spirit that the anniversary takes place. It is a recognition of history; moreover, it represents a rededication to the community, to religious principles, and to the spirit of the Johnstown community.●

USE CREDIT AS WEAPON

HON. ELDON RUDD

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. RUDD. Mr. Speaker, the United States and the free world need not look too far to find what could well be the perfect weapon with which to strike back at the Soviet Union for its deplorable deed of shooting down an unarmed South Korean commercial airliner.

We need only look at the credit that we so freely provide the Communist nations around the world.

Credit easily could become a strategic weapon as strong and true as any of the armament we now possess.

Certainly, Mr. Chairman, it is an idea worthy of a full examination by this body.

And to that end, I urge my colleagues to read the following Newseek article written by George Will, who not only tells it like it is, but perhaps how it should be.

NEEDED: A POLICY OF PUNISHMENT

(By George F. Will)

The shocking thing is how shocked people are. The day the Soviet regime murdered another 269 persons was the 24,041st day since the regime was founded. Since 1917 the regime has killed at least 20 million of its own citizens, an average of more than 800 a day for 66 years. Unless the Red Army massacred another Afghanistan village last Thursday, the regime had a below-average day of blood.

Why are people so startled when the Soviet regime acts in character? Nothing in nature—not even granite, which water wears away over time—is as durable as illusions grounded in a desire to avoid facing nasty facts. Oh, yes, with metronomic regularity the Soviet Union does shatter some Americans' illusions. But Americans are a manufacturing people, so they manufacture new illusions about Soviet willingness to move up from barbarism. In 1979, after 62 years of domestic carnage and international gangsterism, the Soviet regime invaded Afghanistan, and the president of the United States said gosh that sure opens my eyes.

Why did the Soviet regime, after 2½ hours of thinking about it, murder another 269 persons? Well, why not? The benefits are clear enough (the benefits of intimidation, especially of Japan), and the costs are almost certainly going to be negligible, and brief.

The Soviet deed has been the subject of a U.N. debate. For the Kremlin that was an ordeal akin to being bombarded with marshmallows. Thank God it is not December or some dunce would suggest dimming the national Christmas tree. The state of Ohio, which has a better foreign policy than the United States, has removed Russian vodka from state-run liquor stores. Perhaps the 269 murders will complicate the process of subordinating foreign policy to presidential politics. Perhaps it will now be harder for the president to sally off to an election-year summit and sign an arms-control agreement ruined by American eagerness. But summits and agreements have no noticeable influ-

ence on the behavior of the Soviet rainmakers—the "yellow rain" rainmakers.

IMPARTIALITY

The World Council of Churches has not yet had time to condemn Korean Air Lines for aggressive bumping into Soviet air-to-air missiles, but various other "peace" parties, with the impartiality for which they are famous, have announced: The Soviet deed proves the irrationality of "the superpowers" and demonstrates the paranoia to which U.S. policy has driven the Soviet Union. So everyone must disarm, starting now, starting here.

The cotton-candy language of journalism spreads a sticky goo of imprecision over events like the attack on the plane. It has repeatedly been referred to as a "tragedy." No, when children die of leukemia, that is a tragedy. When they are blown to bits by an act of state, that is an atrocity, and one worthy of Hitler's former allies. But too many persons by now have too large a stake in muzzy language. Remember the merry disdain that showered down upon President Reagan when, in his first press conference, he talked about how the Soviet Union lies? "There you go again," said his cultured despisers, when he recently referred to the "evil empire."

His words are fine, but he has not got a policy worthy of them. What is needed is a policy not merely of punishment, but of steady deterrents and leverage. A suitable policy, one that was desirable even before this atrocity, is at hand. But the hands of this administration are not apt to reach for it at this late date.

Felix Rohatyn, the investment banker and Democratic thinker, says: The Soviet Union has shot down an airplane. We should shoot down a Soviet-controlled country. Western governments should nationalize the loans Western banks have made to communist countries. The governments should buy up the debts at a substantial discount—at, say between 25 and 50 cents on the dollar (that is between 25 and 50 cents more than some of them are worth). Then it should declare Poland in default, drying up the flow of credit to that country and slowing the flow to all other Soviet satellites.

This would give the banks a little liquidity—more than they deserve, given their irresponsibility. It also would force them to quit cooking their books, pretending that virtually irrecoverable loans retain their full face value as assets. But the principal benefit would be for foreign policy.

Credit is a strategic weapon. Like other strategic weapons, it should not be in private hands. Credit for communists should no more be controlled by private banks than the MX should be controlled by Hertz. Loans—if any—for the East bloc should be government to government, so that Western policy will no longer be hostage to commercial calculations.

BELLY UP

Were credit nationalized, we could say to the Kremlin: You want credits for your basket-case economies? Fine—but it will be contingent on reductions in defense spending. You reject such linkage? Fine—you pay for Poland, and have fun when Romania goes belly up.

During martial law Poland received from the West a substantial subsidy: its debts were rescheduled. The Reagan administration is a shameful subsidizer: Poland has not paid debts owed to the U.S. government, yet the United States has not put Poland in default. Some bankers say that forcing default would be too kind to Poland, because it would wipe the slate clean. Poland's regime knows better; otherwise it would declare default on its own. Poland today is receiving, in effect, money at 6 percent from the West while Americans pay more than twice that for mortgages. If Democratic candidates cannot make an issue of that, they should be burned on a pyre of their bumper stickers.

The Soviet Union suffocates entire nations without even a suspension of subsidies from the West. What has it to fear from reaction to the annihilation of a mere planeload of people? A regime whose essential policy is intimidation has added another brutality to its repertoire. But the diplomatic minuet will continue, from Madrid to Geneva. The grain shipments will continue, and so will the subsidized sale of "nonstrategic" goods—as though such a distinction makes sense regarding a totalitarian nation with a command economy entirely subordinated to militarism. Faster than a heatseeking missile, there will be business as usual, especially for business.●

FREEZE MOVEMENT TAINTED

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. LAGOMARSINO. Mr. Speaker, several important occurrences of late have cast dark shadows on the real nature of the peace movements here and in Western Europe. Of course, the most significant of these was the downing of a civilian airliner by Soviet fighter jets. The importance of this and other events in proving the sincerity of the Soviet-sponsored peace offensive is, in my opinion, invaluable.

Included in this peace offensive is, of course, the freeze movement. To what extent the Soviets have infiltrated this movement has been the source of heated debate, charges and countercharges. What is interesting to me about the freeze movement is the amount of at least indirect support the KGB has received from some Members of the House of Representatives. It seems that even when the evidence appears overwhelming that some Members have participated in meetings with KGB leaders and organizers of the freeze movement, there is a concerted effort to hide the facts from the public and simply wish the whole matter away.

It is fine editorials such as the following, from the Oxnard Press-Courier in my district, which accurately portray these organized attempts to coverup such meetings and connections between U.S. Congressmen and the KGB leaders of the freeze movement as the latest scandal to hit Washington, "Freezegate."

[From the Press-Courier, Aug. 15, 1983]

FREEZE MOVEMENT TAINTED

You were waiting for it. Now it's here: Freezegate. "The bottom line is that the hearings provide no evidence that the Soviets direct, manage or manipulate the nuclear freeze movement." So said Rep. Edward Boland, D-Mass., chairman of a House committee on intelligence, last December, his committee having finished an investigation of Soviet ties to the movement.

Now, it turns out that the committee reached its conclusion in part because Boland kept key evidence of just such a link from its attention.

That's just one of the findings in a fascinating new book, "KGB Today: The Hidden Hand" by intelligence expert John Barron.

Barron's history of the movement suggests that the freeze idea floated for some time in the West, but never could take hold—until Feb. 23, 1981, Barron argues, when Soviet dictator Leonid Brezhnev made a pitch for it before the party congress.

One month later and—viola!—the first national strategy conference of the American Nuclear Freeze Campaign popped up at Georgetown. Coincidence? No, the KGB, Barron says. "From March 20 to 22, virtually the entire blueprint for the nuclear freeze campaign was drawn in clear and comprehensive detail," he writes. KGB man Yuri Kaprolov was assigned to spur the peace movement along, showing up at Georgetown and future freeze events.

One piece of evidence in Barron's case is a brochure published by the World Peace Council, one of the Kremlin's oldest front groups. Included in the brochure are lists, pictures and boasts of the council's contacts in the United States—including Congressmen John Conyers, Charles Rangel, Ted Weiss, Ronald Dellums and Don Edwards.

So why didn't the Boland committee, which used the brochure as an exhibit, take note of this evidence? Because Boland deleted 14 pages which contained most of the damaging revelations. Boland: "I felt it was not appropriate for the committee to document the public activities or associations of any member of Congress. I was not willing to see the committee involved in the practice of 'naming names.'"

Given that standard of evidence gathering, one wonders if the committee could prove that bananas have peels, much less that the Kremlin exerts influence over supposedly autonomous disarmers in the West. How does one prove a case like that without naming names?

What if they gave a freeze movement and nobody came? The answer, it seems, is that people like Kaprolov bring some, and people like Boland are always there to sweep up the tracks.●

THE PRODUCT LIABILITY ACT OF 1983

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. SHUMWAY. Mr. Speaker, Representative BARBARA MIKULSKI and I recently introduced legislation—H.R. 2729, the Product Liability Act of 1983—to reform and rationalize existing product liability tort law. Currently, each State has its own individual product liability code, codes which vary widely, thus leading to uncertainty for manufacturers and consumers alike. Our bill at once provides for

a uniform Federal code, to be administered through State courts, and establishes reasonable criteria that protect the interests of all parties who may be involved in product liability law suits.

Unfortunately, our efforts are being opposed by many trial lawyers and their professional association, the American Trial Lawyers Association. While this may not be surprising—it has been estimated, for instance, that for each $0.66 received by plaintiffs in product liability damage awards, attorneys receive $0.77—such self-interest should not be permitted to stand in the way of ligitimate reform.

In this respect, I would like to commend to the attention of our colleagues a short piece by Richard Greene, which recently appeared in Forbes. Greene discusses the liberalization in product liability law which has recently occurred, and concludes that the result has been "more wine on the table for lawyers and plain tap water for the rest of us."

The full text follows:

[From Forbes, Aug. 1, 1983]

THE LONG, GRABBY ARM OF THE LAW

(By Richard Greene)

Late last year a developer wanted to build homes on 160 acres of undeveloped property in Mayfield Heights, Ohio, a suburb of Cleveland. "No," said the city council. "I'll sue," said the developer. And he did. Not only the city, but each member of the city council, each member of the city planning commission, the city's law director, the city engineer, the city finance director and the mayor.

Says Jim Murphy, of Squire, Sanders & Dempsey, the firm representing all the officials, "When you sue somebody on a city council for $3 million and he's probably earning $500 a year for that job, it gets his attention."

The Mayfield case is only one of a seemingly endless stream of lawsuits in which a plaintiff sues not just the most obvious defendant, in this case the city, but scores of others. In this situation, says Murphy, it is likely that the developer simply wanted to throw a scare into the city officials. But whatever the reason for suing a large number of parties, one thing is clear: When you are sued, no matter how frivolous the suit, no matter how little liability you think you have in the matter, you have to defend yourself. And that costs money.

The epidemic of this so-called multidefendant litigation stems from a liberalization in the liability laws during the last decade or so. Lenient judges creating lenient precedents have allowed suits that would never have seen the light of a courtroom years ago. Explains Murphy: "The courts have nearly eliminated the so-called privity requirement. Under that doctrine, if I had a contract with you to perform a certain service and you did it defectively, the only one who could sue you was me."

But why bother suing parties who have every chance of escaping scot-free? After all, plaintiffs' attorneys are generally paid on a contingency basis—so they only make money when they win.

First and foremost in the minds of aggressive lawyers, however, is the notion of the "deep pocket." If you are unlucky enough to get into an automobile accident with an uninsured individual, you will have a hard time getting any compensation. So, you try to sue the automobile company. "What good is getting a determination that your client is injured and deserves compensation if there's no ability on the part of the defendant to compensate?" asks Richard Weingberger, senior litigation partner for Ballon, Stoll & Itzler, a large New York law firm.

Listen to John Townsend, a partner with Hughes Hubbard & Reed, one of the law firms that has helped defend Ford against allegations that its Pintos tend to catch fire in collisions. "In the Pinto cases, many of the accidents were just accidents involving drunk drivers," he explains. "But a lot of drunk drivers don't have more than $10,000 insurance. So, the plaintiff's lawyers goes after Ford."

Sometimes, of course, the defendant with the deepest pocket is truly responsible for the damages. But often enough, the deep pocket is brought in for a shot at big money. In fact, there are even legal consulting firms that advertise their skill at turning negligence lawsuits into product liability suits. And since some large companies are quick to settle (it can be much cheaper than paying attorneys contesting the case), this strategy frequently pays off.

What's more, if the lawyers can't push a deep pocket into making a settlement and the case does come before a jury, the plaintiff who has brought in one or more large defendants has a better chance of winning than a plaintiff who has sued a human being. "The jury finds it easier to find a large corporate defendant liable than an individual," says William Newlin, managing partner of Buchanan Ingersoll, a Pittsburgh law firm.

Think about it. Would your return $100 you found in the street if you knew who it belong to? What if you got the same $100 in change from a pay telephone? You would probably take the money faster from AT&T than from somebody who lost his wallet. Well, so would a jury.

Another reason for suing a number of parties is the statute of limitations. Time limits on bringing suits put pressure on plaintiffs' attorneys to make sure that they have gone after the right targets. "If you only have two years to file a lawsuit after the incident occurred, and you don't sue the right guy, then you're out of luck," says Murphy. "So, you sue everybody."

Unfortunately, while the practice of suing everyone in sight sometimes helps protect the plaintiff and almost always enriches his attorneys, it is done at the expense of society. Courts are crowded, and companies pass along their legal fees to customers. More wine on the table for lawyers and plain tap water for the rest of us.●

TIME CHANGES NOTHING

HON. ELDON RUDD

OF ARIZONIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. RUDD. Mr. Speaker, for the Soviet Union, time apparently changes nothing. Twenty-three years ago, the Soviets shot from the skies a high altitude RB-47 that was being flown by a six-man U.S. military crew.

John McKone, one of only two survivors, was captured by the Soviets and imprisoned by the KGB police. During one of his many interrogation sessions, he was told by one of the KGB leaders that the goal of the Soviets was to embrace Africa, South America, Central America, and Southeast Asia.

Today, the Soviets still are shooting airplanes out of the skies and today they still are pursuing the same goals.

I recommend to my colleages that they read the following article about the incident that appeared today in the Arizona Republic.

[From the Arizona Republic, Sept. 13, 1983]

'WE'RE DUMB,' SAYS PILOT SHOT DOWN BY RUSSIAN MIG JET

(By Pat Murphy, Editor)

John McKone has a distinction that he probably could just as well have foregone.

Retired two weeks ago from the U.S. Air Force as a colonel, McKone is one of the few Americans who has been shot out of the skies by a Russian Mig jet fighter plane who has lived to tell the story, unhappy as it is.

McKone and a fellow crewmen—Freeman Olmatead, who will retire next month from the Air Force as a colonel—were aboard a six-engine RB-47 recon jet when it was shot down on July 1, 1960, over the Barents Sea at least 50 miles off Northern Russia's territorial limits.

Four other crewmen perished and only one's body was found and returned to the United States.

Because of the high public interest in the downing of that Korean Air Lines Boeing 747 by the Russians, I tracked McKone to San Antonio, where he's preparing for a daughter's wedding, and chatted with him for nearly an hour about that episode 23 years ago and the possible parallels with the downing of the KAL jumbo jet.

The episode preoccupied two presidents [Eisenhower and Kennedy]. became the centerpiece of angry United Nations debate, resulted in direct negotiations between President Kennedy and Soviet leader Nikita Khrushchev, and finally a personal welcome home at the White House by Kennedy.

At 60, Col. McKone may have lost some of the anger about his own encounter with the Russians. But the downing of KAL flight 007 has only sharpened his acuity about Soviet style and strategy that he was to see up close as a prisoner of the Russian KGB secret police for 7 months.

McKone and other crewmen bailed out at 28,000 feet when Mig cannon fire knocked out engines and tore holes in the fuselage. They free-fell to 14,000 feet, where parachutes opened automatically.

Rescued from the frigid Artic water, McKone and fellow crewman Olmstead were hustled off to the KGB's, infamous Lubyanka prison in Moscow, where they would remain for 208 days, alternatingly interrogated by high-ranking KGB and Russian military officials, and locked in solitary confinement.

Interrogation lasted 4 to 5 hours at a stretch before they were allowed to sleep for 4 hours, and then subjected to another round of questions and demands that they sign "confessions."

Talking about this dark passage in his career resulted in McKone making these important points.

First, just as there seemed to be no purpose in shooting down McKone's RB-47 on that summer day 23 years ago, McKone saw utterly no reason for the Russians to have shot down the South Korean jetliner.

McKone, who spent a lot of his career flying high-altitude recon missions, never heard of any airline converting aircraft for spy missions—except, ironically, Russia's own Aeroflot airline.

And second, his principal interrogator was the head of the KGB, Alexander Shelepin, who in just a few years would be succeeded by another ice man named Yuri Andropov, who today is the leader of the Soviet Union.

Shelepin blurted out during one interrogation that McKone was naive—that the Soviet Union's plan was to ultimately embrace Africa, South America, Central America, Southeast Asia and to "Take everyone of those weak countries" before taking on Europe, Mexico and Canada.

With some disgust, and perhaps some resignation, John McKone looks back over the two decades since that conversation in a Soviet interrogation room in Moscow with the KGB's top cutthroat, and mutters the inevitable epitaph to the Free World's continuing failure in dealing with the Soviets.

"I'm amazed how dumb we are."●

LEO NAMEY—RECIPIENT OF GREATER WILKES-BARRE LABOR COUNCIL'S HUMANITARIAN OF THE YEAR AWARD

HON. FRANK HARRISON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. HARRISON. Mr. Speaker, on Tuesday evening, September 6, the Greater Wilkes-Barre Labor Council presented its second annual Humanitarian of the Year Award to a most deserving recipient.

This honor was extended to Leo Namey, who for the past 32 years served his Teamsters Union and the entire Wyoming Valley community.

Mr. Namey graduated from the Elmer Meyers High School in 1934 and immediately took a job as a breaker boy in the mines. Two years later, he became a member of the Teamsters after going to work for Acme Markets. He subsequently became shop steward and was appointed to the union's executive board in 1947. In 1950, he became vice president and business manager of local 401 and continued in that capacity until his retirement last year.

Leo's long-time friend and colleague, Ernest Milewski of the United Textile Workers, spoke at the annual Labor Day dinner and pointed out that the Humanitarian of the Year Award, unlike an Oscar, which recognizes a single performance, is given in recognition of the "endeavors and achievements of a lifetime." So it is, Mr. Speaker, and in Leo Namey it has a fitting recipient.

I am happy, Mr. Speaker, to be able to share this occasion with my friends and colleagues in the House and to express to Leo Namey my congratulations and best wishes for many, many more years of success, happiness, and dedication to the labor movement and to his fellow man.●

HONORING J. FRANKLIN SMITH

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. MURTHA. Mr. Speaker, it is my pleasure to join in honoring an outstanding citizen, and a good friend, Frank Smith.

I have known and worked with Frank for many years. In his position as president of the Pennsylvania Electric Co. we worked together on several legislative issues and community battles. Through our joint activities with the Boy Scouts of America, I saw firsthand the dedication and commitment Frank brought to these community challenges. And through his work with the Johnstown Area Regional Industries, we worked together in bringing jobs and industry into the community.

I have known few people with the personal dedication to excellence that Frank has. Maybe that dedication is well shown in his sports accomplishments at Penn State. Frank achieved nine varsity letters in three sports—an accomplishment which today is impossible. In fact, Frank probably would have had a professional baseball career if a knee injury had not affected him. Personally, from the standpoint of our community, I think we can be thankful for however that injury occurred.

But it is that same dedication Frank has brought to service. At Pennelec he was a leader in involving employees in the legislative process and working together with their government; he was an innovator in community development including original, successful campaigns in Johnstown, Lewistown, and Tyrone; once retired he volunteered his time to work with Labor and Industry For Energy, a group dedicated to America's energy future.

Having noted Frank's love of sports, maybe there is no clearer indication of his dedication than the fact that he never let a golf game interfere with his duty and commitment; although he loves the game, even in retirement it must come second to the job he has to do.

Soon, he will be national chairman of the American Heart Association, the highest lay volunteer job that a person can hold. The Heart Association could have no finer leader.

And it is a fitting group for Frank to serve with, for not only is the cause so important, but it symbolizes the heartfelt feelings of appreciation we have for Frank.

August 18 is J. Franklin Smith day in Johnstown. It is an honor most fitting and proper, and I certainly extend my best wishes to Frank on this most deserved of honors.●

BURTON S. BARR—1983 REPUBLICAN LEGISLATOR OF THE YEAR

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. STUMP. Mr. Speaker, the Honorable Burton S. Barr has been majority leader of the Arizona House of Representatives for 16 of his 19 years in that body. A man of boundless energy and good humor, Burt Barr has been a driving force in Arizona through the years the State has had to cope with incredible growth.

He is an acknowledged master of finding and persuasion on crucial votes. The result is a record that includes reorganization of Arizona government, the largest tax reduction in State history, enactment of a pioneering groundwater code, the Nation's only alternative to medicaid, and reform of education finance. In addition to these bills of statewide importance, in each session he has quietly and effectively moved legislation that touched the individual lives of tens of thousands of Arizonans.

In recognition of this outstanding public service the National Republican Legislators Association has chosen Burton Barr from a field of 3,000 as one of their 10 outstanding legislators of the year.

No one deserves this award more than Burton Barr. He is the kind of citizen legislator that makes democracy work.●

WHY PAC SUPPORTS SANCTIONS

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. LAGOMARSINO. Mr. Speaker, the situation in Poland remains tragic. While the Pope's visit brought hope to millions of Poles, positive, substantive measures have yet to be taken by the military junta to alleviate even the most minor problems facing that country.

Since the Yalta agreement, wherein the United States turned our backs on and sealed the fate of Eastern Europe, the people of Poland have suffered at the hands of continuous repressive regimes. Throughout this ordeal, the United States has pledged its moral and spiritual solidarity with those in Poland and elsewhere in Eastern Europe truly seeking the freedom which so many of us here in the United States take for granted. The

Reagan administration is now faced with a crucial decision as to whether the United States should lift sanctions currently in effect against the Warsaw regime, thereby ending our stated dissatisfaction with the present regime and the appalling conditions it has forced upon all Poles.

The repression, subjugation and eradication of human rights and basic human freedoms put into effect by the imposition of marital law on December 13, 1981, has entered a new phase. The Communist regime under General Jaruzelski claims that no state of war against the Polish people or the outlawed trade union, Solidarity, now exists. The suspension of martial law, they argue, has created a favorable climate whereby the West may now lift sanctions, resume trade, and extend credit to Warsaw.

The facts, however, clearly do not support the regime's claims, as eloquently pointed out in a letter from the officers of the Polish-American Congress which follows. I wholeheartedly endorse the PAC's position on this matter and wish to bring the letter to the attention of my colleagues.

WHY PAC SUPPORTS SANCTIONS

The key to the suspension of sanctions and subsequent measures to assist in Poland's economic recovery is actually in the hands of the government of the Polish People's Republic, namely, Gen. Jaruzelski.

The martial law imposed on December 13, 1981 has proved a complete failure. It did not resolve the critical problems of economic and social-political crisis which the country faced at that time. One year later the sullen nation regards the authorities with barely disguised hostility and disdain, while the country's economy continues its downward slide.

Suspension of martial law in Poland on December 31, 1982 represents a deceitful maneuver to project an image of apparent moderation and relaxation. In fact, the martial law has been replaced with a totalitarian system even more threatening and repressive. New laws enacted by Poland's rubber-stamp parliament assure the retention by the regime of total control of every aspect of people's lives.

Faced with the failure of repression Gen. Jaruzelski's junta has mounted a vigorous propaganda campaign in a transparent effort to project an image of apparent moderation and relaxation. Its objectives are two-fold. Internally, the regime tried to persuade the nation, exhausted and disillusioned by the year-long struggle, to surrender its aspirations to freedom and dignity and resign itself to unquestioned submission to Communist rule. Externally, the objective is to influence a favorable response in the Western countries to its critical need of new credits and the suspension of economic sanctions imposed by the United States.

Poland's current realities of totalitarian repression clearly contradict this deceitful campaign. In fact:

Lech Walesa remains under a virtual house arrest, deprived of freedoms of speech and travel, unable to respond to the expectations of millions of Poles who regard him as a symbol of their hopes, aspirations and demands.

Hundreds of released internees and others have been drafted into the specially created army units, which are tantamount to forced labor camps.

Several leaders of "Solidarity" and the former Social Self-Defence Committee known under its Polish acronym of KOR have been arrested, charged with treason and are awaiting trials.

Some 2 to 3 thousand people who were sentenced to long-term prison terms for membership in "Solidarity" and infractions against the quasi-legal martial law regulations remain incarcerated.

Under the so-called "parasite" law anyone considered by the authorities to pose a threat to public order can be sentenced by an administrative decision to a term of forced labor.

Further, in a throw-back to the fuedal system of long ago, workers are in essence bound to their jobs, since they cannot leave them, or change them, without the permission of relevant authorities.

Finally, with the denial of the freedoms of expression and assembly remaining in full force, the nation is effectively muzzled and subjected to the monopoly of the Party propaganda apparatus and its lies and distortions.

Thus, the inescapable conclusion is that the military junta led by Gen. Jaruzelski, with full support and encouragement of the Soviet Union, is determined to force the recalcitrant nation into total submission.

Suspension of the United States sanctions imposed against the martial law regime in Poland in December, 1981, would be contrary to the basic long-range interests of both countries.

These interests require full restoration of the Polish people's human and national rights and freedoms which were brutally suppressed by Gen. Jaruzelski's military junta.

Lifting of the U.S. sanctions at this time would in effect legitimize the junta's totalitarian regime.

To the regime it would signal our acquiescence in the policy of repression and thus encourage its continuation and escalation.

To the Polish people it would signal abandonment of our support for their determined struggle for their basic rights and freedoms.

Faced with these realities, the Polish American Congress supports retention of sanctions at their current level until tangible reforms are implemented to restore Polish people's rights in actual fact.

Contrary to its current policy, the government of the Polish People's Republic must respond in a positive manner to the demands of reforms of the country's political and economic systems before sanctions can be removed and normal economic relations reestablished with the democratic countries of the West.

Polish American Congress, Inc.; Aloysius A. Mazewski, *President;* Helen Zielinski, *Vice President;* Kazimierz Lukomski, *Vice President;* Harriet Bielanski, *Secretary;* Joseph A. Drobot, *Treasurer.*●

BACKMAN AND DENUCCI'S SPECIAL COMMISSION ON SOCIAL SECURITY DISABILITY

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. FRANK. Mr. Speaker, Members of the House are unfortunately very familiar with the sad history of the disability program in the past several years. Since 1981, this administration has presided over a callous purge of the social security disability roles. Many people have been involved in the effort to overturn these practices, and I hope that within a few weeks the Congress will enact legislation which puts an end to these abuses of the disabled. One group which has worked hard to change this tragic situation is the Special Commission on Social Security Disability established by the Legislature of Massachusetts in December 1982. That commission, chaired by State Senator Jack Backman and State Representative A. Joseph DeNucci has done a superb job. Not only have they done a great deal to document the unjustified harm being done to many needy people, they have gone beyond simply listing abuses to make very thoughtful recommedations as to how the system should be improved. I believe it would be very helpful for those Members who are concerned with the need to make drastic changes in the Reagan administration's approach to social security disability to be familar with the outlines of this special commission report.

The material follows:

EXECUTIVE SUMMARY

The Special Commission on Social Security Disability was established in December 1982, in response to hundreds of complaints that disabled individuals were suddenly losing their benefits under the Social Security Disability Income (SSDI) program.

Many persons claimed that they had been unfairly and illegally cut from the entitlement rolls after years of receiving SSDI benefits and despite serious, continuing impairments. Their allegations were buttressed by the following statistics:

SSA nearly quadrupled the number of cases reviewed annually from 2,700 in 1980 to more than 10,000 in 1982.

Over 40 percent of the cases reviewed were terminated.

Judges were overturning 70 percent of the terminations appealed to them. * * *

THE INVESTIGATION

In October 1982, Sen. Jack H. Backman and Rep. A. Joseph DeNucci, co-chairs of the Committee on Human Services and Elderly Affairs, filed legislation calling for a special commission to investigate the complaints and allegations. The legislation was signed into law on December 20, 1982 * * * Eleven members were quickly appointed with Sen. Backman and Rep. DeNucci as chairpersons.

The Special Commission on Social Security Disability met on February 9, 1983 and conducted 10 more public hearings and executive sessions.

Throughout the investigation, a clear picture emerged of a state agency, MRC (Massachussetts Rehabilitation Commission) that implemented federal program guidelines without challenging their legality or their effect on the disabled. Furthermore, the SSDI program as administered by MRC and the Disability Determination Service, was experiencing serious administrative difficulties. Many were related to federal constraints, such as inadequate funding to hire sufficient staff, but there were problems that could have been dealt with by MRC, such as stricter supervision over medical consultants.

Testimony was presented by hundreds of witnesses, including many disabled persons, well-organized by the Ad Hoc Committee on Social Security Disability and Stop Abuse of the Disabled (SAD). Their testimony centered on improper procedures and practices. For example, one woman testified that her benefits were terminated despite 12 recent operations on her stomach, hand, neck and back. Another young man born with cerebral palsy testified that he was examined by a MRC-contracted physician who totally ignored this medical history. Another person who had an artificial leg and an abscessed lung lost his benefits while he was in the hospital. Most persons charged that the DDS was making only cursory attempts to determine if their disabilities still existed.

FEDERAL CHANGES ANOTHER ISSUE

Other testimony blamed the Social Security Administration and the Reagan Administration for improperly carrying out a Congressional mandate to increase disability reviews.

The Congress was responding to General Accounting Office studies in 1976 and 1979 that as many as 20 percent of the SSDI recipients were ineligible but undetected due to too infrequent reviewing. In 1980, Congress ordered SSA to review all persons with non-permanent disabilities at least once every three years. Increased reviews were to start in January 1982.

The new administration which took office in January 1981, however, chose to begin increased reviews nine months earlier, in March 1981. As a result, state agencies were ill-prepared for the flood of cases that came down upon them, as was recently admitted by Secretary of Health and Human Services Margaret Heckler at a press conference on June 7, 1983. It was this increased pressure to review cases quickly, charge many critics, that resulted in sloppy processing and an inability to obtain the medical evidence needed to corroborate the existence of a disability. Changes in eligibility requirements, as written by the Social Security Administration, resulted in cases being reviewed under harsher guidelines than were in place at the time of the original disability determination.

This was especially true in Massachusetts where a study performed by Greater Boston Legal Services even before the new reviews took place showed a substantial number of examples of failure to investigate claims thoroughly, or monitor medical exams, and a staff that was understaffed and overworked.

VIOLATION OF FEDERAL LAWS

Even more compelling than the picture of an agency unable to cope with an increased caseload, however, was testimony that the Social Security Administration, and subsequently the Mass. Rehabilitation Commission, were not following the rule of law as pronounced by the U.S. courts in the First Circuit.

In Massachusetts, for example, a major decision was handed down by the First Circuit Court of Appeals in the 1975 case of *Miranda* v. *the Secretary of HEW* (514 F.2d 996, C.C.A.1) which cited medical improvement as one of the few criteria for denying continued SSDI eligibility (Appendix B). Instead of following *Miranda*, however, the SSA was ordering states to conduct an essentially new disability determination for each recipient.

Since the Administrative Law Judges have been overturning 70% of MRC denials, it can be assumed that they concluded that Social Security guidelines as interpreted by Mass. Rehab. illegally deprived recipients of their benefits.

KEY FINDINGS

Based on these facts and allegations, the Special Commission identified five specific areas of investigation: procedures, medical practices, caseworker issues, federal versus state responsibilities and impact on individuals. Public testimony was heard in each of the five areas. Claims were further investigated by the Special Commission staff. The following are the Special Commission on Social Security Disability's findings:

FEDERAL VERSUS STATE ISSUES

The Massachusetts Rehabilitation Commission continued to follow Social Security Administration regulations even after being informed about the considerable likelihood that they differed from federal law.

As early as 1975, various court rulings ordered different, and often more humane, interpretations of social security law than were being practiced by the Social Security Administration. The SSA has often adopted a position of non-acquiesence instead of implementing them into its guidelines. This meant that SSA stated in formal rulings that a decision in one court district was not to be implemented nationwide. MRC took no action to contest this posture.

In a recent California court case, the court ruled against SSA's policy of non-acquiesence.

The federal agency and, subsequently the States, have taken an overly narrow and punitive attitude towards disability.

The Special Commission finds that it is unreasonable and simplistic to assume that, because a disability has lessened in severity, the person will be able to return to, or even find, suitable employment. In other instances, the agency has wrongfully assumed an impairment is less debilitating than it is.

Many of the problems being experienced in Massachusetts must be resolved on the federal level.

Serious reform is needed at the Federal level both by the Congress and by SSA. Necessary changes have been identified and include: requiring face-to-face interviews with an examiner; requiring medical improvement for CDI cases; discontinuance of SSA's policy of "non-acquiesence" with court rulings; requiring all rules of and changes to the program to be subject to the public review and comment process; continuation of benefits through ALJ appeal; more realistic standards and methods for assessing vocational capability; a moratorium on all mental impairments cases pending development of new more realistic assessments; sufficient staffing and reasonable case processing workloads.

MEDICAL ISSUES

The judgments of claimants' personal physicians are either ignored or insufficiently solicited.

This is evidenced by use of contracted doctors in more than 40% of all CDI cases. Expecting a doctor to ascertain a claimant's full disability in 45 minutes or less, as opposed to the personal physician's long-term knowledge of the claimant, is unreasonable.

Consulting physicians are insufficiently monitored and are performing only cursory examinations.

Consulting physicians have no incentive to perform a comprehensive, detailed examination; they are paid on a per case basis. These doctors often do not receive case histories of claimants before the examination. At least three doctors last year received close to $100,000 in fees for exams; one of them was cited often during testimony as performing very superficial examinations. Mass. Rehab's monitoring of consumer dissatisfaction basically consists of sending post-exam questionnaires to 10% of the claimants or by responding to complaints.

Staff physicians, who have been responsible for final sign-off on all disability determinations, are processing too many cases to make fair decisions.

Last year, the DDS processed 57,000 cases. Yet only the equivalent of 20 full-time staff physicians must study the lengthy case records, order consultative examinations, and answer technical questions from case examiners with limited medical background. This means, on average, assuming no work breaks of any sort during a working day, that staff physicians and psychiatrists spend less than three-quarters of an hour total on each case that they process.

The Social Security Administration regulations take an exceptionally rigid and unrealistic approach to psychiatric standards.

As was learned from the *Minnesota* case, state disability determination services were instructed to require that psychiatrically disabled individuals meet one of the permanent listings of impairments to qualify for benefits. Other disabilities, however, that fail to meet the listings are further checked for residual functioning capacity, i.e. ability to perform work. Younger psychiatrically-impaired individuals particularly suffer from this procedure.

PROCEDURES ISSUES

The SSDI review system is geared towards proving a claimant is not disabled, instead of proving he or she is.

Considering that all recipients have previously gone through a lengthy and comprehensive disability determination to be initially accepted for SSDI, examiners and physicians should begin with a stronger presumption of disability. Instead, the Special Commission has heard evidence that caseworkers do too little to accumulate the information needed to prove disabilities exist. This can be a result of short processing times, lack of training, case overloads, or lack of sensitivity to the disabled person's problems.

Staff physicians and claims examiners unfairly make decisions without ever seeing the claimant.

Currently, the only person the claimant sees during the entire review process is an official in the Social Security district office. The person has no involvement in the actual disability determination. As a result of legislation enacted this year that also continued as SSDI claimant's benefits through appeal, claimants will be eligible to

meet with a federal SSA staffperson, but only after a decision to cease their benefits has been made, and still not with the decisionmaker. There will be only four such SSA workers for the entire Commonwealth of Massachusetts.

The complexity of the process has traditionally been poorly explained to claimants.

This problem has lessened somewhat because of the publicity afforded to the issue, but Mass. Rehab. must do more to improve its information dissemination and to involve the advocacy network in providing information to claimants.

The Disability Determination Service did not provide sufficient interplay with the vocational rehabilitation component provided through the Mass. Rehabilitation Commission.

The Special Commission learned that, upon occasion, a recipient was no longer considered too disabled for work by the DDS, but upon applying for vocational rehabilitation at another unit of MRC, was considered too disabled to be a suitable work prospect. Similarly, the Special Commission did not find sufficient communication between the two units when referring a ceased claimant. A more elaborate referral program has since been established.

Processing times for staff to complete each step of the disability determination process are based on quantity, not quality.

Workers are expected to process a claim in a limited amount of time, but gathering necessary information may require a lengthy effort. For example, when a claimant's personal physician is unable to examine the client or file a report in the brief time available, the client may be sent to a consulting doctor. The result is greater expense to the state and the possibility of a less thorough examination.

In the past, the DDS has relied too heavily on federal program structures and procedures.

The DDS must take a closer view of its own procedures and how they might be improved to better serve the disabled in the Commonwealth.

IMPACT ON INDIVIDUALS AND OTHER AGENCIES

Despite their eventual return to benefits following appeals to Administrative Law Judges, people's lives are unfairly and unnecessarily disrupted by this process.

Claimants whose benefits have been ceased must go through a lengthy appeal process, as long as 12 months or more during which they lose medical benefits. They also must pay for a lawyer and legal expenses. A temporary federal policy allows claimants to continue receiving benefits through appeal to an ALJ, but that opportunity is scheduled to end in October 1983. Even more serious is the emotional cost of this lengthy process, especially for persons who must daily deal with the difficulties of a disability.

The SSDI system for cessation does not take into account the difficulty of returning to the work force after several years, nor such other factors as high unemployment and job discrimination.

Considering the nation's high unemployment rate and subtle biases against hiring the disabled, other factors must be considered.

Due to SSDI terminations, state agencies such as the Departments of Public Welfare and Mental Health, and the vocational rehabilitation component of the Mass. Rehabilitation Commission, are experiencing increased costs, workloads and applications for services.

Recipients who are thrown off the federal SSDI rolls often apply for state-funded programs. At present, however, the agencies and the Executive Office of Human Services are not gathering sufficient data to determine the exact magnitude of the problem.

CASEWORKER ISSUES

Heavy caseloads and short processing times are resulting in insufficiently developed cases.

Restrictive and narrow disability guidelines require extensive case development to prove the existence of a disability. The necessary time for development is not available.

Caseworkers are undertrained and not always sufficiently experienced to handle the complexity of CDI (Continuing Disability Investigations) cases.

New claims examiners begin working with initial claims cases, and then can graduate to performing CDIs. Although the number of case examiners was recently increased by 60 (to a total of 135) to handle this increased case review, these new workers were adequately prepared only for initial cases. Many inexperienced examiners were prematurely graduated into CDI reviews.

Caseworkers need increased sensitivity training in dealing with claimants.

Many persons testified that they were rudely treated and received inappropriate phone calls from case examiners and other staff at the DDS. Workers in contact with the disabled public should be fully aware of the need for additional sensitivity.

RECOMMENDATIONS

The Special Commission on Social Security Disability worked closely with the Massachusetts Executive Office of Human Services to design procedures for determining continuing eligibility for SSDI which would conform to federal laws. In April 1983, the Massachusetts Rehabilitation Commission implemented a series of precise criteria that must be met before recommending cessation of a client's benefits. According to these criteria, a person cannot lose benefits unless he or she has returned to work; improved enough to return to work; received training or medical treatment that makes it possible to return to work; or was incorrectly judged disabled and has the necessary vocational skills to return to work. (See Appendix H.)

The Special Commission also urged the Commonwealth to become a plaintiff in a class action suit brought by Greater Boston Legal Services. The lawsuit would more sharply delineate the standards by which an SSDI recipient's benefits could be ceased. The Department of Health and Human Services has asked the state to drop its participation in the suit in exchange for a pilot project in Massachusetts incorporating many of the Special Commission's other recommendations. These negotiations are not yet final, but the lawsuit would be continued by the Greater Boston Legal Services in any event.

Finally, in its deliberations, the Special Commission on Social Security Disability identified more than 50 procedural problems that can be corrected by the state. Most of these recommendations have been accepted formally by the Massachusetts Rehabilitation Commission and are being implemented (Appendix C). They include, for example:

A review of all forms and other written material sent to claimants;

An independent physician selection board;

Maximum caseload sizes; and

Re-establishment of a specialized CDI unit. . . .●

GOLDEN WEDDING ANNIVERSARY OF JOHN AND JOSEPHINE THOMAS

HON. FRANK HARRISON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. HARRISON. Mr. Speaker, on Saturday evening, September 3, two wonderful people celebrated a very happy event.

John and Josephine Thomas marked their golden wedding anniverary at a party with their many friends. Among them was Danny Thomas, nationally known entertainer and founder of the St. Jude Children's Research Hospital. John J. Thomas serves on the board of that hospital with his friend, Danny Thomas, and it was a fitting and a happy occasion that brought them together in the ballroom of the Woodlands, an inn, to commemorate 50 joyous years and to look forward to many, many more years of family life and community service.

The world would be a better place, Mr. Speaker, if there were more people like Danny Thomas and more people like John and Josephine Thomas. It is my privilege to salute them on this occasion and to share their happiness with my friends and colleagues in the House.●

SPENDING CUTS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, September 14, 1983 into the CONGRESSIONAL RECORD:

SPENDING CUTS

Every member of Congress is keenly aware of the desire of his constituents to cut unnecessary federal spending. Cutting spending is a constant theme in Hoosiers' letters and remarks to me. In 1980, President Reagan was elected in large part because he persuaded voters that he would impose rigorous discipline on the federal budget. The problem for the President and members of Congress has always been the hard time the voters have identifying what items in the budget to cut. According to the polls, most voters favor cuts in spending for foreign aid and welfare, but in 1982 these programs together up only 2 percent of the budget. In almost every other area, including defense, social security, education, and health care, most voters favor increases in spending.

During the last three years, the President and Congress have wrestled with the issues of what and how much to cut. The President's proposals have been adopted with only minor amendments. The results of the work of the President and Congress are now clear, and a comprehensive assessment of them is possible. The Congressional Budget

Office's new report on the spending cuts matches spending for 1982 through 1985 as it would have been under the 1981 laws against what it is scheduled to be under the 1983 laws. Analytically speaking, this approach is the best one to take because it gives the sharpest picture of what will take place. At botton, it shows that spending for human services for 1982 through 1985 will be $110.1 billion less than it would have been otherwise. This represents a cut of 7 percent overall in the human services budget. When considered together with the massive military buildup recommended and partly achieved by the President, these figures imply that there has been a strong shift in federal budget priorities.

The $110.1-billion cut will hit virtually every part of the human services budget. Retirement and disability programs (social security, civil service retirement, veterans' pensions and compensation, and supplemental security income) will lose $25.8 billion. A total of $27.1 billion will be trimmed from other income security programs (unemployment insurance, welfare, food stamps, child and maternal nutrition, housing aid, and home heating assistance). Health care programs (medicare, medicaid, and other health care services) will be reduced by $18.5 billion. A total of $25 billion will be cut from employment and training programs (general employment and training, job corps, public service employment, and work incentives). Social service programs (social services block grant, community services block grant, and veterans' readjustment benefits) will lose $4.6 billion. A sum of $9.1 billion will be removed from education programs (compensatory and vocational education, head start, guaranteed student loans, and other student aid).

It is evident from these figures that some human services programs will be hit much harder than others. In terms of percentage, the hardest hit will be public service employment (down 99 percent), community services block grant (down 39 percent), general employment and training (down 35 percent), work incentives (down 33 percent), and child nutrition (down 28 percent). It should be noted that during a time of recession, stagnation, and economic change, employment and training programs as a group will suffer most under the budget cutter's knife.

That the cuts will have a direct and adverse impact on people cannot be denied. Some 325,000 families will lose welfare benefits, and the same number of families will have their benefits reduced. About 1,000,000 people will become ineligible for food stamps. Some 600,000 people will receive guaranteed loans. Some 3,000,000 children will end their participation in the school lunch program. About 700,000 fewer students will receive guaranteed loans. Some 600,000 people will see their public service jobs taken away. Such figures take on an even greater significance when one realizes that the high unemployed of recent years normally would increase the number of people dependent on these programs.

It is clear from the report that the poor will bear the brunt of the cuts, the largest of which will be made in "means-tested" programs (those open only to people who have low incomes). About 40 percent of the savings will come out of benefits paid to households with annual incomes of $10,000 or less. Also, the average cut in benefits per household will be greatest for those whose annual income was $10,000 or less. This approach is in line with the President's philosophy of welfare, which holds that because welfare encourages dependence, the cuts must fall on poor people who are working or are able to work.

My guess is that this report will become one of the key documents of the political debate in 1984. Not much is likely to happen in Congress in the coming months to alter the terms of the debate. The report goes quite directly to one of the major issues: Has the President's approach to spending control been fair to all, or has it focused only on the programs which benefit the politically weak while leaving essentially intact the programs which benefit the politically powerful?

While every reasonable effort to cut excess federal spending must be supported, the experience of the last three years only shows how hard it will be to get additional cuts of sufficient size to reduce the $200-billion deficit. As we survey the major categories of domestic spending, we see that there is not much room to move. Domestic budgets either have been cut deeply already (employment and training), cannot be cut except at the margins (social security), or cannot be cut at all (interest on the debt). Many domestic budgets are too small on balance to make much difference. In 1982, for example, budgets for science, general government, energy, community development, justice, revenue sharing, and commerce ranged from $3.9 billion to $7.2 billion. Not one exceeded 1 percent of the total budget. Modest savings may be made in transportation, natural resources, and agriculture programs, whose larger budgets ranged from $12.9 billion to $20.6 billion in 1982, but savings of the magnitude necessary to reduce a deficit of $200 billion will not be found.●

STATEMENT TO THE NEW ENGLAND MEETING OF PARENTS WITHOUT PARTNERS

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. MARKEY. Mr. Speaker, under leave to extend my remarks in the RECORD I include the following:

STATEMENT TO THE NEW ENGLAND MEETING OF PARENTS WITHOUT PARTNERS

The English essayist Sir Francis Bacon wrote: "The joys of parents are secret, and so are their griefs and fears." I am sure you understand the truthfulness of this statement better than I do, for it is a statement worth considering. All of you face the great challenge of parenthood alone, and must face the joys and griefs and fears alone. But just because you are a single parent does not mean that you must be without support from society. I know that many of you are concerned that the federal government does not give you, as single parents, adequate support. I agree with your assessment, and would like to address some of the measures I support which would help parents like you face the great challenge, joys and griefs of parenthood.

If one steps back and examines the whole picture of single parents today, economic hardship dominates the picture. In 1979, 47 percent of single parents received some form of direct welfare payments from the Aid to Families with Dependent Children program. Nearly half of female single parents are living at or below the poverty level. To add one more depressing statistic: the median income for single female parents fell in 1982 from 1981, down to $8,950. That median income level does not compare favorably with the poverty level of $8,220 for a family of 3 or a poverty level of $9,900 for a family of four. Clearly, being a single parent today means doing battle with your checkbook and worrying about where money will come for unforeseen medical expenses, or for a nice vacation for your children and you.

What can the federal government do about this situation? Aside from a full and robust economic recovery, which I fervently hope we will see despite the policies of Ronald Reagan, there are several actions the government could take to make the life of a single parent a little easier. I should add here that even if there is a recovery, I am concerned that the President will declare his economic policies a victory when unemployment gets "down" to 8 percent and many people, especially, history will tell us, women and poor people, will still be out of work. Given this state of affairs, we should not sit and wait for a recovery in the economy which may not help all single parents, but instead we should support programs which make sense to all Americans concerned about fairness and the citizens of tomorrow.

One of these programs should be tough enforcement of child support. Statistics on child support compliance shock anyone who has respect for the law. In 1981, $3.8 billion of child support was not paid. That figure represents about 40 percent of the child support payments due. For once I agree with the President: there are a lot of deadbeats out there and it is time we make them pay up. The problem with Ronald Reagan is that his idea to get better enforcement is to give less money to the state offices which enforce child support payments. There are several proposals in Congress which would force states to get tough against those who flaunt the law and refuse to pay child support. Let me assure you that I support these measures and hope they become law before any more parents go without money they and their children need.

Another issue which should be of interest to all parents is child care facilities. We need to realize that our society today is much different than it was when you and I were growing up. To reflect the change in lifestyles, we need to recognize that new and different social support systems are needed. For instance, more child care facilities after school are needed. In addition, we need to expand the tax credit to insure parents are not bankrupted by providing adequate child care for their children. Furthermore, there is a need for extensive pre-school child care facilities and this need must be met. On the whole there is a need for the federal government to encourage and promote quality child care at all levels.

Let me also commend your group for providing a support network for single parents. I know how helpful it is to talk about one's problems; I have ample opportunity on the floor of the House of Representatives to do just that. I encourage you to communicate your needs and beliefs to your Congressman. You should know that there are so many issues facing Congressman that we need letters and phone calls to focus our attention on important concerns like the ones I have addressed here.

You all have, in my mind, one of the toughest and most important jobs on earth—raising children. For what tomorrow

looks like will be greatly affected by the job you do as parents. You should not be left alone in this effort, and you should not be blocked by a passive federal government. The issues I raised today—child support enforcement and child daycare facilities—are but two examples of areas which demand more federal involvement. I support your effort to focus attention on your concerns and hope the government takes action which enables parents like you face the joys, fears and griefs of parenthood knowing that you have a helping hand.●

JEROME M. ROSOW PROVIDES EXCELLENT OVERVIEW OF PAY AND COMPENSATION FOR FEDERAL EMPLOYEES

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Ms. OAKAR. Mr. Speaker, the September 2, 1983, edition of the Washington Post carried an op-ed article written by Jerome M. Rosow, chairman of the Advisory Committee on Federal Pay. The article is entitled, "Stop Exaggerating Federal Pay," and it provides an excellent overview of the whole area of pay and compensation for Federal employees.

As chair of the subcommittee with jurisdiction over these issues, I want to call Mr. Rosow's column to the attention of my colleagues. At a time when we will be considering serious questions involving Federal pay and benefits, I commend this as very worthwhile reading. The article follows:

[From the Washington Post, Sept. 2, 1983]

STOP EXAGGERATING FEDERAL PAY

(By Jerome M. Rosow)

A broadside attack on what is essentially deferred compensation cannot be considered either equitable or fair at a time when federal pay lags the private sector by about 20 percent.

Relentless attacks on federal compensation have served to lower both the morale and productivity of federal employees.

Any objective review of the past decade reveals that the pay system has been repressed, while pension costs have greatly increased. It is clear that we must restore balance among both current and deferred compensation and security in the compensation system. But it is neither fair nor practical to suggest, as some have, that at a time when federal white-collar pay averages about 22 percent below prevailing private levels, balance should be restored by major cuts in the pension plan.

Since 1962, the federal pay system has been based on the principle of comparability with prevailing private-sector salary levels. It was reinforced with the passage of the Federal Pay Comparability Act of 1970.

When President Ford established the Rockefeller Panel on Federal Compensation in 1975 to critique the entire pay-setting method, it concluded that "the principle of comparability with the private sector has proved to be a sound and effective basis for setting Federal pay rates." The comptroller general's office and the Congressional Budget Office have also conducted reviews, with similar conclusions.

The Advisory Committee on Federal Pay has itself repeatedly evaluated the system. We compared the federal paysetting method to other mechanisms, and it is clear that the current approach saves money. If, for example, the consumer price index had been the basis for adjusting pay, pay packages for federal white-collar workers would have been $9.5 billion higher in fiscal 1983. And if increases had tracked the increases the Postal Service won through collective bargaining, $22 billion would have been added to the payroll. Nevertheless, critics continue to exaggerate the pay itself by using inappropriate comparisons.

Inevitably, these criticisms have been reinforced by ballooning federal deficits, which are really separate and apart from the question of federal pay. Budgetary considerations persuaded Presidents Nixons, Ford, Carter and Reagan to adopt alternative pay plans, which reduced the pay adjustment in seven of the past 13 years. Now, under budgetary duress, President Reagan has recommended a 3.5 percent increase in federal pay to be effective in January 1984. Based on an annualized calculation, this is 2.6 percent pay adjustment, or about 10 percent of the increase required under this year's comparability figures.

While the salaries of white collar workers have lagged over the last six years, pension costs have forged ahead. Three interrelated factors were responsible for this imbalance (1) the pay catch-up that took place in the late 1960s raised salaries, which then became the basis for pensions in the 1970s; (2) the pension formula was changed to base benefits on the three highest salary years instead of the five highest salary years; and (3) a cost-of-living escalator was adopted to keep pension benefits in line with the rate of inflation. These three factors were compounded by double-digit inflation in the 1970s.

Federal pensions have been a mainstay of the total compensation package, serving to attract and retain valuable people through the promise of earlier retirement and benefits that were protected against inflation. The pension promise was well worth sacrifice. It was worth a 7 percent employee contribution when most private plans were—and still are—noncontributory (except for Social Security); it was worth pay disappointments; it was even worth enduring the public's scathing comments on the bureaucracy. If in certain years the pay was lower than pay in the private sector, the pension compensated.

Pension policy has also provided a safety valve. The early retirement provisions of the pension plan have opened an exit for long-service (30 years), relatively young (age 55) career people, thus encouraging a system of turnover and promotion from within. This voluntary turnover compensates for the other rigidities inherent in Civil Service employment and prevents the petrification of the system. New pension proposals could undermine the flexibility of the system by extending required working life 10 years to age 65.

Pensions need reform and reshaping in a meaningful, reasonable way. Integration with the Social Security system, a review of retirement age and a modification of the cost-of-living escalator all are worthy of consideration. But any changes should be accomplished gradually, without shaking the confidence of federal workers and their families. A broadside attack on what is essentially deferred compensation cannot be considered either equitable or fair at a time when federal pay lags the private sector by about 20 percent and the entire pay system is undergoing a crisis of confidence.

A word about productivity. Although the general impression of taxpayers and political leaders is that the performance of federal employees is poor, the productivity of these workers increased an average of 1.5 percent per year between 1967 and 1981—almost double the national (nonfarm) average gain of eight-tenths of a percent per year. With federal civilian employment (including Postal Service) flat at 2.7 million since 1970, and a federal budget that has jumped almost four-fold during the same period, payroll expenditures have declined from 5.1 percent of the GNP to 3.2 percent. The record is remarkable and does not reflect any proportionate growth in personnel costs that could be traced to widespread inflation of pay levels.

On all three counts—pay, pension and performance—federal employees deserve the consideration of the American people. Although it is desirable to continue to improve the federal compensation system, we must beware of "reforms" that would have the effect of undermining this system and destroying its viability. In the final analysis, the federal government requires career employees of uncommon ability to serve the national interest—and it depends upon fair, equitable and attractive compensation programs to attract and retain people of this caliber in public service.●

BAN COP KILLER BULLETS

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. PORTER. Mr. Speaker, I would like to call my colleagues attention to a recent column in the Chicago Sun-Times by Mike Royko titled "Gun Lobby Hazardous to Policeman's Lives."

In this excellent column Royko expresses his support for efforts to ban teflon-coated, cop killer bullets. Although nearly half the Nation's police now wear bulletproof vests, they are still vulnerable to these penetrating bullets.

I urge my colleagues to read this column, and to work for the passage of H.R. 953 which will ban cop killer bullets.

GUN LOBBY HAZARDOUS TO POLICEMEN'S LIVES

(By Mike Royko)

It appears that the National Rifle Association is in favor of policemen being shot.

The NRA will be furious at the thought that they want policemen shot—or at least are indifferent to the possible carnage—but I can't see how any other conclusion can be drawn from their position on the superhard bullet.

This bullet, as you may have read, is the one that's so hard it easily pierces the Kevlar vests that many policeman are now wearing.

These vests have been credited with saving the lives of at least 400 cops who

were hit with ordinary bullets. Had these cops been hit with the Teflon-coated, superhard slug, there would have been 400 funerals.

For a long time, some congressmen who don't fear the mighty pro-gun lobby have been trying to get these bullets banned.

But the National Rifle Association is against this bill and has been putting its potent pressure on less courageous congressmen.

The NRA likes to portray itself as a sensible organization. It spreads ads for itself all over magazines—especially those directed at teenagers. It talks about how it is in favor of responsible gun ownership and responsible behavior.

At the same time, it fights with teeth bared against a law that would ban a bullet that has no other purpose than to blow away a human being.

These bullets aren't used in hunting, target-shooting or any other sporting activity—unless you consider zapping a cop to be jolly good sport.

Why, you ask, would an allegedly responsible, sensible organization take such a daffy position?

The answer is simple enough: The NRA's responsible posture is a phony. The NRA is against any kind of laws that provide any kind of restrictions on the ownership, sale and manufacturing of guns and ammunition.

If the NRA had its way, you would be able to buy guns and ammo in your corner liquor store. And you wouldn't have to register them or even leave your name with the clerk.

It's against any and all gun laws and it does all it can to intimidate congressmen, state legislators, local councilmen and any other politicians who don't share its views.

So it shouldn't be a surprise to anyone that the NRA is fighting against banning the superhard bullet.

It's no surprise to Rep. Mario Biaggi (D-N.Y.), an ex-cop who sponsored the bill in the House.

"There's no real, rational reason why the NRA is opposing this bill," Biaggi told us. "They're just paranoiac. They go crazy if they think someone is trying to encroach on their preserve of munitions or guns.

"They've tried real hard to defuse the issue with false statements. For example, they say the bill will affect hunters and sportsmen. That's nonsense. We're talking about handguns with barrels no longer than five inches. It should be clear we're trying to protect the law enforcement people—many of whom believe they'll be protected by wearing bulletproof vests.

"Then they say the bullets are only sold to police. That's clearly untrue. Time and time again it's been proven than just about anyone can go into a gun shop and buy these bullets right off the counter.

"They also say that the thieves and felons are using these bullets because we've publicized them.

"Now, that argument would be all right if you were talking to a naive high school kid. But I was on the police force for 23 years and I can tell you this: the felons know what's out there before the members of the police department do.

"All of the NRA arguments are just silly.

"The irony of this whole thing is that, while we wait for this legislation, the criminals are getting smarter. They're wearing bulletproof vests. Police use their traditional bullets and the felons are protected with these vests. But cops aren't protected against the felons using the killer bullets."

This is the fourth time that Biaggi has introduced a bill to ban the vest-piercers. Each time, the NRA had its loyal, gun-loving members put heat on their congressmen. And each time the bill died in committee.

But this time Biaggi thinks he can get the bill passed, once some studies are made that define what an armor-piercing bullet is.

You see, the NRA says that there is absolutely no way such a definition can be made. It argues that if you ban this bullet, all other bullets might be banned.

That's about as bright as saying that if you ban opium, which is a mood-altering, habit-forming substance, you will inevitably wind up also banning bottles of Lafitte Rothschild, 1959, because it, too, can be a mood-altering, habit-forming substance.

So I'm sure the agencies making these tests and drawing up guidelines will be able to come up with a satisfactory definition that can be written into the law:

No handgun ammunition can be sold if it can pierce anything as hard and thick as a police vest—or the thick skull of a National Rifle Association official.●

ALABAMA LABOR LEADER TO RETIRE

HON. BEN ERDREICH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. ERDREICH. Mr. Speaker, the passing of Labor Day brought with it the announcement that a dedicated and respected supporter and fighter for the rights of working men and women in Alabama will retire from office.

Barney Weeks has served for 26 years as president of the Alabama Labor Council. Weeks' ascent to the position of Alabama's top organized labor official began in 1936 with his employment as a printer with the Montgomery Advertiser. Shortly after that, he became president of his printers' local union. He was first elected president of the Alabama Labor Council in 1957, and has been a strong voice on behalf of Alabama's working men and women ever since.

The high esteem in which Barney Weeks is held by all who know him is testament to his integrity and his dedication to the people he has so ably served.

Barney Weeks has been a guiding force in securing fair wages and raising the standard of living of the working men and women of Alabama. His wisdom and leadership will be sorely missed.

The texts of editorials which appeared in both The Birmingham News and Birmingham Post-Herald, highlighting and praising the accomplishments of Barney Weeks, follow:

[From the Birmingham News, Aug. 21, 1983]

WEEKS TO RETIRE

Barney Weeks has served the AFL-CIO's Labor Council as its president for so long, he has become almost a fixture. Needless to say, he will be greatly missed by the union community as well as by office holders who have relied on his knowledge and sentiments regarding labor legislation.

Few men in recent times have worked as faithfully and as unflaggingly for union goals as has Weeks. His service as labor council president alone spans 26 years.

While he never left one in doubt as to who he represented, he has also been very much the gentleman in his dealings with those from other sectors. He has always had time to discuss issues with journalists, both at the capital and here in Birmingham. And while The News frequently disagreed with him on issues, it has always respected his integrity, forthrightness and dedication to his mission.

Still a vigorous and dedicated advocate of union causes at age 70, Weeks undoubtedly has earned retirement and the free time to spend with his wife and family and to pursue interests for which he had no time in the past. One can only wish him well, as he winds up his official business and in the more tranquil days ahead.

[From the Birmingham Post-Herald, Aug. 19, 1983]

BARNEY WEEKS STEPS DOWN

In his low-key way, Barney Weeks, president of the Alabama Labor Council, has been a political power in this state for 25 years.

He hasn't always won in his struggles to get what he considered necessary for the well-being of the union members he represents, although he has had his share of victories.

But he has earned the personal respect of most who have had dealings with him, whether they agree or disagree with his stands. He is a tough, honest advocate for organized labor. But one who knows that there are times when political compromises must be made.

Week's tenure as the state's top organized labor official—which will end with his retirement in October—has not been an easy one.

During the 1960s, he had to walk a tightrope between the union movement's support of civil rights and the large number of union members here in Alabama who dissented from that position. But he persevered, kept the organization together and eventually won acceptance by most members for the views he espoused.

Weeks decided not to seek re-election as council president so he can spend more time with his wife, who is in poor health. But even without the personal reasons, Barney Weeks has earned the right to enjoy retirement. He has labored long and hard for the people he represents.

We wish him only the best as he enters retirement.●

WILKES-BARRE WINS BATTLE OF CITIES

HON. FRANK HARRISON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. HARRISON. Mr. Speaker, one of the highlights of the Jerry Lewis Telethon, as carried in northeastern Pennsylvania by WNEP TV, channel

16, was the "Showdown at Sundown," a series of sporting events designed as a competition between the officials and employees of the cities of Wilkes-Barre and Scranton.

I am happy but, of course, not surprised to report that the Wilkes-Barre "Killer Bees" were victorious.

The "Battle of the Cities" went on, quite literally, until sunup. Events were conducted in both Wilkes-Barre and Scranton, with a climatic "showdown," a tug-of-war which brought the two cities together on a neutral battlefield—the grounds of channel 16. There, in less than 2 minutes flat, the Killer Bees won the final and decisive event.

Apart from the fun and the sportsmanship, of course, these events contributed significantly to the success of the telethon in northeastern Pennsylvania. More than $30 million was raised for "Jerry's kids" and the exhausting all night effort of the men and women of both the Wilkes-Barre and Scranton teams served as an inspiration to those who stayed up and worked on the telethon as well as to those who called in and contributed to it.

And so it is my pleasure and my privilege today, Mr. Speaker, to congratulate the Wilkes-Barre Killer Bees—their captain, Wilkes-Barre Mayor Thomas V. McLaughlin, their coach, Wilkes-Barre City Clerk William G. Brace, and all of the team who gave so much of themselves to make this event a success: Bob Waskiewicz, Joe Miscavage, Ed Leslie, Marc Murphy, and his fiancee Joan Duffy, Dick Muessig, Bill, and Laura Brace, Rich, and Eileen Sorokas, Jerry Hdozdovic, Jim Munley, Barry DeRemer, Len Romanecz, Joe Douglas, Mary Kay Murphy, Thomas Morrissey, and the team mascot, "Mitzi" Sorokas.●

KOREAN AIR LINES MASSACRE

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. McEWEN. Mr. Speaker, I rise today to join with my congressional colleagues in voicing outrage and horror at the incomprehensible Soviet attack against Korean Air Lines flight 007 on September 1, 1983. This senseless act cannot begin to be explained on the grounds of national security considerations including the rights of territorial sovereignty. This blatant act of aggression, the second such firing upon a Korean 747 by the Soviet Air Force, again demonstrates the recklessness which with the Soviet Union uses its military might, its disregard for human life, and its utter contempt for the world family of nations.

To date, worldwide expressions of alarm and condemnation have been to no avail in touching the conscience of the Soviet Union's leadership. Our words, too, have fallen upon deaf ears in Moscow. This being the case, actions are now in order if we are to impress upon the Soviets the importance for all nations to behave in a civilized fashion on behalf of the mutual advancement of humanity.

I am today introducing a resolution expressing the sense of the House of Representatives that the President urge all governments to immediately prohibit Soviet air traffic from using the airports in their respective countries, and that this ban remain in effect until an official explanation and apology regarding the shooting down of commercial Korean Air Lines flight 007 is received. Temporary bans of specified duration, as we have witnessed to date, are valuable, but token. I urge my colleagues to pursue additional avenues to discourage yet another repetition of this outrageous Soviet action. The resolution is as follows:

H. RES. 308

Resolved, That it is the sense of the House of Representatives that the President should urge the governments of all countries to immediately prohibit Soviet air traffic from using the airports in their countries, with that prohibition to remain in effect until the Soviet Government provides an official explanation and apology regarding the downing of Korean Air Lines flight 007 in the vicinity of Sakhalin Island on September 1, 1983.●

SHOW OF FORCE

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. LAGOMARSINO. Mr. Speaker, the President has been repeatedly criticized for sending U.S. troops and ships on maneuvers in the waters of Central America. Such action at this time, actually at any time according to his opponents' argument, is unproductive and likely to cause dissension among the countries of Central America and the Caribbean, perhaps even lead to war.

Now, the maneuvers are proceeding and there is no war. There have been, however, interestingly enough, new signs that the President's decision was the right one. The source of much of the region's instability, Cuba, has decided perhaps it is time to talk with the United States to see if some sort of negotiations can be undertaken. While the critics of the President will probably hail Cuba's Fidel Castro for his timely and altruistic call for an end to the violence in the region, which he has so cleverly wrought, they will deny that it was the strong show of force, resolve, which led Castro to make his concessionary remarks.

It is for this reason I bring the following editorial from the Oxnard Press-Courier, a local newspaper from my district in California, to the attention of my colleagues.

The article follows:

[From the Oxford Press-Courier, Aug. 14, 1983]

SHOW OF FORCE

The U.S. show of force off both coasts of Central America may have grabbed the attention of Cuba's Fidel Castro. We don't know why, but it looks that way.

Shortly after the Reagan administration announced deployment of naval forces off both coasts, Castro remarked in a television interview that he is willing to make some concessions in Central America.

Whatever the cause—and there is no way of reading Castro's mind—his sudden turn can be a good sign. The U.S. government should call his bluff, if it is one, and negotiate an agreement, if he really wants one.

There are reports that both Nicaragua and Cuba are pressuring the Salvadoran guerrillas to negotiate a settlement with the U.S.-supported conservative government in El Salvador.

Before U.S. forces arrived, some in Cuba and Nicaragua saw no obstacle to imposing communism on Central America.

It looks like President Reagan's gunboat diplomacy is getting their attention—and setting the scene for negotiation.●

KOREAN AIR LINES MASSACRE

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. WOLF. Mr. Speaker, I join with my colleagues today in our collective expressions of outrage and disgust at the Soviet Union's barbaric act of shooting down an unarmed Korean Air Lines jetliner with 269 innocent people aboard.

That one of our colleagues, Rep. Larry McDonald, was a passenger on that ill-fated flight brings this abhorrence closer to home for us here in this body. To his family and to all the families and loved ones of the 269 people on KAL flight 007, I extend my deepest sympathy.

By speaking out here today, I believe we as the elected representatives of the people of the United States of America can start a unification process among ourselves and our allies which will express clearly and without doubt to the Soviet Union that such total disregard for human life will not be tolerated by civilized and peace-loving people throughout the world.

I believe our collective outrage, properly channeled, can have a positive impact on the future and underscore to the world that murders in midair will not be condoned and that the perpetrator of this act—the Soviet Union—must be held accountable for this brutal deed.

Mr. Speaker, at this point in the RECORD I would like to share with my colleagues a column on the Soviet action by George Will which appeared in the September 12, 1983, edition of Newsweek.

[From Newsweek, Sept. 12, 1983]

NEEDED: A POLICY OF PUNISHMENT

(By George F. Will)

The shocking thing is how shocked people are. The day the Soviet regime murdered another 269 persons was the 24,041st day since the regime was founded. Since 1917 the regime has killed at least 20 million of its own citizens, an average of more than 800 a day for 66 years. Unless the Red Army massacred another Afghanistan village last Thursday, the regime had a below-average day of blood.

Why are people so startled when the Soviet regime acts in character? Nothing in nature—not even granite, which water wears away over time—is as durable as illusions grounded in a desire to avoid facing nasty facts. Oh, yes, with metronomic regularity the Soviet Union does shatter some Americans' illusions. But Americans are a manufacturing people, so they manufacture new illusions about Soviet willingness to move up from barbarism. In 1979, after 62 years of domestic carnage and international gangsterism, the Soviet regime invaded Afghanistan, and the president of the United States said gosh that sure opens my eyes.

Why did the Soviet regime, after 2½ hours of thinking about it, murder another 269 persons? Well, why not? The benefits are clear enough (the benefits of intimidation, especially of Japan), and the costs are almost certainly going to be negligible, and brief.

The Soviet deed has been the subject of a U.N. debate. For the Kremlin that was an ordeal akin to being bombarded with marshmallows. Thank God it is not December or some dunce would suggest dimming the national Christmas tree. The state of Ohio, which has a better foreign policy than the United States, has removed Russian vodka from state-run liquor stores. Perhaps the 269 murders will complicate the process of subordinating foreign policy to presidential politics. Perhaps it will now be harder for the president to sally off to an election-year summit and sign an arms-control agreement ruined by American eagerness. But summits and agreements have no noticeable influence on the behavior of the Soviet rainmakers—the "yellow rain" rainmakers.

IMPARTIALITY

The World Council of Churches has not yet had time to condemn Korean Air Lines for aggressively bumping into Soviet air-to-air missiles, but various other "peace" parties, with the impartiality for which they are famous, have announced: The Soviet deed proves the irrationality of "the superpowers" and demonstrates the paranoia to which U.S. policy has driven the Soviet Union. So everyone must disarm, starting now, starting here.

The cotton-candy language of journalism spreads a sticky goo of imprecision over events like the attack on the plane. It has repeatedly been referred to as a "tragedy." No, when children die of leukemia, that is a tragedy. When they are blown to bits by an act of state, that is an atrocity, and one worthy of Hitler's former allies. But too many persons by now have too large a stake in muzzy language. Remember the merry disdain that showered down upon President Reagan when, in his first press conference, he talked about how the Soviet Union lies? "There you go again," said his cultured despisers, when he recently referred to the "evil empire."

His words are fine, but he has not got a policy worthy of them. What is needed is a policy not merely of punishment, but of steady deterrents and leverage. A suitable policy, one that was desirable even before this atrocity, is at hand. But the hands of this administration are not apt to reach for it at this late date.

Felix Rohatyn, the investment banker and Democratic thinker, says: The Soviet Union has shot down an airplane. We should shoot down a Soviet-controlled country. Western governments should nationalize the loans Western banks have made to communist countries. The government should buy up the debts at a substantial discount—at, say, between 25 and 50 cents on the dollar (that is between 25 and 50 cents more than some of them are worth). Then it should declare Poland in default, drying up the flow of credit to that country and slowing the flow to all other Soviet satellites.

This would give the banks a little liquidity—more than they deserve, given their irresponsibility. It also would force them to quit cooking their books, pretending that virtually irrecoverable loans retain their full face value assets. But the principal benefit would be for foreign policy.

Credit is a strategic weapon. Like other strategic weapons, it should not be private hands. Credit for communists should no more be controlled by private banks than the MX should be controlled by Hertz. Loans—if any—for the East bloc should be government to government, so that Western policy will no longer be hostage to commercial calculations.

BELLY UP

Were credit nationalized, we could say to the Kremlin: You want credits for your basket-case economies? Fine—but it will be contingent on reductions in defense spending. You reject such linkage? Fine—you pay for Poland, and have fun when Romania goes belly up.

During martial law Poland received from the West a substantial subsidy: its debts were rescheduled. The Reagan administration is a shameful subsidizer: Poland has not paid debts owed to the U.S. government, yet the United States has not put Poland in default. Some bankers say that forcing default would be too kind to Poland, because it would wipe the slate clean. Poland's regime knows better; otherwise it would declare default on its own. Poland today is receiving, in effect, money at 6 percent from the West while Americans pay more than twice that for mortgages. If Democratic candidates cannot make an issue of that, they should be burned on a pyre of their bumper stickers.

The Soviet Union suffocates entire nations without even a suspension of subsidies from the West. What has it to fear from reaction to the annihilation of a mere planeload of people? A regime whose essential policy is intimidation has added another brutality to its repertoire. But the diplomatic minuet will continue, from Madrid to Geneva. The grain shipments will continue, and so will the subsidized sale of "nonstrategic" goods—as though such a distinction makes sense regarding a totalitarian nation with a command economy entirely subordinated to militarism. Faster than a heatseeking missile, there will be business as usual, especially for business.●

OUR MARINES IN LEBANON

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. LONG of Maryland. Mr. Speaker, U.S. involvement in Lebanon has become more complex and more dangerous for our Marines who serve in the multinational peacekeeping force. As we in Congress discuss U.S. policy in Lebanon and the extent of our military involvement there, many difficult issues must be addressed.

As chairman of the House Appropriations Subcommittee on Foreign Operations, I recently led a congressional delegation to the Middle East. In Beirut, we were eyewitnesses to the extremely vulnerable situation of not only our Marines and other peacekeeping troops there, but of the thousands of civilians trapped in that wartorn city.

My distinguished colleague from Florida, Congressman BILL LEHMAN, who was with me in Beirut and serves on the Foreign Operations Subcommittee, wrote a riveting and thoughtful article recently published in the Sunday edition of the Miami Herald. I wish I had written it myself.

[From the Miami Herald, Sept. 4, 1983]

OUR MARINES IN LEBANON

(By Representative William Lehman)

Only days ago I was on the Beirut patio of the U.S. ambassador to Lebanon's residence. Our noontime briefing on the situation in Lebanon was regularly punctuated by bursts of 155mm artillery shells lobbed beween the Druze Moslems in the Shouf mountains outside the city and the Christian Maronites within.

There was a surreal quality to the scene: a buffet lunch alongside the not-too-distant explosions somewhere beneath the clear Beirut sky. That no one seemed to feel any immediate sense of danger indicates the illusion that people in Beirut must have learned to live by.

This false sense of security was illustrated by glimpses of Beirut life: People lined the beaches and lounged around pool cabanas. Heavy traffic in the streets told me that this commercial resort city is still functioning in the midst of a war zone, where, less than a week after I left, two American Marines were killed. Nearly half the city is bombed out, but fresh wash hangs in the breeze across roofs of gutted buildings as if trying to defy the facts. The American Embassy stood like a giant chopped off at the knees.

The root of the new fighting stems from Lebanese President Amin Gemayel's inability so far even to seek a political settlement among the independent opposition factions. Ambassador Rober Dillion thinks Gemayel overrelies on the Americans to solve all his country's problems. Gemayel's greatest fear, Dillon said, is that he will end up controlling only 20 per cent of Lebanon, with a Greater Syria to the north and east and an Israeli "north bank" in the southern third of the country. Though the Israelis and Syrians are certainly not talking, Dillon spoke

of their shared interest in a tacit partition. But the main problem at present is to contain the internal divisions that worsened last week and that threaten any chance of Lebanese sovereignty.

The most powerful armed force is still the Phalangist militias, a coalition of right-wing Christian groups, predominantly Maronite and dominated by the Phalange Party, which has been controlled by the Gemayel family. Despite some temporary success in its efforts to assert authority, the military arm of the government, the Lebanese Armed Forces, is as yet unable to achieve the level of control that Israel had or that is now necessary to gain and maintain control over Beirut and the rest of the country. Any positive effect from training by U.S. Green Berets is not in sight, and it may be months or more likely years, including a likelihood of additional U.S. casualities, before results are evident. In any case, it was clear that the military arm of the Lebanese government was not up to the task last week. With the imminent Israeli withdrawal and uncertain government authority, last week's four-day battle may be a preview of what is yet to come.

If my meeting with President Gemayel just over a week ago was any indication, he may still be waiting for someone to hand him Lebanon's sovereignty on a silver platter. I have no doubt he would be willing to negotiate with Druze leader Walid Jumblatt in good faith if the United States threatened to withdraw from the multinational peacekeeping force. The U.S. presence is his only real lifeline as leader of what is still not a nation-state. Perhaps last week's return to civil war will force him to make a genuine effort at national reconciliation.

Gemayel's isolated mountaintop retreat is as removed from the anarchy of the city as the inexperienced leader seems to be from the reality of his country's struggle for life. I did not see a man who has the courage to exercise power or even to realize what strong actions must be taken. Cautious not to criticize Syria's deliberate attemps to destabilize his government, he was more comfortable in his eager denunciation of Israel's intentions in fortifying what he termed the "north bank" south of the Awali River. The Lebanese president stressed how dangerous Israel's failure to fully withdraw from all of Lebanon would be for the future of his country. Gemayel believes, too, that Lebanon is the only true democracy in the Middle East.

One thing that seems certain is the danger Gemayel poses to himself and his government if he does not begin a good-faith dialogue and achieve an agreement between the Druze and Christians and other opposition elements vying for greater power. Civil war is the inevitable alternative.

The Reagan Administration is so far unwilling to admit just how complex U.S. involvement in Lebanon has become. The Marines were initially sent to Lebanon with a clear mission: first to oversee the PLO withdrawal from Beirut, and later to deter violence when premature withdrawal of the peacekeeping force proved an open invitation for Christian militias to take revenge against the Palestinian community.

Deterrence has not worked. A 1,200-man U.S. Marine peacekeeping force and the U.S.S. Eisenhower anchored five miles offshore did not deter the recent fighting. There has been no reemergence of Lebanese sovereignty as Israel began its pullout but, instead, a widening arena for civil war. The *raison d'etre* for the multinational peacekeeping presence in Beirut has been removed. The peacekeeping forces, such as that of the United Nations Interim Force in Lebanon (UNIFIL), has been to implement agreements between sovereign states or to partition parties as in Cyprus—not to remain in the midst of a cauldron of hostilities.

The most plausible choices at present would be either to expand the multinational force or to withdraw. An expanded U.S., United Kingdom, Italian and French contingent may again prove to be ineffective should the internal divisions within Lebanon remain unbridged. If the force remains modest in size and in its current locations, more casualties should be expected.

It is also reasonable to speculate that an expanded U.S. force of possibly 20,000 troops could provoke even more violence by Syrian-backed factions. Any expansion of our Marine force should not take place as a substitute for President Gemayel's inability to exert his authority.

President Reagan has complied with certain terms of the War Powers Resolution. But a congressional debate can be expected in the coming weeks over the President's refusal to address the provisions of the resolution concerning the outbreak of hostilities. The debate could lead to congressional limitation of U.S. military involvement in Lebanon due to the risks faced by the present force or an expanded multinational peacekeeping force. A unilateral U.S. withdrawal would be unwise, though I think the time has come to set a timetable for withdrawal if the civil war in Lebanon continues.

The consequences of doing so must be weighed against such issues as the survivability of the Gemayel government, increased Syrian and PLO involvement (though Israel's forces will remain only 25 kilometers from Damascus after its redeployment), Soviet intentions and U.S. international commitments. Notwithstanding these concerns, the alternative I would lean toward is withdrawal should civil war persist. An outside force cannot bring peace to Lebanon.

In an effort to reduce casualties and to live up to its promised intention to withdraw from Lebanon, Israel Defense Forces (IDF) have begun to move their prefabs and other support facilities. Israel's withdrawal will prove that everyone already knows: The Lebanese government cannot reassert steady control at this time. The Druze, the Syrian-backed Shiites and the Syrian government have been working to exploit that weakness.

The United States and Israel have a mutual interest in a sovereign Lebanon. If Israel, with its intense interest in the area, has seen fit to pull back its troops from Beirut to a more defensible position, then what business does the United States have there? If it is a no-win situation for the Israelis, then it is a no-win situation for us. With troops much more numerous than the multinational force, Israel has still sustained high casualties. It is ominous for a peacekeeping force with fewer troops and less commitment.

I can understand why Prime Minister Menachem Begin may have chosen to bow out at this time. In a meeting in Jerusalem barely two weeks ago, he appeared frail but still capable, and not noticeably depressed. He considers Lebanon to be Israel's main problem. First perceived as having liberated Lebanon from the PLO, Israel no longer has the public will to stay there. The truth is that Israel is pulling out faster than the Israel-Lebanon withdrawal agreement called for.

The IDF succeeded in removing the long-range weapons that had threatened Israel's northern population. But after putting a stop to that threat, Israel has in a way become another hostage of Lebanon. It does not want to stay in but does not have security guarantees in place that would allow a full withdrawal. Begin insists he does not want to partition the country, only to implement the withdrawal agreement achieved with the help of the United States. But that agreement cannot be implemented without Syrian cooperation. Israel's leaders no longer believe that it will be implemented.

Begin wanted us to know that Israel has paid a price in Lebanon, incurring casualties in order to contain the fighting between the Christians and Druze. In what might be regarded as his last message as prime minister to members of Congress, he stated that Israel is a faithful ally of the United States and he regards the United States as a faithful ally of Israel. That means reciprocity is essential between our two countries. That is why the intelligence gathered from Israel's capture of Soviet weaponry used in Lebanon has been shared with the United States.

In Damascus, Syrian Foreign Minister Abdul Halim Khaddam repeated what he has undoubtedly told other American officials. Khaddam says there is no Israel-Lebabon withdrawal agreement, just one between Israel and the Phalangist Party, unrepresentative of Lebanon's unique communities. He reiterated his government's position that if Israel withdraws unconditionally from all of Lebanon within eight weeks, Syria will withdraw its forces immediately. Syria, acting as if it holds all the cards, may underestimate Israel's seeming lack of resolve to see the Lebanon debacle through.

Missions that seem impossible today may be achieved and replaced tomorrow by new impossible missions. The Middle East has proved time and again that predictions can be empty, expectations can be dashed and impossible dreams can be fulfilled. The only thing that seems certain, however, is that the situation as it stands today will not remain so for long.●

TRYING TO KEEP THE POOR POWERLESS

HON. MARILYN LLOYD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mrs. LLOYD. Mr. Speaker, "justice for all" is one of the fundamental principles upon which our great Nation was founded, but now it appears that justice may only be for those who can afford it. Over the past several years, the Reagan administration has made every effort to gut the Legal Services Corporation with budget cuts and eligibility restrictions, and on September 28 yet another restriction is scheduled to take effect. It prohibits any person who has more than $15,000 equity in their home from obtaining legal assistance. We all know the prices of new homes, and how the prices of older homes have

skyrocketed, and this regulation will bar many homeowners who cannot afford legal advice, like senior citizens and the unemployed, from obtaining legal assistance. It is clear that this regulation is designed to prohibit all but those who live in object poverty from obtaining legal assistance, and it is just one more step in the administration's efforts to eliminate the LSC altogether. This unfair effort is not going unnoticed, and I believe the following editorial from the Chattanooga Times eloquently describes the feeling of million of Americans on this important matter.

One of the ideals in which Americans take justifiable pride is our attempt to ensure justice for all in the nation's legal system. The system isn't perfect, of course, but it has worked reasonably well. In recent years there have been efforts to provide increased access to the courts, especially for the poor. The Legal Services Corporation, for example, is a federal agency that helps provide lawyers to those who cannot afford to hire their own.

But the LSC is unpopular with the Reagan administration, which has failed in three attempts to abolish or at least emasculate, the agency. It has survived despite a 25 percent budget reduction, and the appointment of overseers who share Mr. Reagan's distrust for its role. But now a new threat is looming, one that, if successful, would disqualify millions of poor and elderly persons for any sort of legal assistance by the LSC.

The proposed regulations would, among other things, disqualify for legal assistance any person who has at least $15,000 equity in a residence. Many elderly persons have homes, bought years ago, that are worth that much, but today they are having to make do on limited incomes. Would the administration force them to sell their homes to hire a lawyer? The regulations would also deny legal assistance to anyone whose welfare payments, disability, or any type of government aid raised their income above a minimum figure.

The administration has tried to rationalize the new rules by arguing that the LSC's limited budget must be divided among those with the greatest need. But the argument fails to persuade, simply because the proposed regulations would transform the ideal of justice for all, making it justice for some.

Obviously those living in the most abject poverty would remain eligible for legal assistance. But consider the elderly and those with slightly higher incomes, all of whom are trying to make ends meet with limited means. These are the ones who will be denied justice because they won't be able to afford it.

The Reagan administration is obviously uncomfortable with the idea of the poor presuming to exercise their rights through the courts, hence its efforts to gut the Legal Services Corporation with budget cuts and restrictive eligibility criteria.

Barring an outpouring of protests, the new rules will take effect on Sept. 28. The American Bar Association has often reiterated its view that equal justice should be available to all, regardless of their economic circumstances. Its members, along with other Americans, should encourage Congress to prevent the administration from promulgating rules which in effect would put a price tag on the principle of equal justice.●

SOVIET'S INCOMPREHENSIBLE ACT

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. MINISH. Mr. Speaker, it goes without saying that all of us in Congress, and indeed throughout the country, are shocked, angry, and deeply saddened by the tragic downing of Korean Air Lines flight 007. I for one, believe that in the wake of this incident, the United States should press for appropriate economic sanctions and strong international condemnation of the Soviet's incomprehensible act.

At this time, I would like to insert a fine editorial from the Newark Star-Ledger which I feel clearly paints a true picture of the Soviet regime and many of their policies.

The article follows:

[From the Newark (N.J.) Star-Ledger, Sept. 3, 1983]

BARBAROUS ACT

A string of angry words flashes across one's mind, the cerebral and emotional reaction to the shooting down of an unarmed South Korean civilian airliner by Soviet military aircraft: Barbarous, wanton, atrocity, horrifying, despicable, inhumane. These are graphically descriptive of a tragic affair in which 269 innocent, apolitical persons, including 51 Americans, were killed.

But the sense of moral outrage is somewhat leavened by trying, futilely, to fathom the dark motivation for such a devastating disregard for human life. In this context, the words that come to a rational mind are: Incomprehensible and implausible.

This, it must be made chillingly clear, was not a quick-trigger, spontaneous incident. Although the Kremlin belatedly explained that its involvement in the downing of the commercial airliner was "an accident," it has been established that Soviet jets had maintained a close visual surveillance of the plane for two and half hours after it penetrated Russian airspace. There was more than enough time for the local Soviet air command to confer with higher authorities before firing the fateful missile. In that chain-of-command framework, one can only conclude that a deliberate decision was made by the Soviet hierarchy to open fire.

It is difficult to perceive, again from a rational perspective, what the Kremlin conceivably thought it would gain from a horrendous act of violence that was certain to evoke a universal condemnation. Particularly at a time when Soviet authorities are trying to put their best nuclear face forward in the strategic arms talks with the United States, its nuclear superpower counterpart.

And at a time, too, when the Soviets are trying to forestall the deployment of middle-range missiles in Western Europe. How does one deal in a civilized manner with the insidious pathology of a brutal Soviet leadership, and the warped character that was responsible for the horrifying mass killing of innocent civilians? There are really few choices for the United States and the international community. But it should be fully clear, nevertheless, that Russia must live with the consequence of its wanton act.

There should be no lingering doubts that the Soviet Union, not the United States, is the greater threat to world peace. That should be the compelling message taken from pitiful, shattered remnants of the Korean plane in frigid seas north of Japan.

Strong, condemnatory representations must be made by Secretary of State George Shultz when he meets with Soviet Foreign Minister Andrei Gromyko in Madrid next week for the scheduled signing of the final document at the Review Conference on Security and Cooperation in Europe. And there should be, too, some serious rethinking by President Reagan on a summit meeting next year that the Kremlin has been pushing in recent weeks.

Another option available to the United States would be to press its allies to bar the Soviet airline from their airspaces, in retaliation for the lamentable incident. While the loss of human life is mortally irrevocable, Moscow must be held fiscally accountable for the grief-stricken kin of the victims, the bitter, ironical bottom line for the atrocity it committed.

LIES WILL FAIL

It looks very much as if this is one act of violence that the Soviets will not be able to talk their way out of. When Secretary of State George Shultz made his dramatic accusation of barbarism, he made it clear that he had the facts to back them up—and had them on tape in the form of actual recordings of the Soviet command to shoot down the defenseless plane.

American intelligence had done its job. It now seems, as the Security Council of the United Nations launches an investigation into this matter that has shocked the entire world, that the U.S. will win its case overwhelmingly in the only court this act of murder will ever be tried in—the court of world opinion.

The Soviets may bluster. Indeed, they have already begun a campaign of deceit designed at convincing the world that the loss of a plane was an "accident." But it looks as if this time we have the goods on them.

The sad fact is that the UN has the power to condemn, and little else. Even an action of this limited nature can be vetoed by the Soviets in the Security Council. But the impact of their unspeakable act goes far beyond mere word.

What response the United States will be able to take is still being determined and will no doubt be selected with great care. While numerous options have been suggested, there is no single response that can clearly be labeled the obviously right one.

Perhaps the most lasting result of this tragedy will be to end once and for all the Soviet claim to be a peace-loving nation. Those with short memories may have forgotten the crushing of the rebellions in Hungary and Czechoslovakia, the erection of the Berlin Wall, the sham trials, the purges and the executions. This will help remind them.●

BISHOP SMALLWOOD WILLIAMS HONORED AS CITIZEN OF THE WORLD

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. FAUNTROY. Mr. Speaker, on Saturday, September 10, 1983, the Shaw Community Center Food Committee held its third annual prayer breakfast. The honored guest at the breakfast was Bishop Smallwood E. Williams, founder and pastor of the Bible Way Church Worldwide.

Bishop Williams has provided long and dedicated service to the Washington metropolitan community. He has served as general secretary of the Church of Our Lord Jesus Christ of the Apostolic Faith; founded a school and mission in Liberia; served as president of the Washington, D.C., branch of the Southern Christian Leadership Conference; and served as a member of the President's Committee on Religious Resources in Mental Retardation.

In the area of community service, Bishop Williams was one of the principal leaders who fought for home rule for the District of Columbia. In 1964, he served as a member of the Washington Home Rule Committee Board of Directors. In 1967, he was cochairman of the Citizen's Committee To Support the President's Reorganization Plan for the District of Columbia Government.

Bishop Williams is the developer and president of the Golden Rule Apartments, Inc., a building containing 184 units. The Golden Rule Center contains 40 townhouses with up to 3 bedrooms, and includes a supermarket. These accommodations serve low- and medium-income people.

Bishop Williams' counsel is often sought by city elected and administrative officials, as well as prominent persons in business.

Bishop Williams has traveled extensively around the world. He has visited Israel as a state guest. He has frequently visited Europe, Africa, the Far East, and the Caribbean.

Bishop Smallwood E. Williams has received more trophies, plaques, keys to cities, awards, and days proclaimed in his honor than can possibly be acknowledged. Mr. Speaker, Bishop Williams is truly a citizen of the world.●

PAUL DORAN REVIEWS DEVELOPMENT OF PROPOSED ETSI PIPELINE

HON. THOMAS A. DASCHLE

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. DASCHLE. Mr. Speaker, I request a letter which I have received from Mr. Paul Doran, President, ETSI Pipeline Project, be printed in the RECORD in its entirety as it relates to H.R. 3849, the Coal Pipeline Act of 1983, which may be considered soon by the House. Earlier this year, the Agriculture Subcommittee on Conservation, Credit, and Rural Development, conducted a hearing on H.R. 1749. Among the witnesses appearing before the subcommittee were four South Dakotans who testified on matters relating to the proposed ETSI pipeline. The letter which I have received from Mr. Doran reviews these same matters. Although I am not personally familiar with the negotiations and other related activities which have occurred in South Dakota in conjunction with the development of the proposed ETSI pipeline, the letter which I received from Mr. Doran should be made available to the other Members of the House so they may form their own opinions and judgments on these matters.

ETSI PIPELINE PROJECT,
A JOINT VENTURE,
Houston, Tex., July 20, 1983.

Hon. THOMAS DASCHLE,
House of Representatives, Washington, D.C.

DEAR MR. DASCHLE: On June 15, 1983, the House Agriculture Subcommittee on Conservation, Credit and Rural Development held a hearing on H.R. 1749. The purpose of this proposed legislation is to require that the Secretary of Agriculture—in consultation with the Secretary of Interior—study the effects of interbasin transfers on agriculture and to prohibit any state from selling or otherwise transferring interstate waters for use outside its borders unless all states in a given drainage basin consent to such sales or transfers. As you know, H.R. 1749 was introduced by Rep. Bedell of Iowa who chaired the hearing at which I testified on behalf of the Slurry Transport Association and the ETSI Pipeline Project in opposition to the proposed legislation. Following my testimony, the Subcommittee heard from four ranchers who are residents of South Dakota. They were: Mr. Pat Trask, Mr. Steve Johnson, Mr. Henry Bruch and Mr. Art Crowley. It is evident from reviewing their testimony that this group of witnesses did not come before the Subcommittee to offer constructive information on the substance of H.R. 1749. Rather, they used the hearing as a forum to attack the ETSI Project. In so doing, these individual's presented erroneous information for the record regarding ETSI's efforts to acquire a right-of-way for its water pipeline across the Western South Dakota. These distorted claims and charges require a response.

By way of background, I would begin by pointing out that when the right-of-way acquisition program for the West River Aquaduct (WRA) commenced in South Dakota in January, 1982, all field personnel were explicitly instructed that ETSI did not contemplate using the eminent domain process in acquiring right-of-way. Further, our people were told that in no way was condemnation to be used as a threat and all acquisitions were to be achieved through "good faith" negotiations. We were successful in acquiring rights-of-way across 142 of the 151 private ownerships in South Dakota, or approximately 95%. The Trask ranch is one of the nine properties not yet acquired as is the C&NW Railroad at St. Onge. For the record, the other parties that appeared before this committee do not have an interest in any properties we propose to cross.

In retrospect, I think we perhaps deluded ourselves in January 1982, to think we could acquire all of the right-of-way without resorting to eminent domain. Insofar as the WRA will provide substantial benefits to South Dakota and particularly to Western South Dakota, we took the position that all of the right-of-way could be acquired through arms length negotiations. We made changes and concessions in the acquisition program underscoring our efforts to deal in good faith despite what you were told by the Western South Dakota ranchers at your hearing on June 15. The condemnation files on the unacquired properties will support our position. After all, 95 percent of the properties have been acquired in South Dakota, so we must have done something right. I also ask that you consider the fact that only one of the landowners to be crossed by ETSI has appeared before you, that being Mr. Pat Trask.

Regarding Mr. Trask's testimony as to the negotiations with the family, ETSI has always negotiated in "good faith". In fact, there have been upward of a dozen conversations with Mr. Trask or a Trask family member (Attachment A). Initially, Mr. Mark Trask proposed a relocation of approximately 40 miles of pipeline to the north of our proposed alignment, which would now require that ETSI forfeit about 33 easements and be forced to acquire 30-40 new easements with different landowners. In addition, this route change could affect the hydraulics of the line, thereby necessitating a change in design and pump station locations which have already been acquired.

Mr. Mark Trask, prior to his death, did consider a route change to the south of our proposed alignment that was not nearly as drastic as his original proposal. However, following his death, the Trask family rejected all routes South of the original 40 mile relocation request. Whatever progress had been made in previous negotiations was negated, and the entire negotiation process was back to square one.

In Mr. Pat Trask's testimony, he states that there are no roads providing access to the property, when in fact there is a county road, deeded to Meade County, which provides access to the right-of-way. Access across the balance of the Trask property will be restricted to the right-of-way itself. Mr. Trask also states that the landowner will ultimately be responsible for recouping any reclamation losses. Contrary to this, ETSI's intent and the intent of the right-of-way document is to make sure that the landowner is "left whole". In other words, our projects should not cause any economic loss to the landowner. To that end, ETSI has requested that the Trask's have language drafted by their attorney for our review and approval that would insure satisfactory reclamation.

It is not surprising that Mr. Trask appeared before the subcommittee to present his position, and did so in order to garner as much publicity as possible. The day before his appearance, several members of the ETSI staff met with the Trask family at their attorney's Rapid City office in an effort to resolve the question of the pipeline location. At the conclusion of this meeting, both Pat Trask and his mother were insistent that all should meet at the ranch to view some of the proposed route. The ETSI people agreed to meet with the Trasks and their legal counsel on the property, not knowing what had been planned. After arriving at a site accessible only by pickup trucks, there suddenly appeared a television crew from Rapid City, some 40 miles away. Mr. Trask now had his forum for negotiations which, on advice of our counsel, were immediately concluded by ETSI. The Trask legal counsel, totally unaware of his client's plans and resulting actions, apologized profusely. It appers to us that the Trasks do not want to enter into good faith negotiations to resolve the issues; however, ETSI stands ready to resume negotiations whenever the negotiations can be conducted in a businesslike manner.

Pat Trask is right on several points. ETSI, due to an internal reorganization and out of respect for the family, did not pursue negotiations during the duration of his father's illness. Also, Mr. Trask erroneously attributes our support of H.B. 1353 in the 1983 South Dakota legislature as an attempt to acquire eminent domain. That bill simply would have provided "quick take" to the eminent domain law as it applies to ETSI. On April 11, 1983, ETSI filed a condemnation proceeding to cross the Trask property (Attachment B).

Regarding Mr. Johnson's comments, I would submit the following points for the record. First, concerning the Madison Formation, ETSI can only use this formation as a source of water if Missouri River water is not legally or physically available to ETSI. In that respect, Mr. Crowley, Mr. Bruch and Mr. Johnson have been very active in making sure that Missouri River water is not physically or legally available. They have either collectively or individually: (1) appealed the water permit issued by the State of South Dakota Water Management Board, (2) filed a Declaratory Judgment suit attempting to get the ETSI/South Dakota water sale contract declared void, (3) they each sat on the Board of Directors for the "Save Our Soils" (SOS) group representing landowners interests during the ETSI/SOS negotiations, and (4) they requested and received from the Lawrence County Commissioners a resolution that would have denied ETSI the right to cross Lawrence County lands unless all affected private landowners had entered into an agreement through arms length negotiations. This resolution has since been rescinded by the commissioners due to the efforts of concerned citizens of Lawrence County in support of the project.

Second, regarding the contracts submitted for the record by Mr. Johnson, the first contract, dated February 3, 1982, and signed by Mr. Derosier, calling for a consideration of $325.00/acre is no longer a needed easement due to a minor pipeline realignment and will be released of record. However, Mr. Derosier, et al, have since signed two additional easements (Attachment C), one for full consideration and the other for $600/acre. We believe this very clearly evidences Mr. Derosier's complete satisfaction with both the terms of the documents and the consideration to be paid. The second document, (Attachment D), submitted by Mr. Johnson, dated March 12, 1982 and signed by Mr. Stabio, is for lands that front both the East and West of U.S. Highway 85 and is located approximately one mile North of the I-90 Spearfish/Belle Fourche Interchange. These lands have a positive development potential. Mr. Stabio preferred to convey a 50' permanent easement, with a 50' temporary construction space, due the fact that the impact on the lands would be minimized when and if he developed the same. In essence, the granting of a 50' permanent and 50' temporary easement provided ETSI with the needed 100' easement to accommodate construction and emergency situations, thereby effectively reducing the price per acre within the 100' to $2500/acre which we consider to be reasonable and acceptable due to the development potential.

Mr. Johnson attempted to suggest that there was something sinister concerning the payment of rental for Bureau of Land Management land as opposed to a single payment to private landowners. This simply is caused by the inability by law for the BLM to convey easements or interest, whereas private landowners are not so restricted. A lump sum settlement versus periodic rentals are equated when the amounts are determined. A private owner can put his payment in the bank and draw it out as an annuity if he wishes, which equates to the BLM periodic payment scheme.

Another item raised was the assignment of the BLM right-of-way grant. Normally, before an interest in this land can be assigned, the right to originally convey that interest must exist. Since the BLM cannot convey an interest in the land, ETSI does not receive an interest in the land and therefore cannot assign something they have not acquired. Generally speaking, the permit to cross BLM lands can be transferred as a routine matter. As for the BLM having no liability, I would submit that this is a rather broad brush statement and rather misleading. Our legal counsel advises that there are many instances in which the BLM could be held liable for tortious acts committed by them or their agents.

Mr. Johnson also states that the BLM is reimbursed for all costs incurred by them in preparation of the right-of-way permit. ETSI offered to reimburse the SOS landowners individually for reasonable attorney fees upon the execution of an agreement satisfactory to both parties, as has been our policy with other landowners. Perhaps Mr. Johnson's testimony should be viewed as being supportive of federal eminent domain legislation for coal slurry pipelines in that he expressed a concern about discrepancies occurring. Without the right of eminent domain these discrepancies can and do occur; however, eminent domain would allow the entity acquiring right-of-way the opportunity to maintain a consistent pricing structure.

Mr. Bruch's testimony is basically without substance and is primarily used as a means of attacking the ETSI Pipeline Project. However, he does make one comment to which we will respond.

He states that, ". . . it is far easier to gain wealth by manipulating government to obtain special privileges . . ." Perhaps Mr. Bruch was attempting to acquire that very position with his appearance before the subcommittee. It would certainly enhance a landowner's negotiating posture if eminent domain was not available, and in fact, is just the opposite of the true intent of eminent domain which is that the welfare of the general public carries a greater weight than that of any one individual.

As further evidence of our willingness to negotiate in "good faith", we, ETSI, in our efforts to acquire the needed right-of-way in South Dakota, have worked with a number of landowner groups and have satisfactorily addressed their concerns except for one group—that being the "Save Our Soils" group. Initially, the SOS organization was formed to protect the landowners rights and was recognized as such. However, shortly after formation, the actual control and direction was usurped by persons with the sole intent of defeating the ETSI project, not the protection of the landowner membership. This direction was now in the hands of Messrs. Johnson, Bruch and Crowley. It was at this time that the group replaced their attorney who was diligently trying to resolve the issues. The group then retained a "cause" lawyer who, over the period of several months, was instrumental in blocking every attempt by ETSI to conclude negotiated agreements. To show how ridiculous the situation was, the group asked that ETSI pay this attorney for her services as an adversary. No one agreed that ETSI would pay her fees, to do so would be questionable ethically and would be downright foolish from a business standpoint. However, in keeping with our policy that no landowner should suffer an economic loss due to our request for an easement, we did agree to reimburse the individual landowners for reasonable attorney fees incurred upon the execution of a right-of-way agreement. It was after this offer that we were informed by the new attorney that we should pursue eminent domain proceedings.

Perhaps the appearance of these South Dakota landowners is in itself a testimony for the need of federal eminent domain authority for coal pipelines. It is, in our opinion, representative of the fact that a very vocal and persistent minority can and will, if given the opportunity, delay or prevent coal pipelines and other energy related projects—projects that are vital to the Nation's efforts to develop its resources and thus decrease our dependency on foreign energy sources.

I hope this letter will be helpful to you in understanding the charges made against ETSI at the subcommittee hearing. Should you have additional questions, please do not hesitate to call.

Sincerely,

PAUL G. DORAN,
President.●

TRIBUTE TO AN EAGLE SCOUT

HON. JOHN R. McKERNAN, JR.

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. McKERNAN. Mr. Speaker, I rise and ask my colleagues to join me in praising the achievements of one of my constituents, David Caron, 16, of Portland, Maine. David will become an Eagle Scout on September 27.

I do not need to remind my colleagues of the tremendous effort and test of character involved in attaining the rank of Eagle Scout. So many fig-

ures of national renown have this prestigious award among their laurels that we may well conclude that the young men who earn this title today have unusual promise for tomorrow.

It is a privilege to be able to represent David Caron, who is the first Scout in troop 5 of St. Patrick's Church in Portland to attain the level of Eagle Scout. David is a junior at Deering School, where he is both a good student and athlete. In his spare time, David has a part-time job and attends a data processing course at a local vocational school. He is interested in a career in computer science.

David single-handedly undertook a fund drive for the cancer fund as part of his Eagle Scout requirements. He set up a "tag day" at several local stores, and, working with other Scouts and their parents, was able to provide a significant contribution to the fight against cancer. The bearer of 21 separate merit badges, and an attentive student of the Boy Scout creed, David Caron is truly worthy of the Scout's highest award.

I join David's parents, teachers, friends, and Scouts everywhere, in congratulating him on his achievement, and in wishing him many future successes.●

PAYROLL DEDUCTION FACILITATION ACT

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Ms. OAKAR. Mr. Speaker, I am introducing legislation today which will benefit Federal employees, save the taxpayers money, and allow the Government to utilize modern banking practices.

This bill, the "Payroll Deduction Facilitation Act," accomplishes two basic purposes. It provides for no-cost payroll deductions for Federal employees, and it amends the Right to Financial Privacy Act of 1978 (12 U.S.C. 3413) to assist the Government in making recurring payments through the use of direct-deposit electronic fund transfers (EFT's).

Over the years, payroll deductions have proven to be an effective and efficient means of encouraging savings for all Americans. We know that savings are a sure method by which every citizen can contribute to improvement in our economy, help stall inflation, and play a positive role in bringing down interest rates. Congress, therefore, should do all it possibly can to encourage thrift and savings, and this is one of the purposes of the bill I am offering today.

Under the current law, service charges for processing payroll deduction checks are imposed only on savings allotments made under 31 U.S.C. 3332. This statute requires that Federal agencies be reimbursed for the additional administrative costs incurred in processing savings allotments for Federal civilian employees by their recipient financial institutions. The Federal Government will absorb the administrative cost of sending one check to an employee's designated financial organization. However, the appropriate Federal agency must be reimbursed by the designated financial organization for any administrative costs incurred in processing additional savings allotment checks, which are statutorily limited to two. Current law also provides that only active and retired military personnel and Department of Defense civilians working overseas are authorized to make more than one allotment to financial institutions at no cost to them or to their recipient institutions.

The bill I am introducing would delete the requirement that administrative costs be reimbursed by the financial organization. It would require the Federal Government to absorb all administrative costs incurred in the savings allotment program. In my opinion, the benefits to our economy provided by this legislation far outweigh any additional minimal costs to the Government. Moreover, as with military and overseas DOD personnel, it is already common practice in the private sector to provide such services for employees at no cost to the employees or to their financial institutions.

By way of background, payroll allotments for civilian employees of the Federal Government were established in 1961 (5 U.S.C. 5525). These cost-free allotments were limited to labor dues, charitable contributions, and taxes. The program was expanded in 1965 to permit Federal employees to send allotments to financial institutions, but there was no requirement that the Government impose fees for these services. It was not until 1968 that charges for sending allotments to financial institutions were set by the Department of the Treasury. Under 31 U.S.C. 3332(c), as amended by Public Law 90-365, the Treasury Department was given the authority to establish fees for the two additional allotments sent to financial institutions. An allotment for an employee's regular paycheck has been and continues to be sent at no cost to the employee or the financial institution, since it is considered to be an entitlement to the employee. Incidentally, charges were imposed on the two extra allotments because it was feared that additional allotments might constitute an excessive expense for the Government. However, during the 96th Congress, the Office of Personnel Management concluded otherwise and proposed a rule which would substantially liberalize the use of payroll allotment programs.

During the last Congress, the Department of the Treasury published a Notice of Proposed Rulemaking to increase the service charge for payroll allotments of Federal civilian employees. In response, I introduced H.R. 4703 (97th Congress) to negate the Treasury Department's proposed regulation and to require the Government to provide payroll deductions free-of-charge to all its employees. My Subcommittee on Compensation and Employee Benefits held a hearing on February 4, 1982, and the bill passed the House on April 27, 1982. Following this House action and while the bill was still pending in the Senate, the Department of the Treasury, on June 7, 1982, postponed indefinitely the scheduled fee increase.

Since the beginning of this Congress, my subcommittee staff has been working with staff from the Banking Committee and the Department of the Treasury. The bill I am introducing today is the result of that effort, and I am pleased to report that this bill has the support of the Department of the Treasury, the major credit union associations, and other financial organizations interested in thrift and savings for all Americans.

While this bill benefits the Federal employee, it also provides significant benefits for the American taxpayer and the Government as well. It is a major step forward in assisting the Treasury Department reach its goal over the next decade of having virtually all Federal recurring payments made by direct-deposit electronic fund transfer (EFT). More importantly, by converting the estimated 75 million Federal civilian savings allotments per year to direct-deposit EFT, the Department of the Treasury projects an annual $4.4 million savings to the Government.

The Payroll Deduction Facilitation Act provides a important benefit to the Federal employee, and it saves the Government money. I ask my colleagues to support it.●

BOYS' CLUBS HONOR BOB HOPE

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. MOORHEAD. Mr. Speaker, on September 28, 1983, at the Century Plaza Hotel, the Boys' Clubs of Long Beach, Pasadena, Rio Hondo, and Santa Monica will present their Greater Los Angeles Citizen of the Year Award to Bob Hope.

What can be said about Bob Hope that has not been said many times before. He is, undoubtedly, the most honored man living in our Nation

today. He is esteemed by millions for his humor, commonsense, and credibility. He is praised often and appropriately for his countless gifts of time and love and joy to countless persons. He is admired universally for his aplomb, his skill, his energy, and his success.

On thousands of occasions, his facile wit and nimble jests have made us laugh at ourselves and our "dire straits." Repeatedly, his humor and his presence have eased our pain and lessened our anxiety. Time after time, in virtually every part of the world, he has been the consummate giver of fun and smiles. For all these virtues, we greatly admire and respect Bob Hope.

But I suspect that beyond and above these wonderful traits, we Americans like Bob Hope most because we simply see him as a very good man.

Who can imagine, for example, Bob Hope screaming about some small slight. Who can imagine him as the outraged demagog or who can imagine him flaying America because it failed to reach perfection and who can imagine a sullen, humorless, divisive Bob Hope.

I certainly cannot. I see a man whose livelihood has been to create warmth and brotherhood, to generate unity and strength. His way has been to lift spirits, to put mirth in the soul and sparkle in the eye. Bob Hope is the kind of man who would put a yellow ribbon down the middle of a muddy road.

I would like to thank Bob Hope and the boys' clubs for their unceasing gifts. They both deal in yellow ribbons. Both are devoted to improving the lives of people, young and old. There is no higher calling.

Mr. Speaker, I would like to take this moment to bring to the attention of my colleagues in the House of Representatives the presentation to Bob Hope of the Greater Los Angeles Citizen of the Year Award by the Boys' Clubs of Long Beach, Pasadena, Rio Hondo, and Santa Monica.●

LIEUTENANT GIBBONS TOP ARMY ROTC GRADUATE

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. NICHOLS. Mr. Speaker, today it was my privilege to participate in a distinguished presentation in Secretary John Marsh's office in the Pentagon, honoring the top Army ROTC graduate in the United States, Lt. Edward G. Gibbons, Jr. Lieutenant Gibbons is a 1982 graduate of Auburn University in my congressional district, which by every standard of measure, is one of America's finest academic institutions.

Lieutenant Gibbons' academic, military, and leadership achievements at Auburn were singularly outstanding. A history and political science major, he was graduated with high honor, having been selected to the dean's list for academic excellence his last eight quarters. He was elected to numerous honor societies including Phi Kappa Phi, the foremost national scholastic honor society at Auburn and Mortar Board, the national senior scholarship, leadership, and service society. He also received a fully funded Army fellowship for graduate study.

In military leadership and training, Lieutenant Gibbons' achievements are unprecedented at Auburn University and the State of Alabama. Among his many firsts, he was the top ROTC graduate of all cadets from throughout the United States at the 1981 U.S. Army Ranger School; was the honor graduate of the U.S. Army Air Assault School; received the George C. Marshall award as the top cadet at Auburn University; and received the 1982 Governor's Award as the foremost cadet in the State of Alabama.

Lieutenant Gibbons held the position of cadet battalion commander, the highest ROTC leadership position at the university. His leadership and esteem among his classmates of all services also gained him the presidency of all three military honor societies at Auburn.

Lieutenant Gibbons, who attended Auburn on a 4-year Army ROTC scholarship, is a 1978 graduate of Signey Lanier High School in Montgomery, Ala. He is the son of Mr. Edward G. Gibbons of Montgomery and Birmingham, and Mrs. Beverly B. Gibbons of Boston, Mass.

Lieutenant Gibbons recently completed the infantry officer basic course at Fort Benning, Ga., where he was selected to the commandant's list for outstanding achievement. He is currently assigned as a mortar platoon leader in Company C, 2d Battalion, 325th Infantry (Airborne), 82d Airborne Division, Fort Bragg, N.C.●

THE CONTINUING REALITY OF UNEMPLOYMENT

HON. JIM MOODY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. MOODY. Mr. Speaker, today the Subcommittee on Public Assistance and Unemployment Compensation held hearings on what is presently our country's most serious problem—unemployment. The Northeast-Midwest Coalition's Unemployment Task Force tesitified to the special crisis in our section of the country and urged the adoption of an extension of the Federal Supplemental Compensation program. I would like to reiterate that plea.

It is frightening to realize that there are over 10.5 million people out of work, a large percentage of whom are no longer eligible to receive unemployment benefits. Yet, according to a study published last week by the Brookings Institution, despite record unemployment, proportionately fewer Americans received unemployment in the thick of the recession than in any recession since World War II. Even more appalling is the finding that in contrast to calendar year 1975 when more than 78 percent of the unemployed were covered by regular, extended, or supplemental unemployment insurance, in calendar year 1982 only 45 percent were covered. Furthermore Federal, State, and local governments paid out fewer dollar benefits for unemployment in 1982 when 10 million people were jobless than in 1976, when 7.6 million workers were out of work.

Certainly, these are sobering figures. Yet I, as did most of my colleagues, found these facts to be dramatically illustrated during the recent district work period. Cold statistics mean little to a family with an employed bread earner for years. But now have that bread earner been laid off, with little hope of being rehired.

Yet hope, faith and pride persist in the face of this economic nightmare. I would like to share with you excerpts from a letter I recently received from one of my constituents which reveals the heartache that accompanies these statistics:

DEAR CONGRESSMAN: The problem I'm writing about concerns millions of people, it sure has with our family. I'm certified disabled, now my heart has gone bad—no surgery because of the other ailments. Medicine is very expensive, I feel like not taking it, although I'm not afraid of death our four children, their spouses and six grandchildren would miss my "cooking" and "love."

My husband was laid off in October, 1982, after 42 years there, except for WW II, from Milwaukee Gear. One of our son-in-laws, same time, same place. His wife worked for Mobil Oil, they left Milwaukee. Another family lost their business, but didn't go bankrupt—two children. Another son (single), age 39, has had 3½ years of surgeries, they cut his disability off, but later reinstated it. Our homes are open to him, but he perfers his cheap apartment on Milwaukee Street. By God, we help each other.

Now they're cutting off compensation. The men are not lazy, nor our girls, they do any work they can find. I help, as far as my condition permits. Where is the surplus food? We got cheese. The phone increase?

Please restore my confidence in America, Jim. We have a son in Washington who has sent us money and gifts. At first we were ashamed to accept, but his wife said, Mom, we share!

Respectfully,

VIVIAN.

Mr. Speaker, if we do not get unemployment under control soon, it will

destroy for many the individual dignity which comprises the fabric of our country. In the meantime, we must concentrate on the long-term unemployed who most need help.●

TRIBUTE TO SCTAC ON 10TH ANNIVERSARY

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. ANDERSON. Mr. Speaker, this year marks the 10-year anniversary of the Southern California Transportation Action Committee (SCTAC). So many of us who are interested in southern California are familiar with their work and their efforts as an educational organization dedicated to improving mobility in our area. Having had the opportunity to speak to the SCTAC, I am impressed by their current activities and ongoing goals which are designed to build public awareness of and support for the important transportation needs of this region.

The SCTAC recognizes that there can be no single solution to solving our complex transportation problems, and so they have spoken and acted on behalf of a comprehensive approach designed to address the matter on many fronts. As such, the SCTAC has a wide variety of transportation interests some of which include accelerated completion of priority highway projects, building public support for "bus-on-freeway" transit, supporting adequate transportation funding, strengthening the county transportation commission's role in transportation decisionmaking, improving regional airports' operations, and enhancing our harbor access.

A central strength of SCTAC is that they have been able to utilize the abilities and channel the energies of outstanding individuals throughout the region. Founded in 1973, the SCTAC is a nonprofit, educational organization whose broad-based alliances include members and associates of air, water, rail and highway operators and users, builders, developers, suppliers, and transport users. They also work closely with the chambers of commerce, organized labor groups, project advocates, environmental and civic groups, local government agencies, and many private individuals.

It is through such coalition building that the SCTAC has played an important role in assisting with the passage of important transportation legislation at both the Federal and State levels. Few groups are able to interact with such diverse elements as has the SCTAC. This, I think, is testimony not just to the goals and objectives of the organization, but to the manner in which they work toward those goals.

So, I know I join with many others when I offer my congratulations to the Southern California Transportation Action Committee on the occasion of their 10th anniversary, commend them for the work they have done to date, wish them the best for the future, and tender a standing offer to assist them in their efforts to improve the transportation network in southern California and, indirectly, throughout the Nation.●

MOSCOW FEARS OUR VOICE

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. KEMP. Mr. Speaker, America's international broadcasts are essential for getting unbiased information on world affairs, like the Korean Airline massacre, to people living in the Soviet Union and other tyrannies. As President Reagan said in his national radio address on Saturday:

> Accurate news like this is about as welcome as the plague among the Soviet elite. Censorship is as natural and necessary to the survival of their dictatorship as free speech is to our democracy.

I commend to my colleagues this excellent editorial from the New York Post on our Voice of America and Radio Liberty broadcasts. With recent events pointing out once again the important nature of these national security programs, I urge my colleagues to support the long overdue funding increases for these broadcasts.

The editorial follows:

MOSCOW FEARS OUR VOICE—LET'S MAKE IT STRONGER

Secretary of State George Shultz says the Soviet Union's paranoid form of government is a system which fears foreign radio broadcasts even more than it fears missiles.

There is no need to tell that to the Voice of America.

If ever there were proof that President Reagan should ask Congress to give the VOA the tools with which to do its job it was provided by the Korean airliner tragedy.

The Soviets intensified their jamming to block every attempt by the VOA to broadcast Washington's meticulously detailed version of the shooting down of the airliner—including the shocking tapes of the Soviet pilots actually firing their missiles.

By straining every available resource the VOA managed to pierce the Soviet jamming. It brought in equipment that was in need of maintenance. It boosted the power of foreign transmitters beyond their normal levels. It will be able to keep up its present stepped-up rate of 17 hours of broadcasts a day to the Soviet Union, however, for only another week.

The VOA was helped in getting its broadcasts through by prevailing conditions. Jamming is difficult during twilight periods in the summer months of northern Europe.

There are places in Moscow and other East European cities where people go specifically during those periods to hear the few VOA and other Western broadcasts which get through.

We pointed out here last week that the Soviet action in shooting down the Korean airliner had already proved to be a huge defeat for Moscow's prolonged campaign to present the Soviet government as "peace-loving" and the United States as a "threat to peace."

The defeat would have been more substantial and more lasting if the VOA were not handicapped by inadequate funds and obsolete equipment.

The Soviets spend more money jamming the VOA and other Western broadcasts than the VOA's budget to broadcast to the entire world.

The Soviets have 37 high-powered 500-kilowatt shortwave transmitters. The VOA has six make-shift affairs, clobbered together from 250-kilowatt transmitters.

Further, many of the VOA transmitters in Washington, and its relay transmitters around the world, are more than 15 years old.

Anyone who travels abroad and listens to a shortwave radio knows the result of this cheeseparing in Washington. The airwaves are flooded with Soviet and Eastern European propaganda broadcasts.

Indeed, the Soviets are on the air around the world in 82 languages for 2157 hours a week.

By contrast, the VOA broadcasts in only 42 languages for a total of only 956 hours.

As a result, many countries which should be receiving an American version of what is going on get only an hour or so of information daily.

The VOA broadcasts for only an hour a day to Laos, for 1½ hours to Bulgaria and Cambodia, for 1 hour 50 minutes to Yugoslavia and the Baltic states—Estonia, Latvia and Lithunia—seized by the Soviet Union after World War II. It broadcasts for only 1½ hours in Pashtu and a further 1½ hours in Dari to Afghanistan—compared with round-the-clock propaganda by the occupying Soviet forces.

The worst result of Washington's penny-pinching is in the paucity of VOA broadcasts to Central and South America. It broadcasts for only 5½ hours a day in Spanish to that area. The Soviets broadcast in nine languages for 19 hours and Cuba broadcasts in six languages right round the clock.

There is an urgent need for the Reagan Administration to change this dismal performance. The VOA has the leadership and the staff to deliver. All it needs are the tools.●

GERMAN-AMERICAN TRICENTENNIAL YEAR 1983

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. GILMAN. Mr. Speaker, to paraphrase an old mathematical axiom, the whole can be no greater than the sum of its parts. When we reflect on the great achievements that we as a Nation have attained, in every frontier imaginable, we can attribute that success to the greatness of all the people who comprise our Nation. The Ameri-

can people are a synthesis of scores of cultures, many of whose traditions and beliefs we have embraced as a Nation. I am pleased to be able to note today that President Reagan is honoring one of these groups and has designated 1983 as the Tricentennial Anniversary Year of German-American Settlement in America.

On October 6, 1683, 13 Mennonite families (33 people in all from the city of Krefeld) arrived in Philadelphia and founded the community of Germantown, paving the way for the 7 million Germans who were to follow them to the United States during the next 300 years. In those ensuing years, the contributions of German-Americans have been countless. Among the list of distinguished German-Americans are Albert Einstein, John Steinbeck, H. L. Mencken, Kurt Vonnegut, Billy Wilder, Marlene Deitrich, Kurt Weill, Levi Strauss and the Heinz, Busch, Weyerhaueser and Boeing families, to name just a few. The U.S. Census Bureau has estimated that more than 28 percent of all Americans claim German ancestry . . . approximately 52 million U.S. citizens.

The Tricentennial of German-American settlement is being marked by a series of events throughout the United States and West Germany in 1983, including musical and dramatic performances, lectures, exhibitions, seminars, scholarly conferences and official ceremonies. The culmination of this celebration will be the visit to Philadelphia in October of President Karl Carstens of West Germany and the dedication that same month of the Friendship Garden on the mall between the White House and the Jefferson Memorial.

Mr. Speaker, I would like to take this opportunity to recognize the membership of the German-American Club of North New Jersey and New York. On September 28, 1983, they will hold their Heritage Celebration at the Elk's Lodge in Greenwood Lake, N.Y. which is located in my congressional district. Mr. Hermann Schnipkoweit, Social Minister of Lower Saxony, and Mr. Heinrich Bierman, County Executive of Hildesheim will be their honored guests. In the spirit of the Tricentennial of German Immigration to these shores, I know that my colleagues would want to join me in thanking this outstanding group of people for their countless contributions to our Nation and to wish them continued happiness and success.●

A TRIBUTE TO JACK GARRETT REAL

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. MOORHEAD. Mr. Speaker, on September 28, 1983 at the Beverly Hilton Hotel, the prestigious Americanism Award of the Great Western Council, Inc., Boy Scouts of America will be presented to Mr. Jack Garrett Real.

In its 10-year history, the Americanism Award has gone to only three other men—Gen. James Doolittle, Bob Hope, and former President Gerald Ford.

The only thing that Jack Real does not share with this esteemed trio is worldwide fame. In all other meaningful respects, he is their equal.

His life in the business and civic community has been marked by a firm and unswerving commitment to excellence, integrity, and commonsense. He has been and is a leader in every meaning of the word.

Jack Real's professional business career began as a mechanical engineer at Lockheed-California Co. in 1939. For the next 32 years, he put his unique stamp of quality on that famed aircraft company.

Upon leaving Lockheed, he went to Hughes Tool Co. and again made his presence felt. Today, he is the president of Hughes Helicopters.

On the civic side he has given great amounts of time and effort to his first love, the Boy Scouts of America. For the past 25 years, he has been a member of the executive council, offering leadership, wise counsel, and prestige.

Mr. Speaker, I would like to call to the attention of my fellow Members in the House of Representatives this presentation of a very special award to a very special man from a very special organization. I am pleased to take part in this fine tribute.●

IKE ON "MAN AGAINST WAR"

HON. STEPHEN L. NEAL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. NEAL. Mr. Speaker, in the aftermath of the Soviet Union's murderous attack on Korean Air Lines Flight 007, which was amoushed by Soviet fighters and shot from the skies over Sakhalin Island in the predawn hours of September 1, there have been growing misgivings about future United States-Soviet relations, including our ongoing negotiations to limit the nuclear arsenals of our two countries. Some critics of the United States response to this latest Soviet act of barbarism have insisted that the negotiations should be halted. It is my hope that cooler heads will prevail.

I am of the opinion that the response of the United States has been, in the main, both measured and appropriate. I share to the fullest extent the indignation and outrage expressed by our President and our Department of State. I share in the desire to bring the Soviet Union to full account, both in explaining truthfully what actually happened; in compensating the survivors of the 269 victims; and in obtaining a guaranty that such mindless savagery will not occur again. To obtain those ends, I believe the United States should be a leader of the free world in an international effort to protect the lives and the liberty of those who travel the airways, including those who stray over unfriendly territory.

I do not believe this purpose would be served, however, by allowing our grievances to push us to the brink of war, as some vocal critics of the United States handling of the KAL-007 affair seem willing to do. We need to remember that wars have been ignited by incidents of similar gravity. The assassination of the Austrian Archduke Ferdinand—the loss of one life, albeit an heir to the Austrian throne—is listed as the immediate cause of World War I, in which over 10 million soldiers died. There was at that time an European arms race, extremely tense international relations, and manifest distrust among the competing powers. Nonetheless, had Ferdinand's assassination not occurred, or had reaction to it been more subdued, who knows what course history might have taken? The point is that impassioned revenge usually extracts a price, or entails risk. Today, the risks are awesome, not only to ourselves, but to all mankind.

In a recent issue of the Washington Post, syndicated columnist David S. Broder reported an important letter written in 1956 by President Dwight D. Eisenhower to Richard L. Simon, president of the publishing firm of Simon & Schuster. Mr. Simon had written President Eisenhower calling attention to a column by Joseph and Stewart Alsop on the Soviet military threat, urging the President to give high priority to a crash program for long-range airpower and missiles—in other words, a head start on a stepped-up arms race.

This was at a time, Mr. Speaker, when the nuclear capability of the United States was vastly superior to that of the Soviet Union. Yet President Eisenhower, in a strong statement that rings even more true today than it did then, foresaw clearly that the day would come when the choices would be narrowed to two—a peaceful containment of nuclear arms, or all-out nuclear war.

I would like at this time, Mr. Speaker, to insert the text of the Eisenhower letter into the RECORD, and commend it to the attention of my colleagues:

EISENHOWER LETTER

Dear Dick: Thank you for your letter, which brings up subjects too vast to be discussed adequately in a letter. Suffice it to say here that I doubt that any columnist—and here I depend upon hearsay as I have no time to read them—is concerning himself with what is the true security problem of the day. That problem is not merely man against man or nation against nation. It is man against war.

I have spent my life in the study of military strength as a deterrent to war, and in the character of military armaments necessary to win a war. The study of the first of these questions is still profitable, but we are rapidly getting to the point that no war can be won. War implies a contest; when you get to the point that contest is no longer involved and the outlook comes close to destruction of the enemy and suicide for ourselves—an outlook that neither side can ignore—then arguments as to the exact amount of available strength as compared to somebody else's are no longer the vital issues.

When we get to the point, as we one day will, that both sides know that in any outbreak of general hostilities, regardless of the element of surprise, destruction will be both reciprocal and complete, possibly we will have sense enough to meet at the conference table with the understanding that the era of armaments has ended and the human race must conform its actions to this truth or die.

The fullness of this potentiality has not yet been attained and I do not, by any means, decry the need for strength. That strength must be spiritual, economic and military. All three are important and they are not mutually exclusive. They are all part of and the product of the American genius, the American will.

But already we have come to the point where safety cannot be assumed by arms alone. But I repeat that their usefuness becomes concentrated more and more in their characteristics as deterrents than in instruments with which to obtain victory over opponents as in 1945. In this regard, today we are further separated from the end of World War II than the beginning of the century was separated from the beginning of the sixteenth century.

Naturally, I am not taking the time here to discuss the usefulness of available military strength in putting out 'pairie fires'—spots where American interests are seriously jeopardized by unjustified outbreaks of minor wars. I have contented myself with a few observations on the implications of a major arms race.

Finally, I do not believe that I shall ever have to defend myself against the charge that I am indifferent to the fate of my countrymen, and I assure you that there are experts, technicians, philosophers and advisers here, who give far more intelligent attention to these matters than do the Alsops.

With warm regard,

Sincerely,

DWIGHT D. EISENHOWER.●

HONORING A GREAT AMERICAN—BRIG. GEN. ROBERT CARDENAS, U.S. AIR FORCE

HON. MATTHEW G. MARTINEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. MARTINEZ. Mr. Speaker, I am proud to have the opportunity to call to Congress attention the outstanding achievements of Brig. Gen. Robert L. Cardenas. This man not only deserves our praise for the 35 years of service to his country, and his role as a pioneer in aircraft development, but also the respect of the entire Hispanic community in the United States. His dedication serves as an example and an inspiration to all of us who share this proud heritage.

General Cardenas attended schools in San Diego and later graduated from the University of New Mexico in 1955 with a bachelor of science degree in mechanical engineering. His military career began in 1939 when he became a member of the California National Guard. He entered aviation cadet training in September 1940, and received his pilot wings and commission as a second lieutenant in July 1941.

During World War II General Cardenas served as a B-24 air craft pilot in the European theater and was awarded the Air Medal and two Oak Leaf Clusters for bombing missions before being shot down over Germany in March 1944.

General Cardenas aided in pioneering jet air craft development, test flying the P-59 and XB-45, the Air Force's first jet fighter and bomber. In 1969, General Cardenas became vice commander of the 16th Air Force with headquarters at Torrejon Air Force Base, Spain. He was awarded the Spanish Grand Cross of the Order of Aeronautical Merit by the Spanish Government.

It is with great pleasure that I sight these many achievements. General Cardenas exemplifies the fine dedication of a soldier in service to this country, and the powerful motivation and contribution of the Hispanic community to American society.●

THE DESTRUCTION OF FLIGHT 007

HON. BOBBI FIEDLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Ms. FIEDLER. Mr. Speaker, the destruction of Korean Air Lines flight 007 has added yet another chapter of horror to the history of this dark and terrible century. The Soviet Union has added to its long lamentable list of crimes: The famines in the Ukraine, the great purge, the Baltic deportations, the repression of Soviet Jewry, the invasion of Afghanistan, to name just a few. We are dealing with a regime to whom the bizarre and hateful slogans of Communist ideology are real, but men and women mere shadows, a regime that holds its borders "sacred," but human life worthless. The Soviet Union may talk of peace; but the death of flight 007 shows they act with missiles.

It is time for the decent people to look to their defenses. If there could be any doubt that terror was as important and fundamental to the Soviet state as democracy and freedom is to ours, it is now dispelled. Lenin himself wrote "We have never rejected terror on principle, nor can we do so." What we saw in the night sky over the Sea of Japan was not an aberration, nor a mistake. It was rather a crystal-clear glimpse of the basic and fundamental nature of the Soviet Union.

In the short term, the United States, and the governments of much of the world, have reacted with sanctions. This is both applaudable and necessary, but it is not enough. If flight 007 fades from the headlines without making us view the Soviet Union the way it really is, then we will have broken faith with those who died.

The United States is a democracy, a form of government that requires responsibility and participation from its citizens. The spirit of democracy is opposed by that of totalitarianism—that the state is all, the individual, the family, nothing. That is why I strongly support the actions of individual Americans against the Soviet Union. It is not an American tradition to rely on the government for all things. That includes expressing their outrage, whether it be by small things, such as refusing to stock Soviet-made vodka, or large ones, such as the actions of the Los Angeles longshoremen who willingly refused the wages they could have earned unloading the Soviet freighter *Novokuibyshevsk*. In creating their own sanctions against the Soviets, by putting their principles before monetary gain, these longshoremen have carried on a proud American tradition. They have earned our support and our gratitude.

This freedom and resolve is the opposite of the spirit that destroyed flight 007. Its continued existence is one of the few hopes all those who value human life and the human spirit have in the face of the crimes that the Soviet Union perpetrated since it first emerged. These crimes were intended to intimidate, to kill not only people who wished to live in freedom, but to kill the hope for freedom in those who still lived. The Soviets have failed in this as much as they have failed in agriculture, in industry, in everything else with the exception of war, repres-

sion, and viciousness. The spirit of freedom still lives with the people of Afghanistan, with Soviet Jewry, with the Ukrainians, Balts, Christians, Hungarians, and with those, worldwide, who share this spirit. As long as people are willing to stand up for this spirit—as happened in Los Angeles and throughout America in the wake of this latest crime—then we may yet remain the last, best, hope of the Earth.●

AGENT ORANGE CARAVAN

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Ms. KAPTUR. Mr. Speaker, during the August recess, I had the opportunity to participate in one of the most moving and uplifting experiences in my public life. Last week, the Vietnam Veterans of Toledo welcomed to Toledo, the Agent Orange Caravan which is on its way to the Nation's Capital. During this welcoming ceremony, I became more convinced than ever, that the tragedy of agent orange must be forthrightly addressed by the Congress.

The individual most responsible for organizing this event was a gentleman for whom I have a great deal of respect, Mike Flowers, the president of the Vietnam Veterans of Toledo. Mike is an inspiring leader of this organization. Since serving his country in Vietnam, Mike has been an articulate spokesman for the cause of the Toledo area's Vietnam veterans. As a member of the Veteran's Committee, it is a privilege to work with an individual like Mike Flowers in our effort to serve our country's Vietnam veterans.●

DISASTER RELIEF

HON. DOUGLAS H. BOSCO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. BOSCO. Mr. Speaker, today, along with my colleagues, Congressmen WEAVER and SWIFT, I am introducing a concurrent resolution which seeks to address the severe economic hardship facing west coast commercial salmon fishermen. Ocean conditions associated with the natural phenomenon commonly known as El Nino have threatened the continued viability of hundreds of small commercial salmon operators in California, Washingtion, and Oregon. The 1983 salmon industry is suffering through the worst season since before World War II. With this concurrent resolution it is my hope that Congress will quickly act to help secure Small Business Administration economic injury disaster loans for commercial salmon fishermen.

In California, as in Washington and Oregon, El Nino has had a negative impact upon several different fisheries including squid, shrimp, crab, and ground fish. However, the salmon fishery has been particularly hard hit; El Nino's high water temperatures and absence of normal upwellings has vastly reduced the amount of plankton and other nutrients upon which smaller fish and shellfish normally feed. The National Marine Fisheries Service has stated the failure of California's chinook salmon fishery is directly attributable to El Nino conditions.

In terms of total weight, California salmon landings are at their lowest level since 1939. The average weight of chinook salmon, the State's most valuable salmon species, is the lowest ever recorded. The size, quality, and number of salmon found has been exceedingly low. In fact, the California Department of Fish and Game reports that combined chinook and coho landings are less than one-third that landed a year ago. In many respects, coho, pink, and sockeye landings in Oregon and Washington have been hit even harder.

Obviously, this disastrous season resulting from El Nino has adversely affected California's $1 billion fishing industry, and the economies of many coastal communities which depend on it. Most important, however, has been the plight of individual fishermen and their families. In my particular district along California's north coast, bankruptcies and defaults on mortgaged fishing vessels are occurring at an alarming rate. Production credit associations and other private financial institutions are understandably hesitant to extend further financing or soften current credit terms for fishermen, marked as poor credit risks due largely to current El Nino conditions. Having dedicated their lives to commercial fishing, many families find themselves close to the point of financial insolvency. Without further help, hundreds of victims of this natural disaster will not be able to revive their commercial operations next season—threatening the future health of this vital industry.

Astonishingly, these fishermen have found themselves virtually without recourse to Federal or State disaster relief assistance programs. However, under the economic injury disaster loan program, SBA is authorized to make loans available to small business concerns which have suffered substantial economic injury due to a physical disaster. Small business victims of such natural disasters as hurricanes, floods, earthquakes, and droughts throughout the Nation have justifiably received millions of dollars in Federal assistance. Despite conclusive evidence to the contrary, SBA has expressed its reluctance to recognize El Nino as a natural disaster, as well as to recognize the causal effect between El Nino and the decimated salmon fishery; they have threatened to disapprove any request for loan assistance for salmon fishermen. This despite the fact that hundreds of fishermen can easily demonstrate an impaired financial condition attributable to El Nino.

Currently, numerous counties in Washington, Oregon, and California are petitioning their respective Governors to certify to the Small Business Administration that conditions called for under the economic injury disaster loan program have been met, and that financial assistance is needed. To be eligible, counties and the Governor must provide evidence to SBA that a physical disaster has occurred, that at least five small business concerns in affected counties have suffered substantial economic injury, and that businesses are in need of financial assistance not otherwise available on reasonable terms. In my district, all four coastal counties have recently completed their petition process. The California Governor is expected to act soon.

Mr. Speaker, as evidenced by recent county actions, I believe these conditions of eligibility required under the law are easily met in affected areas along the west coast. Cities, counties, fishermen organizations, and members of the congressional delegations in affected States have undertaken a coordinated, bipartisan effort to insure fishermen their rightful access to this program. This concurrent resolution is designed to support these efforts by putting Congress on record as requesting that SBA take necessary action to make loan assistance available to commercial salmon fishermen. Ultimately, it is my hope that county, State, and congressional sentiment will provide the necessary inducement for SBA to properly exercise its authority in meeting the needs of these disaster victims. Thus, I urge the Congress to pass this measure without delay.●

SAFETY OF CIVIL AVIATION IN JEOPARDY

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. PACKARD. Mr. Speaker, I deplore the act of barbarism the Soviet Union committed when they shot down Korean Air Lines Flight 007 on September 1. This destructive action resulted in the murder of 269 innocent passengers from the United States and 13 other nations. The United States and the entire international community cannot tolerate such acts of violence. The callous and uncivilized gunning down of this civilian aircraft must never be forgotten.

The safety of civil aviation has been placed in jeopardy by yet another example of air aggression by the Soviets. Sanctions aimed at the Soviets are vital if we are going to deter that country from future repetition of such inhumane behavior. We must bolster the strong words of disgust, revulsion, scorn and fury with equally severe measures. Banning Aeroflot—the national air carrier—from landing in this country, suspending certain cultural, scientific, and diplomatic exchanges and working with other nations to limit Soviet civil flight in the West are all legitimate responses to this tragedy.

This attack was aimed at all societies that value individual rights and moral behavior. The Soviets' action reflects the total disregard they have for human life. Their flagrant neglect for human existence has been further compounded by their steady refusal to tell the truth. I call upon the Congress to cooperate with President Reagan in developing a measured and proper reaction to this international tragedy.●

FEDERAL CIVIL SERVICE IN TURMOIL

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mrs. SCHROEDER. Mr. Speaker, when President Reagan first took office, he pledged to make significant changes in the civil service to produce a more efficient Federal Government. I have recently released a report of the General Accounting Office (GAO) that confirms that his changes have been significant—unfortunately they have demoralized employees and reduced productivity.

The GAO report ("Retrenchment and Redirection at the Office of Personnel Management" GAO/GGD-83-95) deals with the impact of Reagan administration policies on the Office of Personnel Management (OPM). OPM is the central personnel office of Government and, as such, is responsible for setting and implementing policy in employee selection, compensation, retirement, and work force management. The GAO report documents the devastating effect of the numerous reorganizations and reductions in force implemented at OPM by Director Donald J. Devine. These actions have resulted in the demotion or separation of nearly 650 employees and a loss of pay for 3,000 more. While these actions were taken in accordance with law, they were enormously disruptive both to the workers involved and to the programs they administered.

Dr. Devine has always maintained that he wants to return OPM to the basics of bedrock personnel management. What this has meant, in practice, is that other Federal agencies have gotten less help from OPM and are subject to less oversight. This reduced oversight has resulted in an upsurge in merit system abuses during this administration.

The August 29, 1983 U.S. News & World Report contains a very good article discussing the serious problems in the Federal civil service. It shows that despite the system's need for thoughtful, deliberate reform, the policies of the Reagan administration have only served to generate unbelievable turmoil, devisiveness, and frustration.

The article follows:

[From the U.S. News & World Report, Aug. 29, 1983]

IT'S NOT VERY CIVIL IN THE CIVIL SERVICE—REAGAN APPOINTEES ARE TRYING TO TAME THE BUREAUCRATS, BUT FEDERAL WORKERS ARE FIGHTING BACK

(By Joseph Shapiro)

In its 100th-anniversary year, the federal civil service is in turmoil.

Not in recent years have the short-term political managers and long-term career bureaucrats been so openly suspicious of one another. In some agencies, it's a state of war.

To President Reagan, it's a matter of taming what he regards as an unaccountable and out-of-control bureaucracy. But others complain of the "politicization" of the civil service and contend that political appointees sometimes come to an agency hostile toward its mission and suspicious of its employes.

The infighting affects—adversely, in most cases—everything Washington does, from providing service to the individual citizen to the spending of billions of tax dollars. Says Robert Hartman, who recently completed a study of the civil service for the Brookings Institution: "Everybody is operating from weakness. Morale is zero. The work force is deteriorating. No matter how conservative you are, you want somebody with experience negotiating billion-dollar defense contracts."

Core of doubt. All new administrations—Republican or Democratic—come to Washington with doubts about how much they can trust the federal workers, now numbering 2.2 million.

"Conservative administrations often feel they have to buck the tide against an entrenched set of liberals in the civil service," says Charles Goodsell, a professor of public administration at Virginia Polytechnic Institute and State University. The result, he says, often is to doom an administration to repeat past mistakes because political appointees ignore the experience of career bureaucrats. One recent example:

At the Justice Department, 204 employes in the civil-rights division protested the administration's plan to grant tax exemptions to private schools that discriminate racially. Despite the argument that the new policy was unconstitutional, the political appointees pushed ahead. The Supreme Court in late May ruled that the employes were right.

For frustrated federal workers, even those who joined the service in a past Republican administration, it is an unhappy and insecure period. G. Jerry Shaw of the Senior Executives Association, a group that represents senior career employes, says out-of-favor career workers are being fired, transferred or given nothing to do; out-of-favor agencies are underfunded and understaffed.

The result is that political managers are becoming more deeply entrenched. According to a recent congressional report, the number of political appointees has jumped 110 percent since 1977, the year Jimmy Carter took office.

Specific cases show what's happening:

At the Department of Energy, Maxine Savitz lost her job as the government's top civil servant for energy conservation. She said she was punished for doing too good a job with a program the Reagan administration wants phased out without getting congressional approval. A civil-service review office agreed, but the department has refused to take her back.

At the Department of Housing and Urban Development, 77 workers are asking the courts to overturn their firings and demotions. A lawyer for the workers contends there was a "sinister motive" behind the moves: To gain political control over the agency and shut down fair-housing programs. Also at HUD, two fired employes were ordered reinstated after a review board found they had been improperly dismissed because of their union backgrounds.

A recent congressional probe criticized ACTION, the independent agency that handles domestic antipoverty programs, for hiring large numbers of noncareer workers, contrary to directives of congressional committees. It was such activity that prompted formation of the civil service in the first place.

Before 1883, many jobs were awarded by elected officials to friends, who often kicked back part of their pay. That year, reacting to the 1881 assassination of President James Garfield by a disappointed job seeker, Congress passed the Pendleton Act, which outlawed the spoils system and replaced it with a career civil service in which applicants competed on merit tests.

Since then, rules to provide job security have been so strengthened that even some supporters of the civil service concede that firing of incompetent workers has become complicated and time consuming. Numberous government managers say that trying to fire an unsatisfactory worker by the rules isn't worth the frustration.

Ideas for reform: Many civil-service supporters see a need for change. The Brookings Institution study calls for broad reform of pay and retirement systems. Top administrators pay would be raised to try to keep them in federal service, but compensation at lower levels would be reduced to bring workers' benefits more in line with those in the private sector.

Donald Devine, Reagan's director of the Office of Personnel Management, is pushing sweeping reforms that he says will make government more efficient. They include a proposal to link pay and job security to performance evaluations.

Stiff opposition: Currently, such evaluations are used for 7,000 top-level officials. An agency administrator, on 15 days' notice, can transfer a senior executive down the hall or across the country. Shaw, of the Senior Executives Association, says this power, part of a 1978 package to improve the civil service, is being misused to punish efficient but out-of-favor employes.

Devine insists that the current system, whereby 1.4 million civil servants get virtually automatic raises based on their tenure, often rewards incompetence and helps give

bureaucrats a poor public image. His pay-for-performance plan has met strong opposition in Congress. Critics point to cases where they say evaluations were used punitively.

One example: Dr. Peter Infante, the Occupational Safety and Health Administration's chief cancer expert, challenged an international agency's finding that there was insufficient evidence to call formaldehyde a carcinogen. That provoked a representative of the formaldehyde industry to send Infante's boss a letter asking, "How do you control members of the bureaucracy who seem to be operating freely within and without government?" Infante got an answer: He was given an unsatisfactory job-performance rating and ordered fired. Only after a congressional panel intervened was his job saved.

Other ways out: When job evaluations do not work to push out or punish disliked workers, transfers sometimes are used. One recent case was that of Marvin Lesht, HUD's regional personnel director in Chicago. He was ordered transferred after he had cooperated with a federal review panel investigating unfair employment practices at his agency. Under pressure from a federal review board, HUD in mid-August rescinded the transfer.

Often, employes are required to make difficult, if not impossible, choices—in effect, forcing them to quit. During a General Services Administration shakeup, for instance, a husband and wife were transferred to different cities.

Bosses also use political muscle to shift people into jobs with little to do. At the Office of Personnel Management, a research psychologist was paid his $42,653 salary despite being demoted to coloring computer printouts, a job he said was rated to pay only $10,645.

Another gambit, employes say, is to cut funds for agency staff and programs. Large-scale firings—called reductions in force—are used to dismantle programs that Congress wants continued, says Representative Patricia Schroeder (D-Colo.), whose House subcommittee has investigated several such firings.

Defensive punch: Bureaucrats are not powerless in the struggle with management, as the conflict at the Environmental Protection Agency demonstrates. When former Administrator Anne Burford took EPA in a new direction, she quickly learned about civil servants' tenacity. Career employes leaked damaging stories of mismanagement, political favors and employe hit lists to congressional committees and the media. In the end, the leaks helped lead to the departures of Burford and a dozen political appointees.

Still, critics say, career employes whose jobs are about to be abolished face a tough road. Lawyer George Chuzi, who represents employes, says the procedure set up in 1978 to protect bureaucrats—the Merit Systems Protection Board and its Office of Special Counsel—lacks the funding, staff and resolve to be effective.

The harshest charge against the Reagan administration's personnel actions is that they subvert the whole merit civil service. Representative Schroeder says the message from the administration is that "the merit system is being rolled back after 100 years, and here we go."

In the end, Shaw says, the current battle comes down to this: "Are you going to have a career civil service to provide the continuity and stability from administration to administration, or are you going to politicize the management of federal government?"

Reagan supporters argue that the question really is: "Are the elected officials or the bureaucrats going to run the country?"●

LEGISLATION TO DELAY RECOMPUTATION OF FEDERAL EMPLOYEES' PAY

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. FAZIO. Mr. Speaker, I wish to express my strong support for legislation introduced today affecting our Federal work force. This bill would delay the recomputation of Federal white-collar salaries from October 1 until the date when Federal workers receive a pay raise, which is expected to be next January. The changeover from computing pay on the basis of a workyear of 2,080 hours to one of 2,087 hours will cost the average civil servant about $3.20 every 2 weeks.

I have worked closely with the author of this legislation, Post Office and Civil Service Committee Chairman Bill Ford, and wholeheartedly agree that the impact of this salary cutting formula should be delayed. This bill has already received the endorsement of the Office of Personnel Management, and represents a bipartisan effort among Members of Congress on behalf of our Federal work force. The bill will be brought to the floor under suspension of the rules, and I urge my colleagues to give it their swift and favorable consideration.●

BISHOP FRANK MADISON REID, JR., INSTALLED AS PRESIDENT OF AME CHURCH'S COUNCIL OF BISHOPS

HON. BUTLER DERRICK

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. DERRICK. Mr. Speaker, I would like to take this moment to bring to the attention of my colleagues an outstanding individual, Bishop Frank Madison Reid, Jr. Bishop Reid was recently installed as president of the African Methodist Episcopal Church's Council of Bishops when some 5,000 delegates met in my home State, South Carolina, this summer.

Bishop Reid, in addition to this outstanding and dedicated service as the presiding bishop of the Seventh Episcopal District for the past 7 years, has involved himself in both community and civic affairs outside the responsibilities of the church. He is an extraordinary individual who has done much to improve education and assist the poor. He was born in Danville, Ky., and reared primarily in St. Louis, Mo. Working with my colleague,the gentleman from the First District in Missouri, Mr. William Clay, Bishop Reid fought for equal opportunity in the war against discrimination and poverty in this country.

This great leader attended the public schools in St. Louis, and recieved his B.A. degree in psychology from Wilberforce University, the Nation's oldest historical black college. His masters in divinity was received from Garrett Evangelical Theological Seminary, Evanston, Ill. He has also studied at the University of Chicago and has received honorary degrees from Morris Brown College and Allen University.

Having pastored in South Carolina, Ohio, Illinois, Missouri, Maryland, and the District of Columbia, Mr. Reid has a long and distinguished history of church service. He has been active in the African Methodist Episcopal Church since the age of 17. He has served in many administrative capacities in the AME organization and it was while here in the Nation's capital that he was elected bishop. He has received numerous awards and citations throughout his career, including the Kidder Award for Excellence in Preaching and the Order of African Redemption—awarded by the President of the Republic of Liberia in recognition of meritorious service.

Over the years Bishop Reid has been extremely effective in communicating with the young people, and his conference revivals have resulted in hundreds coming to Christ. His ministry will continue to serve as an inspiration to the AME Church family. I know that he will do a fine job in his new role as president of the Bishops' Council of the African Methodist Episcopal Church which represents some 1.3 million members worldwide.●

MINES—A REAL SOVIET THREAT

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. ROTH. Mr. Speaker, the U.S. Navy today has an active force of 21 minesweepers. The Soviets have a force of 388 minesweepers.

Our minesweepers are over 30 years old and are of World War II vintage. The Soviets have an expanding navy with state-of-the-art technology.

The United States has numerous ports and sealanes. The Soviets have only a few to protect.

As one reads the above statements, one would be convinced that the names are reversed. After all, it is the United States which depends on its ports and on open sealanes for its very survival. Yet it is the United States

which runs a far second in the quality and numbers of its minesweepers.

The Soviets have the capability to lay mines in our ports and sealanes. Their mine and mine-laying technology is among the best in the world. Thus, we must be prepared to meet the threat.

At the present time, the first of a series of sophisticated, technologically up-to-date minesweepers is under construction in my congressional district. The second will soon be underway.

These ships are well-designed and are being built by able, competent shipbuilders. They are ready and willing to build three more minesweepers—as authorized in the fiscal year 1984 defense authorization.

Now it is imperative that the funds be appropriated to enable construction of these ships. Therefore, I urge the Appropriations Committee members, particularly those on the Defense Subcommittee, to support construction funds for these three ships.●

DOCUMENTATION CENTER AND SHRINE

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mrs. JOHNSON. Mr. Speaker, a constituent from my district, Rabbi Henry Okolica, of New Britain, was recently in the Federal Republic of Germany to visit his home town of Aschaffenburg. Rabbi Okolica's travels were not motivated, however, simply by nostalgia. He was returning to his birthplace to see the progress the city government has made in building a documentation center and shrine to commemorate the historic events of the years between 1933 and 1945 during which the entire Jewish community of Aschaffenburg was dispersed or wiped out by the Nazis. Seven hundred years of uninterrupted Jewish community life came abruptly to an end with the advent of Hitler's rise in Germany in 1933. In only 10 years, the entire Jewish community of Aschaffenburg was wiped out; 135 Jewish citizens were known to be deported to Poland's concentration camps, 37 to Theresienstadt, and seven committed suicide before the deportations began, including Otto Wolfsthal, one of the great Jewish philanthropists, and his wife Maria.

Now the city, under the guidance of its Oberburgermeister Dr. Will Reiland, is building a memorial to remind a new generation that dictatorships bring ruin to nations. On the ground where the synagogue once stood shall stand a shrine with tablets that bear the names of those deported or killed during the dispersion. The former Jewish Community House shall now house a library, museum, and chapel, building a foundation for future generations to learn from the tragedies of the past. The dedication will be in the summer of 1986, and the city of Aschaffenburg will invite the survivors of Hitler's inferno to be present at the ceremonies.

It is most appropriate that the events that took place during World War II against the Jewish communities be publicly acknowledged and recorded in this age so prone to revisionary history. I as a citizen of a nation dedicated to truth, justice, and the realization of man's spirit of freedom and mutual respect, commend Dr. Reiland and the citizens of Aschaffenburg for their determination to preserve the past; its perversions as well as its glories. Such actions thereby honor those who suffered so unjustly, as well as protect against such inhumanity in the future, for as George Santayana once said, "Those who do not remember the past are condemned to repeat it.●

TRIBUTE TO VICE ADM. LANDO W. ZECH, JR.

HON. ELWOOD HILLIS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. HILLIS. Mr. Speaker, I would like to tribute today to Vice Adm. Lando W. Zech, Jr., an outstanding officer who has served the Nation and the Navy with distinction for nearly four decades. As the ranking minority member on the House Armed Services Subcommittee on Military Personnel and Compensation, I have had the opportunity to work closely with Admiral Zech and would also like to offer my thanks to him for his superb representation of the Navy's manpower and personnel interests for the last 3 years.

Admiral Zech will be relieved on September 28, having served as Chief of Naval Personnel since August 1980. During World War II he participated in combat operations in the Caroline Islands, Iwo Jima, and Okinawa. He went on to command three submarines—including U.S.S. *Nautilus*, the first nuclear-powered ship—and a guided-missile cruiser. His last 10 years of service have been as a flag officer.

There is an interview with Admiral Zech in the September 12 issue of Navy Times, which demonstrates quite clearly that the Admiral's primary concern during his tenure as Chief of Naval Personnel has been the young sailor at sea. I quote the Admiral:

> I have tried to be a good guardian. What I have tried to focus on every day was that young sailor out at sea * * * We are the ones who are supposed to be worried about them.

But, at the risk of embarrassing the Admiral, I will tell a brief story which shows that his demonstrated leadership abilities were evident many years ago. As a junior officer in the early 1950's he served for 2 years on the staff at the Naval Academy as a company officer in charge of a company of midshipmen. One day the senior administrators, who were responsible for rating the junior staff members, decided to see if there was any correlation between their appraisals of the company officers and the number of midshipmen from each company who elected to receive commissions in the Air Force—rather than in the Navy or Marine Corps—upon graduation, a selection which is permitted by law. The senior members of the academy staff were not surprised with what they found: Lieutenant Zech not only was rated No. 1 among the company of officers, but his company had the fewest members requesting commissions in the Air Force. More of his midshipmen decided to "stay Navy" than in any other company.

Admiral Zech has "stayed Navy" for more than 39 years. The Navy owes him a large debt for his exemplary service, and we in the Congress owe him our gratitude for having helped make it possible for us to discharge our responsibilities regarding the maintenance of the Armed Forces and the protection of our country. Admiral, we thank you.●

SCOOP JACKSON—LARGER THAN LIFE

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. BONKER. Mr. Speaker, to those of us who knew him, Scoop Jackson was an extraordinary, larger than life person. His longtime Senate colleague, Warren Magnuson, noted in a recent eulogy that Scoop Jackson seemed "indestructible." Together, these two Washington Senators gave our State the kind of representation that was the envy of every Congressman. The "gold dust" twins were powerful. Their vast influence lay as much in their exceptional personal qualities and abilities as it did in their nearly half-century tenure in Congress and the important committees they chaired. For Washington State, the U.S. Senate will not be the same without them. We have just witnessed the passing of an era.

Senator Jackson was a legend in his own time. His counsel was earnestly sought by Presidents of both parties and leaders around the world. In Beijing the day of his death, the official China Times announced "China loses a dear friend." Wreaths from Israel

and other world capitals filled the church sanctuary in Everett the day of his funeral. Leaders of the free world mourned his passing while their counterparts in the Kremlin felt relieved to be rid of their biggest nemesis.

Scoop Jackson will be remembered for his expertise in Soviet affairs and strategic policy, but he was also a giant in the most important national and regional issues of our day. He was in the forefront of the environmental movement, and authored major legislation of the 1960's and early 1970's to protect the Nation's air, water, and natural resources. It was his committee—and his leadership—that dealt effectively with the energy problems that plagued our country in the mid-1970's. He was a proven authority on many subjects.

Scoop Jackson was most impressive in how he delivered for the Northwest. Whether it was for dams or dredging, fish hatcheries, the aerospace industry, post office, help for a pensioner, or an immigration case, we could depend on him.

I recall a few months back our frustration with getting the administration to release funds to continue vital dredging around Mount St. Helens. The White House side balked until Jackson posed the question: "How can I justify not being able to secure funds to protect my constitutents from flooding while leading the President's efforts to obtain funding for the MX?" The message got across. The Senator was not being threatening or arrogant. He effectively stated his dilemma.

Scoop Jackson personified Americanism.

He was as much at home in the U.S. Capitol as in his hometown of Everett. He was as comfortable talking to corporate leaders as he was in union halls with rank-and-file workers. I have seen him at it a hundred times and he said pretty much the same thing to both sides. Nobody ever accused Jackson of hypocrisy. On one occasion, I was amused watching him read the Wall Street Journal as we were driving to a union meeting.

Relate to world leaders he did, but Scoop really enjoyed talking to senior citizens, kids, the local civic leaders, and others in the community. I marveled at his vivid description of La Center and Naselle, only two of the hundreds of small towns Scoop knew like his own neighborhood. He could cite names and places in remote areas of the State that would surprise even his close supporters. It seemed at times everyone in the State either knew Scoop, was a classmate, got a letter from him, or had heard the Senator speak. He touched all of our lives.

Scoop Jackson was a Democrat, and a tough partisan at that. But he crossed philosophical lines like few have in our history. At the funeral were the likes of Senator STROM THURMOND and BARRY GOLDWATER, elder conservatives, and Senator PAUL TSONGAS, the young liberal from Massachusetts. He was called my hero by the conservative columnist George Will; yet his labor voting record, consistently 100 percent, was totally at odds with what Mr. Will believes is best for America.

This seemingly contradictory side of Senator Jackson was possible because of the universal respect everyone had for the man. His integrity earned him his independence.

Above all, his personal qualities impressed those who knew him.

In 45 years of public service, Scoop Jackson had an unblemished record in integrity. There were no grey areas—not in campaign donations or use of campaign funds, questionable votes or office accounts, not at all in his personal life. These days most Senators are supplementing their income with honoraria. He averaged $40,000 a year in speaking fees, but every penny went to a foundation he set up to help needy students. Scoop was simply incorruptible.

His self-discipline left people around him in despair. Scoop did not indulge in smoking or drinking, not even coffee. He exercised regularly, went to bed early, read constantly, watched carefully what he ate, treated everyone equally, worked hard. Few could match his stamina, even those 20 or 30 years his junior. But he did not impose those standards on others.

Another attribute was the Senator's constancy on issues. He did not change his views, and only reluctantly altered his position on an issue when compromise was necessary. You always knew where Scoop Jackson stood and there were never surprises. To Scoop, the Senate was a no-nonsense place where a person's integrity counted.

He genuinely cared about people. At times his staff despaired when their Senator became absorbed in a constituent problem, giving it as much time and effort as he would a major speech or hearing, but that was simply his nature. Scoop Jackson was a father figure for his staff and supporters, forever inquiring about their family and health. His humanness was not only personal, but corporate as evidenced by his early and strong support for programs to help the needy. But he also did not excuse or approve of recipients who were not deserving or did not try to help themselves.

On a more personal note, I had my differences with Scoop. We were at odds on issues, notably defense spending. How insignificant these things seemed last Wednesday. The man's greatness was obvious by those who were at the funeral and the eulogies spoken.

I reflected on my 20-year association with Senator Jackson and felt something of a political renewal. One could not help but learn a great deal being around Scoop. I do not think I fully valued the measure of the man when he was with us.

Now that he is gone I know how much Scoop Jackson meant to me, to our State, and Nation. He will be missed, probably more than we realize. All Washingtonians can be proud that he served us for so long and so well.●