EXTENSIONS OF REMARKS

FRED MEURER—FORT ORD LOSES AN OUTSTANDING OFFICER

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. PANETTA. Mr. Speaker, I want to bring to the attention of my colleagues the recent retirement of Lt. Col. Fred Meurer, who served 20 years in the Army and performed outstanding work at Fort Ord, in Monterey, CA.

Among the most serious issues at Fort Ord is a severe housing shortage, which is exacerbated by the relatively high rents for offbase housing in the Monterey Peninsula Area. Fred Meuer did an outstanding job, working with both Army and local officials, as well as landlords in the Monterey community, to help alleviate the problem. As director of engineering and housing for nearly 4 years until his retirement this year, Fred Meurer did as much as any one person could possibly have done to improve the housing situation for the men and women who serve our country at Fort Ord. His innovative thinking and ability to work with people from many different walks of life made him ideally suited to the job. It should be added that this work was accomplished at a time when the 7th Division, which is stationed at Fort Ord, was converting to a light infantry division, a factor that of course made the challenge even greater.

From my own perspective as the Representative from the Monterey area, I can also report that Fred Meurer was an immense help in my own efforts to promote strong community/military relations. He was always available, always willing to assist, and always alert to opportunities to improve the situation. As far as I am concerned, his work in this area was a model for military installations throughout the Nation.

In addition to these tasks, Fred Meurer performed a wide variety of other housing- and building-related missions which were crucial to the stability and future strength of Fort Ord.

Of course, LTC Meurer's career ended at Fort Ord, but his service was equally illustrious prior to his arrival in our area. He graduated in 1966 from the U.S. Military Academy at West Point. From this distinguished beginning, he went on to a series of key jobs, including company commander, first engineer, 1st Infantry Division in Vietnam; chief of master planning, U.N. Command in Korea; project design and construction engineer at Fort Lewis, WA; project engineer, U.S. Army Corps of Engineers in the Sacramento District; director of operational testing, Fort Ord/Fort Hunter Liggett, CA; and then his final position as director of engineering and housing at Fort Ord.

Mr. Speaker, Fred Meurer is the model of a career member of our armed services. Wherever he went, he served well. He improved life for countless personnel, and helped make Fort Ord a good neighbor for those who live nearby. I am sure my colleagues join me in thanking him for his service and wishing him the best of luck as he moves on to new endeavors.

THE IMPORTANCE OF CAPTIVE NATIONS WEEK

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. GEKAS. Mr. Speaker, last month we marked the annual recognition of Captive Nations Week on July 20 to 26. The importance of that week to people around the world can never be underestimated, as it provides hope to millions of people who live under the domination of governments that restrict basic human freedoms every day.

When the glare of international attention is not focused on the actions of Communist governments, they feel they can continue the terrible treatment of their citizens. Thus, the primary goal of Captive Nations Week is to let people everywhere know of the inhumane acts perpetrated upon the innocent inhabitants of those countries living under Communist domination. In that way, the governments may be forced to address the concerns of the international community, or else bring further scorn upon themselves.

An even more important reason for Captive Nations Week has already been mentioned, that is, the hope it brings to captive persons around the globe. Our commemorating this week exhibits clearly the fact that we have not forgotten the unfortunate men, women, and children who wish to be free. How could they keep their hopes alive if they thought nobody cared about their plight? Let the governments of captive nations be put on notice: we do care.

The immense nationwide celebration of the Fourth of July in the United States this year in conjunction with the Statue of Liberty's "birthday" showed how important the concepts of liberty and freedom are to the American people. It plainly lets the captive persons abroad know that those principles, so vital to the fabric of our Nation, must be rightfully extended to everyone around the world, and that the United States will continue to mark this Captive Nations Week until all people are free.

FEEDING OUR NATION'S HUNGRY

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. HAWKINS. Mr. Speaker, according to estimates, almost 20 million people in the United States will be hungry at the same period each month. While these 20 million people go hungry, the U.S. Department of Agriculture has over 7 billion dollars' worth of wheat, rice, butter, cheese, and nonfat dry milk in storage facilities around the country.

Through numerous agricultural laws, the Government purchases commodities from farmers to help maintain farm price support levels. However, these surpluses were simply accumulating in privately owned warehouses until 1982, when an effort was begun to reduce the amount of Government holdings and to distribute food to the hungry. Since 1982, 3 billion pounds of commodities, valued at $3.4 billion have been distributed to States under the Agricultural Act of 1980. Yet, contrary to popular belief, this has not been enough to alleviate hunger in the United States.

A recent report by the U.S. Conference of Mayors, "The Growth of Hunger, Homelessness and Poverty in America's Cities in 1985: A 25-City Survey," noted that in 55 cities, the demand for emergency food increased by an average of 28 percent in 3 years. Twenty-two cities anticipate a sharp increase in demand. And in two out of every three cities, emergency food centers must turn people seeking food assistance away.

What can we do to decrease and eventually eliminate hunger in the United States? One option is to look into the availability of the commodities being stored in warehouses and the costs of reprocessing, shipping, and distributing surplus food to private and public organizations versus storing the food. Many food relief agencies reported a significant number of unemployed workers seeking aid, and families with children. The Reagan administration says that the key to reducing hunger is economic growth. This is true, but people must eat while this economic growth is being realized. And many more may never feel the warmth of any economic recovery.

The Reagan administration requested no funding for the Temporary Emergency Food Assistance Program in their fiscal year 1987 budget proposal. The administration also requested a reduction in Federal funds to the States for transportation, storage, and distribution. States and local communities desperately need volunteer and paid staff. In addition, agencies need more funds and facilities in order to adequately respond to the needs of the hungry.

There are several arguments for and against distributing more food to the needy. Farmers say that commercial sales may ultimately be displaced because of the food distribution. Research indicates that people receiving food commodities cannot afford to purchase the products in a store. On the other hand, food commodities are of little value to society while in warehouses. The value of this food to the hungry outweighs the costs in-

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

71-059 O-87-45 (Pt. 15)

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

volved with distributing and reprocessing. More research and thought must be given to this issue. I am sure less costly forms of repackaging items such as cheese can be found. The hungry in our country deserve top priority in our legislative considerations. Programs affecting their plight must be thoroughly considered, researched, and discussed. Federal Food Assistance Programs need our support in carrying out the tremendous task of feeding our Nation's hungry.

McDONALD AWARD RECIPIENT

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. LIPINSKI. Mr. Speaker, it is my privilege and honor to rise this evening to recognize a constituent of mine, Mr. Joseph Hamzik, who has received the Ray McDonald Community Achievement Award sponsored by the staff of the Midway Sentinel.

Mr. Hamzik's dedication and service to the community extends over a variety of areas. He has spent the past 27 years as a Chicago Park district supervisor, the past 10 years at Curie Park.

His involvement began at an early age. A native member of our community, Mr. Hamzik attended St. Bruno Grammar School, and Kelly High School, where he played varsity baseball and captained the basketball team. His involvement and commitment continued to grow over the years. He is presently a member of St. Pancratius Parish, the Archer Road Kiwanis Club, Darius Girenas American Legion Post and the 12th Ward Regular Democratic Organization.

According to Mr. Hamzik, his involvement comes easily: "My work takes no effort—I consider it a pleasure to be able to serve both young and old."

In an effort to share his knowledge of history, Mr. Hamzik has compiled two manuscripts tracing the history of Brighton Park. Copies of these manuscripts, "Nostalgic Brighton" and "Gleanings of Archer Road", have been donated to the Brighton Park Library and the Chicago Historical Society.

Mr. Hamzik's love of history has led to numerous trips abroad. His travels span the expanse of the globe, and he has described his experiences in over 200 articles for the local Midway Sentinel and the Brighton Park Life newspapers. He and his wife have visited the Orient, Turkey, Egypt, Israel, Western Europe, and seven Iron Curtain countries, including the Soviet Union. The Hamziks have logged 249,131 miles; equivalent to 10 times around the world.

Mr. Hamzik's extensive contributions to the community are to be commended. It is to dedicated individuals such as Mr. Joseph Hamzik that we are proud to recognize the awarding of the Ray McDonald Award.

EVEN SMALL PROBLEMS FOR FSLIC HAVE EXPENSIVE SOLUTIONS

HON. STAN PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. PARRIS. Mr. Speaker, on Wednesday, the other body's Banking Committee took a major step toward preserving the safety and soundness of the Federal Savings and Loan Insurance Fund by passing a bipartisan bill to infuse the FSLIC with $25 billion over the next 5 years. A similar aid package has been approved by the financial institutions subcommittee of our body's Banking Committee. Although many of us are encouraged by the preliminary approval this critical legislation has received in both bodies, the concern about FSLIC's financial strength will not ease until this bill reaches the President's desk.

Mr. Speaker, the Federal safety net for savings and loans and their depositors is straining at the seams, and is at risk. FSLIC has $4.7 billion in reserves to insure almost $1 trillion of deposits, and the insurance fund estimates that 200 institutions will need assistance over the next 5 years at a cost estimated between $16 to $22 billion. There are other credible estimates which project a $30 billion and up need for the FSLIC over the next 5 years.

Federal regulators are currently managing 42 insolvent S&L's—known as the living dead in the industry—with assets of roughly $23 billion. FSLIC is trying its best to avoid direct cash outlays and has instead been providing these wards with promissory notes and management expertise where possible in a desperate hope the Congress will approve the recapitalization plan this year.

Last Friday, FSLIC finally closed one of these insolvent S&L's, Presidio Savings and Loan of Porterville, CA. Little Presidio had assets of $128 million. FSLIC estimated that the liquidation would cost it $112 million over time—an 87 percent loss on the thrift's assets. So, Mr. Speaker, as the old joke goes: They claimed they had assets of roughly $130 million. When you smoothed it out it was $1.75 million and three toasters.

Put another way, Presidio made up one-hundredth of 1percent of FSLIC-insured assets at the end of 1985. But the liquidation cost will be 2.5 percent or one-fortieth of FSLIC's reserves. No worry, Except that of the 42 insolvent thrifts currently being run by FSLIC, 25 have assets over $250 million and 8 of these have assets over $1 billion.

As you can see Mr. Speaker, the magnitude of the problem far outstrips FSLIC's current and future resources unless other funds are provided. We must pass emergency legislation for FSLIC before we adjourn for the year.

DUTY SUSPENSION ON CERTAIN PLASTIC SHEETING INTRODUCED

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. FRENZEL. Mr. Speaker, today I have introduced H.R. 5425, which temporarily suspends a narrow category of plastic web sheeting which is used in water purification processes. The product in question is now categorized under TSUS 355.25, part 4C, schedule 3 covering a variety of webs, wadding, bathing, bonded fabrics of manmade fibers.

This bill was introduced at the request of a constituent company which had a customs reclassification of web sheets from category 771.43 to 355.25. Unfortunately, the latter category is one that covers textiles forcing the tariff up from 4.4 to 12.9 percent ad valorem plus 2 cents per pound, tripling the rate. This has placed a severe hardship on this small company.

The precise product imported by the company is called Awa paper, which is a plastic web sheet comprised of polyester fibers bonded with a resin. There is a similar domestic product used by the company for some filter applications. However, for some of the more demanding applications, there is no domestic source of a webbing that can perform as well as the Awa paper. The intent of my bill is to cover only the webbing that cannot be provided by domestic suppliers.

The filter elements that incorporate this webbing comprises a significant export market for the company. Without the ability to provide a full product line, we will lose an important export market that will be usurped by other countries. Much of the company's export markets is Japan. Needless to say, we should be promoting sales to Japan, not discouraging them.

PAKISTAN INDEPENDENCE DAY

HON. FRED J. ECKERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. ECKERT of New York. Mr. Speaker, since today is Pakistan Independence Day I rise to address the House on the importance of Pakistan in world affairs, especially those affairs on the continent of Asia. I recently met with a group of citizens in my district who have come to the United States from Pakistan. This group asked me to work with them in urging President Reagan to visit Pakistan on his trip to Asia earlier this year. While we were unable to have the President stop in Pakistan, I know the President appreciates how important Pakistan and its people are to America and world peace. A brief article from the August 15 issue of the National Review highlights Pakistan's role in resisting the Soviet Union's aggression. I urge my colleagues to read this article which outlines the Soviet Union's bullying of Pakistan.

THE ROAD TO PAKISTAN

No country in the world has done more, or risked more, to resist Soviet aggression than Pakistan over the past five years. By providing a sanctuary for the Afghan resistance and a conduit for clandestine arms shipments from the United States, China, and elsewhere, Pakistan has kept the Afghan nation alive, giving its beleaguered people a small measure of hope for a free future. While bearing the burden of millions of Afghan refugees, Pakistan has placed its own security on the line by standing up to mounting pressures and threats from its superpower neighbor to the north.

The Soviets have sent Islamabad a sternly worded warning: Stop supporting the Afghan resistance. Not the first such warning from Moscow, but this one has a new twist: Pakistan's alleged capacity to produce nuclear weapons is a threat to the southern part of the USSR to which the Soviets "could not be indifferent" (It was an ostensible threat to its southern border that the USSR used as an excuse to invade Afghanistan in 1979.)

Gorbachev has been bullying Pakistan ever since he assumed power. It began at Chernenko's funeral, when Gorbachev rudely warned President Zia to keep out of Afghanistan's affairs or face serious consequences. Understandably miffed by Gorbachev's posing as a defender of Afghan sovereignty, Zia returned home proclaiming his determination to continue allowing arms to reach the Afghan resistance.

Gorbachev followed a few months later with a major military offensive in which Soviet troops in Afghanistan for the first swept along Pakistan's western border, cutting off resistance forces from their supply lines, followed by dozens of violations of Pakistani air space. This year the USSR began another offensive in eastern Afghanistan, with further cross border incursions. The Soviets have also fostered separatist sentiment among the Baluchi populations of Afghanistan and Iran, laying the groundwork for the eventual declaration of an independent, pro-Soviet Baluchistan that would give Moscow its long-sought access to the warm-water ports of the Persion Gulf.

So long as President Reagan is in the White House, Moscow is unlikely to take any drastic steps vis-à-vis Pakistan. But if he should be succeeded by a weaker man, we may begin to witness mounting Soviet pressures and new destabilizing tactics. The USSR did not invade Afghanistan in order to stop three hundred miles short of the Persian Gulf.

A TRIBUTE TO RCA

HON. WILLIAM H. GRAY III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. GRAY of Pennsylvania. Mr. Speaker, I rise in tribute to RCA, a very special school that serves the Philadelphia area, and had provided quality educational services for adjudicated delinquents throughout the southeastern Pennsylvania region for the last 16 years and is worthy of this body's respect and admiration. The school has a history of excellent educational achievement and has received two national awards, including the Phi Delta Kappa Award for excellence in discipline.

In the school, where security and open residential students study together, the programs include, basic education, vocational education, guidance and testing, bilingual education, computer education, special education, and varsity sports. More importantly, the school has provided a critical alternative to youngsters who would otherwise be relegated to the penal system's programs for rehabilitation.

The school is worthy of note because its principles can be emulated by any educational institution. They include: First, a commitment to educating students; second, a committed staff of educators; third, strong supervision and control; fourth, a curriculum that is relevant to both students and staff; fifth, a strong emphasis on self-esteem and respect; and sixth, strong leadership.

The staff at the school includes: chief school administrator, Wylie J. Hinson, Jr.; vice principal, Brayants L. Horsley, Sr.; dean of students, William F. Brown; supervisors Jeanene I. Anker, Jeffrey Brown, Thomas C. Burst, Ronald V. Edwards, and William Simmons; guidance counselors Isaac Hickson, Alberta Myers, Michelle Roberts, and Carol Thompson; instructors Nina Apfelbaum, Michael Ciccotti, Bobby Clark, Samuel Cook, Joseph Devlin, Mary Dunbar, Cindy Golden, Warren Hartz III, Tanya Morgan, Carl Penxa, Valerie Slott, Rhoda Stein, William Stokes, and Leroy White; and teacher aides Walker Boardly, David Dorsey, Craig Hodges, Norman Hode, James Nash, and Norman Whitehead, all of whom have offered a program with high educational and personal goals for all students.

We can all be proud of the faculty of the RCA school for dedication, commitment to their students, and we express deep appreciation and gratitude for their work with the delinquent youth, enabling these students to become responsible citizens in a variety of endeavors.

We extend best wishes for continued success in their difficult and challenging task, and look to the model they have set as an example of quality education, serving the needs of both the community within and the community without.

THE 1986 CALL TO CONSCIENCE VIGIL FOR SOVIET JEWS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. ANDERSON. Mr. Speaker, I rise today to comment on the plight of the Jews living in the Soviet Union and denied the right to emigrate to their Jewish homeland in Israel. These refuseniks, unable to leave a country where the Government discriminates against Jews economically, socially, and religiously, need the support of the U.S. Congress.

On July 14, I wrote a letter to Ambassador Dubinin of the Soviet Embassy on behalf of Mikhail Marinov and his family of Moscow who have been denied visas since 1981. In the letter I urged that Mr. Dubinin do everything in his power to assure that the Marinovs' reasonable request to emigrate to Israel is fulfilled. In recent years, the Soviet Government has cut Jewish emigration to next to nothing. The exodus rate currently is at the lowest level in nearly a quarter of a century. We are the only hope for the thousands of Jewish families like the Marinovs.

Dr. Marinov resigned from his post as senior research worker at Moscow's Institute of Theoretical and Experimental Physics prior to his initial application to emigrate. This action forestalled embarrassment to his superiors and eliminated the need for him to obtain a clearance to apply for a visa from the institute's administration. Nevertheless, Dr. Marinov and his family were denied permission to leave the Soviet Union in October 1981 and again in May 1982 on the grounds that the family had insufficient kinship in Israel.

The last 7 years have been difficult for Dr. Marinov, his wife Lilia, and their daughters Maria and Dina. The Marinovs and the thousands of other Jewish families suffer from restrictions in jobs, schooling, and all aspects of Soviet life. They are victims of state-sponsored, institutionalized racism. The right to emigrate is guaranteed by the Helsinki Final Act, the Universal Declaration of Human Rights and several other agreements to which the Soviet Union is a signatory. Because basic human rights are being denied to these Jewish refuseniks, Members of Congress and the American people should continue to support the Call to Conscience Vigil for Soviet Jews.

IN HONOR OF MR. JACK PETERSON

HON. JOHN McCAIN

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. McCAIN. Mr. Speaker, I rise to pay tribute today to Mr. Jack Peterson, the designer of the Sperry Space Systems Phase I Facility in Glendale, AZ, which will be dedicated on August 21.

For 23 years Mr. Peterson has demonstrated consistent leadership for environmental excellence in architectural design of high-technology facilities. He has received awards from the American Institute of Architects and Valley Forward Association, an organization of Metropolitan Phoenix business leaders, for industrial architecture that contributes to the community as well as the lives of the users and employees.

His buildings, including the new Sperry Space Systems facility, have received awards for environmental efficiency and excellence in architecture.

In addition to an honored active practice, Mr. Peterson has maintained an equal commitment to scholarship as professor of architectural design on the Arizona State University faculty for 25 years.

Mr. Peterson has made a great contribution to the field of architecture and community design in general. His record of service is an example for us all. I join all his colleagues and family in paying him a well-deserved tribute.

MAMMOGRAM MOBILE ON CAPITOL HILL

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. JACOBS. Mr. Speaker, Dr. Cory SerVaas of Indianapolis is the physician equivalent of Florence Nightingale. She is the leader of the Benjamin Franklin Literary and Medical Society.

People on Capitol Hill may be wondering what the huge van is doing parked day after day just outside the Capitol Building. The answer is clear: It is saving women's lives.

Call it the "Mammogram Mobile." and call it a miracle, an angel of mercy.

It is the good work of Dr. SerVaas, the Benjamin Franklin Literary and Medical Society, and Dr. Myron Moskowitz of the University of Cincinnati Hospital Department of Radiology, as well as the Saturday Evening Post.

According to the Capitol Physician's Office, the free program of breast cancer correction at Bethesda Naval Hospital, operated by Dr. Judith Bader, 301-496-5457, is filled with new applications because of the timely discoveries being made by the mobile unit at the Capitol.

Mr. Speaker, with fierce debates about bigger and better vehicles for destroying human life raging on the House floor only a few yards away, it is refreshing to stroll past this smaller and better vehicle for saving human life.

PERSONAL EXPLANATION

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. TORRES. Mr. Speaker, I was unavoidably detained on official business during rollcall vote No. 292 on Wednesday, August 6. Had I been present on the House floor, I would have cast an "aye" vote for the Jacobs amendment to cut $58,000 from allowances to former U.S. Presidents for office expenses.

I was also absent for rollcall vote No. 312 on Friday, August 8. Had I been present, I would have cast a "aye" vote for the Spratt amendment to the DOD bill that reduces the total outlay level to $279 billion and reduces budget authority by $5.8 billion.

Due to the failure of my electronic voting alert device, I missed rollcall votes No. 329 and No. 330 on Tuesday, August 12. Had I been present, I would have voted "no" on the Broomfield amendment to allow U.S. violations of the SALT II Treaty until the Soviet Union is in compliance with all provisions of the agreement. I would have voted "aye" on the Dicks amendment to prohibit the deployment of any nuclear weapons that would violate the limits of the SALT II Treaty.

AN APOLOGY TO PORTUGAL

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mrs. SCHROEDER. Mr. Speaker, yesterday I stated that none of our NATO allies allowed our supply planes to land and refuel during the Yom Kippur war. That was incorrect. The gentleman from California [Mr. COELHO] correctly pointed out one NATO ally did allow us to refuel and that ally was Portugal. I thank and apologize to Portugal for my mistake.

UNITED STATES AND TAIWAN: A COMMON COMMITMENT

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. PORTER. Mr. Speaker, it was a great honor to address the Ninth Convention of the Taiwan Benevolent Association of America on July 26, 1986. This distinguished organization has a membership that now exceeds 20,000 while representing over 300,000 Chinese-Americans coming from Taiwan. Their joining together in an ethnic organization is something that is distinctly human as well as distinctly American. It insures that the relationship between the Republic of China and the United States stays on the front burner and remains a good one.

The relationship between free China and the United States is a good one, as I learned from my first visit to Taiwan in January, as a guest of their Cultural University. Fred Chien and Marietta Lieau at the Coordinating Council of North America along with their able staff did a wonderful job in making sure our visit was not only enjoyable, but a full learning process as well.

It was during my visit that I learned that the relationship is strong because of shared values. Yes; both societies share in opposing communism!

We all know that as an economic system, communism simply doesn't work. A case in point is the Soviet Union itself. The Soviet Union has simply failed to deliver the goods and services necessary to provide for and sustain a vital and creative society. While we here in the United States are enjoying the fruits of economic prosperity the Soviets are faced with a declining growth rate and disillusionment among its population.

Communist China has also been forced to make a tacit admission of failure by recognizing the value of economic liberalization. Perhaps they will evolve someday to the point where the Republic of China can take them back.

We all know that communism as a political system doesn't work either. The future of human life isn't the glorification of the state or party at the expense of the individual but rather it is the opposite. Under President Reagan's able leadership our Nation and others around the globe have come to see that the future is the release of the potential of each individual, and that each one of us, in freedom, through hard work and personal incentives, fulfill our highest potential to the benefit of all.

If I wanted to learn about hard work, Taiwan was certainly the appropriate place. Never have I seen a busier more productive society, where it is not uncommon to see people put in a 12- to 14-hour day 6 and 7 days a week. All of this is reflective of the miracle that is the Republic of China.

When I visited Taiwan I had the privilege to meet K.T. Lee, the man behind the miracle, and thought of how every American would benefit by his ideals and to see the example set by the people of the Republic of China and use it to renew our own understanding and commitment to freedom in our own economy.

The Republic of China on Taiwan is living proof right in communism's front yard that freedom will outproduce slavery any day, and that quality of life and human happiness flourish under free enterprise and when the individual works for himself and his family and not for the state.

But more than a sharing of opposition to communism and belief in free economies and free societies bond America and Taiwan together. Ultimately, it is the next step, of political diversity and full democracy along with the elevation of human rights to the highest of society's goals and ideals that are important to our future together. I applaud the announcement made by the Government on May 13th that will allow opposition parties to set up offices throughout the country. I look forward to further efforts by the Government in establishing a more pluralistic society.

I have the honor of being cochairman of the Congressional Human Rights Caucus. At the caucus, we apply diplomatic pressure along with sponsoring letter-writing campaigns by concerned individuals and by exposing the reports we find to be true to the international community. All too often reports of human rights violations come from the Soviet Union. When we inquire, the Soviets argue that we in America have a double standard—that we trade and sell arms to our allies who are guilty of human rights abuses while we publicly admonish our foes. I personally want to make certain that their argument doesn't hold water.

I went to Taiwan to learn, not only of the broad concerns of trade and strategic importance, but also about the human rights situation and it was a major focal point of my visit. I visited with Dr. Han-Li Wu and several members of the Chinese Association of Human Rights. I strongly expressed the need for progress on human rights to improve stability and relations with the West. I cannot say that there are no problems on Taiwan regarding human rights. Unfortunately, when dealing with the Chinese Communists the Government has crossed the line between law enforcement and the violation of human rights. However, I can say that there is evidence of change and liberalization. I was encouraged by the release in February of Ch'en Chu, one of those arrested for observing International Human Rights Day.

We want to encourage further liberalization and a broader commitment to human rights. If

asked, based on direction, are things improving? My answer is "yes."

I came from my trip to Taiwan with a sense of optimism because of the many wonderful and compassionate people I met while there. People who understand the closeness of our two countries relationship depends on that further step, the sharing in the belief that political pluralism, the basic rights of freedom of speech and press and worship, the rule of law, the value of the right to dissent and the rights of the minority, because all are fundamental to a true democracy.

I realize that the relationship between the United States and Taiwan is a two-way street and that Taiwan has concerns about our recent trend toward selling technology and military hardware to the People's Republic of China. I am disturbed that some aspects of these sales have simply been overlooked and not addressed at all.

Most recently, the United States has sold 500 million dollars' worth of avionics for the Communist Chinese F-8 aircraft. While I agree the United States needs to be concerned with offsetting the Soviet military strength in Asia, and while it does appear this avionics package will be controlled by the United States and will not be a threat to Taiwan, I question the entire policy of arms sales and sales of nuclear technology to Communist China. Yes; we want to pull the mainland Chinese away from their Soviet comrades. Yes; we want to encourage liberalization and greater free enterprise trade but the inherent risks in dealing with a society of sudden revolutions like the great leap forward and the cultural revolution are obvious. It would be strategically unwise to blind ourselves from the possibility of our arms being used in ways we do not envision, particularly to threaten our allies on Taiwan.

If we are to trade arms to mainland China, should we not continue vigorously to provide advanced defensive weapons to the Republic of China? Again, obviously, the answer is "yes." President Chiang Ching Kou and Defense Minister Admiral Soong both emphasized this need to us in our January visit.

I agree that F-20 Tigerhawk or F-16 Falcon aircraft would meet the concerns of vulnerability of air defenses of the leaders of the Republic of China. While this has not become American policy, U.S. aerospace companies have not been discouraged from helping Taiwan with its own fighter aircraft, which could be ready in the 1990's. Israel's Lavi fighter, just unveiled last week, indicates what can be done. With the intelligence and the commitment of the people of the Republic of China, I know this defensive strategy could be realized. I will do all I can to help on both counts.

Another aspect of the relationship between the United States and the Republic of China involves trade. The Prime Minister of Singapore, Lee Kman Yeu, said in a speech last year to Congress: "You Americans came to Asia after World War II and taught us the importance of free trade. Now we hear in Congress the hypocritical echoes of that policy as you promote protectionism through the Jenkins bill." The Jenkins bill would have severely restricted imports of Taiwanese textiles into the United States.

Fortunately, we have a President who believes in freedom in all aspects of life, economic, political, and in trading internationally. Although the Jenkins bill passed, I voted "no" and the President subsequently vetoed it.

Now protectionism is back in the form of the trade bill which, along with the Gephardt amendment, will only serve to damage free trade between the Republic of China and the United States. Again, I opposed it but it passed the House in May.

This is a democracy where every voice can be heard and every vote counts. Let your voices be heard in opposition to this folly, this terrible shortsighted policy. Let's work together, you and I, to ensure that freedom, both within our countries and between them, is the centerpiece of our close relationship.

May the bonds of friendship between the United States and Free China remain strong for a thousand years.

SENATOR KASTEN REMINDS CONGRESS DELAYING THE EFFECTIVE DATE FOR TAX REFORM WOULD THREATEN THE ECONOMY

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. KEMP. Mr. Speaker, I want to bring to the attention of my colleagues an insightful and important article by my colleague, Senator BOB KASTEN, of Wisconsin, one of the leaders in this historic tax reform movement. BOB argues that delaying the date for tax rate reduction and increasing taxes would slow the economy, add to the deficit, and increase social spending outlays.

I urge my colleagues to carefully consider BOB's trenchant point, and quickly move to pass a genuine tax reform bill that will be good for our Nation and economy.

We all owe BOB KASTEN a debt of gratitude for not only his insight but his strong leadership as well.

[From the Washington Times, Aug. 12, 1986]

ECONOMIC RECOVERY IN PERIL

Item: real GNP rose only 1.1 percent in the second quarter of 1986.

Item: The U.S. trade deficit increased by a huge 21 percent in the first six months of this year.

Item: business capital spending fell at a 9 percent rate during the first two quarters.

The clear message: our current economic recovery is a fragile one. And clearly, Congress should be working overtime to boost the economy, not to undercut it.

Yet today, we are perilously close to passing a tax reform bill that, while a boon for our economy in the long run, could be the force that pushes our economy into a recession in 1987.

The villain—one simple provision that insiders call the "six-month stagger."

The six-month stagger in the tax reform bill would close tax loopholes effective Jan. 1, 1987. Yet the offsetting tax-rate reductions would not go into effect until July.

That means American taxpayers would experience a $29 billion tax increase next year. And what would that mean to our already sluggish economy?

Experience has shown how powerful the impact of anticiapted tax policy changes can be. A recent survey by the Chamber of Commerce found that 42 percent of its business members have delayed or canceled investment plans because of the uncertainty surrounding the effective date of tax reform. (No wonder economic growth is so slow.)

Back in 1981 Congress underestimated the importance of effective dates and decided to phase in the Reagan tax-rate cuts gradually. Taxpayers delayed investment decisions and deferred any income they could, waiting for tax rates to go down. The economy crept to a halt, fell into recession, and the paper "savings" that were to be realized from the phase-in were transformed into triple-digit deficits.

Now Congress is about to make the same mistake again.

And the reason, once again, is revenue estimates. Congress still worships at the altar of static revenue estimates. This year, we are so devout we seem willing to offer up the health of our economy in sacrifice.

If you eliminate the stagger, it is argued, it will "cost" $29 billion. How would you pay for it?

Yet according to a study run on the Washington University econometric model, eliminating the stagger would increase real economic activity by $31.7 billion over the next three years, create 900,000 additional jobs, and have no noticeable effect on inflation or interest rates.

Delaying the effective date, on the other hand, would slow the economy, reduce the tax base, decrease tax revenues, and increase outlays for social programs. Delay the effective date and the deficit will rise.

I believe that the revenue loss that might result from eliminating the stagger would be offset by the higher revenues that would follow from increased economic growth over the next five years.

In the real world, people adjust their behavior in response to incentives, not to Joint Committee on Taxation's static revenue estimates.

Better to risk a short-term revenue shortfall coupled with robust economic growth than to suffer the consequences of imposing a major tax increase on a very fragile economy.

Maintaining the six-month stagger is a prescription for economic disaster.

THE OMNIBUS DIPLOMATIC SECURITY AND ANTITERRORISM ACT: MAJOR PROGRESS IN THE FIGHT AGAINST TERRORISM

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. BROOMFIELD. Mr. Speaker, America has taken a major step forward in the battle against international terrorism. This is truly a historic moment. I praise the President for his leadership in the struggle against the terrorist menace. I also commend my colleagues in the Congress for their bipartisan support of the House Foreign Affairs Committee's efforts to provide more resources to face up to this growing worldwide threat.

Since the early days of his administration, the President has made the issue of confronting terrorism a high priority item for his administration. He promised the American people that he would do something about the increasing number of attacks against U.S. diplomats and facilities overseas. In the aftermath of terrorist bombings of our facilities in Beirut, Secretary of State Shultz organized the Secretary's Advisory panel on Overseas Security, which was chaired by Adm. Bobby Inman.

The omnibus diplomatic security bill, which was just passed by the Congress, provides implementing legislation for many of the recommendations included in the report prepared by the advisory board.

In brief, the bill provides better protection for our fellow citizens serving overseas and gives our Government more tools to use in the struggle to combat international terrorists. H.R. 4151 authorizes the appropriation of funds for the construction of new and more secure diplomatic facilities overseas. The bill also does the following: Establishes the Diplomatic Security Service at the Department of State; provides rewards for information regarding international narcoterrorism and drug trafficking; establishes criminal punishment for international terrorists; calls for multilateral cooperation to combat international terrorism; provides compensation for victims of terrorism; calls for more progress in the area of combating the problem of international nuclear terrorism; and requires U.S. Government efforts to improve shipboard and seaport security.

This sweeping antiterrorism legislation represents a major commitment on the part of the U.S. Government to combat international terrorism and better protect our diplomats serving at embassies in distant lands. I commend President Reagan for keeping the fight against terrorism on the front burner of America's national priority goals. I am encouraged by the Congress' support of the President's efforts to really do something about the threat of worldwide terrorism. All of us can be proud of the Omnibus diplomatic Security Act.

VENTO INTRODUCES LEGISLATION TO ESTABLISH THE MISSISSIPPI NATIONAL RIVER AND RECREATION AREA

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. VENTO. Mr. Speaker, I am pleased to introduce today major new legislation to designate the 80-mile segment of the Mississippi River through the St. Paul-Minneapolis metropolitan area as the "Mississippi National River and Recreation Area."

This segment of the Mississippi is truly a national asset, containing a diversity of resources found in no other stretch of this great river. The river itself undergoes a transformation in its passage through the Twin Cities area—going from a wild and shallow river to a channel cutting through a deep scenic gorge before breaking out into a broad floodplain overlooked by magnificent bluffs.

It was because of the diversity of natural resources that man was drawn here. Former Indian sites abound along the river, and when whites entered the area they drew upon the river's natural features to establish the major military post of the upper Midwest, Fort Snelling, along the Mississippi's bluffs.

The river further spurred the economic life of the area, an important role it still plays today. At St. Anthony Falls in Minneapolis, the only significant waterfall along the entire Mississippi, commerce boomed through the development of sawmills and flour mills and the operation of the first hydroelectric dam on the Mississippi. As with the river's early history, the Twin Cities today still serve as the terminus for commercial navigation on the Upper Mississippi.

The unique historic, cultural, recreational, economic and other values of the river through the seven-county metropolitan river corridor make the Mississippi a special national resource. However, the value of this resource is, unfortunately, not being fully realized. The preservation and utilization of the river is impeded by the lack of a coordinated plan for the river's management. A large number of Federal, State, and local agencies have jurisdiction over various aspects of the river, with the result that there are conflicting and overlapping policies in the land and water management of this magnificent resource.

The legislation I am introducing today recognizes the national significance and interest in the river. It builds upon that to develop a policy framework that draws upon the ideas and expertise at the Federal, State, and local levels. One thing is for certain, the effective care and management of this river segment needs to be a cooperative effort. For too long, Federal, State, and local plans and policies have run in different directions—the result of this being that the river environment has suffered.

Following a National Park Service reconnaissance study in 1980 which I requested, I offered legislative language that became law, creating the Metropolitan Area River Corridor Study Committee [MARCSC]. The MARCSC's report submitted to Congress earlier this year provided further impetus for the need for a comprehensive effort to address the Mississippi River's future management and use.

The legislation I am introducing also contains provisions authorizing Federal participation in a Tri-Rivers Board, which will provide a forum for consultation and cooperation in the management of the Mississippi, St. Croix, and Minnesota Rivers within the Twin Cities Metropolitan Area. By working with State and local governments, we can significantly improve the management of these rivers.

I am heartened by the emergence of a community consensus that recognizes what an outstanding physical feature the Mississippi River is, its important role in the development of the region, as well as the important role it continues to play today in the recreation and economic life of the community.

I believe my legislation can build upon this recognition to define the appropriate national role and implement a cooperative plan that recognizes valued historical, cultural, natural, recreational and economic resources which the Mississippi has to offer.

H.R. 5434

A bill to provide for the establishment of the Mississippi National River and Recreation Area, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that:

(1) The Mississippi River Corridor within the St. Paul-Minneapolis Metropolitan Area represents a nationally significant historical, recreational, scenic, cultural, natural, and scientific resource.

(2) There is a national interest in the preservation, protection and enhancement of these resources for the benefit of the people of the United States.

(3) Existing State and local planning and regulatory authorities lack sufficient resources and authority over Federal agency programs to provide for adequate and comprehensive resource management and economic development consistent with the protection of the Mississippi River Corridor's nationally significant resources, and the public use and enjoyment of the area.

(4) The preservation, enhancement, enjoyment, and the Mississippi River Corridor can be accomplished by a cooperative Federal, State and local planning and management effort.

(b) PURPOSES.—The purposes of this Act are:

(1) To protect, preserve and enhance the significant values of the waters and land of the Mississippi River Corridor within the St. Paul-Minneapolis Metropolitan Area.

(2) To encourage adequate coordination of all governmental programs affecting the land and water resources of the Mississippi River Corridor.

(3) To provide a management framework to assist the State of Minnesota and its units of local government in the development and implementation of integreated resource management programs for the Mississippi River Corridor in order to assure orderly public and private development in the area consistent with the finding of this Act.

SEC. 2. ESTABLISHMENT OF NATIONAL RIVER AND RECREATION AREA.

(a) ESTABLISHMENT.—There is hereby established the Mississippi National River and Recreation Area (hereinafter in this Act referred to as the "Area") which shall consist of the portion of the Mississippi River and adjacent lands generally with the St. Paul-Minneapolis Metropolitan Area, as depicted on the map entitled. numbered and dated . The map shall be on file and available for public inspection in the offices of the Department of the Interior in Washington, D.C., and in the offices of the Metropolitan Council of the Twin Cities Area in St. Paul, Minnesota.

(b) BOUNDARIES.—The Secretary of the Interior (hereafter referred to as the "Secretary") shall publish in the Federal Register, as soon as practicable after the date of enactment of this Act a detailed description and map of the boundaries established under subsection (a).

SEC. 3. MISSISSIPPI RIVER COORDINATING COMMISSION.

(a) ESTABLISHMENT.—There is hereby established a Mississippi River Coordinating Commission whose purpose shall be to assist Federal, State and local authorities in the development and implementation of an integrated resource management plan for those lands and waters as specified in section 2. The Commission shall consist of the follow-

ing 18 members appointed by the Secretary of the Interior:

(1) The Director of the National Park Service, or his designee.

(2) The Chief of Engineers, or his designee.

(3) The Director of the Fish and Wildlife Service, or his designee.

(4) 3 individuals, nominated by the Governor of Minnesota, to represent the interests of the State of Minnesota.

(5) 1 individual, nominated by the Governor of Wisconsin to represent the interests of the State of Wisconsin.

(6) 1 individual, to represent the Metropolitan Council of the Twin Cities Area.

(7) 2 individuals, to represent the cities of St. Paul and Minneapolis.

(8) 2 individuals, nominated by the Governor of Minnesota, to represent the interests of the other affected municipalities and counties.

(9) 1 individual, to represent the Metropolitan Parks and Open Spaces Commission.

(10) 1 individual, nominated by the Governor of Minnesota, to represent the interests of commercial navigation.

(11) 4 individuals, nominated by the Governor of Minnesota, to be chosen from the general public.

(b) TERMS.—(1) Except as provided in paragraphs (2) and (3), members (other than ex officio members) shall be appointed for terms of 3 years.

(2) Of the members first appointed—

(A) Under paragraph (4) of subsection (a):

(i) 1 shall be appointed for a term of 1 year.

(ii) 1 shall be appointed for a term of 2 years.

(B) Under paragraphs (7) and (8) of subsection (a), one shall be appointed for a term of 1 year.

(C) Under paragraph (11) of subsection (a):

(i) 1 shall be appointed for a term of 1 year.

(ii) 1 shall be appointed for a term of 2 years.

(iii) 1 shall be appointed for a term of 4 years.

(3) Any member appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A member may serve after the expiration of his term until his successor has taken office.

(c) COMPENSATION.—Members of the Commission shall serve without pay. While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703 of title 5 of the United States Code.

(d) CHAIRPERSON.—The Chairperson of the Commission shall be appointed by the Secretary from among the members of the Commission to serve for a term of 3 years.

(e) QUORUM.—7 members of the Commission shall constitute a quorum.

(f) MEETINGS.—The Commission shall meet at the call of the Chairman or a majority of its members.

(g) DEVELOPMENT OF POLICIES AND PROGRAMS.—As a coordinator and advisory organization, the Commission shall assist the Secretary, the State of Minnesota and local units of government in developing the following:

(1) Policies and programs for the preservation and enhancement of the environmental values of the Area.

(2) Policies and programs for enhanced public outdoor recreation opportunities in the Area.

(3) Policies and programs for the conservation and protection of the scenic, historical, cultural, natural and scientific values of the Area.

(4) Policies and programs for the commerical utilization of the Area and its related natural resources, consistent with the protection of the values for which the Area is established as the Mississippi National River and Recreation Area.

(h) STAFF.—The Secretary shall provide the Commission with such staff and technical assistance as the Secretary, after consultation with the Commission, considers appropriate to enable the Commission to carry out its duties. Upon request of the Secretary, any Federal agency may provide information, personnel, property, and services on a reimbursable basis, to the Commission to assist in carrying out its duties under this Act. The Secretary may accept the services of personnel detailed from the State of Minnesota or any political subdivision of the State and may reimburse the State or such political subdivision for such services.

(i) PLAN.—Within 3 years after enactment of this Act, the Commission shall submit to the Secretary a general plan for land and water use measures for the area to be developed and implemented by the responsible Federal agencies, the State of Minnesota, and local political subdivisions. The plan shall include but not be limited to each of the following:

(1) A program for management of existing and future land and water use.

(2) A program providing for coordinated implementation and administration of the plan with proposed assignment of responsibilities to the appropriate governmental unit at the Federal, State, regional and local levels.

(3) A coordination and consistency component which details the ways in which local, State and Federal programs and policies may best be coordinated to promote the purposes of this Act.

(j) DEVELOPMENT OF PLAN.—

(1) In developing the plan the Commission shall consult on a regular basis with appropriate officials of any local government or Federal or State agency which has jurisdiction over lands and waters within the Area.

(2) In developing the plan the Commission shall consult with interested conservation, business, professional and citizen organizations.

(3) In developing the plan the Commission shall conduct public hearings within the Area, and at such other places as may be appropriate, for the purposes of providing interested persons with the opportunity to testify with respect to matters to be addressed by the plan.

(k) APPROVAL OF PLAN.—The Commission's plan shall be submitted to the Secretary for his review and approval. No plan submitted to the Secretary under this section shall be approved unless the Secretary finds that the plan, if implemented would adequately protect the significant historical, recreation, scenic, cultural, natural and scientific resources of the Area and, consistent with such protection, provide adequate and appropriate outdoor recreational opportunities and economic activities within the Area.

(l) INTERIM PROGRAM.—Prior to the adoption of the Commission's plan, the Secretary shall monitor all land and water use activities within the Area to ensure that said activities are in keeping with the purposes of this Act, and shall consult and cooperate with the State of Minnesota and its political subdivisions to minimize adverse impacts on the values for which the Area is established.

(m) COMMISSION REVIEW.—The Commission shall assist the Secretary in reviewing and monitoring the implementation of the plan by Federal, State, and local governmental agencies having jurisdiction in the Area. The Commission may, after providing, for public comment and subject to the Secretary's approval, as set forth in subsection (j), modify said plan, if the Commission determines that such modification is necessary to further the purposes of this Act.

(n) TERMINATION OF COMMISSION.—The Commission shall terminate on the date 10 years after the enactment of this Act.

SEC. 4. FEDERAL LANDS AND DEVELOPMENTS.

(a) LANDS.—Notwithstanding any other provision of law, any Federal property located within the boundaries of the Area as identified on the map referred to in section 2, is hereby transferred without consideration to the administrative jurisdiction of the Secretary for use by him in implementing the purposes of this Act, except as follows:

(1) Facilities and lands administered by the Secretary of the Army through the Corps of Engineers for navigational purposes may continue to be used by the Secretary of the Army subject to the provisions of subsection (b).

(2) Federal property on which there is located any building or other structure which is in use (as of the enactment of this Act) shall not be transferred under this subsection without the concurrence of the administering agency.

(b) FEDERAL AGENCY ACTIVITIES.—

(1) IN GENERAL.—Before any department, agency, or instrumentality of the United States issues or approves any license or permit for any facility or undertaking within the Area and before any such department, agency or instrumentality commences any undertaking or provides any Federal assistance to the State or any local governmental jurisdiction for any undertaking within the Area, the department, agency, or instrumentality shall notify the Secretary. The Secretary shall review the proposed facility or undertaking to assess its compatibility with the plan approved under section 3. The Secretary shall make a determination with respect to the compatibility or incompatibility of a proposed facility or undertaking within 60 days of receiving notice under this subsection. Unless the Secretary determines that the proposed facility or undertaking is compatible with the plan, or that such proposed facility or undertaking is essential for the protection of public health or safety or is necessary for national security or defense, no license or permit may be issued by a department, agency, or instrumentality of the United States for the facility or undertaking and no such department, agency, or instrumentality may commence the undertaking or provide Federal assistance for such undertaking.

(2) WATER RESOURCES DEVELOPMENTS.—The authority of the Secretary of the Army, through the Corps of Engineers, to undertake or contribute to water resources developments, including shore erosion control and navigation improvements on lands and waters within the Area shall be exercised in accordance with plans that are mutually ac-

ceptable to the Secretary and the Secretary of the Army. Such authority shall be exercised in a manner consistent with the purposes of this Act and the purposes of existing statues dealing with water and related resources development.

SEC. 5. ADMINISTRATION.

(a) AUTHORITIES.—The Secretary shall administer the Area in accordance with this Act, and in accordance with the provisions of law generally applicable to units of the national park system. In the case of any conflict between the provisions of this Act and such generally applicable provisions of law, the provisions of this Act shall govern.

(b) STATE AND LOCAL AUTHORITIES.—In administering the Area, the Secretary shall consult and cooperate with the State of Minnesota and its political subdivisions concerning the development and management of Federal lands within the Area.

(c) LAND ACQUISITION.—Within the boundaries of the Area, the Secretary is authorized, in consultation with the State of Minnesota and the affected local governmental unit, to acquire land and interests therein by donation, purchase with donated or appropriated funds, exchange or transfer, except as provided in paragraphs (1) and (2).

(1) Any lands or interests therein owned by the State of Minnesota or any political subdivision thereof may be acquired only by donation.

(2) Privately owned lands or interests therein may be acquired only with the consent of the owner thereof unless the Secretary makes a determination pursuant to subsection (d) (2).

(d) REVIEW OF LOCAL PLANS.—

(1) AUTHORITY.—For the purpose of protecting the integrity of the Area the Secretary shall review all relevant local plans, laws and ordinances to determine whether they substantially conform to the plan approved pursuant to section 3. Additionally the Secretary shall determine the adequacy of enforcement of such plans, laws, and ordinances, including review of building permits and zoning variances granted local governments, and amendments to local laws and ordinances.

(2) PURPOSE.—The purpose of review under paragraph (1) shall be to determine the degree to which actions by local governments are compatible with the purposes of this Act. Following the approval of the plan under section 3 and after a reasonable period of time has elapsed, upon a finding by the Secretary that such plans, laws and ordinances are nonexistent, are otherwise not in conformance with the plan or are not being enforced in such manner as will carry out the purposes of this Act (as determined by the Secretary), the Secretary may exercise the authority available to him under the provisions of paragraph (3).

(3) ACQUISITION.—In those sections of the Area where local plans, laws and ordinances, or amendments thereto or variances therefrom are found by the Secretary not to be in conformance with the plan approved pursuant to section 3, or are not being enforced in such manner as will carry out the purposes of this Act (as determined by the Secretary), the Secretary shall notify the local government authority concerned. Unless, within 60 days after the date of such notice, the plan, law, or ordinance, amendment, or variance is modified to conform with the plan or enforced in such manner as will carry out the purposes of this Act (as determined by the Secretary), the Secretary may acquire land or interests in land without the consent of the owner thereof. Land and interests in land acquired pursuant to this subsection shall be restricted to the geographical area of the local governmental unit failing to conform with the plan and shall be limited to those lands clearly and directly required, in the judgment of the Secretary, for the protection of the Area in a manner compatible with the plan.

(e) RIGHT OF USE AND OCCUPANCY OF ACQUIRED IMPROVED PROPERTY.—

(1) GENERAL RULE.—The owner or owners of any improved residential property acquired by the Secretary under this Act may retain a right of use and occupancy of the property for noncommercial residential uses which are not incompatible with the plan approved pursuant to section 3.

(2) DURATION.—Except as provided in paragraph (5), rights retained under this subsection shall terminate at the end of one of the following:

(A) A definite term of not more than 25 years from the date of acquisition.

(B) A term ending at the death of the owner or owners.

The owner shall elect the term to be reserved, except that if the owner is a corporation, trust, partnership or any entity other than an individual, the term shall not exceed 25 years.

(3) PAYMENT.—Unless the property is wholly or partially donated, the Secretary shall pay to the owner reserving a right of use and occupancy under this section the fair market value of the property on the date of its acquisition, less the fair market value on that date of the right retained by the owner.

(4) DETERMINATION OF OWNERSHIP.—For purposes of applying this subsection, ownership shall be determined as of the date of acquisition, except that in applying paragraph (2)(B) ownership shall be determined as of July 1, 1986.

(5) EARLY TERMINATION.—

(A) GENERAL RULE.—A right retained by the owner pursuant to this subsection shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner incompatible with the plan approved pursuant to section 3. It shall terminate by operation of law upon notification by the Secretary to the holder of the right of such determination and tendering to him the amount equal to the fair market value of that portion which remains unexpired.

(B) CERTIFICATE OF EXEMPTION.—When an owner of property within the Area desires to take an action with respect to his property, he may request, in writing, a prompt written determination from the Secretary as to the likelihood of such action provoking a determination by the Secretary under subparagraph (A). The Secretary is thereupon directed to promptly issue such owner a certificate of exemption for such actions proposed by the owner which the Secretary determines to be compatible with the plan approved under section 3.

(C) EXISTING USES.—For purposes of this paragraph, existing uses of any property acquired under this Act shall not be treated as incompatible with the plan. The Secretary shall publish specific guidelines under which determinations shall be made respecting incompatible uses. No use which existed with respect to any land or waters prior to the enactment of this Act shall be treated under such guidelines as an incompatible use.

(6) LIMITATIONS ON RESERVATION.—

(A) ACCESS AND DEVELOPMENT RIGHTS.—Any right retained pursuant to paragraph (1) shall be subject to such access and development rights as may be required by the Secretary for visitor use and resource management.

(B) EXCLUDED PROPERTY.—This subsection shall not apply to property which the Secretary determines to be necessary for purposes of administration, development, access, or public use.

(7) DEFINITION.—As used in this subsection, the term "improved residential property" means a single-family dwelling, the construction of which began before January 1, 1986, together with such land on which the dwelling and appurtenant buildings are located as is in the same ownership as such dwelling and as the Secretary designates is reasonably necessary for the owner's continued use and occupancy of the dwelling. The amount of land so designated with respect to any such dwelling shall be the lesser of the following:

(A) At least 3 acres.

(B) The total acreage on which such dwelling and appurtenant buildings are located which is in the same ownership as such dwelling.

SEC. 6. STATE AND LOCAL ASSISTANCE AND JURISDICTION.

(a) GRANTS.—Upon approval of the plan under section 3, the Secretary is authorized to make grants to the State of Minnesota, or its political subdivisions, for the acquisition within the Area of lands and waters or interests therein in a manner consistent with the purposes of this Act.

(b) TECHNICAL ASSISTANCE.—To enable the State of Minnesota and its political subdivisions to develop and implement programs compatible with the plan, the Secretary shall provide such technical assistance to the State and its political subdivisions as he deems appropriate.

(c) STATE AND LOCAL JURISDICTION.—Nothing in this Act shall diminish, enlarge, or modify any right of the State of Minnesota or any political subdivision thereof, to exercise civil and criminal jurisdiction within the Area, or to tax persons, corporations, franchises, or private property on the lands and waters included in the Area.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

TITLE II—TRI-RIVERS MANAGEMENT

SEC. 201. TRI-RIVERS MANAGEMENT BOARD.

(a) FEDERAL REPRESENTATIVES.—In furtherance of the integrated management of those portions of the Mississippi, St. Croix, and Minnesota Rivers within the St. Paul-Minneapolis Metropolitan Area, the Secretary of the Interior and the Secretary of the Army are authorized and directed to appoint representatives to a Tri-Rivers Management Board (hereafter referred to as the "Board"), or any similar organization, which may be established by the State of Minnesota to assist in the development and implementation of consistent and coordinated land use planning and management policy for such portions of such rivers.

(b) PERSONNEL.—Upon request of the Board, the Secretary of the Interior and the Secretary of the Army may detail, on a reimbursable basis, any personnel to the Board.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to carry out the purposes of this section the sum of $100,000 annually; except that the Federal contribu-

tion to the Board shall not exceed one-third of the annual operating costs of the Board.

SPEECH BY PRIME MINISTER COMRADE R.G. MUGABE

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. SCHEUER. Mr. Speaker, the All-African Conference of Parliamentarians on Population and Development was a significant event in terms of Africa's future because it marked a major change in the attitude of African leaders concerning the need to reduce the continent's rapid population growth rate.

Among those who addressed the assembled African leaders at the conference in Harare, Zimbabwe, last May were Prime Minister Robert Mugabe of Zimbabwe and Ide Oumarou, Secretary General of the Organization of African Unity.

As recently as 10 years ago, Africans branded any calls for family planning as genocidal and racist. But today, efforts to reduce Africa's explosive population growth rate are supported by most policymakers and leaders on the continent.

Prime Minister Mugabe told those at the conference that "We in Zimbabwe have recognized the need for family planning since independence," and he exhorted the conferees to transform rhetoric into action.

Secretary-General Oumarou stressed that population is the first hurdle that must be dealt with as Africa strives for development.

Mr. Speaker, I am introducing the speeches by Mr. Mugabe and Mr. Oumarou into the record today to demonstrate the growing resolve of Africa's foremost leaders to come to grips with excessive population growth on the continent.

I commend the speeches to my colleagues' attention.

SPEECH BY THE HONOURABLE PRIME MINISTER, COMRADE R.G. MUGABE, ON THE OCCASION OF THE OPENING OF THE ALL-AFRICA PARLIAMENTARY CONFERENCE ON POPULATION AND DEVELOPMENT, HARARE, MAY 12, 1986

Comrade Chairman, Your Excellencies, Members of the Diplomatic Corps, Honourable Ministers, Distinguished Delegates and Parliamentarians, Comrades and Friends.

It gives me great pleasure to address this important gathering of parliamentaries from the African continent and distinguished guests from other parts of the world. I would like to welcome you all and wish you a very happy stay in Zimbabwe.

Let me add that we in Zimbabwe feel greatly honoured to have been asked to host this important All-Africa Conference on Population and Development. We hope your deliberations will be successful as to their results and fruitfull as to the possibility of their being translated into action programmes.

Before I declare this Conference open, allow me to share a few ideas with you. We consider this Conference to be very important for the basic reason that it is going to discuss an issue that is fundamental to the social, economic and cultural development of any society. Underlying all our developmental efforts is the need to improve the standard of living and enrich the quality of life of all our peoples. This calls for very close links between population programmes and development plans. Put differently, no population programme should be considered in isolation from policies and plans on health, housing, education, employment, the environment and the use of available resources. Herein lies the crucial importance of this conference.

There is hardly a developing country which does not appreciate the serious problems posed by rapid population growths. We, in Zimbabwe, have recognised the need for family planning since Independence. Indeed, that recognition has found expression in our current Five-Year National Development Plan, in Volume 1 of which we state, under the Section dealing with Health, that [our "present population annual growth rate of about 2.84 per cent is high relative to the growth rate of the Gross Domestic Product." "This", we stress, "retards efforts at raising the standard of living of the masses."] We then go on to affirm that [programmes such as family planning, health education that are underway are intended to reduce that rapid growth and to improve the quality of life of mother and child in particular.]

This Conference has brought together parliamentarians, or policy makers, from various nations. I challenge the experts to educate and inform these policy makers on the need to formulate viable national and regional population and development programmes so that they can in turn facilitate, through legislation, the upgrading of our people's lives.

There have been similar Conferences in other parts of the world—in Sri Lanka (1979) and Mexico (1984), to name but two. The question to pose here is: How effective have these Conferences been? Yes, they yielded, as I am informed, an impressive number of resolutions and recommendations on the problems of population and development, but, I should ask: How many of these recommendations have been adopted and successfully implemented? This is the question I urge you all to pursue seriously in your deliberations. I hope that you will always remember that you are here in Harare to deal with African problems with a view to finding practical and practicable solutions because our people elected us to do precisely that. I therefore urge you as parliamentarians and the experts, both present here and at home, to provide us with practical solutions to our problems. I believe for those solutions to be relevant and practical they need to take into account our socio-economic systems, our cultural backgrounds and indeed our ideological orientations. This calls for solutions that can be implemented at both the macro- and micro-levels. While they should be applicable to the whole African continent they should also be capable of being adapted to suit regional or, for that matter, national circumstances.

I hope our key-note speakers have prepared their papers in the full knowledge that this is not a Conference for experts only. The Conference involves politicians who may not necessarily be as widely read as you are. But you need to communicate with them so that they will in turn become advocates of your prescribed solutions and recommendations. Only then will they be able to mobilize their respective governments for action aimed at combating the problems we face.

To the parliamentarians, I say, nothing less than full participation in the activities of this Conference will be good enough. Take this opportunity to learn as much as you can so that you will emerge from the Conference more knowledgeable representatives of the people. After this Conference, we shall expect you to make improved contributions both in your Legislatures and in your individual constituencies. We shall also expect you to portray correctly the views of your respective governments on the issue of population and development. Such views will enable the technocrats to make recommendations that conform with the policies and aspirations of your governments and people.

I am glad to note that the history of these population and development Conferences reveals strict adherence to the principle that every nation has the sovereign right to determine its own population policy. This is important because nations have to accept and identify themselves with given policies before they can resolutely proceed to implement those policies. Nations should never be made to feel that certain policies have been imposed upon them; otherwise they will not apply them whole-heartedly, that is, if they accept at all.

Finally, I would like to thank the Parliament of Zimbabwe and the Global Committee on Population and Development for organising this very important Conference. Let me once again wish all our visitors a happy and enjoyable stay in Zimbabwe. I hope many of you will take this opportunity to visit other parts of our country beyond the boundaries of the City of Harare.

With these words, it is now my honour and pleasure to declare the All-African Parliamentary Conference on Population and Development officially open.

Thank you.

MESSAGE BY HIS EXCELLENCY, MR. IDE OUMAROU, SECRETARY GENERAL OF O.A.U., TO THE ALL-AFRICA PARLIAMENTARY CONFERENCE ON POPULATION AND DEVELOPMENT

Mr. Prime Minister, finding myself for the first time in your beautiful Capital on such a solemn occasion, which has brought together so many distinguished political personalities, parliamentaries, legislators, experts and institutes on population and development problems I cannot help expressing to you my admiration for the way you have taken up the challenge which was for you, your party, your Government and for your people, the building of a democratic nation, stable and non racial in painful but heroic conditions that we know.

You are, Mr. Prime Minister, succeeding in an undertaking that the enemies of yesterday did not expect but which, we Africans, knew would be realizable, from the day when, under the banner of the Patriotic Front, your people took arms and rose against injustice, oppression, racial discrimination, denial of rights and humiliation.

Hasn't Zimbabwe not rapidly thrown Rhodesia into oblivion and democratic law elevated to highest positions those elected by the people? Aren't the white people, former masters through force, egoism complex because in the minority or simply through the spirit of demination in peace in this country? In a new society, reconciled, tolerant and collectively responsible? Hasn't the building of the Zimbabwean nation finally become the concern of all her daughters and sons, without racial, ethnic, class or religious distinctions?

It is certainly consideration of all these facts, Mr. Prime Minister, which made the

non-aligned Movement think of Zimbabwe, and of you, as an appropriate place to hold, very soon, its eighth summit conference, thus recognising the active, millitant and decisive role your small but great country is playing in the struggle for rehabilitation of those who are already tired of the division of the world into two autegonish camps, each wanting to impose its supremecy on our planet.

No one doubts that holding that summit conference will magnify and implify lessons that you display every day, in the eyes of the South African racist regime which stubbornly want to hide the sun with the palm of its hand and which refuses to recognise the desire, I mean the demand for justice for black populations and their irreversible determination to shake off the yoke of apartheid.

As the Secretary General of Organisation of African Unity, I would like to express to you, today, my pride the pride of Africa, the pride of all friends of Africa throughout the world who supported encouraged and helped the Patriotic Front to honour its struggle not only pride for considerable work already accomplished, in spite of International Climate of crisis and daily aggressions from neighbouring South Africa but also pride because you are giving the world confirmation that men of quality, faithful patriots, providential Statement who know at the right time how to overcome resentment of yesterday which disperse and disunite, always emerge from the ranks of Freedom fighters to work only in the higher interests of the moment. In saying this, I am thinking of Samora Machel who liberated Mozambique and who still firmly stands his ground to preserve national honour and freedom. I am thinking of the late Augustion Neto and of his successor Eduardo Dos Santos, who today courageously faces South Africa while still continuing with building Angola unperturbed. I am thinking of Nelson Mandela who has been paying, for more than 20 years the price for his convictions and for his just revolt against Apartheid and oppression. I am thinking of Oliver Tambo who, symbolised the heroic struggle of ANC, as well as Sam Nujomo who galvanizes Swapo for Namibia, free democratic and non-aligned.

Mr. Prime Minister, thank you for your hospitality which is appreciated by all. What I have just said, highlights the merits and the price of this hospitality which depicts its African character and its Zimbabwean militantism.

Mr. Prime Minister, Mr. Chairman, Parliamentarians, Members of the Global Committee of Parliamentarians on Population and Development, Excellencies, Ladies and Gentlemen.

In accepting the invitation which made my presence here today possible, I wanted to bring supplementary evidence of organisation for African Unity new orientation, namely the priority given to development problems in our continent and consequent search for ways and means by which our Africa should be mobilized, and mobilize her populations to hasten indispensable order which conditions her development. By choosing the theme Population and Development for your conference which is held this time on African soil, you wanted to bring Africa your contribution in ideas to help African governments as already underlined by President Abodou Drouf in his message read earlier on, "to define better from all aspects, organizational relationship between Population and Development so as to formulate consequent and appropriate policies in this area".

What is more normal for O.A.U. then to be present at such a forum to know analyses, stands, suggestions and conclusions of Parliamentarians and legislators that you are, on a topic which encompasses, in the last analysis, all development. Whoever talks of development orientates it towards populations. Whoever says population, means inevitable desire for development. How can one think of development without the contribution, consent and participation of populations? Who do we want development for, if not populations? How can we build societies which are healthy, dynamic and balanced without matching development to population.

I affirm, therefore, that we basically agree: Population and Development, this is the first problem of development. But, all pertinent questions I have just asked must be answered in relation to development. In Africa, the problem of population must be considered with lots of precautions.

In the present stage of her evolution, Africa is still a continent of sensitive mentalities, strong taboos, deeply rooted traditions and paradoxes that are difficult to eliminate; in short, a continent of peasants, that is, a continent of particularly pragmatic and vigilant populations which do not accept inputs or changes unless they are carefully prepared, educated, conscientised, persuaded and involved in the search for their own development, failing which, they will stand by or go away.

It is for this reason that, a few days ago, at Port-Louis, I told O.A.U. Ministers of Culture that they have an important role to play in Africa, in virtue of their posts, in promoting harmonious cultural development in our countries so as to provoke self-promotion of our populations by stimulating their capacity for adaptation and their creativity, which means that these populations should be given mentalities of agents of development by liberating them from social and cultural constraints, which effectively hinder their development and their opening up. Parliamentarians, what are we seeing in Africa today? A chain of unending paradoxes, as I mentioned earlier.

A paradox of a continent famine is becoming rampant but where food habits impose numerous and severe food restrictions, where agricultural organization itself is deeply linked to an outdated social system which refers itself to a religious order.

A paradox of a continent of 30 million sq. km. with 555 million inhabitants but which is said to be already over populated.

A paradox of a continent where a good number of countries have less than One (1) million inhabitants, but where the necessity for birth control is felt as an essential development measure. A paradox of a continent which has the highest rate of urbanization in the world, implying propensity to consumption other than to production, but which is in fact the least urbanized Continent.

The problem of development in Africa can be reduced, in many respects, to a problem of populations which should be prepared rapidly to adopt attitudes and to assume development activities, thus a problem of human resources whose under-employment should be corrected at whose productivity should be increased. Our development programme 1986-1990 which forms the basis of the "African Document", submitted to United Nations for the Special Session on the Critical Economic Situation in Africa deals with this aspect to a large extent, to clearly show the international community whose tangible participation we are soliciting, in our efforts to fight against this crisis, that nothing henceforth will be undertaken in our states, in development matters without the participation, provoked and obtained, of workers, peasants, youth, women previously sensitized and associated with the elaboration of our development projects. We have promised to carry out revision of structures, to improve management methods, and even to question some of our political options which always delay mobilisation of our people for their convincing in matters of development.

We have equally made it clear that African Development efforts should not favor materialism to the detriment of the human element, search for the well being of the individual to the detriment of our own concept of the family which is so dear to us, and which we wish to maintain in our march toward "modernity". The equation Population—Development should therefore mean, for us, mobilization of methods and appropriate means of development which will make it possible for our states to obtain a rate of economic growth which will be regularly higher than our current average rate of population growth which in the contemporary economic climate, considerably hinders our growth by redusing our efforts to nothing.

Mr. Prime Minister, Mr. Chairman, Parliamentarians, There are some ideas I thought it useful to present to you for your reflection. I know that discussions on the question of population and development have always provoked controversies, at times based on individual or group prejudices, at times influenced by religious beliefs or political motives. This is not a good enough reason not to discuss them. This is why I would like to congratulate the organizers of this Conference which is the new dynamic of construction of Africa, will certainly make a valuable contribution to the realization of being the well-being of our populations. I reaffirm the support of our organization and its renewed desire to maintain close collaboration with them all the time.

I thank you.

A PROPOSAL FOR ENTREPRENEURIAL GROWTH IN MEXICO

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. KEMP. Mr. Speaker, yesterday, I had the privilege to meet, together with the House leadership in Speaker TIP O'NEILL's office with Mexico's President Miguel de la Madrid, shortly after he met with President Reagan. No ally is more important to the United States people than Mexico. We share not only a 2,000 mile border, but a history of friendship, respect, and mutually beneficial trade.

The United States needs a prosperous and democratic Mexico, not just as a prerequisite for U.S. national security and regional political stability, but because it accords with our own ideals. Allegiance to our own heritage requires that we extend a hand to our neighbors to help them achieve a future of growth and development, strong democracy and individual

freedom, and better opportunities to win a fight over poverty and joblessness. By helping our American neighbors, we are also helping ourselves.

Today, as Jack Anderson reminds us in an outstanding article in the Washington Post, Mexico is facing severe financial difficulties exacerbated in large part by the 50-percent drop in oil prices. But in the past, Mexico's problems have also been exacerbated by IMF austerity policies which have lead Mexico into higher taxes, tariff and licensing restrictions, currency devaluation and restrictive wage policy—not policies of growth and opportunity, but a perscription for recession, despair, and ever-increasing debt.

The 1982 IMF package intended to reduce demand for imports and decrease comsumption, supposedly freeing up foreign exchange to pay for Mexico's heavy foreign debt. Indeed Mexico's imports have declined by 5–6 percentage points of GNP between 1982–1984. But this short-term adjustment occured at a tremendous cost in human and economic terms. The huge devaluation of the peso, for example, stimulated export growth, but fueled inflationary pressures, eroded real incomes and reduced incentives to save. Import restrictions blocked out capital investment and input goods necessary to keep Mexico's industry and agricultural sectors modernized and operating efficiently. Income and value added taxes soared in Mexico's inflationary climate, causing additional capital flight and undercutting growth incentives.

The results of IMF austerity have been severe. Although the IMF recommendations were above all designed to reduce Mexico's budget deficit, a deteriorating economy and zooming interest rates instead raised the budget deficit to a new record. Real wages have fallen 30 percent or more; poor Mexicans have lost 40 percent of their buying power since 1980; inflation in the first half of this year rose to nearly 100 percent on an annual basis. Unemployment has soared, some estimate up to half the work force. Internal investment as a percent of Mexico's economy fell by 11 percentage points.

Clearly, the IMF's policies failed and failed miserably. It is wrong to tell the Mexican people, with an average per capita income of $2,000, that they must tighten their belts further. It is wrong to tell Mexicans that they must reduce consumption through austerity when many are already wondering where there next meal is coming from. It is wrong to increase the cost of basic necessities or eliminate jobs without also offering the Mexican people the hope of a real private sector job and that their effort will be rewarded by higher incomes.

The problem in Mexico is not overconsumption; its underinvestment. It's too little entrepreneurship, too little growth, and too few jobs in the private sector. Too often in the past, the IMF has destabilized emerging American democracies snuffed out jobs and opportunities, and recommended policies which destroy the foundation for real growth.

Focusing solely on reducing budget deficits, dampening consumption, and raising taxes, the IMF has forgotten that prosperity flows from microeconomic policies that free individual families from constraints preventing them from getting a good job, starting a small business, and saving and investing their hard-earned money.

The new IMF agreement recently signed by President Miguel de la Madrid is a welcome, though not complete, departure from the 1982 austerity policies. Indeed, it offers bright avenues for change by recognizing the primordial importance of economic growth and full employment, by understanding that only a prosperous Mexico can hope to pay back its debts, and by recommending some policies that may contribute to a stronger, more efficient economy.

The new agreement, for example, points toward less central direction of the economy and more market-driven decisions, through greater privatization of government-owned enterprises, elimination of some tariffs, removal of some barriers against outside investment, and reduced government subsidies for basic commodities and services. I believe that these elements should be a crucial part of any genuine long term strategy for economic recovery.

While recognizing these positive steps, I am nonetheless concerned that the IMF agreement does not fully address the fundamental economic problems affecting Mexico; and it continues the self-defeating policy of piling debt upon debt and raising taxes. Unfortunately, it doesn't offer much hope that the Mexican economy will grow and eventually be able to pay off loans and reduce its debt.

While I wish I could hail the Mexico agreement as the beginning of a new era for the IMF, I am afraid that unless major changes are made in the agreement, Mexico will not only fall short of its economic growth goals, but it will fall further behind in a self-defeating debt accumulation. I am also worried that the so-called Baker plan, which offers a ray of hope to Latin debtor countries, could fail in this, its first test, unless more fundamental structural economic reforms are made by the Mexican Government.

Indeed, the IMF's privatization campaign, which I applaud as a general principle, could nonetheless be destabilizing and counterproductive without a growing, flourishing economy. A genuine and workable privatization strategy must first guarantee that working men and women as well as entrepreneurs will reap the fruits of their enterprise and work.

In the spirit of friendship, I would like to suggest a new model, one based not on austerity but on growth; one based on investment and equity capital not more debt; a recipe for success which has worked not just in the United States but throughout the world.

I offer it as a model so compelling and powerful that leaders and people should welcome it, adapting it to their own experince and conditions. But the United States can help. As Mr. de la Madrid said "a dead man does not pay his debts." In this same spirit, I offer these suggestions as a model to help revive the Mexican economy.

First. Mexico should move forward to bring tax rates to levels that promote incentives for growth and entrepreneurship. With the United States likely to enact a tax plan this year that has a top individual tax rate under 30 percent, I believe that it is incumbent for Mexico to reduce its own steeply graduated tax rates as a means of retaining investment capital, skilled workers, and business. Mexico currently has a 55 percent top individual tax rate that hits incomes above about $30,000; very high tax rates are even levied on individuals earning below $10,000 a year.

Countries around the world are now lowering tax rates and increasing the income tax threshold to increase fairness, simplicity, and economic growth. This type of reform, combined with the elimination or reduction of the regressive VAT tax would spur Mexico's domestic investment, help bring capital back to the country, and increase growth. Indeed, multilateral development banks should set up a "Tax Reform and Growth Fund" to make up any tax revenue loss resulting from tax cuts—although I am confident there would be none. The entire Mexican income and value added tax only bring in $2 billion today. Certainly if the IMF is willing to underwrite a $500 million trade liberalization loan for Mexico, why not the same for tax reform?

Second. In my view, Mexico should also work to achieve monetary reforms that stabilize exchange rates and maintain the purchasing power of its currency. The Kissinger Commission suggested a "common currency" zone for Latin America to promote regional monetary integration and currency stability.

Such a reform might very well follow the successful pattern of the European Monetary System [EMS]. Latin American and South American countries could pledge to stabilize their own currency and exchange rates within an agreed upon "target zone" using a basket of regional currencies, weighted in importance by the relative size of the economies participating in the monetary union. This reform would not only help arrest Mexico's extreme inflation, it would help stop capital flight and the extreme speculation and instability in exchange markets.

Third. The IMF should also be supporting the idea of a Common Market for the Americas. Brazil and Argentina are talking about establishing a common market in which trade subsidies and tariffs would be progressively removed. Mexico would tremendously benefit from joining a new "American Common Market" that included Argentina, Brazil, the United States, and other American countries that might want to join. Latin American and South American trade, which now is far below its potential, could be enormously expanded, and ties of friendship and commercial intercourse would be multiplied.

Fourth. The major money center banks should also give serious consideration to the outlook for Mexico and other heavily indebted borrowers. There is agreement from experts like Paul Craig Roberts on the right to Senator BRADLEY of New Jersey on the left that it is destructive to pile debt upon debt, without improving prospects for growth. Yet if prospects for growth increase sufficiently, there is nothing wrong with lending even more.

Whether at home or abroad, it is only prudent banking to recognize economic reality and maximize the chances that growth can be restarted and remaining debts paid off. If the banks were inclined to do so, they could write off some debt and offer Mexico greater hope for the future. Congress can assist banks by allowing debts to be written off over a longer

period and by reexamining banking regulations that affect problem loans and institutions. But debt relief without the promise of strong economic growth addresses symptoms not causes.

The world commercial banking system may also want to work with the multilateral banks to consider the newly discussed debt-equity swap arrangements, which hold hope for reducing Mexican debt in a fair fashion. Domestically, Mexico also needs to begin reforming its own banking system allowing a much greater role for private sector financial service firms.

The United States has a great deal at stake with Mexico. The 1982 IMF agreement, for example, may have cost 1 million American jobs by encouraging policies that restricted American exports, especially agricultural exports. But even more fundamentally, U.S. security and prosperity depend on a Western hemisphere that is stable, democratic, and prosperous. Countries hobbled by high debt and high taxes are not only economically unstable, they are also poor candidates for democracy.

In the past, the IMF has ill-served both American and the debtor nations; its has too often been an enemy, not a friend of freedom. The latest IMF agreement with Mexico, while moving in the right direction, is not nearly bold enough either to solve the debt crisis or restore Mexico to prosperity.

It is time for a new chapter in U.S. foreign economic policy. A program for sustained entrepreneurial growth in Mexico would be a watershed event, a milestone in truely progrowth and profreedom foreign policy. By attacking the underlying causes of stagnation and despair in Mexico, we can make the United States a force for promoting democracy, improving economic development, and fighting proverty in the Third World. This new direction could truly begin a new era of progess for our entire hemisphere.

THE MIDDLE EAST PEACE PROCESS

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. BROOMFIELD. Mr. Speaker, all of us want peace in the Middle East. I encourage the administration to continue its important efforts to bring peace to that turbulent part of the world.

The innocent in the Middle East have suffered long enough. Israelis and Arabs alike have lost loved ones. The fear of terrorism and war has taken its toll on the people of that region. The constant tension in those countries has eroded the human spirit of men, women, and children. The recent series of mindless car bombings in Beirut is a case in point. Terrorism and violence create more and more hatred and the cycle of madness continues.

Beginning with the Camp David peace talks, progress has been made in improving the prospects for reducing the difficulties in that volatile area. In 1982, President Reagan proposed a bold new peace initiative that was sensitive to the security needs of Israel and to the issue of a homeland for the Palestinians. In pursuing the plan, U.S. emissaries were dispatched to the Middle East, talks were held, and real progress appeared to be underway. While that peace offensive has not stopped, it has slowed. The problems of the Middle East are deep rooted. I have long counseled against expecting dramatic breakthroughs. Finding ways to bridge serious differences is no small challenge. Resolving the problems will require additional effort, ingenuity, and political courage.

The wave of terrorist attacks directed against U.S. facilities in Lebanon in 1983 shocked and saddened our Government officials who were, at that time, sincerely trying to work with all parties in the conflict. We must not, however, allow terrorist fanatics to cloud our vision. A handful of madmen must not be allowed to derail all of the good work which has been done up to this point.

Peace is still our ultimate goal. With determination, compromise, and hard work, a resolution of the problems in the Middle East is attainable.

Most important is the fact that our Government must continue its diplomatic efforts. One of the successes of former Secretary of State Kissinger is that he convinced both the Israelis and the Arabs that the United States could be trusted as an intermediary that was willing to work with both parties in the peace process. It is important that we retain the position of objective and fair mediator. The United States is still seen in the Middle East as the only country that can really bring about a peaceful resolution of the difficulties in that distant region.

Given our special role, I urge the President to continue the process. The recent visit to that region by Vice President BUSH is an encouraging sign. We must continue to play our role. We have no other choice. Continuing the peace effort is the only game in town.

HOSTILE AREAS EXPLORATION INCENTIVE ACT OF 1986

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. YOUNG of Alaska. Mr. Speaker, our Nation's energy security must continue to be a top priority despite unforeseen vagaries in market forces and international political considerations. The current temporary slump in the oil market and concomitant restrictions on cash flow generated for reinvestment in exploration must not be allowed to hamper the continuing search for new petroleum resources.

To facilitate and encourage ongoing exploration and production, I have introduced the "Hostile Areas Exploration Incentive Act of 1986." This bill would provide an incentive tax credit for those interests who maintain their commitment to seeking new oil and gas reserves in domestic frontier areas such as offshore deep-water and the Arctic. The bill defines these terms as: First, areas on the U.S. Outer Continental Shelf [OCS] where water depth is 600 feet or deeper; and second, onshore areas of the U.S. Arctic above the 49th parallel.

Petroleum industry analysts and the Department of the Interior have estimated that up to 50 percent of future domestic oil and gas production could come from the OCS and the Alaska North Slope. However, continued dependence on Middle East oil is a real possibility as reserves in the North Sea, South America, and Africa begin to be depleted. It is more important than ever that the United States act forcefully for its own energy security. If development and exploration in these areas are not encouraged, the United States could find itself dependent upon other nations for half its petroleum needs by the mid-1990's. In addition, OPEC could once again become the price-setting force of the world market.

A tax credit for exploration and production in hostile areas would result in a minimal impact on Federal Treasury receipts since exploration and production activity would increase bidding in the Outer Continental Shelf and would ultimately increase collection of income tax, royalties and windfall profits tax from Federal offshore and onshore leases. These bonus and royalty receipts from Federal OCS and onshore lands represent the largest source of Federal receipts after taxes.

Development of efficient production facilities in these hostile areas can often take up to 10 years. Such a long-term investment could be made less forbidding with the implementation of this tax credit. Its incentive would create a greater degree of security and stability by facilitating long-range planning in a highly speculative field.

This bill would also have a tremendously beneficial effect in preserving the oil and gas support industries which are vital to energy security. There is always the real possibility that the United States may require greatly accelerated exploration and production due to domestic shortages. The support industries must always be maintained and at the ready to work with petroleum interests to maintain adequate domestic reserves.

In short, the Hostile Areas Exploration Act would be a tremendous boost to our domestic petroleum industry, its support industries and to the overall energy security of the Nation. I urge my colleagues to consider it carefully and lend their support.

ADDRESS BY EDDAH W. GACHUKIA AT ALL-AFRICAN CONFERENCE OF PARLIAMENTARIANS

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. SCHEUER. Mr. Speaker, during the first All-African Conference of Parliamentarians on Population and Development, held in Harare, Zimbabwe, in May, Eddah W. Gachukia, professor of English literature at the University of Nairobi, delivered a compelling and interesting paper documenting the importance of reducing the explosive population growth in Africa.

Noting that Africa has the highest fertility rate and fastest rate of population growth of all regions in the world, Professor Gachukia

pointed out that education, especially for African women, has both direct and indirect influence on fertility rates and a marked impact on many facets of development in relation to increased awareness, improved performance, and productivity.

In addition, Professor Gachukia said that a decline in fertility has long-term impact on prospects for improving both coverage and quality of education. The concern with the status and education of women is justified not only because women compose the majority of Africa's population but also because African women continue to be responsible for many economic activities in rural areas.

Professor Gachukia stresses that the education of women is one of the most effective ways for influencing and changing fertility levels, through the improvement of the role of women.

I commend the attention of my colleagues to Professor Gachukia's report.

POPULATION DIMENSIONS ON THE AFRICAN DEVELOPMENT CRISIS

EDUCATION

1. Introduction

1.1. The document prepared by experts from the Organization of African Unity (OUA) and the U.N. Economic Commission for Africa (ECA) for submission to the special session of the United Nations General Assembly on Africa's economic and social crisis in May, 1986 is unique and most welcome. It is refreshing in the way African leaders appear to come to grips with harsh realities by, among other things, including themselves in the catalogue of Africa's development bottlenecks. There appears to be an unembarrassed admission that the factors aggravating Africa's economic crisis include:

Inadequacy and/or misdirection of human and financial resources;

Inappropriate economic strategies and policies;

Poor economic management;

Persistence of social values, attitudes and practices that are not always conducive to development;

Political instability.

1.2. It is acknowledged that Africa has suffered humiliation, injustices and calamities throughout history. Some of these still persist in the sense that their impact is long-term. Historical reference must however not remain escapist and it is a health sign when we begin to identify the sources of our continent's problems by self-analysis and self-criticism. In the final analysis Africans must remain responsible and accountable to themselves for most of the issues implied by underdevelopment including lack of basis necessities for survival, the deterioration of the environment as well as the causes of these phenomenon.

1.3. Development implies the ability to tap and harness all resources available and the utilization of such resources for the benefit of the entire population. Social development refers specifically to the people themselves not only as beneficiaries of, but also as the crucial contributors to, or generators of, development. To pick the example of food production, here development would need not merely to match the availability of food with demographic growth, but to also surpass it, thereby eliminating the current deficit, and increasing the availability of food for all, at all times.

At the level of the individual, development implies "increased skill and capacity, greater freedom, creativity, self-discipline, responsibility and material well-being" (Rodney, 1972, p. 9).

1.4. Among the most important factors in the future economic and social development of Africa is the rate of growth of the continent's population. Sufficient discussion exists on the complex subject of interaction between population growth and the development of a nation. While such interaction can be observed at it relates to such factors as the connection between population growth, unemployment and underemployment, the rate of population and corresponding growth or decline in per capita income, we are concerned in this paper with the relationship between population, education and development.

Adequate data is available to alarm the leaders of African countries as to the rapid growth rate of population in many of the African countries, a rate that is unmatched by corresponding economic development.

1.5. The term "explosion of population growth" is no longer considered to be alarmist. As a result of improved demographic data collection and analysis, it is now established that Africa has the highest fertility and the fastest rate of population growth of all the regions in the world. The population of the continent is expected to double its present size shortly after the turn of the century. Some countries have growth rates approaching 4 per annum and 50% of their population below the age of 15 years. (Court and Kinyanjui, 1985, Ndegwa, 1985 UNESCO, UNICEF).

The Lagos Plan of Action recognizes the high rate of population growth and the growing levels of unemployment and underemployment.

1.6. The implication of these factors in the field of education are of tremendous importance. The direct result is the increasing public demand for education and intensification of pressure on very limited resources.

The inevitable expansion of involvements in response to public demand has fast exceeded the capacity of African economies to maintain the quality of education. The ensuing deficiency has implications for the state of health, fertility and agricultural productivity. It has also been associated with threatening a condition of "perpetual intellectual dependency". (Kinyanjui and Court, 1985, p. 12, Vandemoortele, 1983, p. 48).

1.7. In this brief paper, we underline the problems posed by rapid rate of population growth in African countries which are striving to make a reality the goal of universal primary education, the expansion of out of school education and the eradication of illiteracy in order to enhance socio-economic development.

It is our contention that:

A decline in fertility has long-term impact on prospects for improving both coverage and quality of education.

Education, especially that of women, has direct and indirect influence on fertility levels and a marked impact on many facets of development in relation to increased awareness, improved performance and productivity.

2. Education

2.1. For the purposes of defining the interrelationship between education, population and development, education is understood to mean the development in human person of a critical consciousness that in turn produces or results in interventions in the world around one. The individual is thereby enabled and empowered to act upon and transform one's world as appropriate towards the achievement of desired goals. Ideal education equips the individual with a curiosity adaptability and problem solving capacities. A problem solving oriented education enables men and women to perceive critically not only the way they exist in the world but also how to better their lives. Viewed from this stance, education represents not merely consumer demands for services but is long-term investment in the human capital of a society (so is health). It is therefore an essential component of development and a never ending activity whose product ought to be a dynamic society, responsive to developmental measures.

2.2. The process of education influences the individual in a variety of ways:

Besides informing the individual, it also broadens one's horizons beyond immediate environs.

Education develops one's reasoning capacity thereby enabling the individual to make informed and rational choices between alternatives that life presents.

Education becomes a vital prerequisite for all other sectors which depend on human productivity, a fact acknowledged in the world population plan of action.

Having acquired and absorbed knowledge, education influences the individual towards attitudal and possible behavioural change. The individual becomes more flexible towards new ideas and new values, whose adoption might in turn enable one to adopt comfortably to new phenomenon.

In the absence of formal and informal education, the process of consciously informing oneself, of intellectual development and the development of a personality adaptable to new environments, new ideas and new circumstances, can be curtailed or handicapped. Attitudinal and behavioural change becomes difficult. This can be an inhibition with serious implications, when it comes to tackling modern-day issues and to adapting oneself to the challenges posed by the rapid social change taking place in Africa today.

Illiteracy, which is still very high in Africa, with nearly 70% of the total adult population on the continent being illiterate, is a major obstacle, recognizing the correlation between literacy and adaptability to change. As an essential component of any education, literacy opens up the mind and increases curiosity and awareness while illiteracy perpetuates insular tendencies.

3. Formal education

3.1. Among numerous anomalies inherited by African Governments from their colonial legacy, and which they have attempted to grapple with was the problem of imbalance in the distribution of educational facilities in the country. This imbalance is evident by regiona and by gender.

3.2. Racial discrimination in the provision of education, missionary activities (which were concentrated in a few districts), and regional differentials in the colonial governments investments in infrastructure, were crucial determinants influencing the distribution of educational opportunities in many countries during the colonial period. The process towards universal primary education has therefore been compounded by efforts by Governments to eliminate these regional imbalances as they strive to ensure equal educational opportunities for all.

3.3. Most African Governments have adopted the long-term goal of universal primary education and have made significant progress towards its achievement. Many

countries however still face serious shortcomings.

The high rate of population growth in some countries implies an ever increasing number of enrollments to the education system.

Many countries are burdened with the problem of persistent insufficiencies in the essential areas of accommodation, shortage of trained teachers, lack of teaching and learning materials and other necessary equipment.

These issues among other raise fundamental questions concerning the ability of most countries to meet the desired goal of universal primary education.

3.4. Despite the immense efforts and resources allocated by the various African Governments of formal education in their countries, the figures of those enrolled at the various levels are not very encouraging. Out of a total population of about 449 million people in Africa, there are about 50 million primary school pupils. 9.5 million in secondary schools and 900,000 students in higher education (Ndegwa, p. 19).

These inadequacies are compounded by the fact that Africa as a whole lacks higher level manpower, this more so in the professions. In such fields as are scientifically and technical oriented, Africa remains with a variation of an importer of manpower.

3.5 The post-independence scene has therefore been characterized by rapid quantitative expansion in response to popular demand and the quest for equity. We have already referred to the implications of this expansion that was faster than the economic capactiy of Governments to maintain quality. Shortage and low morale of teachers and administrators, shortage of books and other basic equipment are some of the factors leading the erosion of quality.

3.6. In addition to these constraints have been various attempts at curriculum change, revision and development as Governments have tried to make formal education more relevant to the needs of Africa. In the past education alienated young people from life in the rural areas with the resultant migration to urban areas and the impoverishment of the former in terms of able bodied and enlightened manpower, while intensifying population and problems in the latter.

Special efforts have been directed towards linking formal education with the realities of rural life. The introduction of practical subjects within the primary school curriculum has been tried in many countries, designed to link the school with the community. (see Nyerere: Education for self-reliance).

The overriding consideration today is that primary education should be relevant to the needs of the majority who will not go to secondary school rather than the minority who do.

3.7. There is urgent need for the use of the primary school as communication channel for broader social and economic objectives. The incorporation of agriculture and food production, population and family life education, nutrition and home economics and the basic issues in primary health care, into the primary school curriculum is already underway in most countries.

Educators need join forces with specialists to determine these subjects in a manner that will bring about behavioural and attitudinal change in the lives of the recipients and their families. We need to find the link between education (knowledge) and behavioural change.

The last few years have seen the development of curriculum for family life education. The question of who teaches it at what levels appears to be not so easy to resolve at the national level.

4. Women's education

4.1. As early as 1922, the Phelps-Stokes fund report on African education had drawn attention to the neglect of girls' education in African countries. In spite of their recommendation that more serious consideration be given with regard to quantity and quality, significant progress has to await the post-independence period.

4.2. Both the lags plan of action (1981) and the Arusha forward-looking strategies for the advancement of women develoment beyond the United Nations Decade for Women (1984), record the dissatisfaction of African leaders with the progress made in correcting imbalances so negatively affecting the education of women and girls. They call for new and more effective strategies for correcting these imbalances.

4.3. The concern with the situation and education of women is justified not only because women are the majority population but also because African women continue to be responsible for many economic activities in the rural areas. Their acceptance of adaptation to new ideas and strategies in such fields as agriculture, environment and population, are crucial for the development of Africa.

4.4. The serious lag in women's education means that women have been denied the chance not only to develop intellectually and to be generally informed, they have also remained custom, attitude and value bound. Their tendency to cling to old habits and values irrelevant to their modern day needs renders desired development and their own survival precarious.

4.5. With specific reference to the issue of fertility, the education of women has been identified as one of the most effective ways for influencing and/or changing fertility levels, through the improvement of the status of women. (Gatara and Musyoki, 1985, Gachukia, 1983).

Education remains as the main criterion for assigning individual statuses in society. The more the number of women accorded a chance in the education system at all levels, the more they have access to opportunities for social mobility in training and professional employment.

4.6. Education has both diret and indirect impacts on fertility.

Educational attainment influences family size through age at first marriage. A large proportion of women of child-bearing age who marry late have fewer children than those who marry early.

Education positively influences the age of women at first birth. (Gatara 1982).

The age of a woman at first birth may also influence her educational attainment. Very few African countries have as yet instituted measures of re-absorbing young mothers into the lower and middle levels of their educational systems. As a result, girls who enter into early motherhood do so at the expense of their formal education.

The age of girls at first birth rises with the attainment of formal education. In Kenya, the mean age at first birth for women unexposed to formal schooling is 17.7 years while that of women with 9 or more years of schooling is 21.2 years.

4.7. Heavy investment in the education of women and girls is further justified by the high correlation between maternal education and child survival. Mensch's study revealed that in one African country twice as many infants under 1 year of mothers with no formal education as of mothers with secondary education: (UNICEF, 1984) such staggering differentials are caused by the assertion of wisdom of school over traditional wisdom by educated mothers, easier communication with husband resulting in family becoming child centered, and the empowering of women by education not only for the provision of better child care but also for becoming less fatalistic, and more capable of handling ideas and institutions and adopting alternatives in child care and treatment of illnesses now available.

4.8. Discrimination of women in the educational systems has been described as a recipe for higher infant mortality (Newland, 1981).

Giving mothers 7 or more years of education lowers mortality of an average of 41 (Trussel and Pebbly, 194).

The mother with education can manouvre institutions and professional personnel i.e. use them as her right.

5. Eradication of illiteracy and nonformal education

5.1. In view of the constraints experienced by Governments in their provision of universal primary education and the inherited problems of imbalances in distribution, the various countries have mounted programmes with varying degrees of success to combat illiteracy and to continue education and training for those who drop out of the formal education system. The majority in either case are women.

5.2. Recent emphasis is on functional literacy that will enable participants to cope with the demands of everyday life reading messages, applying correct measures and keeping records of their produce and incomes. Materials production for new literates is still lagging behind.

5.3. Adult education programmes continue education and skill development in response to the needs of the participants and their environment.

5.4. There is emphasis on the concept of basic education as Governments, and non-governmental organizations join forces to empower the communities and especially the women to become self-reliant. In the field of health, health education is defined as encouraging people to want to be healthy, know how to stay healthy, do what they can, individually and collectively and seek help when needed (WHO, Primary Health Care, 1978).

A healthy-related behaviour all-inclusive package has already been identified for learning within and without school system with renewed emphasis on relevance and applicability.

5.5. New, activist approaches in social marketing of development programmes need developing to ensure closer touch with the people.

5.6. With reference to family planning, education must include not only effective family planning methodology but also the consequences of their use. In the continent of Africa as in other developing countries, withholding of information enhances the effectiveness of rumours, misinformation and sensationalization.

As Gatara and Musyoki have so appropriately observed, acceptance and use of modern contraceptives should be based on *informed consent* (emphasis ours).

6. In conclusion, we wish to reiterate out underlying them, theme, that resource limitations will not in the near future allow for

increased allocation of the national budget and education.

6.1. It is therefore necessary to adopt new approaches that may require change in the conventional use of existing educational resources and the mobilisation of new resources. Such initiatives include:

Greater use of the media in education.

Encouragement of economically productive activities in schools.

Greater involvement of the community in the education process, towards self-reliance.

Increased use of "distance education" technologies especially for teacher upgrading and non-formal education.

Maximization in the use of existing facilities (many educational institutions are under-utilised).

Encouragement of the complimentary role of the private sector and NGOs in education.

6.2. There is need to support maximum participation and continuity of girls in primary schools. Every effort should be made to avoid stereotyping women's roles in education. Education must recognize women's daily needs and multiple roles.

6.3. Non-formal education and literacy programmes should promote community development, basis services and self-help activities.

6.4. Appropriate technology means technology that is easily accessible, affordable and easy to use.

THE CLARKE FAMILY FARM CENTENNIAL

HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. SCHUETTE. Mr. Speaker, Dave and Gretchen Clarke of Coleman, MI, will this year celebrate the centennial of their family farm.

While farming is a noble profession, it has never been an easy one. The Clarkes' ancestors faced great hardships in pioneering the great State of Michigan and establishing their farm 100 years ago. Today, farming is still a challenge, it still demands hard work and a deep commitment. The Clarkes, along with so many other farmers today, face great hardships. Yet the Clarkes' success, based on hard work and dedication, in bringing their farm into its centennial year offers hope and encouragement to farmers throughout our country.

Mr. Speaker, I am proud to congratulate the Clarke family on the occasion of their farm's centennial year, and I thank them for steadfastness and reminding us all of our Nation's great agricultural heritage.

GREECE PUTS THE HEAT ON DRUG TRAFFICKERS

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. BROOMFIELD. Mr. Speaker, I want to commend the Government of Greece for its new efforts against international narcotics traffickers. The Greek Government is clearly making progress in this important fight.

As the following article points out, Greece has undertaken a major program to interdict the flow of illegal drugs through the Aegean Islands. In addition, that Government is moving to increase penalties for possession of drugs. It is encouraging to see the high level of cooperation which exists between the Greek Public Order Minister, Antonis Drossoyannis, and officials of the United States Government's Drug Enforcement Administration.

In recent years, progress has been made in other aspects of security in that country. Security at Athens Airport has been dramatically improved and shipboard security for Greek cruise liners has also been greatly enhanced. These are steps in the right direction. I encourage the Greek Government to continue its excellent efforts and know that the United States Government stands ready to provide Greek officials with additional assistance in combating terrorism and interdicting drug traffickers.

With these thoughts in mind, I commend the following New York Times article to my colleagues in the House:

[From the New York Times, Aug. 10, 1986]

GREECE MAPS WAR AGAINST NARCOTICS

(By Paul Anastasi)

ATHENS, August 9.—Greece has started a new campaign against the international narcotics trade and has simultaneously introduced some of the strictest penalties of any Western country for possessing drugs.

The new effort is receiving major assistance from the United States Drug Enforcement Administration and several other international bodies.

"Greece is situated on the crossroads of the international narcotics trade," the Greek Public Order Minister, Antonis Drossoyannis, said recently at a news briefing.

"Asia produces the drugs," he said, "and Europe and America consume them. But for these vast quantities to be transported to the Western markets, they mainly have to pass through Greece. The problem is increasing, so that's why we are launching this new effort."

The drive has included recalling to active service some 100 officers and experts who had recently retired and the establishment of a central coordinating body of experts to supervise the campaign. "We are giving more power to the narcotics force in the form of more staff, more dogs, more sophisticated equipment, as well as better training with the help of foreign expertise," Mr. Drossoyannis said.

FOCUSED ON AEGEAN ISLANDS

The campaign is focused largely on the Aegean Islands, since statistics at the Narcotics Division of the Ministry of Public Order show that most of the drugs come through the Mediterranean and the Aegean in small merchant vessels or private yachts. The cargos usually originate in Turkey or other Middle East and Far East countries.

The largest haul to date was in 1982, when 30 tons of marijuana were seized from two vessels.

The same statistics show that hashish and marijuana are the main drugs transported from the East, but that there is also a dangerous increase in opiates, like opium, morphine and heroin. The recent increase in cocaine trafficking from the East is also a primary target to the new campaign.

The Narcotics Division at present says it seized 20 to 30 percent of the drugs thought to move through the country. Statistics show the number of people arrested and convicted has risen from 625 in 1979 to 1,022 in 1985.

TEN PERCENT ARE FOREIGNERS

About one-tenth of those arrested are foreigners. Of these, most are Turks or seamen from Ghana and Sri Lanka on ships bringing narcotics from India. Only a small number of Americans or West Europeans have been arrested.

The new policing measures are being backed by legislative ones. A Government bill submitted to Parliament last week raised the minimum imprisonment term two to five years for people found guilty of possessing small quantities of marijuana for private use. The maximum penalty for dealers in heavy drugs is life imprisonment and a fine of up to $400,000 as well as the confiscation of their private property.

A Security Police director said Greek efforts had become much more effective thanks to the assistance of such agencies at the American Drug Enforcement Administration, Interpol and the United Nations, and to the cooperation of individual governments.

The American agency is assisting with direct financial grants, material assets and information on drug dealers. It also has trained 220 Greek antinarcotic agents, and it is concentrating on teaching means of detecting drugs which pass through airports.

"With the appearance of the D.E.A., the crackdown on the international narcotics trade has taken a radical turn for the better throughout the world," the Security Police Director said. "In the case of Greece, I guess they realize we can do a lot to close the door on drugs entering the West."

PLIGHT OF THE HUNGARIAN MINORITY IN ROMANIA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. SMITH of New Jersey. Mr. Speaker, several times in the past I have helped expose the unfortunate plight of the Hungarian minority in Romania. Numbering 2.5 million people, this minority forms the largest national minority in Europe outside the U.S.S.R. These Hungarians settled there around 1000 A.D. and during the intervening period, until 1918, Transylvania formed, directly or indirectly, as a part of the Hungarian Kingdom. The culture, art and politics of Transylvania have been completely dominated by the Hungarians and the smaller number of German Saxons who had settled there around 1150 A.D.

Now this minority lives under siege by a Communist government which tries to deprive them of their religious and ethnic traditions. The nationality churches (The Roman Catholics are Hungarian and German, the Lutherans German and the Reformed Church purely Hungarian) are deprived of adequate replacement of their aging priests and ministers. Only six starting seminarians are allowed for the nearly 1 million Hungarian Reformed Church members and only 30 seminarians are allowed for the more than 1.5 million parishioners of the Roman Catholic Church.

Opportunities to receive education in the mother tongue, which is guaranteed by the Romanian Communist Constitution, have become nonexistent on the higher educational level, and very limited opportunities are available on the high school level. Even if an Hungarian school exists and an Hungarian-speaking student attends the school, he has practically no chance to enter the universities and colleges.

The libraries with books in Hungarian and German languages are being transferred to Bucharest to deprive the national minorities from using them. As noted in the most recent report on the Implementation of the Helsinki Final Act, there is substantial evidence that the Romanian Government continues its efforts to systematically integrate and absorb minorities such as the Hungarians into its nationalistic society.

Disappearances, brutal police beatings, imprisonment on false charges, and arranged car accidents abound. One Hungarian high school professor, Bela Pall, was sent to a psychiatric ward for having attended the funeral of the great Hungarian writer, Gyula Illyes, in Hungary. Eventually Mr. Pall was driven insane by the electric shocks and drugs.

In light of these activities perpetrated against the national minorities and the harassment of the religious denominations which are not approved by the state, I along with Mr. WOLF and Mr. HALL have introduced legislation which would suspend Romania's Most Favored Nation trading status for 6 months. Mr. Speaker, these violations must not continue unnoticed by Romania's trading partners. The United States must use the leverage of this trading status, which is especially beneficial to Romania, to encourage religious freedom and adherence to human rights accords.

FARMERS NEED STABLE COMMODITY PRICES AND LOWER INTEREST RATES

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. KEMP. Mr. Speaker, everyone is looking for answers to our farm crisis, but, unfortunately, most people are addressing its symptoms rather than attacking the problem at its root.

One of those who are offering deeper insights is Stephen Chapman. In a recent article, Mr. Chapman points out that severe commodity deflation and high interest rates, both a result of excessively tight monetary policy, are the fundamental cause of farm problems and loss of farm income.

Mr. Chapman also shows export subsidies and the current array of farm programs are often counterproductive: They price U.S. farm products out of world markets, generate a huge overhang of price depressing farm surpluses, and cruelly manipulate the American farmer. Clearly, Congress should be addressing as a top priority both the monetary and programmatic causes of farm crisis.

I commend the following article as the beginning of a genuine reform to make American farmers more competitive, prosperous, and secure.

[From the Washington Times, Aug. 8, 1986]

GRAIN SALES DISTORT U.S. PRIORITIES

(By Stephen Chapman)

President Reagan, who has inflicted a trade embargo on Nicaragua for the Sandinistas' Marxist-Leninist bent and their close ties to the Soviet Union, has announced that the taxpayers of the United States will have the privilege of spending $52 million to subsidize a shipment of 4 million tons of American wheat to . . . the Soviet Union.

What's wrong with this picture? The problem lies in the president's willingness to subordinate American security interests to Republican electoral fortunes.

The wheat sale is strange as foreign policy and ridiculous as economics, worse still, it may be only the prelude to a full-scale orgy of export subsidies. Its only excuse is to help the GOP in a handful of farm states in the November congressional elections.

The sale illustrates the absurdity of federal farm programs. Thanks to federal price supports, the price of wheat in the United States is about $105 a ton, which is $10 to $20 more than the cost of wheat in most of the rest of the world. American farmers, given a choice between getting $95 a ton to sell to foreign consumers and $105 to sell to the Department of Agriculture (which is obligated to buy), are partial to the latter.

To bring American farmers together with foreign buyers, the government has to make up the difference between the U.S. price and the world price. Here, the Soviets get some free government-owned wheat as a bonus for buying a large shipment, effectively cutting the price they pay—though not the price American farmers get—by about $13 a ton.

The effect, as Secretary of State George Shultz pointed out, is to make American wheat cheaper for Soviet citizens than for Americans.

The complaint is not so much that the deal makes the Soviets better off—they could buy wheat elsewhere for the same price. Still, it's hard to reconcile Mr. Reagan's anti-Communism with his decision to spend money to reduce the price Moscow pays for our wheat.

Even more bizarre is the fact that, as the World Bank reports, Western Europe and the United States provide $23 billion a year in subsidies of food sales to East Bloc nations.

And helping wheat producers probably will hurt other farmers. Even Republican Sen. Robert Dole of Kansas, who pushed the deal, fears it will cut sales of corn and soybeans. His solution? Provide subsidies to other crops and to other nations. That makes sense only by the weird logic of U.S. farm subsidies.

The government has a lot of surplus wheat it would like to unload, and this is one way. But why does the government own so much grain? Only because it is committed to buy whatever the farmer can't sell above the federal support price. Lately, it has bought a lot.

The point is to help farmers. The effect is to produce an avalanche of federal spending that helps some who need the help and many who don't, while steadily enfeebling the agricultural sector.

From 1982 through 1986, farm programs cost $63 billion, nearly six times more than originally estimated. This year alone, the U.S. Department of Agriculture will spend $26 billion on aid to farmers.

But some of the farmers' problems are worsened by federal subsidies, and the others are unaffected by them.

The first problem is chronic overproduction. Farmers produce too much for the existing demand, so prices fall. The government boosts the price received by farmers for their goods, which in turn stimulates them to produce still more, depressing prices further. The longer the process goes on, the more painful it is to stop.

The second problem has been the strength of the dollar and the weakness of foreign demand for American food and fiber. Basic commodities of all kinds—steel, oil, lumber, and farm products—have been going through deflation over the past five years, with no end in sight.

Since 1981, the prices paid to farmers have fallen every year, declining by a total of 13 percent. Nearly a quarter of that drop came in the past year.

The immediate cause is Fed Chairman Paul Volcker. Excessively tight money and persistently high real interest rates have combined to squeeze producers of basic commodities.

What needs loosening is not the USDA's fiscal policy, but the Federal Reserve's monetary policy. This doesn't mean a resumption of perpetual inflation. The goal should be stable prices—neither rising nor falling.

What is needed in the long run is to end federal interference in agriculture and insist that American farmers compete in as free a market as possible. But until the Fed relaxes its grip on the supply of money, any scheme to help farmers has a good chance of enactment.

The administration has discovered what one economist noted some time back; it's hard to pull the rug out from under someone who's already flat on his back.

REPRESENTATIVE JACK KEMP'S REMARKS ON THE LAVI AIRCRAFT

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. COURTER. Mr. Speaker, the gentleman from New York was present in Israel on the occasion of the rollout of the Lavi fighter aircraft. This fine airplane is, as the gentleman said, the product of a partnership of Israel's technical excellence with United States industry and financial support. It is one of those paradoxes of our time to say that Israel's friends hope the magnificent Lavi never needs to demonstrate how well fitted it really is for military purposes.

The gentleman from New York's remarks follow:

HON. JACK KEMP REMARKS PREPARED FOR DELIVERY AT THE ROLLOUT OF THE LAVI, TEL AVIV, ISRAEL, JULY 21, 1986

Mr. President, Mr. Prime Minister, Defense Minister Rabin, Members of the Knesset, Mr. Keret, my fellow Members of the U.S. Congress, distinguished guests, ladies and gentlemen:

As an American, a brother in freedom, and a long and true friend of Israel, I am honored to be invited by President Keret and IAI to speak on this memorable occasion. I look out on this audience, I see the ranks of

your officers and men and women present here tonight, and my heart shares the pride I know you feel in the quality and dedication of all who wear the uniform of the IDF and those who fly for your outstanding Air Force. You have shown the world again and again, that Israel's security depends on more than just good will. Israel's security depends on Israel's superiority.

The Book of Proverbs tells us that, just as gold and silver are tested in the furnace of fire, so man is tested in the fires of adversity. 210 years ago this month, the United States was born when men and women joined together to pledge their lives, their fortunes and their sacred honor to gain America's independence and secure their personal liberties.

Here in Israel, that same pledge must not only be lived anew by each successive generation, it must be defended every day, often at great and tragic human cost. We in America admire your resiliency. We admire your strength. Most of all, we admire your courage to defend freedom.

Israel and America may be long leagues apart, but as President Reagan has declared, we are philosophical neighbors, bound by our Judeo-Christian values, our shared commitment to democracy, the rule of law and enduring ties of trust and friendship—qualities that in our eyes make Israel a great nation.

In truth, we are even more. We are the sons and daughters of Abraham. We are one family. We are kin who stand together as few countries have stood together in modern times—to defend freedom, to support democracy, to fight terrorism, and to resist the rising clamor of hypocrisy in the once hallowed halls of the United Nations.

The West must never fall victim to tactics of tyrants who, as Churchill observed of the Nazis in the 1930's, trample all legal principles into the dirt when it serves their purposes, yet hold us to the highest possible moral standards when we attempt to defend ourselves. Defending freedom is not just an honorable right; it is our sacred trust. Our presence here tonight, to witness and celebrate the roll-out of the Lavi, is a real and visible expression of the partnership of our two democracies. I am proud to have been one of the principal sponsors of the legislation providing U.S. funding for the Lavi, proud to have fought for that funding, and proud that our congressional delegation here is bipartisan, and I know that one of my heroes, were he alive, would be with us this evening, Senator Henry "Scoop" Jackson.

May I express my highest compliments for the technological and engineering expertise of all here who have labored to produce this amazing fighter aircraft. It is a beauty to behold. And I know that Israel does not treat casually the selection of combat aircraft to meet critical mission requirements and survive in this high-threat, SAM-saturated environment. Israel does not have the luxury of being able to make a mistake.

We all know there has been controversy over the Lavi in Israel and in the United States. We in the United States are monitoring the costs of our major weapon systems. I congratulate Israel for exercising your right to review and even criticise—another mark of your strong, fiercely independent nation—and still be able to stand behind your decision.

The Lavi is the product of Israeli technical excellence, in partnership with U.S. industry and financial support. Actually, this aircraft could have both the Star of David, and the Stars and Stripes, as its insignia. It is a joint venture in a very real sense, with a number of leading American aerospace companies directly participating such as Pratt & Whitney, Grumman, Lear Siegler, including, I am proud to say, Moog—located in my own congressional district.

But this is no marriage of convenience. It is a union of spirit and purpose. When the United States provides aid to Israel, we are not extending charity. We are investing our faith and precious resources in a key ally; we are contributing to a vital defense outpost for the West, just as surely as our own defense budget is vital to our freedom.

Israel is an island of democracy surrounded by a sea of peril. To those who foment violence, to those who resist Israel's right to exist and live in peace—from the PLO, Qadhafi, and Khomeini to Syria and the Soviet Union—our message and our actions must be firm and forthright: Israel is not America's client; Israel is our ally and friend—a most reliable friend, indeed. And being our friend, she is not alone, she is not expendable, and she will never be abandoned.

As I stand here this evening in the presence of Prime Minister Peres and Minister of Defense Rabin, I am reminded that earlier this month, Israel commemorated the tenth anniversary of a stunning defeat against terrorism—the victory at Entebbe. Entebbe showed the world that terrorism will never succeed when confronted by leaders with the will to act, nations with the courage to persist and individual heroes like Yoni Netanyahu. President Reagan's courageous action with regard to Libya should be understood as another signal that the U.S. will no longer tolerate what was always in a moral sense intolerable. We must work with Israel, and with our other allies, to develop a coherent and morally consistent policy, not only towards terrorism, but towards terrorist states.

Too many people still believe that terrorism is the result of groups and individuals reacting against real or perceived injustice in the world, and that, in the currently fashionable slogan, we cannot eliminate terrorism unless we address the "root causes" of terrorism. While some may be fighting for objectives they consider noble, terrorism by its nature is illegitimate.

The true cause of terrorism is a base and deep-seated drive by radical regimes to expand their power by attacking us, our friends and our allies.

The only way to eliminate terrorism is to go after terrorists; to hold to account those regimes that harbor, train and command terrorists; and to support the opponents who would resist these outlay regimes.

So let us dispel any illusions about the real obstacles to peace and stability in the Middle East. It is not refugees, nor energy, nor even borders, grave and momentous as these problems are.

No, what continues to impede every earnest attempt to resolve critical problems is the unrelenting hostility and belligerency toward Israel, which the Soviet Union and its client states like Syria and Libya exploit to stir up the waters of terrorism and turmoil. That is the strategy through which the Soviets seek to project their presence and their power deeper and deeper into this region. Continuing hostility in the region is fundamental to Soviet expansionism.

The Soviets have long pursued sea control capability in the Mediterranean, Indian Ocean and Persian Gulf. Through treaties of cooperation and military supplies to radical governments and terrorist groups, they seek to establish the military infrastructure operations to coerce and destabilize Israel and other pro-Western governments in the Middle East.

The strategic consequences of Soviet success would be catastrophic. Soviet domination of this region would out-flank Europe, carrying with it Soviet control of Africa, large parts of Asia, and directly threatening the United States.

I am convinced that the invincible strength of the American/Israeli alliance is the greatest restraint on Soviet expansion in this region. And Israel's willingness to work with responsible Arab leaders offers the brightest ray of hope for a future of freedom, democracy, justice and peace among nations of the Middle East. And so I am encouraged by the creation of an American/Israeli free trade zone, which will be a source of unity and economic prosperity for our two countries.

I am heartened that we are expanding our defense cooperation, not only with the Lavi, whose roll-out we celebrate tonight, but with the Merkava tank, and missile patrol boats, and tactical assault bridges. Indeed, IAI-made KFIRS, now called F-21A's, are now operating in the aggressor role for the U.S. Navy.

Even more importantly, at long last we have embarked upon real and serious strategic cooperation between our two nations. Beginning in 1983, Israel and U.S. strategic planning groups have been meeting to coordinate our joint defense efforts. Among the things under discussion and implementation are joint military exercises, medical assistance, intelligence cooperation (which is already extensive), and the pre-positioning of supplies.

With the signing of the Memorandum of Understanding in May of this year, Israel became a full partner with other NATO countries in the research and development efforts relating to President Reagan's strategic defense initiative, which I strongly support. In a global context, the SDI has far-reaching implications for the preservation of Western security, stability and peace.

But the SDI also has immediate consequences for near-term Israeli defense needs. Israeli firms and research centers—including IAI—have much to contribute in the area of space based sensors, interceptor vehicles, defense against tactical ballistic missiles and system architecture for regional defense against surface-to-surface missiles—defense systems well tailored to Israel's threat environment.

The questions of U.S./Israeli relations go far beyond the specific issues of aid, or Middle East peace plans, or even contingency planning for the security of the Eastern Mediterranean and the Persian Gulf. When all of these details are placed in proper context, we see our natural alliance with Israel as part of the broad network of alliances America enjoys with other free nations throughout the world. For it is we, the freedom loving peoples of the world, who yearn so deeply for stability and peace and the right to pursue our own way of life. It is we, the U.S. and Israel, who must stand together.

My friends, at the beginning of my remarks I spoke of Israel and America as a family. The U.S. and Israel must send an uncompromising message to Syria and the Soviet Union; aggression will not be allowed to succeed. Let us treasure our American/Israel family, let us keep it always as the great power for good it was meant to be—to

preserve our strength, and to heal and transcend whatever differences and problems we may encounter along the way. This we must endeavor to do together.

I first visited Israel in 1972, having just left Poland where I had visited the Auschwitz Concentration Camp and my heart cried with anguish over the monstrous evil. While in Israel, like thousands upon thousands of Americans, I went to Yad Vashem and I have pledged along with my countrymen—and pledge this evening with all of you—never again. For the United States, for the Congressman from New York, our enduring support for Israel is the solemn embodiment of that pledge.

As we look upon this shining new fighter aircraft, I am reminded of the scene in "Fiddler on the Roof". When one of the Town's people asked the Rabbi if he had a proper blessing for the Czar, the Rabbi answered, "Of course; may God bless and keep the Czar far, far away from us."

Good friends of Israel, may the Lavi and the Israeli Air Force help protect your nation and keep any and all enemies far, far away. But my deepest wish is that the magnificent aircraft will never have to be used in combat.

May the great and good and loving God we worship together bless our American-Israeli family. And may he keep us always close, always safe, and always free.

B'Hatzlacha Raba (much success).

HONORING AN EDUCATOR

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. KOLTER. Mr. Speaker, I rise before the House of Representatives to honor a constituent of my Fourth District of Pennsylvania: Marie K. Twinem in Beaver County who has been dedicated to Geneva College and Beaver Falls for the past 63 years.

After earning her bachelor of arts and bachelor of oratory degrees from Geneva College in 1931, she taught in Geneva's extension classes and speech department and in a local day school's public speaking department.

The oldest member of College Hill Methodist Church, she taught Sunday school for 62 years and served as chairman of the Official Board, first president of the Woman's Society of Christian Service and was the first woman to be elected a church trustee.

She is past president of Christian Women United, the American Association of University Women, the Outlook Club, and the College Hill Women's Club. Marie has many years of volunteer work to her credit, particularly with the Salvation Army, Geneva Women's Auxiliary, and Red Cross.

She has taught full time in Beaver Falls Junior High School from 1949 through 1966 when she retired. She continued teaching in the area as a substitute for several years thereafter.

Presently, she is writing her autobiography and was recently a nominee for the 1985 Beaver County Times Women-of-the-Year.

Because of her dedicated service to her community, I salute Marie K. Twinem before the full U.S. House of Representatives.

RESPONDING TO THE LOEFFLER AMENDMENT

HON. TOM LOEFFLER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. LOEFFLER. Mr. Speaker, the following is a response to allegations made against my amendment to H.R. 5300, during debate on House Resolution 534.

Allegation: Accusations were made that the Loeffler amendment would save $100 million by forcing Medicare beneficiaries out of the hospital before their medical condition would justify their discharge.

Response: This is completely false. A provision included in H.R. 5300 which was reported by the Committee on Ways and Means, allowed Medicare beneficiaries the right to appeal their discharge notice from the hospital and remain in the hospital until the State Peer Review Organization decided on the case. This is a no cost provision which was not altered in any way by the Loeffler amendment.

Allegation: Services and benefits to Medicare beneficiaries are reduced and eliminated by the Loeffler amendment.

Response: This is again false. The additonal savings in the Medicare programs achieved by the Loeffler amendment result from the deletion of Medicare expansions for new services and new money for nondirect health care expenses. No current benefits or services are cut, only new spending add ons are deleted.

BILL HUGHES—THE CRIMINAL'S WORST ENEMY, LAW ENFORCEMENT'S BEST FRIEND

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. BIAGGI. Mr. Speaker, it is with great pleasure that I rise today in tribute to one of our most esteemed colleagues, my good friend from New Jersey, BILL HUGHES.

Simply put, there is no Member of Congress who has done more to help law enforcement and combat crime than BILL HUGHES. As chairman of the House Subcommittee on Crime for the last 6 years, he has been a tireless worker, leaving virtually no crime-related issue untouched. Oliver Wendell Holmes, Jr., one of our Nation's most distinguished jurists, said, "The best service that we can do for our country and for ourselves is to see so far as one may, and to feel the great forces that are behind every detail * * * to hammer out as compact and solid a piece of work as one can, to try to make it first rate, and to leave it unadvertised." That is an apt description of BILL HUGHES' work on the Subcommittee on Crime. His work is far reaching, thorough and precise. There may be partisan differences concerning a Crime Subcommittee bill—as there are with most others—but rest assured that there will be no criticism about the work that went into it.

These observations are particularly timely today. Late last night the Senate completed congressional consideration of H.R. 3132, the Law Enforcement Officers Protection Act, and it is now on the way to the White House. This legislation bans armor-piercing "cop killer" bullets that can penetrate the bullet resistant vests worn by police officers. It has been the top legislative priority for the law enforcement community over the last 4 years. Yet, despite the compelling nature of the issue and the importance placed upon it by the police community, the long and short of it is that without BILL HUGHES' leadership, deep concern and dogged persistence, this vital police protection measure would have never made it out of committee.

BILL HUGHES not only coauthored the bill with me, but he chaired four hearings on the issue and was responsible for breaking one impasse after another. Perhaps the most critical juncture came in 1984 when, after 2 years of waiting for failed results, BILL told key administration officials that either you work with us in developing a suitable definition of armor-piercing ammunition, or we'll move ahead without you. Within a matter of weeks, the administration crafted the compromise language that finally got the bill moving.

But, BILL HUGHES is not one to let progress stand in the way of what's right. For example, soon after the compromise was developed, presumably with the gun lobby's consent, BILL HUGHES was quick to spot a fatal flaw in the bill. The definition was fine, but it did not ban the sale of existing armor-piercing ammunition—projected to be up to 2 million rounds. The administration said the compromise would crumble if changes were made. BILL HUGHES didn't care about the compromise. He cared about what's right. He went ahead and made the changes that were essential to police safety. Those changes probably cost time, but they will save lives, since the final product sent to the President bans the sale of existing and any new supply of armor-piercing ammunition. That's leadership. That's courage. That's BILL HUGHES.

It's the same BILL HUGHES who went toe to toe with the gun lobby during the recent consideration of the Federal Firearms Law Reform Act and, against almost insurmountable odds, came away with an assortment of impressive victories on behalf of the law enforcement community. Those victories included a ban against machineguns; a ban against silencers; a retention of the law that prohibits the interstate sale of handguns; a mandatory 5-year prison sentence for carrying a firearm during the commission of a drug trafficking offense; and an added 10-year mandatory prison sentence for using a machinegun in a crime. There were other victories, as well, during this process, but the point is clear; just as in the case of the "cop killer" bullet bill, nobody fought any harder nor any more effectively for the interests of law enforcement than BILL HUGHES.

Just how seriously does BILL HUGHES take his job as chairman of the Crime Subcommittee? Consider that during the prior Congress, 16 of his bills coming out of the Crime Subcommittee became law. Few, if any subcommittee chairmen, can lay claim to such an abundance of achievement. Good staff work? Sure. Conscientious and hardworking subcom-

mittee members? Absolutely. After all, BILL HUGHES demands no more from others than he gives of himself, and he gives all there is.

That is why BILL HUGHES has been fighting the war on illicit drugs long before most recognized the severity of the problem. In fact, during the 98th Congress, 5 of his 16 bills that became law sought to provide some form of drug abuse prevention. One established a "Drug Czar" to better coordinate our drug enforcement programs. Another created drug treatment programs for Federal prisoners. A third established enhanced Federal penalties for drug trafficking crimes. The fourth provided deterrents to pharmaceutical robberies; and the fifth sought to crack down on those who sell dangerous prescription drugs on the black market for a sizable profit. In other words, he addressed the drug abuse problem from every conceivable aspect, which is exactly the approach now being recommended by so many others.

He has also been just as tenacious in addressing many other areas of crime, such as money laundering, drug tampering, child pornography, computer fraud, terrorism, trademark counterfeiting, and organized crime. Recognizing the need to provide Federal assistance to help State and local law enforcement efforts, he authored the Justice Assistance Act, which provides millions of dollars each year to State and local law enforcement agencies.

His comprehensive knowledge of criminal law and his expert questioning of hearing witnesses is no coincidence. It comes from having served for 10 years as a well respected prosecutor in his home State of New Jersey. In fact, it was BILL HUGHES who tried the last capital punishment case ever conducted in New Jersey—successfully, I might add.

That is just a brief look at a very remarkable man. There are many other achievements worthy of mention, but they all lead to the same conclusion: BILL HUGHES is the criminal's worst enemy and the law enforcement officer's best friend. As a 23-year police veteran, I am proud to serve with such a man and even prouder to call him my friend.

AN EDITORIAL VIEWPOINT

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. BEREUTER. Mr. Speaker, as we approach the last remaining hours of the session before adjourning until September, this Member wishes to share with my colleagues the following editorial from the largest newspaper in my State.

The Omaha World Herald has already laid the groundwork for a message we should expect to hear over and over again as we return to our congressional districts and States. The deficit problem continues to grow worse. Congress refuses to accept its responsibility to deal effectively with this troubling situation.

The task of reducing the deficit is perhaps the greatest endeavor we should be undertaking at this time. The longer we delay, the more difficult that task becomes. This message is absolutely correct and I urge the leadership of the U.S. House of Representatives to permit us to address these crucial fiscal issues now.

I commend to my colleagues the text of the editorial, "Deficit Picture Looks Worse."

[From the Omaha World Herald, Aug. 6, 1986]

DEFICIT PICTURE LOOKS WORSE

New estimates of the 1987 federal budget deficit suggest that the country might be in a worse fix than appeared to be the case just a few weeks ago.

The Congressional Budget Office now projects the deficit for the 1986 fiscal year, which ends Sept. 30, at $224 billion. Next year, even with the efforts Congress has made to comply with the Gramm-Rudman deficit reduction law, the deficit is projected at $177 billion.

Some people might consider the 1987 projection to be moving in the right direction. But what a pitifully inadequate step. Gramm-Rudman requires a deficit of no more than $144 billion next year.

Estimating deficits in federal budgets is an imprecise science. Changing ecomomic conditions take their toll on the accuracy of projections. In recent years, the deficits have almost always turned out to be higher than originally projected.

Indications of a larger-than-expected deficit don't make the job of Congress any easier. The House still hasn't passed an amendment that restores the machinery for automatic reductions in spending if Congress and the White House can't agree on a budget that keeps the deficit within the set limits.

If the amendment didn't pass, Congress might be confronted with the need to vote on deep cuts in spending this fall. If the amendment did pass, the cuts would be made by the administration. Either way, the timing would not be the best; biting the bullet is often the most difficult just before an election.

But what alternative is there? Efforts of the administration and Congress to reduce the deficit have failed miserably.

Last year's deficit was $179 billion. The first projection for this year put the deficit at $171 billion. Now, with an estimated 1986 deficit of $224 billion and a 1987 deficit projected at 23 percent above the target, the budget is slipping backward. Almost no task facing Congress this fall is more important than reducing the deficit; a better opportunity to do so may not be available soon.

MEALS FOR MILLIONS/FREEDOM FROM HUNGER FOUNDATION

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. FAZIO. Mr. Speaker, I would like to call your attention to the work of a nonprofit agency that is making significant progress in the struggle to alleviate hunger and malnutrition around the world. Meals for Millions/Freedom from Hunger Foundation, based in Davis, CA, is observing its 40th anniversary this year. Meals for Millions receives financial support from individuals and institutional donors across the country to conduct its programs. It does not spend a great deal of money on promotion, however, and as a result is not widely known. Its story, I am convinced, deserves to be told.

Beginning in 1946 as a food relief agency, the foundation's history is characterized by creative approaches to complex food and nutrition problems. The path that Meals for Millions is pursuing today, the systematic, applied self-help program it has developed, is worthy of wide awareness, support and replication. I urge Members of both Houses to acquaint themselves with Meals for Millions and to look for means to share what this agency has learned with others who are concerned about lasting solutions to problems of global malnutrition.

As a member of the Select Committee on Hunger, I have had several opportunities to follow Meals for Millions work—including a visit to its headquarters and through testimony it presented at a select committee hearing at the University of California, Davis, in 1984. In the fall of that same year, Meals for Millions received the Presidential World Without Hunger Award in recognition of its important accomplishments.

Meals for Millions' goal is:

First. To strengthen the capabilities of people in developing communities to solve their own food and nutrition problems;

Second. To do so within the framework of the community's economy and culture.

Third. To give special emphasis to nutritional needs of infants, children, pregnant and lactating women;

Fourth. To advance and perfect the participatory or self-help approach to achieve lasting development.

Meals for Millions operates 13 programs in 10 countries, including the United States. It works in Antigua, Honduras, Ecuador, Bolivia, Sierra Leone, Togo, Kenya, Nepal, Thailand, and in southern Arizona. It is currently laying the groundwork for additional programs in Mali, Ghana and Indonesia, while assessing the future role it might play in the fight against malnutrition in the United States itself.

Over the years Meals for Millions has developed effectively ways to coordinate the delivery of government and nongovernment agencies' services to achieve community development. In the coordination process, services are improved and expanded. Meals for Millions has been able to provide people in developing countries with information and skills necessary to produce more food, make more money and obtain improved health care service. It has specifically increased the quality and delivery of nutrition education. The end result is a significant lowering of malnutrition levels among 0-5-year-old children. Meals for Millions calls the process for achieving this kind of integrated rural development an Applied Nutrition Program [ANP].

The ANP provides a comprehensive framework for addressing the wide range of complex, interrelated factors which contribute to hunger and malnutrition. The ANP operates through a process which involves local communities and development agencies in collaborative efforts to identify problems and design and evaluate programs and activities which promote grassroots integrated rural de-

velopment with a nutrition focus. The ANP does not duplicate the activities of existing institutions, rather it aims to fill gaps where they exist, strengthen institutions' delivery capabilities, and establish linkages between people and needed services. The goal is to improve the nutritional status of local populations, particularly mothers and children.

Typically an ANP will consist of a series of specific development projects supported by training for the community members who carry out these projects. The training includes instructions on improving agricultural production, home gardening, basics of nutrition, child spacing, household and community sanitation, growth monitoring of children and small animal raising. The projects involve such activities as home and community gardens, latrine construction, fish ponds, water wells, home improvements, improved rice and soybean production and many other projects with a linkage to nutrition. These projects are supported through a revolving loan fund managed by a community organization.

The kinds of training and projects are determined by the conditions and needs of each program area and are influenced in large part by decisions made by the people of the communities who participate in and benefit from the these programs.

The projects are all aimed at alleviating the root causes of malnutrition—poverty, disease, ignorance, food shortages, etc. Through a process of training, demonstrations and participation, poor people are enabled to be more self-reliant and are producing more food and better conditions for themselves.

I would like to cite only two of the many examples of increased food production: In Lampang, Thailand, two fish ponds were introduced early in the programs to demonstrate how to raise fish to help meet the need for protein and calcium in the diet. In less than 3 years, over 400 fish ponds were constructed by the villagers. The villagers dug their own ponds, the revolving loan fund provided the fingerlings to get them started.

In Zopilotepe, Honduras, corn, bean and rice production were increased by 20 percent through the use of fertilizers and improved management and farming techniques, supported by a revolving loan fund. Adding to that increased production was another 30 percent savings due to improved storage practices introduced by Meals for Millions and adopted by the local farmers. This provides a 50-percent increase in availability of corn, bean and rice for this community.

Development is a process that requires time as well as technical amd monetary input. Each Meals for Millions' program requires a minimum of 5 years and could require 10 years before sufficient local capacity has been developed that the activities can be sustained wholly by local institutions.

The process that Meals for Millions uses in conducting its work is as important as the substance of the program. Let me list what I feel are the significant aspects of the Meals for Millions' approach and the factors I believe most responsible for its success:

First. Meals for Millions will only work where it is welcomed. It has an extensive list of criteria that help determine where it will establish programs. Foremost among these criteria are need and a reasonable resource potential for self-help action to eliminate malnutrition.

Second. The foundation hires primarily local nationals to manage and staff its programs. This policy helps promote acceptance of the program at all levels in the host country, builds in-country expertise, promotes long-term effectiveness and speeds up the process of creating in-country capacity to manage and maintain benefits without outside support.

Third. Building local self-management capability to carry on this development process is the aim of every Meals for Millions' program from the outset. This is accomplished by identifying or creating a local organization, training leadership and volunteer members, so the critical applied nutrition activities can be carried on and extended after Meals for Millions has withdrawn to turn its attention to additional areas of need.

Fourth. Meals for Millions emphasizes collaboration with other agencies, other PVO's, U.N. agencies such as UNICEFF, the Peace Corps and USAID, and especially local public and private organizations. Malnutrition has many causes and it is essential—and more cost effective—to attack the problem from several fronts simultaneously. Typically a Meals for Millions Program will involve local authorities as well as ministeries of health, education, and agriculture plus international private agencies working in the area, two or three Peace Corps volunteers all of whom contribute their special expertise to mobilize the community self-help program to eliminate malnutrition.

Mr. Speaker, while many emergencies require an immediate relief response, we have long recognized that food handouts simply can not solve long-term food problems. Rather, they tend to create a dependence that works against food self-sufficiency. Meals for Millions has taken what is clearly the more difficult path in stemming hunger and malnutrition by joining a self-help philosophy with a substantive, systematic development process, then committing itself to work in programs for the time it takes to enable self-reliant communities to sustain the benefits long beyond the presence of outside benefactors.

Meals for Millions is observing its 40th anniversary by expanding its programs and by exploring the most effective means of sharing its results with others. Again, I urge the endorsement and support of my colleagues in Congress for this kind of program, for there is so much more work to be done. Likewise, I encourage all Americans to be better informed about the problems and consequences of world hunger and to support this kind of self-help response that can demonstrate real improvement, family by family community by community, nation by nation throughout the world.

NUCLEAR WASTE

HON. SID MORRISON

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. MORRISON of Washington. Mr. Speaker, the Department of Energy has the responsibility to safely dispose of America's accumulating high level nuclear waste. In a most sensitive balancing act, Congress established the framework for nuclear waste disposal with the Nuclear Waste Policy Act in 1982. Since then, the Department has learned that folks all across the country are sensitive about this issue, and their job is not going to be easy.

Through recent decisions, the Department has complicated their working relations with potential host States by first, reaching siting conclusions that go beyond scientific factors, and second, dropping the search for a second repository. The Nuclear Waste Policy Act requires an unprecedented level of cooperation with involved States, and I am sorry to report that the Department has lost credibility.

I'm not throwing radioactive rocks. In fact, I am convicted that we can safely dispose of nuclear waste and am introducing legislation in an effort to get the search for a waste repository back on track.

Yesterday, Congressman SWIFT and I introduced legislation on behalf of our Governor's office that sends the Department of Energy on a technical and scientific search for a repository to store high level nuclear waste and spent fuel.

This bill amends the Nuclear Waste Policy Act of 1982. It incorporates two major concepts: First, the DOE must make a nationwide search for a nuclear waste repository. This is only appropriate since the DOE claims there is presently no need for a second repository. If this is the case, then the first repository should be the best site in the country, not the best site in the Western United States.

Second, political considerations are effectively removed from the process. This is done by establishing a Federal Nuclear Waste Board comprised of the Secretary of Energy, the Secetary of the Interior, and the Administrator of the Environmental Protection Agency. In addition, the National Academy of Sciences would be required to operate as an adviser to this group. A methodology for site selection would have to be designated before the search for a repository could be renewed. This methodology would be the decisionmaking tool and only the President would have the authority to change the final ranking. Even this authority would be checked by an 18-month congressional review of any ranking change proposed by the President.

This bill also removes the deadlines included in the NWPA. Once new guidelines have been issued, a specific amount of time is allocated to each of the next steps. In addition, the Nuclear Waste Policy Act amendments require that an independent group study the need for a second repository. Although the 70,000-metric-ton limit is retained, Congress would have to act on these recommendations.

I am convinced that nuclear power can be a safe, efficient, and economical energy source. This Nation has the scientific resources and the technical knowledge to safely store nuclear waste. This legislation gives the Department another chance to persuade the public that they can carry out the site selection process in an acceptable, technically sound manner.

CONGRESSIONAL AWARD FOR EXEMPLARY SERVICE TO THE PUBLIC BILL

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. GILMAN. Mr. Speaker, today I am introducing H.R. 5431 legislation to amend title 5, United States Code, to codify the Congressional Award for Exemplary Public Service Program. This bill indicates the concern of the Congress for securing proper levels of courtesy and responsiveness in the delivery of services to the public. The Federal Government is the leader in supplying and maintaining exemplary service to the public and without its fine example other large employers would be without a role model.

Exemplary Public Service Program recognizes and publicizes exemplary and courteous service to the public. An additional objective of the Exemplary Public Service Program is to insure that the public is approached with concern and responsibility.

This bill provides that the nominee has demonstrated a degree of courtesy in associating with the public that is outstanding in normal circumstances. Courtesy that is most outstanding to normal expectations is displayed by frequent promptness in responding to requests for assistance. Moreover, more efficient, economic, and effective procedures must have been taken to satisfy the needs of the citizens.

Passage of the legislation will put the Congress on record that it seeks to support worker's responsiveness that exceed normal expectations. The impact of the adoption of this legislation will certainly be with our Nation for a long time to come. I therfore urge my colleagues to support this bill.

Mr. Speaker at this point, in the RECORD I am inserting a full copy of our bill.

H.R. 5431

A bill to amend title 5, United States Code, to codify the Congressional Award for Exemplary Public Service Program

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress finds that—

(1) the nature and quality of the contacts citizens have with Government personnel at all levels influence the way Americans think and feel about their Government;

(2) public recognition for consistently courteous service to the public, encouragement of a concerned and responsible attitude toward the public among Government personnel, and underscoring of the previously expressed interest of the President and the Congress in the importance of courtesy throughout Government, should provide greater incentive for courteous conduct by Government personnel;

(3) during the period from 1980 through 1985, the program for the Congressional Award for Exemplary Service to the Public, administratively established by the executive and legislative branches, has generated such interest, enthusiasm, and favorable publicity that 41 departments and agencies participated in the program last year, each nominating outstanding employees; and

(4) the success of such program justifies that it be enacted into permanent law.

SEC. 2. CONGRESSIONAL AWARD FOR EXEMPLARY PUBLIC SERVICE.

Title 5 of the United States Code is amended by redesignating sections 4505, 4506, and 4507, as sections 4506, 4507, and 4508, respectively, and by inserting after section 4504 the following:

"§ 4505. Congressional award for exemplary public service

"The Office of Personnel Management may incur necessary expenses for the honorary recognition of 5 employees annually who provide exemplary and courteous service to the public. Such award may be in addition to any other award under this chapter.".

SEC. 3. CONFORMING AMENDMENT.

Section 4507 of title 5, United States Code, (as redesignated by section 2 of this Act), is amended—

(1) by inserting "(a)" before "The Office"; and

(2) by adding at the end the following:

"(b) The Office shall—

"(1) prescribe regulations and instructions under which nominations for the award under section 4505 shall be made;

"(2) prepare recommendations concerning each nominee for such award; and

"(3) submit such recommendations for consideration by 4 Members of Congress, two to be chosen by the Speaker of the House of Representatives (or his designee) and the chairman and the ranking minority member of the Committee on Post Office and Civil Service of the House of Representatives, and two to be chosen by the President pro tempore of the Senate (or his designee) and the chairman and the ranking minority member of the Committee on Governmental Affairs of the Senate. The 4 Members of Congress so chosen shall annually select from such recommendations a recipient of the Congressional Award for Exemplary Public Service and shall, with the Director of the Office of Personnel Management, present such award to the recipient.".

SEC. 4. TECHNICAL AMENDMENTS.

(a) CLERICAL AMENDMENTS.—The following provisions of law are each amended by striking "4507" and inserting "4508":

(1) Sections 5383(b) and 5384(a)(2) of title 5, United States Code.

(2) Section 1601(c) of title 10, United States Code.

(3) Section 405(b) of the Foreign Service Act of 1980 (22 U.S.C. 3965).

(4) Section 733(a)(5) of title 31, United States Code.

(5) Sections 4101(e) and 4107(c)(3) of title 38, United States Code.

(b) AMENDMENT OF SECTION ANALYSIS.—The section analysis for chapter 45 of title 5, United States Code, is amended by striking the item relating to sections 4505 through 4507 and inserting the following:

"4505. Congressional award for exemplary public service.

"4506. Awards to former employees.

"4507. Regulations.

"4508. Awarding of ranks in the Senior Executive Service.".

A CONGRESSIONAL SALUTE TO C. ROBERT AND AUDREY LANGSLET

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. ANDERSON. Mr. Speaker, today I rise to pay tribute to two very close friends of mine, individuals who have worked diligently on a variety of community projects in the Long Beach area. Mr. C. Robert (Bob) Langslet and his wife Audrey are being honored by the Long Beach Lung Association with the 1986 Humanitarian Award on September 13 of this year. I wish to take this opportunity to express my appreciation for their selfless hard work through the years.

Bob is a World War II veteran and has in the past served as the chairman of the board of directors for the St. Mary Medical Center. He is a member of the President's Council for California State University at Long Beach, the board of trustees for Long Beach City College, Forward Long Beach, the Rotary Club, and the California State World Trade Commission. He is also chairman of the Long Beach Symphony Blue Ribbon Task Force. Bob was appointed to the Long Beach Harbor Commission in October of 1979 and currently serves as the president of the commission. He has received many honors in the community, including the Golden Man and Boy Award presented by the Boys' Club of Long Beach in 1974; the Humanitarian Award given by the National Conference of Christians and Jews in 1980; and is in the Long Beach City College Hall of Fame. In addition, Bob's own construction firm has been lauded for its achievements in innovative land use, environmental beautification, reconstruction and special design projects, and has received 31 national and local awards.

Audrey has in the past served as president of the Long Beach Day Nursery, a member of the Civic Light Opera Board, and the board of the Long Beach Symphony Association. She is currently a member of the boards of the Long Beach Art Museum, the Assistance League, the St. Mary Medical Center, the American Cancer Society, and the American Heart Association. She is vice-chair of the Long Beach City College Child Development Associates, and a member of the executive board of the Long Beach Cancer League. She is also the founder of Operation School Bell, which provides clothing for needy children.

My wife, Lee, joins me in congratulating Bob and Audrey on this special occasion and thanking them for their service to the community. We wish to add our best wishes for the years ahead to them and their children, Craig and Julie Ann, and their grandsons Christopher, Erik, Bryan, and Brett.

AN EDITORIAL VIEWPOINT

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. BEREUTER. Mr. Speaker, an editorial that appeared recently in the Nebraska City News Press of Nebraska City, NE, is especially worthy of notice.

The editorial points out that while we have many problems in agriculture, we must increase exports if we are going to help our agricultural economy. One way to increase exports is to offer the Export Enhancement Program (Export PIK Program) to all interested foreign grain buyers instead of on a limited targeted basis.

The Nigerians, Soviets, and other nationalists are traditional grain customers of the United States, have long said that if the United States would offer their grain on the same terms as it is offered to other countries under Export PIK, they would buy more grain. While we have succeeded in taking back some of the lost markets in a few countries by using Export PIK, we have offended and lost markets in other areas of the world.

Since the beginning of the program, I have urged the administration to apply Export PIK across-the-board to all of our good traditional grain customers. But now more than ever, we cannot miss any opportunities to increase our agricultural exports.

I commend this editorial to my colleagues' attention.

AMERICAN GRAIN SALES SHOULD BE FOR EVERYONE

There are no easy answers to America's agricultural problems—if there were, we presumably would not be in such trouble.

However, it has almost become a truism that we must increase exports if American agriculture is ever to regain its health. One of the first steps to increasing exports is to remove politics from the sale of agricultural commodities to the largest extent possible. Using food as a weapon of foreign policy has contributed to the present problems.

Taking this one step further, we must conclude that the export policies for American agricultural products should be the same for every nation. Regardless of what we work out regarding export subsidies or the lack of subsidies, the policy should apply to all nations, not just friends and allies or nations which we want to influence.

In other words, we would support the amendment passed by the Senate last week which would expand export subsidies on wheat to the Soviet Union and certain other customers. The U.S. sells grain in a world market that is subsidized in other countries; whether or not we subsidize grain sales is a separate question. But as long as the subsidies are available for one nation, they should be available for all nations.

TRIBUTE TO THE HONORABLE ED GARMATZ

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. BIAGGI. Mr. Speaker, on Tuesday, July 22, 1986, my good friend, and former colleague, Eddie Garmatz crossed the bar for the final time. When I joined the Committee on Merchant Marine and Fisheries in the 92d Congress, he was my chairman—and what a chairman he was. I doubt we will see his like pass this way again. He had the good fortune to preside over the committee—and the maritime industry—at perhaps the high watermark for both. He had that special gift—to paraphrase Rudyard Kipling—to walk with kings and never lose the common touch.

Eddie will be remembered as a great champion of the U.S. shipbuilding industry. Now suffering the common fate of steel, automobile, textile, and even agriculture. Such men are irreplaceable. He likewise championed the cause of port industry in the United States—before it even thought of itself in those terms. He supported the American merchant marine with a matchless devotion that bordered on chauvinism.

Above all, Eddie's name, reputation, and voting record were synonymous with American labor. You always knew where Eddie stood on any issue—with the working man. Eddie's unique brand of fundamentalism predated current sloganeering, "Made or Born in the U.S.A." To me Eddie Garmatz personified those uniquely American institutions and forms of symbolic expression from Liberty weekend and Opsail 76 to the Fourth of July barbecue and fireworks.

Eddie Garmatz had his own special brand of patriotism and tradition, infectious qualities that touched everyone with whom he came in contact. Eddie exuded it. You could feel it in his handshake. You could see it in his eyes, too. Eddie had that compassion, zest for living, and love of his fellow man that made him larger than life. Ring no final bells for Eddie. He's just mustered in on a new duty station.

NICARAGUAN AID

HON. BARBARA BOXER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mrs. BOXER. Mr. Speaker, the following article from the Pacific Sun was sent to me by a constituent in Novato, CA. It points out that not always do the American people hear the whole story about what our tax dollars are doing in Nicaragua. Nevertheless, the American people still overwhelmingly oppose Contra aid. I urge my colleagues to consider the implications of this fact as they read the following article:

ALEXANDER COCKBURN

Shortly after ten o'clock on the morning of July 3, a truck headed along a muddy little road from the Nicaraguan village of San Jose de Bocay, about 30 miles from the Honduran border and 160 miles northeast of Managua. The truck carried 33 people, all of them civilians, including 12 women and 12 children. Thirteen of the passengers came from the family of Castillo Lopez. The land mine that detonated under the truck killed 32 of the passengers instantly, blowing their bodies into the surrounding woods and leaving only a portion of the engine block intact. One person survived.

The shock wave from the blast was felt in villages 15 miles away. Soldiers of the German Pomares unit of the Nicaraguan armed forces, hastening to the scene from Jinotega, were unable to find a detonating device. Nicaraguan officials later said they reckoned the land mine had been a U.S. made M-15 contact mine.

Consider for a moment what would have been the reaction in the U.S. media if such a land mine had exploded under a busload of Israelis driving along a road in northern Galilee. And having made such a consideration, now ponder what did appear in U.S. media.

On July 3, TV screens and newspapers were saturated with material about the celebration of the Liberty Cult. As the Nicaraguan soldiers were picking up fragments of human flesh and bone from the woods on either side of the road from San Jose de Bocay, fragments blown there by a mine placed by men to whom the United States had just given $100 million, President Reagan gazed at some ancient sailing craft, including a Chilean torture ship, and said, "Perhaps, indeed, the vessels embody our conception of liberty itself—to have before one no impediments, only open spaces to chart one's course, to take the adventure of life as it comes."

The networks, in the days preceding Liberty Weekend, had not ignored Nicaragua. They found time to mention the closing of La Prensa and the exile of Father Bismarck Carballo and Bishop Vega. They did not find time to mention the murder of 32 men, women and children by the contras. CBS said later that there had been a foul-up, and that no film had been available. NBC said that it had been preoccupied with the coverage of Liberty Weekend. ABC said nothing at all. Many newspapers similarly ignored this striking example of U.S.-sponsored and exported terrorism. Some ran a brief UPI story. The Washington Post and the Boston Globe both ran a story from Julia Preston, filed from Jinotega on July 4.

A familiar excuse of TV and newspaper editors for not covering an event is that deadline pressure or the inaccessiblity of the site prevented adequate reporting. Such excuses are invariably false. If a network or a newspaper wants to cover an event, it will do so, even if it means carrying a picture of Dan Rather talking on the telephone or talking to himself. Bill Kenkeler of the National Catholic Reporter was one person who was stunned by the lack of coverage. He called around trying to find out what happened. Warren Hoge, foreign editor of the New York Times, told him, "It sounds to me like I made a mistake. I ran out of here July 3 for a long weekend. How many fatalities?" Kenkeler told him, and Hoge said, "Obviously, that's major. Let me check with Kinzer what happened to that story."

In fact, the New York Times had run the UPI snippet on July 4, under the headline "Nicaraguan Claim 31 Killed" and next a long Kinzer story about the closing of La Prensa. On July 11 it ran another story by Kinzer, presumably the result of Hoge's

check. After noting that one of the immediate causes of the expulsion of Bishop Vega had been the failure of the Catholic hierarchy to condemn the explosion, Kinzer devoted himself to the task of trying to suggest that (a) the land mine may have been placed by Nicaragua's own armed forces and (b)—contradicting the first supposition—"at least the victims of the explosion . . . were members of the Sandinista milita who may have been wearing olive-green clothing." Sources for the allegations quoted by Kinzer included "diplomats" (i.e. the U.S. Embassy), "a Latin American diplomat" and "reports circulating in the diplomatic community."

Thus did the U.S. media celebrate liberty.

Q&A ON THE INTERNATIONAL COFFEE AGREEMENT

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. GUARINI. Mr. Speaker, the United States is the world's largest consumer of coffee. Each year we import more than 18 million bags. On June 24, 1986, I introduced legislation to extend United States participation in the International Coffee Agreement [ICA] until October 1, 1989. The ICA has been extremely important in maintaining adequate coffee production and accelerating coffee exports to improve world coffee supply and quality in an orderly manner. I believe it is vital that we continue our participation in the agreement. For my colleagues' further understanding of the ICA, I would like to submit the following Q&A:

THE INTERNATIONAL COFFEE AGREEMENT—QUESTIONS AND ANSWERS

Question. What is the International Coffee Agreement?

Answer. The International Coffee Agreement is a treaty under which 50 coffee producing nations and 25 consuming nations, including the United States, strive to attain coffee market stability through a system of export quotas linked to annual consumer demand. The Agreement is administered by the International Coffee Organization, which also undertakes a wide range of activities to strengthen the coffee economy.

Question. Does the Coffee Agreement fix coffee prices?

Answer. No; the Coffee Agreement machinery seeks to keep coffee price fluctuations within a high-low range mutually agreed upon periodically by the producing and consuming nations.

Question. Why not leave coffee prices to the supply-demand forces of "free trade"?

Answer. Before the Agreement, the "free trade" system for coffee was tried for many years, with disastrous results to the producing countries. Prices gyrated wildly: short years of high prices followed by long years of depressed prices. The consequences led to socio-economic and political havoc in many countries of Latin America and Africa which depend heavily on coffee for their export earnings.

Question. When was the International Coffee Agreement initiated?

Answer. In 1962, by 60 producing and consuming countries. The United States was a leading proponent of the Agreement, which has had the support of every President since its establishment: Kennedy, Johnson, Nixon, Ford, Carter and Reagan. The United States has participated in all the International Coffee Agreements: 1962, 1968, 1976 and 1983.

Question. Why has the United States supported the Agreement?

Answer. President Kennedy saw the Agreement as a bulwark for the Alliance for Progress. All Presidents since have recognized that the Agreement provides the producing countries—all underdeveloped or developing countries—with a substantial measure of stability for their coffee earnings and for their economic planning. Colombia, El Salvador, Guatemala, Costa Rica, Honduras and the Ivory Coast, among other friendly countries, earn an important part of their foreign exchange from coffee exports. The livelihood of more than 20 million people around the globe depends on coffee.

Question. Does the United States benefit from the Agreement?

Answer. The relative stability of the world coffee market under the Agreement also assures relative stability of coffee prices to the US consumer and a steady flow of coffee to the US market at fair prices. The United States annually purchases 18 million bags (60 kilos or 132 pounds each) of coffee valued at approximately 4 billon dollars.

Question. If the Coffee Agreement is intended to provide a stable price range, why is the price of coffee today higher than last year?

Answer. A drought in 1985 in Brazil, the largest coffee producer, affected the new year's Brazilian crop. Roasters and speculators alike vied to purchase coffee futures, so that prices rose higher than the Coffee Agreement range of 1.20-1.40 US dollars, despite the action of the producers to throw 2 million additional bags of coffee into the market. Once the prices rose above the range, the Agreement export quota system was automatically suspended on Feb. 19, 1986, so that since there has been in effect a free market in coffee. Meanwhile, prices have come down as producing countries have increased exports to the consuming countries.

Question. What happens if the price of coffee reaches the mid-range of 1.20-1.40 US dollars a pound?

Answer. The Coffee Agreement would automatically restore the suspended export quota machinery at approximately 1.35 dollars a pound level in order to bring back stability to the coffee market.

Question. If this process is automatic, why is action by the US Congress required?

Answer. In 1983 the renewal of the Agreement was ratified by the US Senate for six years, but Congress approved the implementing legislation, essential for the US government to carry out its responsibilities under the treaty, for only three years. The implementing legislation expires September 30, 1986. Failure of the Congress to approve the implementing legislation for the next three years of the six-year Agreement will lead to collapse of the pact. Breakdown of the Agreement will follow because the United States is the largest consumer of coffee and will not be enabled to control coffee imports into the United States as required by the Agreement.

Question. Is US support for the Coffee Agreement a form of aid?

Answer. There is little or no direct cost to the US government. Market stability engendered by the Agreement helps the producing nations by providing stability of earnings. Only with stability in earnings can the coffee countries undertake realistic long-term development programs.

Question. Consumption of coffee has been decreasing in the United States for more than 20 years. Is this due to the Coffee Agreement?

Answer. The decline in coffee consumption is attributable to changes in US drinking habits and attitudes, the fierce competition from other beverages and youth's lack of motivation in following parental traditions. The decline in coffee consumption in the United States has never been halted at any level of price since 1963.

Question. Is it true there have been violations of the Agreement by some producer members selling to nonmembers at lower than market prices?

Answer. There were cases of abuse of the system last year, but the International Coffee Council has taken steps to eliminate violations, to the satisfaction of the US government. Today, nonmembers are paying more than the Agreement member countries for their coffee.

Question. Is it true that some Coffee Agreement members, unable to fill their quotas, were at the same time active exporters to nonmember countries?

Answer. With few exceptions, producers have been shipping their annual quotas in full. In some cases, failure to export full quotas was due to unusual circumstances, such as the lack of demand for specific coffees and problems of currency exchange. Another temporary difficulty was above-normal export to nonmembers, but this problem has been eliminated by the Coffee Organization.

Question. Is it true that the Agreement helps countries regarded as enemies of the United States, such as Cuba and Nicaragua?

Answer. There are 50 producing nations members of the Agreement. Cuba and Nicaragua are small producers, together accounting for only 1.3 percent of total world exports. The Coffee Agreement is also beneficial to the other 48 members, which account for 98.7 percent of total world exports.

Question. With supplies tight as a result of the Brazilian drought in 1985 and anticipation in some quarters of a Brazilian frost this year, it may be many months before the supply situation and coffee prices resume their normal cycle. Why, then, is it urgent for Congress to pass the implementing legislation by September 30, 1986?

Answer. No one can predict a frost in Brazil with certainty, and no one can predict when prices will fall. But when prices drop, they can drop precipitously. Prices have already declined more than 10 percent since January. The implementing legislation, renewed by the US Congress in this session, will provide the Coffee Agreement with the essential standby system to restore stability to the coffee market.

MENTAL ILLNESS AWARENESS WEEK

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. GILMAN. Mr. Speaker, I am pleased to join my colleagues in enthusiastic support of House Joint Resolution 552, designating the week of October 5-11, 1986, as "Mental Illness Awareness Week." I would like to thank the gentleman from Oregon [Mr. WYDEN], for

reintroducing this measure this year which will allow us all to focus our attention and our efforts on the great strides that have been made, and the even greater potential which rests with future research, in areas of mental health.

As ranking minority member of the Select Committee on Narcotics Abuse and Control, I have seen firsthand, the frequency with which alcohol and drug abuse go hand in hand with mental illness. Indeed alcohol, drug, and mental disorders affect almost 19 percent of American adults in any 6-month period. Additionally, deaths related to mental disorders are estimated to be 33,000 each year with suicide accounting for at least 29,000 of those deaths. Mental illness knows no socioeconomic boundaries. Indeed our lives were all touched earlier this year when the distinguished junior Senator from the State of North Carolina [Senator East], took his own life. As we all now know, Senator East was suffering from hypothyroidism, a condition known to cause severe depression. Sadly enough, however, Senator East was just one of over 31 million Americans who suffer from diagnosable mental illness. Who can estimate the countless others who live a life of confusion and pain, who are not diagnosed or receiving proper treatment.

The need for this proclamation is apparent. By designating the week of October 5-11 as "Mental Illness Awareness Week," we will turn the Nation's attention to the great need for further research in the area of mental health and to supplement the great work that has been done over the past few decades.

Mr. Speaker, I wonder how many Members in the Chamber know that our 16th President, Abraham Lincoln, suffered from severe depression. Many experts believe him to have been manic-depressive. Fortunately for us Mr. Lincoln persevered through what must have been tremendous adversity and brought this Nation through a terrible Civil War. What if he had not survived. Let us think for a moment of the hundreds—thousands of others who suffer in silence, who are completely debilitated because of mental illness. By adopting this resolution we will be able to bring to the public's attention, for 1 short week, the many different manifestations and treatments, for mental illness. Even if just a few are helped through this proclamation, it will not have been in vain.

THE 84TH ANNUAL CONVENTION OF AMERICAN ROAD AND TRANSPORTATION BUILDERS ASSOCIATION

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. O'NEILL. Mr. Speaker, a list of landmark legislation passed by the Congress of the United States would necessarily include the National System of Interstate and Defense Highways enacted by the 84th Congress.

Today, the 42,500-mile Interstate System stands as the greatest public works project ever undertaken and as a monument to the American construction genius.

1986 marks the 30th anniversary of the Interstate Program and I take this opportunity to salute the talented and dedicated men and women of our transportation construction industry.

Since 1902, this industry has been represented in Washington by the American Road and Transportation Builders Association. The ARTBA has consistently provided Congress with information and support as we have considered transportation and construction issues.

Always in the forefront, the ARTBA has had outstanding leadership to steer its efforts. The new ARTBA chairman, Denver Collins, Jr., continues this tradition.

Mr. Collins is president of Marshal C. Rardin & Sons, Inc., a highway construction firm based in Akron, OH. His road-building experience dates to his days as a waterboy working at his father's side on a road construction crew.

Last month, Mr. Collins addressed the 84th annual convention of the ARTBA in San Francisco. His speech, entitled "Free Enterprise, ARTBA—and You!," follows:

FREE ENTERPRISE, ARTBA—AND YOU!

(By Denver Collins, Jr.)

It is indeed an honor and a privilege to be standing before you as your elected chairman. I can assure you tonight that I do not take this assignment lightly; nor do I stand in awe of it. I recognize the inherent responsibility that accompanies it; and I look forward to the challenges that lie ahead.

I do not look upon the coming year as any kind of personal sacrifice or liability; I welcome it as an opportunity to pay past dues to an industry that has been very kind to me. I want you to know also, that I am extremely proud to be a member of the ARTBA.

I salute those individuals who preceded me in this office because they have created a heritage that is priceless. I challenge you to join with me this coming year so that we might continue to pursue their unfinished work and forge a future that will be even more meaningful than the past.

An association such as this one is much more than a name. It is people! ARTBA, my friends, is you and me. It is our collective efforts and our collective voices that make it our successful spokesman in Washington, DC.

ARTBA is our home in our Nation's Capital. The staff is our staff, and, as is the case with our own home and our own business, what we put into ARTBA in time and resources is what we can expect to get out of it.

I believe ARTBA is a very valuable investment and I pledge to you tonight that I will work diligently to maximize the dividends that flow out of Washington, DC, during the coming year.

Collectively, we must give ARTBA direction. We must look beyond the events and activities of the next few weeks and months. We must begin to plan the future course of our industry. ARTBA, if nothing else, should be the one industry association with vision. If it is, we will further strengthen our position as an industry leader.

If we have a clear vision of the future and provide services that will help the industry meet it, others will be intent on joining and following us.

For those that may not know me too well, let me introduce myself. Thirty years ago, I was a young, eager civil engineer out of Ohio State University. I knew what I wanted to do, but like all young people, I wasn't too sure about how I was going to get it done. The only thing I was positive and confident about was that I wanted to be active in the highway industry.

As it has turned out, I've been fortunate to spend my entire adult life in this industry. In fact, I have spent the last 30-plus years with the same company. It goes without saying that to do something that long you must not only enjoy it, but you must believe in it. Ladies and gentlemen, I truly believe in this industry and am extremely proud to be a part of it.

Through the years, I have been a very patriotic individual—extremely proud and grateful for the opportunity of being an American. One of the reasons that I have always felt this way is because of the freedom that I have had to conduct myself so as to remain in control, somewhat, of my own destiny. That is very important to me, and especially so when you consider the fact that there are millions of people throughout this world who live an entire lifetime and never know that opportunity. Because I feel this way, I am becoming more and more concerned about what is happening to us in this industry.

Through the years, I have seen this industry change considerably. First, it was a collection of strong-willed men able to operate in a true free entreprise system. They combined personal incentive, creativity, investment of surplus in tools, innovative thinking, and opportunities of freedom, and came out with a personal annual production rate that had never before been achieved anywhere in the world.

I am here tonight to tell you that same system still exists—even though it has been warped and shackled by an overgrown government.

As each day goes past, I see an even greater need for people in this industry to maintain a united and dedicated effort, so that we might, as a unit, exemplify a strong commitment to the free enterprise principles that we all so desperately need to survive in this industry.

I truly feel the construction industry is the last frontier of that true free enterprise system. It has allowed our industry to achieve greatness and maintain the freedoms that we all have been so privileged to work under. I think also, history has proven repeatedly, it is these basic freedoms, more than any other single cause, that has allowed the rest of the world to look upon us with respect, envy, and yes, sometimes even resentment.

As we look back at where we came from, it is obvious that this industry was conceived and created by men who had the desire to dream, the wisdom and the will to make those dreams come true, and the dedication and the determination to remain in control of their own industry. They disciplined their own lives as well as their own organizations in accordance with these guidelines. They realized that free enterprise and individual freedoms are inseparable. If we lose one, we lose them both.

We certainly cannot afford to have that happen to this industry. When you consider the fact that it takes 15 years from the time that a major highway is conceived until it goes to construction, it is obvious that we in this industry have lost some of our freedoms to create and build what is expected from us.

When you consider the fact that we must prepare bid documents in accordance with quotas, not competitive prices, it is obvious that this industry is compromising basic freedoms. We must, each one of us, personally take a position that places the preservation of our industry's freedom as our number one priority.

Thomas Jefferson, a remarkably brilliant man who loved his country dearly, wrote his friend John Adams and said: "I agree with you, John, that there is a natural aristocracy among men. The grounds of these are virtue and talents."

He was expressing his strong belief that there are extraordinary possibilities in common, ordinary people. If you give them the freedom and the opportunity, they will not only better their own lives, but they will at the same time properly shape and advance America's destiny.

I can assure you that there are constructive and productive ways for this industry to participate in the social and economic changes that are taking place in our country—ways that will not compromise and destroy the basic freedoms of this industry. We must work hard to change the present legislation that is destroying the very foundation upon which our free enterprise system is built.

This industry is more capable and willing to shoulder its share of these national problems. All we need is to have programs which give legitimate opportunities to all, not regulations with unworkable quotas and numbers that in the end have proven only to deny and to destroy. We must work hard as an association to bring sanity back to our open competitive bid process.

There has never been a generation in the history of our nation that has paid a higher price for the freedom of which I speak. Our generation spans three wars: World War II, Korea, and Vietnam.

When I go to Washington, DC, I always visit a couple of close friends who are buried on a rolling hillside in Arlington Cemetery. Etched in marble at Arlington is a score card: World War II, 396,637; Korea, 36,299; and Vietnam, 57,617.

We have paid a high price because we believed in our own personal freedoms—freedom to control our own lives—freedom to control our own destiny. Now, after having paid that kind of a price, we are for some reason getting away from the economic incentive philosophy that historically has been so successful in keeping our economy strong, both at home and around the world.

It is really not our place—in my mind—to question and change these time-tested principles that for 200 years have been absolute proof of our industry's ability to build a better America. It is more our place to decide how best we can implement these same principles in our changing world today. To help put these changes into proper perspective, let me remind you that between 1935–1950 prime rate only changed three times. Since 1970 it has changed over 200 times.

ARTBA must not blindly resist these changes, but must position itself so that it can capitalize upon the opportunities that inevitably follow change.

As we go about the business of doing this, there are those who will say that the free enterprise system is no good, that it isn't fair. Well, I believe it is the fairest and best wealth-producing system the world has ever known. And it is this system, and the surplus wealth that it generates, that makes it possible for this nation to develop all aspects of the good life: better education, better health, more leisure time, cultural activities, music, art, church, schools, hospitals. All of these things depend on surplus wealth.

The free enterprise system closes no doors; it offers hope and promise to those who are willing to go the extra mile, to work a bit harder than the next guy, and to constantly seek out the opportunities that some unwisely call "lucky breaks."

The free enterprise system, the system of competitive bidding that sparks our industry and the American economy, is well worth preserving. We should not be ashamed to stand up and defend it against its critics. We should be proud to have the privilege of participating in it. We have to get back to the basics and let this system work!

We are kind of like the sailor, I think.

We must sail sometimes with the wind, sometimes against it. But we must always sail; never drift or lie at anchor. We must get back to rewarding results, not efforts.

We must provide educational programs so that we can give people incentive to work smarter, not necessarily harder.

We must realize as individuals and as an association, that we will never be any better than what we demand of ourselves, and we will always be as poor as what we will tolerate.

As industry leaders, we must begin anew, to encourage individuals to dream, create, achieve, improve, and join together as an industry in the pursuit of new ideas and of excellence.

We can no longer afford to sit around in this industry as individuals and talk about "Who are you? Who am I?" We better be wise enough to spend our time working together and talking about "who are we."

If we don't our industry's voice will be drowned out in the halls of Congress and in our state legislatures across this land. If we do not provide the vision, the future plan, the strategy for excellence, we will further lose our freedoms. They will continue to be taken from us as surely as night turns to day.

I hope you realize that ARTBA is one of the few vehicles that we have available to properly accomplish this job. We must all, working together, bear the burdens of this industry! Then, and only then, can we all share equally in its rewards.

I trust that you will recognize this fact and treat your association accordingly. Treat it with constructive criticism. Treat it with helpful praise. But be active enough in its affairs to treat it often.

You have officers who are very capable leaders, all they need is your support. I trust that you will continue to supply that support through the coming years. When you experience those times when it is easier to skip a meeting rather than attend, or you get the feeling that you are not accomplishing anything, then I challenge you to work harder.

I would remind you that within a couple miles of the Capitol Building in Washington, DC, there exist over 2,300 active associations and special interest groups.

Why, you ask, would there be this many? The answer is simple. These people have already learned that it is a unified, dedicated, collective effort that gets results. If those who oppose our freedoms, our beliefs, our plans for the future mobility of this nation, work harder than we do, or are more articulate when they express their point of view, they will win, we will lose. It's that simple.

It is my conviction that this association must be accurate, articulate, and aggressive with its ideas. And since I believe in the saying "we are what we speak," I think it is important for ARTBA to have guidelines that are up front for all to see and hear.

Through these past years, I have held dear a few basic beliefs that were passed along to me as a young man. I think they will give you some idea of what to expect this coming year. Let me share them with you:

I believe in the supreme worth of the individual and in his right to life, liberty and the pursuit of happiness.

I believe that every right implies a responsibility; every opportunity, an obligation; every possession, a duty.

I believe that the law was made for man and not man for the law; that government is the servant of the people and not their master.

I believe in the dignity of labor, whether with the head or with the hand; that the world owes no man a living, but that it owes every man an opportunity to make a living.

I believe that thrift is essential to well ordered living and that economy is a prime requisite of sound financial structure, whether in government, business or personal affairs.

I believe that truth and justice are fundamental to an enduring social order.

I believe in the sacredness of a promise, that a man's word should be as good as his bond; that character—not wealth or power or position—is of supreme worth.

I believe that the rendering of useful service is the common duty of all mankind.

I believe in an all-wise and an all-loving God, and that the individual's highest fulfillment, greatest happiness, and widest usefulness are to be found in living in harmony with His will.

And last, I believe that love is the greatest thing in the world; that it alone can overcome hate; that right can and will triumph over might.

Just so that you don't misunderstand what I am saying, I have one other thought.

I know full well as I stand here before you, that what I say, what I believe, what I dream for this industry will, in the final accounting, be of very little consequence.

I know also that just as in all other stations in life, the thing that always truly means the most, is that which we can do.

I commend each one of you for what you are doing this week. For having taken time to come and support this convention. It is these kinds of actions that will not only lead to the betterment of yourselves, but equally as important, to the betterment of your industry.

I came here tonight to express my belief in the future of this country and of this industry; a belief that is based upon confidence in people such as yourselves. I am not ashamed of the fact that I am bullish on America. But I would be something less than honest with you if I did not openly recognize the fact that we have a few economic and social problems in this country and, in turn, in this industry.

I would only remind you that over the past 200 years this nation has deviated from its course before, and we, the American people, have always been able to return it to a proper heading. I would point out also that if we are to do this again, and if we are to rebuild America as we know we must, it must be done by you and me. I say this because if there is one thing that I have learned these past years as I traveled

71-059 O-87-47 (Pt. 15)

around this country, it is a simple fact of truth, that America truly is you and me.

I can assure you that if we will rededicate ourselves to doing our part, our problems today will become tomorrow's opportunities. I think that we in ARTBA have not only an opportunity, but an inherent responsibility, to help lead this country and this industry back to good health and prosperity.

I, for one, certainly would not want to be part of a generation that gave up the battle and surrendered our country to economic ruin. The resources are available. The opportunities are many. It is really up to us. I can assure you tonight that the American Dream can never die as long as you and I have the will to keep it alive.

Just two weeks ago, I could not help but stand tall with pride as I watched the President of the United States throw the switch that relit the torch that is symbolic of all our dreams. I felt the renewal of the spirit and the raw guts that have made this country great. It was also a sobering reminder that everything worthwhile carries the risk of failure.

We must be prepared to face these risks with the same spirit that accompanied those 17 million immigrants who gambled on America. They learned very quickly that to be born free is a privilege, to die free is an awesome responsibility.

In a way, tonight is our torch lighting. We inherit the flame that has been kept alive by those who have preceded us.

I have the utmost confidence that one year from tonight we will be passing a torch that will be burning even brighter than it is now. I intend to carry this torch so that I will be able to appear before you at that time and be extremely proud of where we have been, be extremely grateful to all of you, my friends, and be extremely humble because God gave me the chance.

If that chance might include offering a prayer for this coming year, it would be very simple:

Let there be peace on earth, good will toward all men.

Let there be meaningful and effective leadership throughout this association this coming year.

And please, Dear Lord, let it begin with me!

I thank you very much!

IDA NUDEL

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. HOYER. Mr. Speaker, today I received a copy of a story that appeared in the Jerusalem Post International Edition from Elena Fridman. The article is a story of a woman the world has come to know, to respect, and to care for. It is illustrative of the plight of Soviet Jews, yet atypical in its depiction of the individual withstanding the senseless yet purposeful brutality of the Soviet state. It is the story of the strength, the courage, and the determination of a remarkable woman who may feel alone yet speaks for millions. It is the story of Ida Nudel. I commend it to my colleagues.

[From the Jerusalem Post International Edition, July 5, 1986]

IDA NUDEL'S LONG WHITE NIGHT

Ida Nudel, in her 15th year as a leader of the movement to free Soviet Jews from their Russian Communist masters, managed to elude her KGB shadows for a few days at the beginning of June, emerging suddenly among friends in Leningrad, on her first visit there in years. It was an act that reflected both defiance and desperation. The woman who is considered the soul of the Jewish emigration movement remains obsessed with the desire to live in Israel, and though she is considered as selfless as ever—aiding prisoners of conscience, or sheltering evacuees from the Chernobyl region—it is felt that she herself cannot wait any longer, that the Jewish people and the Israeli government must somehow rescue her immediately, or she will not be able to survive.

At the same time, she is concerned that the entire movement, though revitalized by a new generation of refuseniks, may be in jeopardy, as the Soviet regime continues to pursue a neo-Stalinist line on "the Jewish question."

Nudel, whom her friends describe as "a city person," has been living in semi-exile in the small rural Moldavian town of Bendery since her release from four years of Siberian exile in 1982. She is a cosmopolitan soul among simple, provincial people, many of them Jews who are too afraid even to talk to her. At 55, her bespectacled face is a map of where she has been and what she has gone through: cracked country lips, a furrowed intelligent brow, black hair streaked with grey, penetrating Gloria Swanson eyes, and an aura that alternates between massive strength and obvious vulnerability.

She is warm, inspiring and indomitable, yet the wear and tear of Soviet persecution is evident. It is the nature of secret police to be cruel, and until now, they have been unrelenting in hounding and tormenting the frail refusnik, who suffers from a diseased heart. "I cannot wait anymore," she says. "Take me out. I want Israel now!"

About a month before her visit to Leningrad, she had tried unsuccessfully to leave Bendery for a trip to Tbilisi to say goodbye to her close friends Isai and Grigory Goldshtein the long-time refuseniks who had finally gotten permission to go to Israel. She got as far as the Kishinev airport, where a militia detective pointed his umbrella at her and commanded his men: "This woman. Take her!"

As they hustled her into a waiting car, they demanded: "Keep silent!" Nudel would remark later: "Everything in the Soviet Union must be kept quiet." They warned her not to try again: "It is in your interest not to go."

Nevertheless, she tried again the next morning, by bus from Bendery. A green Volga packed with KGB men trailed the bus until it reached the town limits. Local militiamen, who towered over the diminutive refusenik, wrestled her out of the bus. "Big strong men—it was really funny, if it wasn't so depressing," recalled Nudel, who has an eye for the farcical and the tragic.

Ida Nudel is an actress, too, with a dramatic voice and manner; and in the view of those who know her, she is a seer, one who looks deeply into her own soul, drawing upon a treasure of self-knowledge. In the course of conversation, she displays a wide range of emotions of her face, from intense concentration, to melancholia, to joy of life. She smiles broadly, and the silver crowns of her teeth reflect the light.

My initial meeting with her lasted 10 hours, as she talked deep into the white night: in June in Leningrad, the sun still shines at midnight, a strange phenomenon that disturbs the equilibrium, confusing one's sense of time. Ida Nudel unburdened herself in the first such interview she has managed to give in years. It took place in a boxy little flat inside a vast grey complex of hundreds of identical apartments, like innumerable other projects that surround the great Soviet cities and house millions of worker bees. Our host, checking for surveillance, frequently parted the curtains to look out the window, which was clouded with salty residue from the Baltic seas air. The KGB men, most of whom look like they belong in a "B" movie, were not yet in evidence—it would take them a whole day to pick up her trail again.

Leningrad, the "Window on the West" built by Peter the Great, is the city of Pushkin, Dostoevsky, and, of course, the Communist deity, V.I. Lenin. The inner city, much of it built by the achitect Rastrelli, has a Venice-like quality. But to Ida Nudel and the other refuseniks, it is a precinct of hell—there's nothing quaint or redeeming or "European" in the evil empire. Only Israel, or their dream of Israel, is beautiful in their eyes.

So the great Russian culture leaves them cold. Ida, as a teenager, had read Pushkin and Lermontov to the Soviet nation on the radio. And then, suddenly, at age 17, she wasn't a Russian anyone. Early on, she came to understand that the ancient history of the Jews of Russia was over, that the Exile was over, that the Jews had to leave Russia forever.

One of her favourite ballads, by the late Vladimir Visotsky (the USSR's Bob Dylan), is about an animal surrounded by hunters, and the "red line" around him. "He knows, through the milk of his mother, that it is forbidden to go through that line," Nudel said, as she recalled an episode during her Siberian exile. An article had appeared in the local press about the Zionist enemy, mentioning Ida Nudel as one of the foremost villains. The next day, as she walked through the woods on her way back to her cabin, she was followed by five men.

She could hear them talking about her, but blocked out their actual words. "I could only hear them on an animal level—I listened to their tone, to know whether they were really angry or not. Visotsky's song repeated in my heart all that day, because it was my own situation. It you are followed, you feel hounded. This feeling applies to all who are surrounded and persecuted. These men were angry about this women with the clever eyes * * * but they didn't attack me. I didn't turn around. Just kept walking, until I was out of the woods * * *"

In Siberia, she was under constant surveillance throughout her four-year term. When she was released in March 1982, she had the legal right to live in Moscow or anywhere else she chose, and to be registered there—all Soviet citizens must be registered in the town or city where they reside. But Nudel, like her friends Anatoly Shcharansky and Vladimir Slepak (the latter received a five-year term in exile at the same time that she was sentenced to four years for "anti-Soviet activity") was regarded as a primary enemy of the people. And the Soviet authorities flaunt their own laws whenever they feel called upon to do so.

When she got to her home in Moscow after the rigours of Siberia, they gave her 72 hours to get out. They never said how long the ban would last. She tried to register in seven towns outside the 100-kilometre zone around greater Moscow. It was a nightmare. For example, she thought she would get permission to live in Strunino near Alex-

andzov, where her friend Mark Nashpitz, who had also been in Siberian exile, was living (Nashpitz was permitted to emigrate to Israel last year); but despite his efforts to help her, she was expelled. After four days in the town, the police and KGB came, took the book of registration from the home where she was staying, and threatened the woman who owned the house, as well as her son. "Why are you registering this terrible woman?" one KGB agent asked, as he removed Nudel's name from the book.

Wherever she went, it was the same. Every time, after four days, when the KGB reviewed the registration lists in every hamlet of the USSR, she would be expelled. "I began to understand how popular I was with the KGB." She tried again, this time in the Baltic republics, where she had some cousins—in Riga, for example. But she was in a state of homelessness that would last for half a year. And she felt like a hunted animal.

"I went to Tartu in Estonia, where a friend I helped in prison camp now lived. He wrote to me and said he would try to get me registered there. I had no registration stamp in my internal passport, the document that all Soviet citizens over age 16 must carry." That was the mark, or nonmark, of Cain.

"I only had my friend's post-office box address, and I arrived late at night in the little town. I was very weak from my exile, and carried an outsized, very heavy suitcase. I was absolutely exhausted, suffering from heart disease and carrying that suitcase, which was bigger than I am. I went to a rooming house, and the clerk gave me a registration card, which I duly filled out. Then she wanted to check my passport. When she found that I wasn't registered, she said, 'You're not registered anywhere. How's that possible? Get out of here right now, or I'll call the militia.' She became very pale, and went out to call the police."

"I left immediately, walking to the bus station. It was closed, and there was no place to wait. I walked very slowly to a little square with benches. Physically, I was absolutely exhausted, and very depressed. Some people were lying on the benches. I watched the police come by and roust them, shouting at them to move on. I wondered, by God, what should I do? I came across a long-distance telephone station and asked a woman clerk there if I could sit and wait to make my call. She said okay. But after an hour, she told me, 'We're closing now. We're closing the door. Get out of here.'

"I went back to the bus station, but there was no place to stay. The police roust homeless people, the drunks and whores who are at the bottom of society—in prison, they're called 'ex-intelligentsia.' I went with some of them and found a place to rest. I was numb. But I couldn't stand it among them after half an hour, and didn't know what to do. That's what it means not to have registration, not to have that stamp in your internal passport. I told myself in my heart that never again would I go to a town where I didn't know there was someone to give me shelter. . . .

"This incident was just one of many which exhausted my soul. A human being is really very limited in his power. I was suffering from my heart problems—the left and right sides must be synchronized, and the left side of my heart was blocked. It is a very painful condition, and stress made it worse. It hurt most at night when I lay in bed, especially between 3 and 4 a.m. The emotional and physical effort increased the pain in my heart."

She didn't know where to go, but she knew where not to go—the Ukraine, virulently anti-Semitic, was dangerous for a well-known refusenik, and "not for me"; nor did Byelorussia, where she knew no one, offer a haven. She tried again elsewhere in the Baltic states, the three countries annexed by the Soviet empire in the World War II era. But the KGB warned prospective hosts—including the father of former prisoners Sylva and Israel Zalmanson—that she would never be allowed to register there.

Then, when she was about to abandon hope after six months of wandering around the Soviet Union, she received a message from a man in Bendery, Moldavia, who had sent her packages while she was in exile. Somehow, he managed to have her registered in the town of 100,000, some 200 kilometres north of the Black Sea and east of the Romanian border.

Nevertheless, after four days, she was pushed into a police car and brought before the town's police chief, a big man who shouted and stamped his feet, demanding to know how she had managed to be registered in his town.

"I just sat there as he ranted at me, until the storm subsided. He was calmed by my personality. I said, 'Look at you. You're a man. You have a gun. You have many aides here who can kill me. Why are you shouting?' My manner, and my spirit, were my only weapons. 'Why are you afraid of me?' I asked him. He was no fool. He calmed down, and turned toward the window. A big very strong man who had shouted hysterically at a small woman. But I had bested him, and he knew it, and he let me go."

Nudel attributes some of her stronger qualities to her parents and her upbringing. She was born in 1931 in Novorossiysk on the Black Sea. Her father was "highly energetic and charming and kind and communicative," and both parents were very loving to her and her sister, Ilana (who now lives in Rehovot). Her father was in charge of the labour force at a cement factory, and was devoted to his work. When Ida was one month old, a flood threatened the factory, and both her parents ran out to help save the plant's equipment, leaving her in a cradle on the bed. They didn't realize that the flood waters also threatened their small hut. When they returned home, they found their daughter floating around the room. "It was good timing . . . That's where my devotedness comes from, my father. He was a very devoted man."

Fifty years later, she is back in the Black Sea region, living in the primitive conditions she had known as a child. Only this is much worse: Bendery is limbo. "I don't live there spiritually. I don't live in the Soviet Union in my spirit. I wish the Russian people well, but I want all Jews to understand; it was our fate before to live here. But now we have a country of our own, at last.

Bendery has a population of about 100,000, but it is more a big village than a town, with small, individual houses, which are rare in the big cities. Before the big wave of Jewish emigration that peaked in 1979, there were about 15,000 Jews in the town. Now there are some 8,000 Jews: tailors, shoemakers and craftsmen, whose children are teachers or engineers. There are 40 refusenik families, but Nudel has contact with only two of them—the Liebermans and the Royaks. Everyone else is afraid.

She lives with her collie dog in a pleasant hut of two small rooms. It took two years to make it livable; piping in cold water, bringing in electricity. When she first settled in, Nudel thought that she would be able to change the lives of her Jewish neighbours, by applying her formidable energies to the task. "I thought I could change the mood of the Jews of Bendery. I tried, and these two families tried with me—they were born there, know the town. I organized a Hanukka celebration, including a musical show and a talk on Jewish history. The kids dressed up in blue and white and held candles while I told them something of the story of our people. It was a very simple show, and the kids were very happy.

Then the police came, and intimidated the 30 people there, telling them what the consequences would be at their places of work—it's harder for the Jews of small towns. After that day, when I met people who had been at the celebration, they pretended not to know me. It was the end of my short career in Bendery. I understood. I could do nothing. I kept trying, but it was fruitless. I don't stop with one disappointment. I'm stubborn and devoted to my ideas. I tried for two years to influence the people there. But they are afraid. They are simple people, and they have reason to be afraid."

When Nudel went to Bendery, she knew what a great gulf separated her from the local Jews. She was a famous person, with supporters around the world—in Siberia, she got 12,000 letters from people in 51 countries. She knew she had the sympathy of many more people. "I'm safe, secure in my heart. But the Jews of Bendery don't have this feeling, this inner security." They do not feel that anyone in the West is at all interested in their fate, and they do not want to get involved with "the troublemaker." Nudel is virtually isolated, not allowed to travel. Actress Jane Fonda visited her in April 1983—even the Kremlin could not say no to her—but when former vice-presidential candidate Geraldine Ferraro attempted to visit Nudel last year, she was denied permission.

It took Nudel almost two years to recover physically from the strain of Siberian exile and the six-month nightmare that followed. Given her frail condition, the house chores in Bendery were excrutiating for her: she had to bring water inside, dump the dirty water outside, carry coal. Like all Soviet citizens, she had to spend hours waiting in long queues to buy food, or anything else. But it was the chores that took the biggest toll. "It took me many hours to do this housework. I'd feel my heart pounding into my body. Pain . . .

"Westerners just do not comprehend the complicated Soviet life, how depressing it is, how much time and energy the Soviet system demands. It took me a year to get gas to warm my house. And I was lucky!"

She has continued to write and to send packages to the refuseniks who were imprisoned by the Soviet regime on trumped-up charges. Her efforts to keep up-to-date on their conditions of servitude were undiminished. There is no more important work in the Jewish movement, according to other refuseniks. Information is the only weapon the Jews have. And the prisoners are at the forefront of the movement. When Ida found that a prisoner was ill, she would send telegrams to doctors, get the information to refusenik circles in Moscow or Leningrad and thence to the West. She has received hundreds of letters from prisoners, and one of her dreams is to publish a book of these letters. "They tell it all. They give you an idea of their inner lives, how their Jewishness has evolved and how it changes, and how

the support is going on." She has never stopped being involved.

But she feels she has lost touch with the day-to-day developments in the movement. "I was exiled, and still live in exile. They punished me severely by cutting me off. I don't know most of the young refuseniks, but I have some understanding of the situation." (In the next few days in Leningrad, she would visit many of the new generation of refuseniks, as well as veteran movement people.)

"I do know that the Jewish soul is awakening here again. There is a special spirit of dignity and identity. Part of it is a reaction to the malicious anti-Semitism that is vented in the newspapers and on television, and young Jews feel it. Years ago, Jews had to suppress their wounded heart. But now—in the big cities, because the situation is different there—you can see that Jewish people are more dignified and proud, speak openly about being a Jew. It's especially true of the youth, between the ages of 12 and 15, the time when you become your own self.

Some children feel only guilt when confronted by the anti-Jewish venom on television, but I think most of the youth will choose to pursue their Jewish identity. It's a new life, unusual, fantastic! All of us, Russians as well, lead a double life in the Soviet Union. We lead a secret life. Now these young Jews totally reject the colourless, annoying Soviet life. Their Jewish identity makes life suddenly so interesting."

She believes that the question of whether the movement will continue to grow and to succeed in the goal of repatriation—these Jews regard themselves as Israelis held captive in an authoritarian land—depends entirely on the West. "Otherwise, the movement will be lost. People in the West must protest against every persecution, against every attempt to suppress our movement. No one can understand just how powerful our movement can be, but it depends completely on support from the West."

Like most of the 35 refuseniks I spoke to during a 15-day visit to the USSR, Ida Nudel spoke glowingly of President Reagan. (When she told Jane Fonda how much she admired Reagan and hoped for his reelection, the liberal actress held her finger to her mouth and whispered "shhh—the intellectuals would never understand that.") Nudel urges a tough, no-nonsense line when dealing with the Kremlin. Referring to the Helsinki accords (the 1975 agreement on European security, cooperation and human rights). Nudel said: "The Soviets signed it. They agreed to fulfil it. So do it! If they don't do it, how can the U.S. trust their word on more complicated agreements? Helsinki is the key and always will be. The West should not sign any accords on arms or anything else until the Soviets show a willingness to abide by the Helsinki agreement."

She thinks the Kremlin would strongly resist any attempts by the West to abrogate the agreement because of Soviet non-compliance with the human rights question, which include the basic human right to emigrate. "You can say to the Soviets, 'If you don't want to fulfil the accords, then take back your signature.' But they'll never take it back, because the first and second parts are so important to them—so the demand must be: 'Then fulfil the third basket.'" [The political aspects of the accords recognize Soviet hegemony over Eastern Europe territories. The third basket concerns human rights.]

She feels that there should be a conference to discuss the question of abrogating the accords unless the Soviet comply with all three baskets. The Reagan administration and Congress should call this conference, perhaps with the participation of all 35 signatories. But she is not sanguine about the chances for any action. The West continually appeases the Kremlin, in her view.

The Soviets never do anything without testing the waters first. They throw a bone to see how the dog will react. If they get the desired reaction, they'll throw the bone further each time. The West more or less kept silent when the KGB put Sakharov on a plane [sending him to exile in Gorky]. If there had been a strong, universal reaction, the Soviets would have given in. Something similar occurred when they decided to cut off emigration. It started in Kharkov in the Ukraine, when they said that, 'Only people with immediate relatives abroad will be allowed out.' The West was silent. When there was no reaction to what they did in Kharkov, they applied this rule to the whole USSR.

"You must understand, it's like a different planet here. After Chernobyl, it has become obvious that our life on earth depends on making this society more open. Otherwise, tomorrow, nobody knows what will happen. If emigration is open, this society will change."

She advocates a high-pressure campaign in the West, and says she is in complete agreement with the approach pursued by Anatoly (Natan) Shcharansky. "We were together many years. We shared opinions on many thing. Because of our common understanding, we were very close. He understands my place in the movement—as a former prisoner, he understands."

Like Shcharansky, Nudel was deeply involved with the dissident movement, the Helsinki Watch Group led by Yuri Orlov, Alexander Ginzburg and others. "I was with the Helsinki people, and know them better than some Jews. I agreed entirely with them. Shcharansky was absolutely right when he stressed the connection between the Jewish movement and the dissident movement. If you don't think like the authorities, you are a dissident. If you're not loyal to the system, you're a dissident. . . [The dissident leaders were imprisoned in 1978, the same year that Nudel, Shcharansky and Slepak, all of whom supported the human rights movement, were also sentenced.]

The only solace Ida Nudel gets is from her writing—letters to some 30 people, prisoners and members of their families. It takes almost all of her time. She had just lost contact with some of her correspondents, and was worried about them, for instance: Leonid Shrayer, a refusenik serving three years in Izraslay, Ukraine, for "anti-Soviet activity."

Ida also works in her garden, growing her own vegetables and tending fruit trees, all of which were affected by the Chernobyl radiation. Immediately after the nuclear disaster, she took in five children evacuated from Kiev, Jews and non-Jews. "Everybody is a slave here," Nudel says, "They don't care if we live or die." The refuseniks want to get out, and now. Ida Nudel, after 15 years of struggle, is the epitome of this desperate desire. In short, she has had it.

"I think only how to escape from this place. I've gone through thousands of clashes with the KGB. What can I say more? Take me out. I cannot wait anymore. I want Israel now!"

But in her mind, she has made a "Schindler's list" of who should get out first, and her own name is not at the top. Her list begins with the 21 prisoners of conscience, with the ailing Yuli Edelstein, and with Yosef Begun, and the others; Moshe Abramov, Yevgeny Yakir, Ya'acov Levin, Nadezhda Fradkova, Zachar Zunshyne, Alexander Cholimyansky, Yoseph Zissels, Yaacov Rozenbert, Leonid Volvosky, Yoseph Bernstein, Roald Zelichonik, Vladimir Brodsky, Vladimir Lifshits, Betzalel Shalolashvili, Alexei Magraik, Lev Shefer.

Then come the people who have served in prison or in exile, like Vladimir and Masha Slepak, and herself. Then refuseniks with boys approaching army age (once inducted into the army, Jews, though they do not carry rifles or engage in anything but manual labour, are said by the Soviet authorities to have had access to "state secrets" and can be denied emigration visas for five, 10, even 15 years.)

Then come the families with three children or more, and the most activist refuseniks. Then the rest of the refuseniks (no one knows the number, but its estimated that there are as many as 400,000 who want to emigrate), followed by the rest of Soviet Jewry (according to the Soviet census, there are about two million Jews; but Nudel and other activists say there are three to four million Jews in the USSR, a large number of whom were intermarried and registered themselves as "Russians" or "Ukrainians" in order to ease their lives).

"I daydreamed that they asked me, 'Who goes out?' I thought about it a lot." What can people in the West do? "Rally public opinion, press for government declarations, make films and write books, send letters to refuseniks and to the Soviet government. Deluge them, approach French, German and Japanese businessmen who trade with the Soviet Union, get them to each ask for one person, one family. It has to be done on a personal level. If the businessman works at it, he'll succeed. You need very devoted people, you need many people like Isai Goldshtein. Make an animated film—the grotesque story of how I escaped this town for a few days. Make people understand the situation. Make posters. Make it so you laugh and cry. The Soviets are very sensitive, and they're afraid to be laughed at. Find people who can finance these activities."

She speaks with semi-professional authority when she suggests making an animated film (she thought her friend Felix Kandel, a writer and former refusenik now in Israel, could do "the perfect script"). When Nudel was in Siberia, she made a film about her life there that has been seen around the world, and remains one of the most moving and impressive shorts ever made. In the winter of 1978-1979, Yevgeny Tzirlin and Boris Chernobylsky had planned to travel to the Jewish village of Ilyika—a forbidden place, because all of the Jews there had applied to go to Israel—and to make a documentary. Tzirlin visited Nudel in Siberia first, and said he wanted to practise with his camera.

Why practise? Let's make a film", she told him. She wrote the scenario, which he translated into English, "We worked all day, shooting film in my very little room where I lived with my dog. It was very cold, the snow blowing and churning outside, I said 'Zenya, if we lose this moment we are both fools. Stand up and go to work.' The weather was so miserable that no man or beast braved the out-of-doors. We shot film all

day. In the last scene, I sat on my cot and looked into my soul—I turned my face to the camera and looked directly at the future audience to tell each one of them: 'But if you forget us, all this suffering is in vain.' "

Tzirlin left the next day, and managed to smuggle the film to the West. "Months later, I start getting letters from England, 'Ida, it's not in vain.' Five thousand people in a London church saw it, and many wept. Now, it's seven years later. I'm very, very tired. And I say it again. "If you forget us, all this suffering is in vain.' "

ON SOVIET JEWRY

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. GARCIA. Mr. Speaker, Anatoly Shcharansky wrote an excellent article for today's Washington Post on Israeli and Soviet talks on establishing consular relations and the important relationship between those talks and the plight of Soviet Jews. As Mr. Shcharansky aptly put it, on this issue, "Israel will set the standard for negotiating with the U.S.S.R."

I commend Mr. Shcharansky's excellent article to my colleagues, asking that they take a moment to read it.

SOVIET JEWRY: THE WORLD MUST NOT BE FOOLED BY "MENU 9A"

(By Anatoly Shcharansky)

JERUSALEM.—Israel's reaction to the Soviet call for negotiation on establishing bilateral consular relations will determine the fate of the worldwide effort to free Soviet Jewry. The success of that struggle is dependent on an uncompromising public Israel position linking any progress on other issues—indeed, any willingness to negotiate on other issues—to the release of the 400,000 Jews who have indicated their desire to emigrate to Israel.

The wide-scale aliya—immigration to Israel—of Soviet Jews began after 1967, during a period when no diplomatic relations existed between Israel and the Soviet Union. The severing of diplomatic relations between Jerusalem and Moscow did not set the process in motion; both mass emigration and the break in relations did result, however, from a single source; the expression of Jewish national identity embodied in Israel's victory in the Six-Day War.

Pressure was exerted on the Soviet Union by Western governments, especially by the government of the United States. This pressure was not limited to a single trade operation; it became a cornerstone of American policy in negotiating with the Soviet leadership.

Repression of the individual is a fundamental principle of a political system that sees the value of man as nothing more than an insignificant cog in a huge machine. This principle is protected by Soviet Jewry—a law that was designed to guard "the system" that decides what the individual must read, what he must do, what his national and political feelings should be.

The fundamental principle on which the political culture of the Soviet dictatorship is founded was seriously challenged by the demand of Soviet Jews, whom official Soviet policy does not even recognize as a separate nation, to decide for themselves whether to live in the Soviet Union or to leave.

The fact that for a short time the Soviet government was willing to allow Soviet Jewish emigration, in spite of the threat it posed to the principles on which the regime is based, was not the result of a decision of the Soviet leadership to improve its public image. The sacrifice on the part of the Soviets was too great to be perceived as part of a gesture of good will.

Today, as then, the Soviets will not tolerate free aliya unless forced to do so. The Soviet Union will move significantly on the question of aliya only if it perceives the status quo to be more dangerous than a mass release of Russian Jewry. The free world has the potential to bring the Soviet leadership to this realization.

The Russian economy is stagnating, and the current Russian leadership is more conscious of the dangers of economic stagnation than any of its predecessors. Mikhail Gorbachev's public warning that the Soviet Union will lose its economic and strategic race with the United States if progress is not made is unparalleled in Soviet history. We who were brought up in the Soviet Union were taught that the victory of socialism was inevitable.

The Soviet Union must reach out to the West to expand its technology and trade. The West has made it clear that it is willing to cooperate with the Soviet Union in this endeavor. The only question left outstanding is the price the Soviets will have to pay. In the West, two approaches compete with each other in regard to dealing with Soviet repression of Jews.

The first approach is to strengthen cultural and economic ties with the Soviet Union in the hope that such ties will lead to greater Soviet flexibility on human rights issues. This hope is based on a naiveté that ignores the real danger the Soviet system sees in freedom of emigration and the efforts it is willing to make to avoid the granting of such freedom.

The second approach demands that any concessions to the Soviet Union be linked to progress on human rights.

The Jackson Amendment led to the signing of the Helsinki Accords, which established the principle of linkage in an international agreement. Testimony to the importance of linkage as a weapon against Soviet repression is provided by the constant Soviet machinations to undermine that linkage.

Each of these two approaches—the approach of granting concessions unconditionally in the hope of engendering reciprocity and the approach of linkage, making concessions conditional on real changes in Soviet policy—has its champions in the West. In Bern, a few months ago, Western European countries proposed a resolution that would have excluded Soviet Jews wishing to reunite with their families in Israel from the human rights clause of the Helsinki Accords. Only American opposition defeated this proposal.

Many holders of high political office in the West remain convinced that the principle of linkage must be maintained. This feeling is reinforced by the conviction that trust must be based on the fulfillment of previous obligations, obligations that include Soviet undertakings to improve Soviet policy on human rights. This autumn, a new conference of the 35 signatories of the Helsinki Accords will be convened in Vienna. Later this year an American-Soviet summit will probably take place in Washington. Which approach will prevail?

To a large extent, the answer to that question lies with Israel. At this decisive moment in East-West relations, the leadership of the Soviet Union has suddenly recalled that it has church property in the Holy Land and has proposed an exchange of consular delegations. Preliminary talks on this subject are to begin Monday, in Helsinki.

What will be Israel's reaction? Will Israel link relations to free emigration of all Soviet Jews or will it adopt the other approach—moving first toward normal relations in the naive hope that this will create conditions for a solution to the problem of Soviet Jewry?

Western governments, even the most friendly, look to Israel for guidance on policy vis-a-vis the issue of Russian Jewry. None will be more adamant than Israel is in defense of Jewish rights.

At the Helsinki meeting, Israel must insist on Russia recognition of the right to emigrate as a precondition to further negotiations on improved relations.

If the negotiations on other issues proceed despite Soviet refusal to agree to this right of free Jewish emigration, the U.S.S.R. will have succeeded (or, more correctly, Israel will have allowed it to succeed) in establishing itself as the party less interested in the renewed ties. It will have relegated Israel's talk of Jewish emigration to the status of mere lip-service. This is the tradition of Soviet diplomacy: Listen. Ignore. Proceed to issues of Soviet interest.

Israel's position on Soviet Jewish freedom must be unrelenting and public. No room can be left for the claim that Israeli representatives adopted a more compromising tone in private discussions than in public forums.

The prison camp is a simple, yet surprisingly apt model of the Soviet system. A prisoner who presents a moral example of defiance and self-respect that other prisoners may choose to emulate is a threat to the prison system. One method used to counter this threat is for the KGB to call him in for hours of private talks on trifling matters. Agents then spread rumors that in these private sessions the prisoner made concessions to the KGB in order to gain personal benefits. The rumors, of course, may have no basis in fact, but the credibility of the moral individual is broken.

Soviet prison "culture" provides another example of what Israel must avoid in its contacts with the Soviet Union. This is what may be called the "menu 9A syndrome."

The Soviet prison system uses the curtailment of calorie intake in the prisoner's diet as a punishment for disobedience, and supplements the prisoner's diet as a reward. There are 18 levels of diet in a Soviet prisons, ranging from 1A to 9B. Even the "best" diet in Soviet prisons is far worse than what the prisoner has eaten before he was incarcerated. Yet, after weeks and months of grueling starvation, a disobedient prisoner is frequently tempted to cave in to the demands of his jailers on the promise that his menu will be improved from the lowest, near-starvation standard—9B—to a menu only slight better—9A. Lowered expectations make it seem that a slight easing of pressure or a milder form of torture are a major Soviet concession.

Let us not allow prolonged Soviet intransigence and barbarity to convince us that release of a few prominent activists is a major concession. I am certain that my colleagues in the Soviet Union agree with me. "Menu 9A" is not a recipe for real dialogue and understanding. It is a tactic of torture. We must not be fooled.

In response to Moscow's "generous proposals," we are tempted to lower our demands and limit them to an insistence on "symmetry and mutuality." This demand is an affront to our moral sense, unless the symmetry begins at an equal and acceptable status and not from "menu 9B."

Israeli jails hold no Soviet prisoners of conscience who have been imprisoned for expressing Soviet ideology; Israel must therefore insist that the Soviets release all Prisoners of Zion, those who are detained in Soviet jails or in the U.S.S.R. itself, merely for wanting to go to Israel.

Israel has not prevented thousands of Soviet families from being united with their kinsmen in the Soviet Union; it must insist, therefore, the Soviet Jewish families, some of whom have been separated for more than 15 years, be reunited in Israel.

Israel does not hold even one person who wishes to emigrate to the U.S.S.R. hostage in discussions with the Russians, it must therefore insist that any of the 3 million Jews in the Soviet Union who wish to come to Israel be allowed to do so. This is the only symmetry that holds any meaning.

This symmetry must be a condition of any future talks. Insistence on it is a moral imperative.

THE AFRICAN NATIONAL CONGRESS AND SOUTH AFRICA

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. CRANE. Mr. Speaker, I was appalled at yesterday's attempt to recognize an outlawed Communist Party as the legitimate political representative of the majority of blacks in South Africa. Not only do most blacks in South Africa reject the notion that the African National Congress [ANC] represents their views and interests, but the mere fact that this legislative body sought to recognize a Soviet-backed movement is alarming to me as an American. Although I recognize that the proponents of this legislation were well intentioned, similar intentions in the past have helped Communist movements gain power in Angola, Mozambique, Zimbabwe, and most recently, Nicaragua, to name a few. In an effort to restore democracy, today we find ourselves financing the freedom movements in many of these same countries. Let's support peaceful change in South Africa, otherwise, we might find ourselves financing a freedom movement against the ANC in that country.

The following article, by Peter Duignan of the Hoover Institute, warns of the dangers of supporting the ANC. I commend it to my colleagues' attention.

[From USA Today, Mar. 31, 1986]

RECOGNIZING DISSIDENTS IS IRRESPONSIBLE MOVE

(By Peter Duignan)

STANFORD, CALIF.—The State Department has unfortunately decided to recognize the African National Congress and to support ANC demands for one-man, one-vote in South Africa. Calling ANC terrorists "freedom fighters" and espousing a majoritarian rule can only lead to a bloody civil war.

What is the ANC that the Reagan administration now legitimizes? It is a coalition of the opponents of apartheid who want to overthrow the whites by force, not by negotiations. Its "Freedom Charter" called for public ownership of "the mineral wealth . . . the banks and monopoly industry," and land to the toilers. In 1960, the ANC was banned and in 1961 organized a guerrilla organization that declared war on white South Africa.

By 1959, the ANC had become a front organization of the South African Communist Party. The SACP cadre continued to dominate the ANC. In return for political and financial support from the Soviet bloc, the ANC-SACP alliance, or front, has followed every twist and turn of Soviet policy. On most issues, the official organ of the ANC does not differ from *Pravda*.

About half of the ANC's National Executive Committee are members of the SACP, and officers of the ANC are also officers in Soviet "fronts" such as the World Federation of Trade Unions and the World Peace Council.

Until the ANC leadership purges itself of, or at least controls its SACP members, and promises to negotiate and protect minority rights, the USA should not support the ANC. Given the violent record of freedom fighters dominated by communists who have come to power in Angola and Mozambique, whites fear that ANC rule will lead to the expulsion of the whites and confiscation of their property as in Angola and Mozambique.

Nor are the whites going to accept peacefully a majoritarian system. Where political parties represent ethnic groups in deeply divided, multiracial societies, ethnic groups that lose political power lose everything else as well. We should insist on peaceful change and a constitutional system with a democratic franchise (but not one-man, one-vote) based upon power-sharing, proportional representation, a joint veto, and coalition building.

The ANC will have to fight to get one-man, one-vote. It will be a bloody war with no guarantee that the blacks will win. (Zimbabwe's Mugabe admitted that he did not win with the rifle but with the ballot box, once he moderated his Marxist program.)

The State Department has therefore acted in an irresponsible manner by recognizing the ANC as freedom fighters and calling for majoritarian rule. We should aim not at ANC-sponsored confrontation and polarization, but at dialogue on how power can be shared in South Africa in a way that protects the interests of all ethnic and racial groups.

MEDICAID FOR DISABLED FAMILY MEMBERS THREATENED

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. MILLER of California. Mr. Speaker, it has come to my attention, through a recent New York Times article, that there is yet another administration proposal under serious consideration which would, in my view, force more families into bankruptcy, drive them apart, and result in unnecessary and costly institutionalization of disabled children and elderly parents.

The proposal would substantially increase restrictions in Medicaid eligibility, and by doing so would deny health care, and increase health costs, to an already vulnerable group of families. In addition to requiring that families with high medical expenses pay their entire share of medical bills before qualifying for Medicaid assistance, the new proposal would restrict Medicaid eligibility for families establishing trust funds to secure their disabled children's future.

Medicaid already excludes millions of low-income children because of restrictive eligibility requirements. In 1984, 84 percent of children living in poverty, almost 11 million children, were either uninsured or only partially insured for their basic health care needs. In addition, as many as 40 percent of all disabled children in poverty are ineligible for Medicaid.

Even for those families receiving Medicaid assistance, the scope and quality of services available for disabled children vary tremendously from State to State, including the availability of in-home services and supports.

To impose severe new restrictions on a program that now only minimally support families is not only inhumane, but more costly in the long run. We should be improving health care opportunities for this group, not restricting them. There are still millions of families without adequate insurance coverage or other support services who incur tremendous emotional and financial hardships while caring for a disabled or chronically ill family member.

A 1983 national survey revealed that almost 6.5 million families have a family member with a serious illness. Almost one-fourth indicated that the serious illness caused major financial problems. Almost one-half million of these families had no health insurance coverage of any kind.

In a random sample of children with disabilities in five of the Nation's largest school systems, a significant percentage had no regular source of health care, no regular physician, or no public or private health insurance.

We know that even when families have private health coverage, it's often not sufficient to meet tremendous medical costs. Estimated average expenditures for health services for chronically ill or disabled children may be 10 times as high as for nondisabled children. While 68 percent of all children receive health benefits under private group plans, we know many of the costs faced by families with chronically ill or disabled children are not covered. In addition, many families cannot get private insurance because of preexisting health conditions.

It is easy to see how family stability is threatened under such circumstances. We know that in families with disabled chronically ill children, the risk of child abuse is significantly higher, and the rate of divorce or separation may be twice as high.

For many of these families, Medicaid is a last hope for keeping disabled family members at home. The current administration proposal once again attempts to gut the minimal coverage these families may be entitled to under Medicaid if they chose to provide in-home care, requiring them to deplete all their resources before help is available, or forcing them in greater numbers to institutionalize their dependent family members.

Medicaid has always been more generous in paying for more costly out-of-home care, which families are forced to resort to when in-home supports are not sufficient. Now, by including trust funds as income, Medicaid eligibility for institutional care under this new approach may be in question as well. These families had few alternatives and little support before. If this proposal should go forward, their choices will be nonexistent, and their hardship even greater.

Mr. Speaker, the administration has been persistent in its attempts to weaken the Medicaid Program. You'll recall that in 1981, the administration succeeded in restructuring and weakening the program. Eligibility was restricted, States were penalized by cutting the Federal share, and thousands lost coverage. An additional 2 million children who would have been eligible for Medicaid in 1976 were not eligible in 1983. Congress responded compassionately and wisely to restore Medicaid cuts and even expanded coverage to certain groups of low-income pregnant women and children. In some instances, Congress also gave States the opportunity to reimburse in-home care through Medicaid.

I urge my colleagues to read the following article, warning us about the confidential documents prepared by the Department of Health and Human Services outlining a new Medicaid Program to be submitted to Congress.

Why plan policies that drive families apart, cost more, and contribute to the great levels of stress families already face? We must stand up, once more, against policies that are harmful to families. Our policies should help families; not contribute to their impoverishment or instability.

CURBS ON MEDICAID BEING CONSIDERED

(By Robert Pear)

WASHINGTON, July 12—The Reagan Administration is working on proposals that would delay or deny Medicaid benefits for many people with high medical costs, including disabled children and elderly people needing long-term care.

Under one proposal, people, with high health care costs would have to pay their entire share of the medical bills before anything could be paid by Medicaid, a program that was set up to assist low-income people who did not have enough money to pay all their medical bills.

Another proposal would sharply restrict Medicaid eligibility for people who set aside money to help support their disabled or retarded children.

CONGRESS TO GET PROGRAM

Details of the plan are set forth in confidential documents prepared by the Department of Health and Human Services as part of its new legislative and regulatory program for Medicaid, to be submitted to Congress.

The documents acknowledge that some proposals are "draconian" and could cause "hardship." But they say "the threat of hardship is essential" to make people spend more of their own resources on nursing homes and institutions for handicapped children.

Under current law, people may qualify for Medicaid if they have incurred but not yet paid large medical expenses. The law permits people to pay their share of the medical costs in installments while Medicaid pays the rest of the bill.

Under the proposals, states could deny Medicaid benefits to people needing long-term care if their parents or spouses were able to defray part of the cost but failed to do so. This would reduce Federal and state spending on Medicaid and would require the families of Medicaid applicants and beneficiaries to pay more.

In a description of its plan, the department says: "Proposing to increase family financial responsibility for long-term care is likely to be controversial, especially as it affects parents whose children face years of institutional care. Family refusal would lead to the loss of eligibility. The severity of these consequences provides the incentive for the spouse or parent to pay the required amount."

Last year, medicaid spent $4.7 billion on long-term care for 146,000 people in facilities for the mentally retarded and $11.6 billion for 1.4 million people in nursing homes, according to the Government.

Over all, Medicaid finances health care for 22 million low-income people. The costs are shared by the Federal Government and the states, with the Federal Government paying about 55 percent of total costs nationwide. Each state designs and administers its own program but must comply with guidelines set by the Federal Government in order to receive Federal money.

A FUNDAMENTAL CHANGE

Some of the changes sought by the Administration could be made through regulations, but most would require legislation.

The proposal to require people to pay their medical bills before qualifying for Medicaid represents a fundamental change. The original Medicaid statute, in 1965, included special provisions to assist people who were not on welfare but who were able to demonstrate they had incurred high medical expenses. The new proposal would delay or deny Medicaid eligibility for many of these families. The proposal represents a procedural change that, in effect, would require potential recipients to exhaust most of their resources before they could obtain benefits.

In its description of the proposals, the Administration acknowledges that loss of Medicaid eligibility "may cause providers to refuse services" to people who need them.

In general, according to the government, people may not qualify for Medicaid if their available assets exceed specified limits: about $1,700 for an individual and $2,550 for a couple.

Under current law, in determining whether a child is eligible for Medicaid, the Government usually assumes that the parents' income is available to the child if they live in the same household. But if the child lives in an institution, the Government takes account only of the income and resources actually contributed to the child by the parents.

In its proposals, the Administration said, "Relatively affluent families are currently permitted to rely on Medicaid for the long-term care of chronically disabled spouse or minor child."

EXPANDED AUTHORITY PROPOSED

The Administration says the current rule tends to "encourage institutionalization" and "contributes to escalating Medicaid costs" by shifting the burden from parents and spouses to taxpayers. The Administration says its proposal would give states the "legal means to compel relatives" to contribute to the cost of long-term care for a chronically disabled spouse or minor child.

The proposal would require substantial contributions, on a sliding scale, by any family with income of more than $22,000 a year. For a family with income of $50,000, for example, the maximum contribution would be $5,600. "Failure to make the required contribution would result in loss of the child's or spouse's Medicaid eligibility," according to the proposals.

Nursing homes charge, on the average, $50 to $55 a day, but the rate may exceed $100 a day in parts of New York. Facilities for the mentally retarded charge an average of more than $80 a day, according to Medicaid officials.

The Administration proposal would "require states to restrict Medicaid eligibility" of people who set up trusts for their relatives, even where the relatives were disabled or retarded. Under the proposal, states would have to count such assets as being available to the person who established the trust if that person later applied for Medicaid. Thus, the money legally earmarked for support of a disabled child would be treated as if it were available for support of the Medicaid applicant.

TRUST WOULD BE AN ASSET

Under the proposals, assets held in a trust would be counted against the eligibility limits, just as if they were in a checking or savings account.

In effect, Administration officials said, a Medicaid applicant who had established a trust to provide for a retarded child would have to dissolve the trust and use the funds to pay for his own care.

The Administration said the purpose of these changes was to "insure that those who have the resources to pay for their own care do so before being permitted to rely on Medicaid."

But Sara Rosenbaum, a healthy policy analyst at the Children's Defense Fund, said it was "astonishing" to see such proposals from an Administration that had often expressed concern about handicapped children.

"The proposals," she said, "both discourage parents from providing for their children through trusts and deny Medicaid to children whose parents will not support them."

100TH HEART TRANSPLANT

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. UDALL. Mr. Speaker, last week the University Medical Center, Tucson, AZ, heart transplant team performed its 100th heart transplant. This was a proud day for Arizona and a proud day for the heart transplant team. The founder of the team is Dr. Jack G. Copeland. Dr. Copeland came from Stanford University having worked under the reknown guidance of Dr. Norman Shumway, an early pioneer in heart transplants.

Dr. Copeland came to the University Medical Center in 1979 and performed 4 heart transplants that year. Today, the heart transplant team is performing 24 heart transplants a year; about 2 a month. Recently, the heart transplant team successfully performed a heart/lung transplant. Dr. Copeland's team has performed transplants on patients as

young as a 7-year-old boy and as old as a 65-year-old gentleman. Both patients are doing well and have been given a new lease on life.

Statistics show that the survival rate for heart transplant patients at the University Medical Center is 80 percent for the first year and 65 percent for 3 years. The miracle of transplantation has revolutionized medical practice and human existence. The flaw in this new technology is a very basic problem; the lack of available organ donors given today's need. Nationwide statistics prove the need becomes greater with each passing day. People from all walks of life are becoming increasingly more aware of this need. Families need to take the time to reflect on this issue. It is undoubtedly a difficult area to discuss but a necessary one. One that will save lives. Next of kin need to be made aware of each individual's wishes. Hospitals should assume the task of discussing donorship with families. Hospital networks need to be established to inform other institutions of the availability of donated organs.

The University of Arizona heart transplant team has gained a national and international reputation in terms of patient care. The University Medical Center now has in the planning stages a $20 million heart center which would bring together the clinical and research technologies of cardiology.

This is a proud time for Dr. Jack Copeland and his team and a distinguished achievement for Arizona.

The Tucson Citizen recently published an article on Dr. Copeland's accomplishments and I would like to bring it to the attention of my colleagues.

UA SUCCESS AT HEART OF TRANSPLANT STORY—100 OPERATIONS LATER, TUCSON LEADS WAY

(By Carla McClain)

When they sewed the first heart into the first human chest at the University of Arizona seven years ago, it was hailed as a "miracle." It was front-page news. It was risky, experimental, last-resort medicine. It was strange.

When they sewed the 100th heart into a dying human body at the UA yesterday, the only reason it made news was the magic number, not the medical miracle. A heart transplant these days gets three paragraphs in the newspaper, if that. It is ho-hum stuff, routine, predictable surgery.

And therein lies the story of what has happened here, and around the country, during the past seven years. A major chapter in medical history has been written, with much of its action set in Tucson.

"We felt a little bit lonely when we started this," said Dr. Jack G. Copeland, UA's chief of cardiothoracic surgery and head of the heart-transplant team. He has performed most of the 100 operations and singlehandedly and unexpectedly launched the UA into the forefront of the heart-transplant business.

"Most hospitals had called a moratorium on the procedure because it had failed," he said. "We felt pressure to succeed because almost everyone doubted then that it would ever be a reasonable thing to do."

Even so, Copeland himself had no doubts and was confident he could make heart transplants work. For 12 years before he came to Arizona, he had either assisted or performed more than 30 heart transplants at Stanford University Medical Center in California, where he received his surgical training. Stanford was one of the few centers in the United States that still believed you could save and improve lives by replacing a diseased heart with someone else's healthy one.

"I knew it was a much better operation than most thought and that it would work," Copeland said, recalling those pioneer days.

Today, the heart transplant does work and the UA program is a major reason why. It is no longer considered an experiment, but is accepted medical therapy for people with severe heart disease. Most insurance companies, who wouldn't have touched heart-transplant surgery several years ago, will pay without a fuss now. A donor heart can be counted on to give almost everyone at least a year of life they would not have otherwise had, and somewhat more than half the patients get five years or more out of the operation. Some have gone on to live 10, 15 years.

But perhaps more important than the years of live is the quality of life, Copeland stresses. People with end-stage heart disease live their last days weak, short of breath, blue, almost unable to move. When they wake up with a new heart, they are pink and energetic.

Copeland's patients ski, race horses, run marathons, enjoy their children and grandchildren, travel around the world, go back to work.

"I do it because I'm confident heart transplants have something to offer patients," the surgeon said.

Watching this happen slowly but surely in Arizona, the medical world began to get interested, then excited all over again about the idea of transplanting hearts.

In every state in the union today, doctors and hospitals are climbing aboard the heart-transplant bandwagon. Last year, 513 people in the United States had their diseased hearts replaced with donor organs.

"Thank God we have a fairly short list of patients, so we can take care of these people better," he said. His patients include a 65-year-old man and several people suffering from diabetes—two conditions that automatically knocked people out of transplant consideration a few years ago. Even so, the UA's survival statistics for the operation equal the best in the world, Copeland pointed out.

Despite this success story, controversy is growing nationwide.

A new survey has revealed that nearly half of the medical centers now getting into the business are skirting the standards for safe and successful transplants, and are not qualified to do such operations.

Also, the shortage of donor hearts is becoming steadily more acute as more hospitals compete for them.

Some doctors are now using older donor hearts, and even partially diseased hearts, because they can't find better donors.

COPELAND, FAME AS HEART SURGEON HAS DOUBLE EDGE

(By Carla McClain)

Picture Jack Copeland—shuffling affably around University Medical Center in his rumpled scrub shirt and baseball shoes, flashing a boyish, dimpled grin above a compact, athletic body.

The image belies the national superstar reputation he has built during the past decade as one of the pioneers in modern cardiac surgery.

That fame is a double-edged sword to him, a love-hate dynamic.

"When things are going well, when the patients are doing well, when they're up and out and playing volleyball in the park, then the spotlight seems like a great place to be," said Copeland, the University of Arizona's chief of cardiothoracic surgery, whose transplant team just hit the century mark in heart transplants here.

"But when things are not going well, it seems like an awful place to be. You don't want to admit to yourself or to your closest colleagues, and certainly not to America, that things are not going right. I feel a heavy pressure."

But in the spotlight is where the young but graying heart surgeon has performed since he arrived here almost 10 years ago to beef up the UA's floundering cardiac program.

At that time Copeland was the boy wonder from Stanford University, the honors medical student already described as a "brilliant" surgeon by peers though he was only in his early 30s. The UA thought it had landed a big one and bragged about it. He since has catapulted the university ("I didn't know there was a university in Tucson") into national medical news and history with his pioneering, even maverick, exploits in heart transplant and artificial heart implant surgery.

Besides sewing nearly 100 human hearts into human chests, Copeland has performed two experimental heart-and-lung transplants, implanted four artificial hearts (two of them in the same patient), and earned deep respect in medical circles as one of the most skilled surgeons performing infant heart surgery.

His transplant patients have ranged in age from 7 to 65.

He has "piggybacked" a donor heart onto a patient's own ailing heart and given one teen-ager two donor hearts and one mother two artificial hearts. He has helped raise money for transplant patients, spoken out about the lack of donor organs and written Arizona's first law designed to get more organs.

Along the way, he played a major role in bringing the heart transplant back from discredit and failure to acceptance as successful medical therapy for dying patients. He established the UA as one of the nation's solid, proven transplant centers with survival statistics as good or better than anywhere else in the world.

Then he convinced the federal government to allow the unproven artificial heart to be used for the first time as a "bridge to life"—a way to keep patients from dying before scarce donor hearts can be found.

Through it all, Copeland, 44, has managed to keep his person a low-key, casual, even humble—a tough feat in the medical world of big egos, in the high-profile specialty of organ transplantation, in the glare of constant media coverage, in the adulation of people who credit him with their lives.

He has an ego, they say. He can be quite demanding, even gruff-sometimes, they say. But he has always taken care to credit his transplant team, coordinators and nurses with his program's success.

"I see myself as just part of a large team effort," he explained. "I am the spokesman, to be sure, but I am far from indispensable. What spotlight there is, is a fleeting one. It won't be there forever. The team is the strength and can carry on perfectly, whether I'm there or not. It's a good feeling."

But he has been hurt, he has admitted, by criticism from his peers and the public, some of it jealousy, some of it real. He has

been accused of "grandstanding," of practicing bizarre, even reckless medicine, of experimenting on human beings.

He thinks he has only been trying to save lives, and he has pondered the critics' words deeply and painfully, trying to figure out if they have sometimes been right and he has sometimes been wrong.

At one point, early in this heart transplant program, he almost shut down the whole business after two patients, who had been alive when he wheeled them into the operating room but never woke up again because the donor hearts he gave them failed to start breathing.

That was almost more than he could take. And it is the major reason he defied federal law, the fury of critics and the discomfort of his own bosses to get into the artificial heart business.

That defiance—what others have called great courage—brought Copeland what he views as his toughest moment in what has been, overall, an undeniably brilliant medical career. The trouble started when the donor heart he gave young Thomas Creighton failed just days after the operation.

That failure spurred the frantic surgeon to call for the unauthorized artificial "Phoenix" heart for his patient, and launched a five-day, nearly sleepless marathon of heart surgeries that finally ended in Creighton's death.

"Sometimes it seems like you are breaking all the rules—your own limits and society's," he said. "You find yourself in this fishbowl with everyone looking in, and you not only don't know why things have gone wrong, you don't know what to do about it. That's a hard thing to handle. It seems terrible when you're in the middle of it. I have not enjoyed that."

That happened to him again, he said, when Bernadette Chayrez came down with the flu, got an artificial heart, then rejected a human donor heart. In an effort to save her life that has been called both heroic and bizarre, Copeland went on to implant a second artificial heart, then to perform four more major surgeries on the dying woman, who today waits for her second human donor heart.

So bashed was he by the intense media attention and harsh criticism from some of his peers that Copeland actually went into hiding for a brief time, shunning the media during Chayrez' worst hours.

"It's hard," he said, "because when you don't have the answers, you know those are the exact questions you are going to be asked. And the sicker the patient, the worse it gets."

Those who have followed Copeland's medical adventures have sometimes been awestruck by the long hours he stays on his feet, performing delicate life-and-death surgeries, one after the other, with little or no rest.

Despite the fame, and the fortune of his $300,000-a-year salary, the man works hard. This is no 9-to-5, weekends-off job. Donor hearts usually show up in the wee hours, or on the holidays. People who are dying can't be put off.

"Yes, sometimes I feel I have been pushed to my mental and physical edge," he admitted. "Sometimes it has been hard to just stay awake, let alone do the operation. But there is a certain discipline of the operating room that gets beaten into you after spending so many hours there.

"But when I can, I cancel surgeries that aren't emergencies. People always understand. They want a surgeon who's rested and ready and working under the best conditions."

In the operating room, Copeland's confidence is clearly visible. His hands are quick and sure, his manner light, easy-going, even jocular. There is little tension, and a lot of good-natured banter.

But what plagues Copeland most is the lack of hours in the day to do everything he needs and wants to do. He gets into that pinch because he insists on staying close to his patients, attending to their medical details even after the cutting and suturing are over. It takes a heavy toll on his personal life and played a part in breaking up his first marriage several years ago.

"The payoff is in saving lives, and you become driven by that goal," he explained. "Every cardiac surgeon, every doctor who is involved in life-and-death experiences feels the restriction of his personal life, the disruption of interpersonal relationships. It is difficult to be a good husband, father, son, relative or friend."

His second marriage, however, appears to be a great success. He married his sidekick, his teammate, his co-lifesaver, who knows this business as intimately as he does. He married the former Janice Sailer, 37, three years ago. She is a cardiac nurse and a heart transplant coordinator at UMC. She finds the hearts; he puts them in.

"It helps immensely to have my wife in this work with me," he said, with a sigh of emphasis. "I am so grateful she works with me. She knows what's wrong when I can't sleep, when I'm pacing the floor at home at 4 in the morning . . ."

Besides that, Jan Copeland, a pretty, petite blond with a great laugh, is just one of those individuals that people like to see coming down the hospital hall. The "Jan and Jack Show," as it is sometimes called, is a good one. They hold hands, he sings out "Hi, darlin' " when he sees her.

Jan and Jack manage to relax, to play. On his wall in his cramped, cluttered office is not a medical degree, but a degree in country swing dance. There is Sunday morning tennis, and skiing trips to Europe.

"We play hard, too, when we can," said Jack with a grin.

ARMCO BOUNCES BACK

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. McEWEN. Mr. Speaker, the American steel industry is facing stiff competition at home and abroad. I would like to commend to the attention of my colleagues the following article from the National Journal which describes how the world's fifth largest steelmaker, Armco, is dealing with this crisis.

TECHNOLOGY: STEEL'S SALVATION?

(By Bruce Stokes)

BUTLER, PA.—Atop a barren hillside in this western Pennsylvania community, in a rectangular hangar the size of 12 football fields, four lonely Armco Inc. employees use a laser to "zap" miles of steel sheets every day, turning out what may be the best electrical steel in the world.

Armco's system of laser-scribing improves the magnetic quality of the steel used in electrical transformers and reduces subsequent transformer power losses by 5-10 per cent. Armco makes about half the electrical steel sold in the United States and sold about 10 per cent of its production overseas in 1985.

Nevertheless, the firm is in serious financial trouble. Although it showed an operating profit of $127 million in 1985, profits fell to $12 million in the first half of 1986. From 1982-84, it had a total operating loss of $294 million.

Armco is not alone. All U.S. steel producers are suffering from declining demand for steel and rising foreign competition. LTV Corp. recently filed for bankruptcy, and some industry analysis think Bethlehem Steel Corp. may soon follow. U.S. Steel Corp. has changed its name to USX Corp., in part to disassociate itself from its unprofitable steel operations.

In the wake of this new wave of financial woes, steel companies will likely ask for additional government protection from imports and for new tax breaks. But there are other means of ensuring the industry's future.

The success of Armco's Butler works in making electrical steel and its equally profitable stainless steel operation there demonstrate that U.S. steel makers can successfully compete with Japanese and Third World steel producers when they use high technology to produce specialty steels. But developing that technology takes money and scientific expertise that the domestic steel industry doesn't have. While the government can provide some of the resources, it may take the know-how of high-tech U.S. firms to solve the problem.

Imports captured a record 26.4 per cent of the U.S. steel market in 1984, sparking a successful industry effort to force the Reagan Administration to negotiate voluntary restraints on shipments to the United States by major foreign producers. The controls have worked. Imports through the first five months of 1986 had been reduced to an annual rate of 22.7 per cent, the Commerce Department said.

The problem, according to D. Bruce Merrifield, assistant Commerce secretary for productivity, technology and innovation, is that "we can still import steel from Brazil for $30 less a ton than we can make it." And that competitive disavantage in basic steel is not going to go away.

"The voluntary restraint agreements are not going to exist forever," said David E. Todd, president of Armco's specialty steel division. "If we are going to be competitive with Korea and Brazil, we have to increase technology, retrench and come out with new products."

Merrifield is even more blunt: "You automate, you innovate or you evaporate."

The prospects for the U.S. steel industry staying on the technological cutting edge are not good. The industry spent only $132 million on research and development from July 1984-June 1985, according to the International Trade Commission. Of that, only $18 million was spent on R&D in specialty steel. While no comparative data exist, such an investment apparently represents a dramatic cutback from prior years. For example, industry records show that since 1978, steelmakers have reduced the number of research personnel on their payrolls by 58 percent. And even deeper cuts are planned. Bethlehem Steel is reportedly negotiating the sale of much of its research facility to Lehigh University.

"It's a survival mode," said Rep. Don Ritter, R-Pa. "R&D has been scaled way back to cut costs. By doing that, the long-

range promise of technological competitiveness is diminished because some of the big foreign companies are putting [much more] money into developing new technology." (Nippon Steel Corp., for example, spends more than twice what the entire U.S. steel industry spends on R&D.) American steelmakers "could conceivably survive, but in three to four years, when the import restrictions are up, be in a worse situation vis-à-vis the world market than they are today," he said.

The importance of technology is apparent at Armco's Butler works. In addition to the state-of-the-art $2.9 million laser-scribing unit, Butler was the first U.S. steel mill to continuously cast all of its steel into eight-inch thick slabs. About half of the U.S. industry still casts steel into less efficient 100-inch thick ingots that require additional processing. And a $50 million cold rolling mill, which will permit the rolling of very thin metal sheets, is on the drawing board.

Such investments have paid off. The company has been able to cut its payroll from 4,300 hourly employees in the 1960s to 2,100 today, while maintaining the same volume of production. And the company has been able to manufacture new products. "Over 80 percent of our sales are products we didn't even have five years ago," Todd said, "and that is a conservative estimate."

Yet the Butler works needs to invest in more improvements. Every year, it melts down and refines more than 350,000 tons of scrap metal for rolling and processing into stainless and electrical steel. The melting and refining process is monitored by 17 computers to ensure proper heat and composition of the steel.

The computers permit a degree of quality control that was previously unattainable. "In the past, most of these measurements weren't taken," said Terry Germanoski, a senior metallurgical engineer in Butler. "If they were, they were taken periodically, recorded by hand and you had to take a guy's word for it." Now, measurements are taken continuously, are not subject to the whims of the operator and can be instantaneously recalled for evaluation. Trouble spots can be identified and, it is hoped, corrected quickly.

But the melt shop computers are not yet linked with those in other parts of the plant. As a result, it is not possible for engineers in the rolling mill to monitor the progress of the steel coming their way.

Armco plans such computer links, but it will take time and money. And even then, the Butler works will not have a fully automated, flexible production process capable of tailoring steel to its customers' needs.

"No company will be able to get to that point alone," said Merrifield of Commerce. "They don't have the skills, the disciplines and the metallurgical competence."

To try to overcome the limitations facing individual companies, the government has begun to encourage cooperative R&D efforts among major steel producers. Antitrust limitations on such cooperation have been removed by Congress, which last year appropriated nearly $10 million to enable federal laboratories and the National Bureau of Standards to work with steel industry engineers to develop new technologies.

Already, USX and Bethlehem Steel, in conjuction with the Energy Department, have begun work on a new steel-casting process that would produce two-inch thick slabs. These thinner slabs would require less additional processing, lowering total production costs.

But most of the R&D money has been deferred by the Administration, for budget-cutting reasons. While Congress will try again this year, there is general agreement that the program is too small to have much of an effect.

"They are good programs," said Ritter, cosponsor along with Rep. Doug Walgren, D-Pa., of the R&D programs. "But they are a drop in the bucket."

As a result, industry experts say, U.S. companies risk falling behind foreign competitors not only in the production of steel but also in the development of new steelmaking technologies. Already, German and Japanese firms have subsidiaries that manufacture steelmaking machines, giving them a leg up in developing new casting processes.

Merrified argues that overcoming this competitive disadvantage will require marrying high technology to steel production. That will necessitate further revision of antitrust laws to enable joint production efforts involving not only major steel producers, but also high-tech firms, such as International Business Machines Corp. and General Electric Co., and advanced machine tool firms, he said.

"We are the only country in the world with the advanced technology and the multiplicity of skills to do what it will take," Merrifield said, "but it will take billions of dollars and probably 5-10 years."

What Merrifield describes sounds similar to the high-tech revolution that General Motors Corp. is attempting to initiate in the auto assembly business through its acquisition of the advanced computer firm Electronic Data Systems Corp. and its development of an automated production facility for the new Saturn automobile. It would be a whole new approach for U.S. steel producers, who in recent years have concentrated on acquiring oil companies and insurance firms to provide the cash flow needed to sustain money-losing steel businesses.

"We can catalyze collaborative efforts, remove barriers and provide incentives, but the dumbest thing [the government] can do is get in the middle and try to do it for them," Merrifield said.

It may not be as easy as it sounds. There is great opposition to antitrust law revisions. A marriage of steel companies and high-tech firms is not even at the kissing cousin stage. And the steel giants are hemorrhaging and may not last to see their wedding day. Once again, Uncle Sam may have to bail out the industry, if only so he can then be a marriage broker.

INTRODUCTION OF THE RURAL RENTAL HOUSING DISPLACEMENT PREVENTION ACT OF 1986

HON. RICHARD H. LEHMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. LEHMAN of California. Mr. Speaker, today I am introducing the "Rural Rental Housing Displacement Prevention Act of 1986" which will temporarily address a very serious and growing housing problem in rural America. The problem is one of increased displacement of residents from low-income subsidized housing in rural areas. The displacement occurs when the sponsors of Farmers Home housing convert these projects to conventional rental units or condominiums. To understand the roots of the problem we are now facing, I would like to quickly review how we arrived at this junction.

In 1962 Congress enacted the Section 515 Program under the Farmers Home Administration [FmHA]. The Section 515 Program was designed for the purpose of providing reduced interest loans, usually 1 percent, to eligible sponsors who are willing to build low-income multifamily housing projects. These loan subsidies make it possible for project sponsors to charge lower rents so that lower income families can afford to pay. The maximum repayment term for these section 515 loans is 50 years. Congress' intent when providing developers with low-interest loans was to encourage development of low-income housing. In return, Congress expected that this housing stock would be preserved for purposes of low-income housing for a substantial number of years.

When the Section 515 Program was implemented, loans were only made to nonprofit organizations who had no incentive to prepay these loans. In 1972, the program was expanded to include profit motivated developers and partnerships. Unfortunately, the Farmers Home Administration failed to establish measures defining the allowable conditions for loan prepayment by this new group of for-profit sponsors. As a result of this serious ommission, developers are allowed to prepay at any time and do what they wish with the rental projects which they had financed with low-interest loans from the Government.

In 1979, when Congress became aware of the number of prepayments that were occurring, there was considerable concern over the impact these prepayments could have on low-income tenants. The prospect of displaced residents, as well as the loss of low-income housing inventory, was very real and prompted Congress to address the issue through legislation. While I was not a Member of this body in 1979, I applaud those efforts. The purpose of this legislation was to clarify the intent of Congress with respect to the obligation of developers of rural rental housing and to insure that the sponsors adhered to Congress' intent. This legislation placed restrictions on prepayments of loans and generally required that the Secretary of Agriculture not accept prepayment of section 515 loans unless the owner obligated the housing to low- and moderate-income families for 20 years. This legislation applied to all existing and future loan commitments made by the Farmers Home Administration.

Not long after the ink had dried on this public law, successful efforts were made to repeal the retroactive provisions of this legislation. In 1980, opponents of the congressionally mandated restrictions on prepayments for loans entered into prior to the enactment of the 1979 legislation, felt that the Congress was "changing the rules in the middle of the game." Changing the rules of the game, they argued, would dimish the trust of the developers and provide a disincentive for investors to participate in the Section 515 Program. Additionally, there were doubts as to whether the available evidence on prepayments of section 515 loans demonstrated that such a legisla-

tive remedy was necessary, and further, whether the situation was serious enough to warrant retroactive legislation.

Mr. Speaker, it has now been 6 years since the repeal of these retroactive provisions pertaining to the prepayment of loans under the Section 515 Program. Today we are faced with a more serious problem. While many of the issues that were raised in 1980 will be raised again, I feel strongly that Congress must once again revisit this issue and formulate policy to protect residents in section 515 projects from being displaced when the owners of the projects decide for economic reasons to prepay. Congress acted responsibly when it placed restrictions on loan prepayments by requiring that loan projects placed into service after the effective date of the 1979 legislation be preserved for low-income housing for 20 years. However, the repeal of the retroactive provisions left a tragic void in our Nation's housing policy that has resulted in the displacement of elderly, handicapped and low-income individuals from their housing through no fault of their own.

The legislation that I am introducing today, Mr. Speaker, will put a stop to this drain on our Nation's low-income housing. I would like to emphasize that my legislation is an interim measure. It would prohibit the Secretary of Agriculture from accepting Farmers Home section 515 loan prepayments for 1 year, unless certain conditions are met by the project sponsor. I am proposing an interim measure because I feel strongly that the Congress must thoroughly assess this matter and develop a comprehensive and long-term policy to address these prepayments. The participation of private investors in this program is vitally important and certain advantages must be present to entice their involvement. I cannot, however, ignore the significant number of individuals, including many from my district, who are evicted from a project because the attractive tax advantages for the owners have expired.

The Subcommittee on Housing and Community Development, of which I am a member, will conduct hearings on this issue. At this time, there is a dearth of information regarding the details of section 515 prepayments and the attendant problems such as displacement. In my own State of California, data is available and it is far from encouraging. Loan payoffs have occurred or are pending in 31 Farmers Home projects. According to housing officials as many as 90 percent of the tenants in these projects have been or will be displaced. From all accounts what is happening now is just the tip of the iceberg. The information obtained at congressional hearings will give us the basis from which to start when formulating policy to fill this gap. I look forward to these hearings and hope to hear from all parties involved, including developers, tenants, investors, and housing officials from the Farmers Home Administration.

The resolution of this issue takes on even greater importance when the condition of our Nation's housing stock is considered. The situation today is drastically different than it was when this issue was debated in 1979. First of all, in the past 6 years of the Reagan administration our housing programs have suffered draconian cuts which have resulted in significant reductions in the number of families receiving assistance under both HUD and FmHA. The number of families assisted under FmHA programs has declined by more than 51 percent between 1981 and 1986. Furthermore, in 1979, the Department of Housing and Urban Development had $30 billion in budget authority, in 1986, they have $8 billion in budget authority. In 1979, FmHA had $4.3 billion in loan activity. In 1986, that loan activity dropped to $2 billion.

I bring these figures to the attention of my colleagues to illustrate that the assisted housing stock in our country is diminishing. We simply are not building the number of units now that we were in 1979. If we continue to allow Farmers Home assisted housing projects that were put in service before 1979 to prepay at will, we will continue to lose valuable and needed housing. Statistics show that 52 percent of all units produced through 1985 were approved prior to 1979 and are therefore eligible for prepayment.

Mr. Speaker, we cannot continue to stand by and let the needy, the elderly, and the handicapped fall through the cracks of our Nation's housing policy. We must not allow ourselves to forget the intent and the purpose of the Farmers Home section 515 Program. It is time to draft a policy that will address the serious prepayment issue which is contributing to the shortage of decent, affordable low-income housing in our Nation's rural areas. In doing this, we have to consider both the well being of the low-income residents, as well as the needs of the developers and investors who are instrumental to the success of this program.

The following is the text of the Rural Rental Housing Displacement Prevention Act of 1986.

H.R. —

A bill to amend the Housing Act of 1949 to prevent the displacement of lower income and elderly residents of rural rental housing due to the prepayment of loans made by the Secretary of Agriculture

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Rural Rental Housing Displacement Prevention Act of 1986".

SEC. 2. ASSISTANCE TO PERSONS DISPLACED DUE TO LOAN PREPAYMENTS.

Section 502(c)(2) of the Housing Act of 1949 is amended—

(1) by inserting "(A) after "Secretary"; and

(2) by inserting before the period at the end the following: "; and (B) in the case of such tenants displaced during, or displaced as a result of prepayments approved during, the 1-year period ending on the date of the enactment of the Rural Rental Housing Displacement Prevention Act of 1986, shall provide rental assistance on behalf of such tenants under section 521(a)(2)".

SEC. 3. MORATORIUM ON LOAN PREPAYMENTS UNDER PRIOR CONTRACTS.

Section 502(c) of the Housing Act of 1949 is amended by adding at the end the following new paragraph:

"(3) During the 1-year period following the date of the enactment of the Rural Rental Housing Displacement Prevention Act of 1986, the Secretary shall take the appropriate action referred to in paragraph (1) with respect to any loan made or insured under section 514 or 515 pursuant to a contract entered into before December 21, 1979, if, after examining the offer to prepay the loan and the likely consequences of accepting the offer, the Secretary determines that—

"(A) due to a change in the use of the housing and related facilities involved or to an increase in rental or other charges, likely to occur as a result of prepayment, the moderate or low income families or persons and the elderly or handicapped persons or families residing in the Housing and related facilities at the time of the offer cannot reasonably be expected to remain in occupancy for the applicable period described in paragraph (1), unless the Secretary determines that such residents who are likely to be displaced will be provided with affordable, decent, safe, sanitary, and available alternative housing; or

"(B) in the case of housing and related facilities containing more than 10 dwelling units, the changes likely to occur as a result of prepayment will have a substantial adverse effect on the supply of affordable, decent, safe, and sanitary housing available to moderate or low income families or persons and elderly or handicapped persons or persons and elderly or handicapped persons or families in the area in which the housing and related facilities are located.".

SOVIET MAIL INTERFERENCE

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. GILMAN. Mr. Speaker, today the gentleman from Massachusetts [Mr. FRANK] and I are introducing House Concurrent Resolution 384, legislation expressing the sense of Congress with respect to the Soviet Union's violations of international law governing international mail.

Since 1977, our House Post Office and Civil Service Committee has been holding hearings on the Soviet interception of international mail. To date, we have accumulated over 2,700 exhibits which document the fact that the Soviets are interfering with the international mails in a cold and calculated manner.

Soviet authorities are cutting the lifelines of communication between those living behind the Iron Curtain and their friends and family members on the outside. One letter we received documented the fact that a daughter did not know that her father had been dead for 7 years until the Soviet authorities allowed the information to get out of the country.

Recently our Postal Committee heard testimony from Alexi Semenoff, Alena Bonner's son, on the issue of KGB interception and forgery of correspondence from Ms. Bonner to her family in Boston. A special technical officer from the FBI was also there to discuss detailed photographs of exhibits of the tampered correspondence. It seems the Soviets will go to any length to cover up their misdeeds.

According to testimony from Dr. Sakarov's step-son, Alexi Semyonov, the mail service to his parents is severely limited to occasional post cards to and from Dr. Bonner's mother

living in the United States and rare phone calls made from a public phone in Gorky. In May of last year, the Soviet officials launched a disinformation campaign to refute reports that Dr. Sakharov had renewed his hunger strike protesting the denial of his wife's request to visit abroad for medical treatment. A combination of telegraph, video, and postal forgeries according to the FBI were utilized to make it appear that all was "normal" for the exiles in Gorky. In fact, the Nobel laureate was hospitalized for months against his will and tortuously force fed, while Dr. Bonner knew nothing of her husband's whereabouts. As you know, the diligence of Andrei Sakharov won out. Yelena Bonner received her much needed medical attention. It was her first opportunity in years for her to visit her mother, children, and grandchildren in Massachusetts, hopefully it will not be her last.

Many Members of Congress have already provided our committee with exhibits for our investigation. Most ethnic groups in the United States have been in communication with the committee and have also furnished proof of nondelivery of mail. Accordingly, during the last Universal Postal Union Congress in Hamburg, Germany, five resolutions were adopted that sought to prevent future Soviet mail interference, and a publication entitled "Mailing to the Soviet Union" was recently released by the Postal Service.

The issue is an emotional and a vital one with most ethnic and religious groups not only in the Soviet Union but also here in America. And, we believe it is incumbent upon the House to continue annunciating its concern over their interruption of the international mails.

Accordingly, we invite our colleagues to join with us in condemning these misdeeds and cosponsor House Concurrent Resolution 384.

Mr. Speaker, at this point in the RECORD, we are inserting a full copy or our bill.

H. CON. RES. 384

Concurrent resolution expressing the sense of the Congress concerning the Soviet Union's continued interference with postal communications between the United States and the Soviet Union

Whereas normal postal relations between the residents of the United States and the Soviet Union serve an important and useful purpose toward mutual understanding between both nations, thereby furthering the cause of peace in the world;

Whereas the integrity of the mail service between the United States and the Soviet Union is being called into question by mailers in the United States who assert that postal items are systematically not being delivered to various addresses and addressees in the Soviet Union;

Whereas the nondelivery of mail which is deliverable as addressed and which does not contain prohibited articles is a violation by the Soviet Union of internationally recognized human rights guaranteed to all persons by Article 12 of the Universal Declaration of Human Rights, and is also a violation by the Soviet Union of the provisions of the Helsinki Final Act calling for the freer flow of information between signatory states;

Whereas such nondelivery also violates the Acts of the Universal Postal Union;

Whereas the Congress of the United States has on several occasions addressed this issue and has collected voluminous evidence of Soviet postal malfeasance, and Members of Congress continue to receive complaints of such malfeasance to the present time;

Whereas none of the letters sent in a special mailing to Dr. Andrei Sakharov by our colleagues Senators Boren, Bradley, Cohen, D'Amato, and Denton, and Representatives Biaggi, Courter, Frank, Gilman, Lagomarsino, and Lowery were delivered by Soviet postal employees;

Whereas postal service serves as a lifeline for individuals living within Soviet Bloc nations; and

Whereas the Universal Postal Union Congress in Hamburg, Germany, adopted 5 resolutions in July 1984 in response to Soviet postal malfeasance: Now, therefore, be it

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

(1) that the President—

(A) through the Secretary of State, should express to the Government of the Soviet Union the disapproval of the American people regarding innumerable instances of Soviet violations of the above-mentioned international agreements;

(B) should raise the issue of Soviet noncompliance with the above-mentioned agreements at the upcoming summit meeting; and

(C) should, through the Secretary of State, raise the issue of Soviet violation of the Helsinki Final Act at the follow-up meeting of the Conference on Security and Cooperation in Europe scheduled to convene in Vienna in November 1986; and

(2) that the United States Postal Service—

(A) should increase its efforts in combatting Soviet postal malfeasance; and

(B) should undertake a full investigation with regard to the undelivered letters sent to Dr. Andrei Sakharov by 11 Members of Congress, and inform the Congress, as well as the Universal Postal Union, of its findings.

A TRIBUTE TO AMBASSADOR GEORGE J. FELDMAN

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. GEJDENSON. Mr. Speaker, I rise to pay tribute to the work of a man who has distinguished himself in years of public service, Ambassador George J. Feldman. Ambassador Feldman has served in many capacities, including appointments as Ambassador to Malta in 1965 and to Luxembourg in 1967. Ambassador Feldman has also taken it upon himself in recent years to follow Pope John Paul's visits to major religious sites, including one to the Rome Synagogue in April of this year. Mr. Speaker, I include the remarks made by the Pope on this occasion as well as a letter from Ambassador Feldman to you remarking on the significance of the Pope's words.

August 12, 1986.

Hon. THOMAS P. O'NEILL, Jr.,
The Speaker of the House of Representatives.

DEAR TIP: When I wrote my letter to his Holiness Pope John Paul, II, which you so considerately entered into the Congressional Record for May 21, 1986, I was understandably moved by his universally acclaimed and historically unprecedented visit to the "Major Temple" in Rome and to the thanks he gave to Chief Rabbi, Professor Elio Toaff and to the members of the Jewish Community in Rome. At that time I was reacting to excerpts and to abridged versions of his Holiness' address and particularly to the theme his Holiness expressed when he said, "You are our dearly beloved brothers and, in a certain way, it could be said, you are our elder brothers."

As a result of my letter I have received a copy of the full text from the Vatican and I note a much deeper significance which I believe you will share with me. Although his theme related to "the example of so many men and women who have worked . . . on both sides, to overcome old prejudices . . . that exist between Christians and Jews" his words apply to differences that divides so many of us everywhere. One further quote, "Furthermore it is necessary to say that the path undertaken is still at the beginning, and therefore a considerable amount of time will still be needed, notwithstanding the great efforts already made on both sides, to remove all forms of prejudice, even subtle ones, to readjust every manner of self expression . . . at every level of outlook, teaching and communication", is an illustration of the applicability of that visit to all people.

I am pleased to enclose a copy of his Holiness' address and know you will feel the goodness of it and the strength of the rationale behind it as have I, for I remain in the firm conviction that finally, we shall all be gathered to the bosom of the same God.

My highest regards as always.

Sincerely,

GEORGE J. FELDMAN.

Enclosure.

SECRETARY OF STATE,
FROM THE VATICAN,
July 16, 1986.

Hon. GEORGE FELDMAN.

DEAR AMBASSADOR FELDMAN: His Holiness Pope John Paul II duly received your letter and he has directed me to send you this acknowledgment. He appreciates the sentiments which prompted you to share your thoughts with him.

His Holiness is pleased to assure you of a remembrance in his prayers, and he invokes upon you God's blessings.

Sincerely yours,

MONSIGNOR G.B. RE,
Assessor.

ADDRESS OF HIS HOLINESS POPE JOHN PAUL II AT THE ROME SYNAGOGUE, 13 APRIL 1986

Dear Chief Rabbi of the Jewish community in Rome,

Dear President of the Union of Italian Jewish communities,

Dear President of the community in Rome,

Dear Rabbis,

Dear Jewish and Christian friends and brethren taking part in this historic celebration,

1. First of all, I would like, together with you, to give thanks and praise to the Lord who stretched out the heavens and laid the foundations of the earth (cf. Is 51:16) and who chose Abraham in order to make him father of a multitude of children, as numerous "as the stars of heaven and as the sand which is on the seashore" (Gen 22:17; cf. Is 15:5)—to give thanks and praise to him because it has been his good pleasure, in the mystery of his Providence, that this evening there should be a meeting in this your "Major Temple" between the Jewish community that has been living in this city since the times of the ancient Romans and

the Bishop of Rome and universal Pastor of the Catholic Church.

I likewise feel it is my duty to thank the Chief Rabbi, Professor Elio Toaff, who from the first moment accepted with joy the idea that I should make this visit, and who is now receiving me with great openness of heart and a profound sense of hospitality; and in addition to him I also thank all those members of the Jewish community in Rome who have made this meeting possible and who in so many ways have worked to ensure that it should be at one and the same time a reality and a symbol.

Many thanks therefore to you all.

Todâ rabbâ. (Many thanks).

2. In the light of the Word of God that has just been proclaimed and that lives for ever (cf. Is 30:8), I would like us to reflect together, in the presence of the Holy One—may he be blessed! (as your liturgy says)—on the fact and the significance of this meeting between the Bishop of Rome, the Pope, and the Jewish community that lives and works in this city which is so dear to you and to me.

I had been thinking of this visit for a long time. In fact, the Chief Rabbi was kind enough to come and see me, in February 1981, when I paid a pastoral visit to the nearby Parish of San Carlo ai Catenari. In addition, a number of you have been more than once to the Vatican, on the occasion of the numerous audiences that I have been able to have with representatives of Italian and world Jewry, and still earlier, in the time of my predecessors Paul VI, John XXIII and Pius XII. I am likewise well aware that the Chief Rabbi, on the night before the death of Pope John, did not hesitate to go to Saint Peter's Square; and accompanied by members of the Jewish faithful, he mingled with the crowd of Catholics and other Christians, in order to pray and keep vigil, as it were bearing witness, in a silent but very effective way, to the greatness of soul of that Pontiff, who was open to all people without distinction, and in particular to the Jewish brethren.

The heritage that I would now like to take up is precisely that of Pope John, who on one occasion, as he passed by here—as the Chief Rabbi has just mentioned—stopped the car so that he could bless the crowd of Jews who were coming out of this very Temple. And I would like to take up his heritage at this very moment, when I find myself not just outside, but, thanks to your generous hospitality, inside the Synagogue of Rome.

3. This gathering in a way brings to a close, after the Pontificate of John XXIII and the Second Vatican Council, a long period which we must not tire of reflecting upon in order to draw from it the appropriate lessons. Certainly, we cannot and should not forget that the historical circumstances of the past were very different from those that have laboriously matured over the centuries. The general acceptance of a legitimate plurality on the social, civil and religious levels has been arrived at with great difficulty. Nevertheless, a consideration of centuries-long cultural conditioning could not prevent us from recognizing that the acts of discrimination, unjustified limitation of religious freedom, oppression also on the level of civil freedom in regard to the Jews were, from an objective point of view, gravely deplorable manifestations. Yes, once again, through myself, the Church, in the words of the well-known Declaration *Nostra Aetate* (No. 4), "deplores the hatred, persecutions, and displays of anti-Semitism directed against the Jews at any time and by anyone"; I repeat: "by anyone".

I would like once more to express a word of abhorrence for the genocide decreed against the Jewish people during the last War, which led to the holocaust of millions of innocent victims.

When I visited on 7 June 1979 the concentration camp at Auschwitz and prayed for the many victims from various nations, I paused in particular before the memorial stone with the inscription in Hebrew and thus manifested the sentiments of my heart: "This inscription stirs the memory of the People whose sons and daughters were destined to total extermination. This People has its origin in Abraham, who is our father in faith (cf. Rom 4:12), as Paul of Tarsus expressed it. Precisely this people, which received from God the commandment: 'Thou shalt not kill', has experienced in itself to a particular degree what killing means. Before this inscription it is not permissible for anyone to pass by with indifference" (Insegnamenti 1979, p. 1484).

The Jewish community of Rome too paid a high price in blood.

And it was surely a significant gesture that in those dark years of racial persecution the doors of our religious houses, of our churches, of the Roman Seminary, of buildings belonging to the Holy See and the Vatican City itself were thrown open to offer refuge and safety to so many Jews of Rome being hunted by their persecutors.

4. Today's visit is meant to make a decisive contribution to the consolidation of the good relations between our two communities, in imitation of the example of so many men and women who have worked and who are still working today, on both sides, to overcome old prejudices and to secure ever wider and fuller recognition of that "bond" and that "common spiritual patrimony" that exists between Jews and Christians.

This is the hope expressed in the fourth paragraph of the Council's Declaration *Nostra Aetate*, which I have just mentioned, on the relationship of the Church to non-Christian religions. The decisive turning-point in relations between the Catholic Church and Judaism, and with individual Jews, was occasioned by this brief but incisive paragraph.

We are all aware that, among the riches of this paragraph No. 4 of *Nostra Aetate*, three points are especially relevant. I would like to underline them here, before you, in this truly unique circumstance.

The first is that the Church of Christ discovers her "bond" with Judaism by "searching into her own mystery", (cf. *Nostra Aetate, ibid.*). The Jewish religion is not "extrinsic" to us, but in a certain way is "intrinsic" to our own religion. With Judaism therefore we have a relationship which we do not have with any other religion. You are our dearly beloved brothers and, in a certain way, it could be said that you are our elder brothers.

The second point noted by the Council is that no ancestral or collective blame can be imputed to the Jews as a people for "what happened in Christ's passion" (cf. *Nostra Aetate, ibid.*). Not indiscriminately to the Jews of that time, nor to those who came afterwards, nor to those of today. So any alleged theological justification for discriminatory measures or, worse still, for acts of persecution is unfounded. The Lord will judge each one "according to his own works", Jews and Christians alike (cf. Rm 2:6).

The third point that I would like to emphasize in the Council's Declaration is a consequence of the second. Notwithstanding the Church's awareness of her own identity, it is not lawful to say that the Jews are "repudiated or cursed", as if this were taught or could be deduced from the Sacred Scriptures of the Old or the New Testament (cf. *Nostra Aetate, ibid.*). Indeed, the Council had already said in this same text of *Nostra Aetate*, but also in the Dogmatic Constitution *Lumen Gentium* (No. 16), referring to Saint Paul in the Letter to the Romans (11:28-29), that the Jews are beloved of God, who has called them with an irrevocable calling.

5. On these convictions rest our present relations. On the occasion of this visit to your Synagogue, I wish to reaffirm them and to proclaim them in their perennial value.

For this is the meaning which is to be attributed to my visit to you, to the Jews of Rome.

It is not of course because the differences between us have now been overcome that I have come among you. We know well that this is not so.

First of all, each of our religions, in the full awareness of the many bonds which unite them to each other, and in the first place that "bond" which the Council spoke of, wishes to be recognized and respected in its own identity, beyond any syncretism and any ambiguous appropriation.

Furthermore, it is necessary to say that the path undertaken is still at the beginning, and therefore a considerable amount of time will still be needed, notwithstanding the great efforts already made on both sides, to remove all forms of prejudice, even subtle one, to readjust every manner of self-expression and therefore to present always and everywhere, to ourselves and to others, the true face of the Jews and of Judaism, as likewise of Christians and of Christianity, and this at every level of outlook, teaching and communication.

In this regard, I would like to remind my brothers and sisters of the Catholic Church, also those living in Rome, of the fact that the guidelines for implementing the Council in this precise field are already available to everyone in the two documents published respectively in 1974 and in 1985 by the Holy See's Commission for Religious Relations with Judaism. It is only a question of studying them carefully, of immersing oneself in their teachings and of putting them into practice.

Perhaps there still remain between us difficulties of the practical order waiting to be overcome on the level of fraternal relations: these are the result of centuries of mutual misunderstanding, and also of different positions and attitudes, not easily settled, in complex and important matters.

No one is unaware that the fundamental difference from the very beginning has been the attachment of us Christians to the person and teaching of Jesus of Nazareth, a son of your People, from which were also born the Virgin Mary, the Apostles who were the "foundations and pillars of the Church" and the greater part of the first Christian community. But this attachment is located in the order of faith, that is to say in the free assent of the mind and heart guided by the Spirit, and it can never be the object of exterior pressure, in one sense or the other. This is the reason why we wish to deepen dialogue in loyalty and friendship, in respect for one another's intimate convic-

tions, taking as a fundamental basis the elements of the Revelation which we have in common, as a "great spiritual patrimony" (cf. *Nostra Aetate*, No. 4).

6. It must be said, then, that the ways opened for our collaboration, in the light of our common heritage drawn from the Law and the Prophets, are various and important. We wish to recall first of all a collaboration in favor of man, his life from conception until natural death, his dignity, his freedom, his rights, his self-development in a society which is not hostile but friendly and favourable, where justice reigns and where, in this nation, on the various continents and throughout the world, it is peace that rules, the shalom hoped for by the lawmakers, prophets and wise men of Israel.

More in general, there is the problem of morality, the great field of individual and social ethics. We are all aware of how acute the crisis is on this point in the age in which we are living. In a society which is often lost in agnosticism and individualism and which is suffering the bitter consequences of selfishness and violence, Jews and Christians are the trustees and witnesses of an ethic marked by the Ten Commandments, in the observance of which man finds his truth and freedom. To promote a common reflection and collaboration on this point is one of the great duties of the hour.

And finally I wish to address a thought to this City in which there live side by side the Catholic community with its Bishop, and the Jewish community with its authorities and its Chief Rabbi.

Let this not be a mere "co-existence", a kind of juxtaposition, interspersed with limited and occasional meetings, but let it be animated by fraternal love.

7. The problems of Rome are many. You know this well. Each one of us, in the light of that blessed heritage to which I alluded earlier, is conscious of an obligation to work together, at least to some degree, for their solution. Let us seek, as far as possible, to do so together; from this visit of mine and from the harmony and serenity which we have attained may there flow forth a fresh and health-giving spring like the river that Ezekiel saw gushing from the eastern gate of the Temple of Jerusalem (cf. Ezek 47:1 ff.), which will help to heal the wounds from which Rome is suffering.

In doing this, I venture to say, we shall each be faithful to our most sacred commitments, and also to that which most profoundly unites and gathers us together: faith in the One God who "loves strangers" and "renders justice to the orphan and the widow" (cf. Deut 10:18), commanding us too to love and help them (cf. ibid., and Lev 19:18,34). Christians have learned this desire of the Lord from the Torah, which you here venerate, and from Jesus, who took to its extreme consequences the love demanded by the Torah.

8. All that remains for me now, as at the beginning of my address, is to turn my eyes and my mind to the Lord, to thank him and praise him for this joyful meeting and for the good things which are already flowing from it, for the rediscovered brotherhood and for the new and more profound understanding between us here in Rome, and between the Church and Judaism everywhere, in every country, for the benefit of all.

Therefore I would like to say with the Psalmist, in his original language which is also your own inheritance:

hodû la Adonai ki tob
ki le olam hasdô
yomar-na Yisrael
ki le olam hasdô
yomerû-na yir'è Adonai
ki le olam hasdô (Ps 118:1-2,4).

O give thanks to the Lord for he is good,
his steadfast love endures for ever!
Let Israel say,
"His steadfast love endures for ever".
Let those who fear the Lord say,
"His steadfast love endures for ever".

Amen.

SAM JACOBY: GATEWAYS MAN OF THE YEAR

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. WAXMAN. Mr. Speaker, on November 2, 1986, Gateways Hospital's Men's Club will honor Sam Jacoby as the 21st "Man of the Year." Sam was unanimously endorsed in recognition of his 40-plus years of commitment to serving the community as well as countless charitable organizations.

The man of the year received several citations for combat action with the 1st Cavalry Division in the Pacific during World War II and, later, served in the Philippines as a special Army agent in the CID's Criminal Investigation Division. Back in civilian life after completing his studies in journalism at major universities, he pursued a successful career as a columnist, editor, publisher, motion picture author and producer as well as advertising and public relations executive, speech writer, and songwriter.

Sam Jacoby's principal activity and concern over the past four decades has been his involvement in community and charitable causes. He has earned dozens of awards and held numerous official positions. Among them are ambassador for Al Malaikah Temple; president of Westwood Shrine Club in 1974 and honored as man of the year in 1976; organizer of B'nai Chaim Temple; recipient of Akiba Award for helping organize Toluca Lake B'nai Brith Lodge; award of life membership for founding, organizing, and serving as commander, three terms, of the San Fernando Valley Post Jewish War Veterans.

He holds a charter membership in King Solomon Lodge B'nai B'rith and was president in 1983-84; is a member of the Show Business Shrine Club, Peace Officers Shrine Club, Masonic Press Club, Hollywood Press Club, the Disabled American War Veterans Association, and Saints and Sinners. He has also lent his guidance to United Way, Adat Ari El Temple, United Jewish Appeal, Motion Picture Producers Association Permanent Charities Committee, Red Cross, Anti-Defamation League and Hillel organizations.

On behalf of Gateways Hospital, Sam Jacoby has served as organizer and dinner chairman for 15 Heal-A-Mind campaigns and balls. He is a member of the board of directors of the hospital and was president of the men's club in 1978. In all, Sam has helped to raise more than $1 million for Gateways Hospital and Mental Health Center.

Sam Jacoby attributes his dedication to charity directly to his mother. In "literally giving of her heart, soul, even possessions to the needy" * * * a Biblical dictum that charity, above all else, is every man's duty * * * an example was set for him to follow as a "way of life."

I ask the Members to join me in congratulating Sam Jacoby on this special occasion and to wish him many more years of fulfillment and success in all of his endeavors.

SSDI AND SSI PROGRAMS MAKE INSUFFICIENT ALLOWANCE FOR MS VICTIMS

HON. GERRY SIKORSKI

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. SIKORSKI. Mr. Speaker, I am proud to introduce today legislation that will address the unusual difficulties which people with multiple sclerosis face in applying for and retaining benefits under the Social Security Administration's disability programs.

When the Social Security Act of 1935 was signed into law on August 14, 1985, a chief goal of the legislation was to devise safeguards against misfortune which cannot be wholly eliminated in this manmade world of ours. Two of the key programs which eventually resulted are known as Social Security Disability Insurance [SSDI] and Supplemental Security Income [SSI]. These programs provide benefits to persons with disabling impairments who are unable to perform substantial gainful work. Although the primary concern of these programs has been to provide monthly cash benefits to the disabled, recent amendments have incorporated work incentive provisions which seek to encourage beneficiaries to attempt to work whenever possible.

Regrettably, both the SSDI and SSI programs make insufficient allowance for features of multiple sclerosis [MS] that set it apart from other diseases. As the result of the highly unpredictable and variable character of MS, many people who are serverely disabled by the disease face unusual problems in obtaining Social Security disability benefits. Similarly, those who do become eligible face considerable disincentives to attempting a return to work. In short, for people with MS, the Social Security disability programs often fail to achieve their purposes.

In order to alleviate the serious obstacles faced by people with MS who seek to obtain Social Security disability benefits or to return to work after gaining eligibility, I propose that titles II and XVI of the Social Security Act be amended to:

First, provide SSDI and SSI beneficiaries with multiple sclerosis with a permanent "extended period of elibigility" following initial period of "trial work." This extended period of eligibility would continue until they become eligible to transfer into the Old Age Program.

Second, exempt applicants for SSDI who have multiple sclerosis from the "recency of work" requirements used to determine eligibility.

Third, for SSDI beneficiaries with MS, raise the threshold earnings level used to define "substantial gainful activity" [SGA].

Multiple sclerosis is a lifelong disease. It is an often progressive, moderately to severely disabling condition of the central nervous system consisting of the brain and spinal cord. There is no effective treatment and no cure.

The disease is characterized by deterioration of the myelin coating that sheaths human nerve fibers. When myelin is destroyed, it is replaced by plaques of hardened tissue, "sclerosis." Plaquing occurs in multiple locations in varying patterns in the central nervous system. At first, nerve impulses may be transmitted through areas of plaque with only minor interruptions. Later, however, plaques may completely obstruct the passage of nerve impulses along affected nerve pathways.

Myriad bodily functions associated with obstructed pathways are disrupted. Among the many MS signs and symptoms are: weakness and paralysis, incoordination, visual deterioration including blindess or double vision, exertional fatigue and nonexertional lassitude (an overwhelming feeling of being "wiped out"), sensory dysfunction, bowel and bladder incontinence, numbness, slurred speech, intention tremors, stiffness of spasticity, and an array of neuropsychological problems including cognitive disturbances.

What is most distinctive about multiple sclerosis is its astonishing unpredictability and variability. The disease is marked by uncertainties of prognosis; uncertainties of fluctuating symptoms; uncertainties of the "course" it will take (its progression); uncertainties of the cumulative debilitating effects of combinations of fluctuating symptoms; in many cases, unpredictable cycles of exacerbations and remissions; and the unpredictable occurrence of residual dysfunction following each new exacerbation.

These symptoms produce serious functional and coping problems for the person with MS and for his or her family. With most other diseases, there is a single period of adjustment, followed by stasis or predictable progression; once the emotional responses of affected parties have stabilized, coping techniques can be developed and maintained. In contrast, with MS, changes in the individual's condition are typically so marked that there is a need to readjust emotionally and learn new coping methods following each new episode of the disease.

Multiple sclerosis is the most common neurological disease among young adults, most often white females. By the point of disease onset, many have completed their formal education, have begun families, and have begun to establish themselves in careers. Approximately two-thirds of those with MS experience their first symptoms between the ages of 20 and 40, with average age of onset at about 30. In some cases, the diagnosis is not made until a person is in his or her 40's or even 50's. In these cases, a detailed medical history often reveals that symptoms had appeared previously but had not at the time been sufficiently pronounced to warrant intensive medical attention and hence a disagnosis.

Extremes of unpredictability and variability, diagnostic difficulties, the range of symptoms, and special coping problems render multiple sclerosis unique and deserving of unusual treatment under Federal disability standards.

A majority of people with multiple sclerosis experience periodic remissions, with subsequent exacerbations, throughout the course of their lives. Many others have MS that begins in this exacerbating/remitting form, but that evolves into remitting/progressive or straight progressive MS.

In its exacerbating/remitting and remitting/progressive forms, MS yields a variety of severe and disabling conditions that come and go. Therefore, the ability to work fluctuates. An individual with MS might on a given day be wholly incapable of engaging in any form of work activity. Yet shortly thereafter, that person's symptoms may have altered in a manner that work is temporarily both possible and desirable.

MS presents other unusual problems with respect to Social Security determinations of an individual's disability and work capability. These include: First, the difficulty and delay in diagnosing MS (in one-third of cases, this amounts to at least 5 years between first appearance of symptoms and diagnosis); second, the consequent problem of having to establish the onset date retroactively; and third, the common problem of poor medical documentation for the early years when the diagnosis was not yet established. The foregoing difficulties can be critical with respect to Federal disability determinations.

Because multiple sclerosis is a lifelong disease, when people with MS become eligible for disability payments they usually retain their benefits permanently, so long as they do not attempt to work. MS is one of a number of diseases categorized by the Social Security Administration as medical improvement not expected.

Problems often arise, however, because MS typically attacks young adults, many of whom have a particularly strong need and desire to work. For the majority of these people, the symptoms of the disease come and go. During remissions, despite residual impairments, they are able to work and enjoy productive daily schedules. Often these remissions will cover a substantial portion of each year, leaving the individual incapacitated a few weeks or months at a time.

The process of obtaining a diagnosis of MS and establishing initial benefit eligibility is exceedingly difficult and uncertain. Beneficiaries are acutely aware of these difficulties and are afraid to place their benefits at risk by attempting to work during periods when the symptoms of their MS are in remission or stabilized. The fear is that they will lose their benefits and that a period of exacerbation, or renewed incapacitation, will return after they have been deemed capable of work. This fear creates a serious work disincentive which is counterproductive to the interests of the MS community and the Social Security Administration.

SSDI and SSI beneficiaries are offered a trial work period. If they successfully earn above $75 in gross wages in each of 9 (not necessarily consecutive) months, they are given an extended period of eligibility of 15 months, and then lose their benefit eligibility.

During the extended period of eligibility, benefits can be received for each month in which the beneficiary does not earn above threshold levels, but benefits are suspended during months when the threshold levels are exceeded. If, after the 15-month extended period of eligibility, a beneficiary must stop work because of disability, he or she must file a new Social Security application.

I propose enabling beneficiaries with MS to maintain their extended period of eligibility permanently following trial work—subject only to conversion to Old Age benefits at age 65—and to move freely between work and benefits as often as necessary.

In the long run, this change will promote the well-being of both MS Social Security beneficiaries and the benefit programs themselves. Beneficiaries will achieve the greater self-esteem, self-reliance, personal growth, and potentially increased income that come from remunerative work. The Federal Government will benefit from the increased efficiency and cost savings that result from the payment of benefits for far fewer months—only those when individual MS beneficiaries are unable to earn above the threshold levels. Federal and State governments will also obtain increased tax revenues.

In order for an applicant to be eligible for Social Security Disability Insurance, the individual must meet the requirements of both "fully insured status" and "disability insured status.' One of the key criteria for achieving disability insured status is the "recency test," which measures the applicant's work history in 3-month periods, or quarters. The recency test requires the applicant to have worked during a minimum of 20 quarters out of the 10-year period preceding the point in time when the onset of disability occurred. For applicants who became disabled before age 31, this requirement is modified to one-half of the quarters which fall between age 21 and the onset of disability. A minimum of 6 quarters of coverage is required.

The recency criteria present a number of special difficulties for people with multiple sclerosis who seek to establish SSDI eligibility. The criteria fail adequately to allow for the difficulty of obtaining a definitive MS diagnosis and for the frequently considerable delay that results. As the result of these difficulties, people with MS encounter problems in establishing an MS onset date within the period of eligibility as defined by the recency of work requirements. Some applicants with MS attempt to establish an onset date retroactively to prove that their disability onset occurred when they still had disability insured status. This effort is usually impeded by a lack of early medical documentation of the disease and its effects on the applicant. Others with a delayed diagnosis may simply be informed that their eligibility period has lapsed, and never learn about or undertake the difficult legalistic effort of establishing onset date retroactively. Still others, debilitated by MS fatigue and neuropsychological effects of the disease, are aware of but unable or unwilling to undertake this effort.

The recency of work requirements also pose serious difficulties for people with MS because a majority of the affected individuals are young adult females. Even in contemporary society, in which women often work, many continue to leave the work force at some point in their prime child-bearing years to have and raise children. These women often experience their first symptoms after

leaving the work force. Often, too, they are initially unaware that they have MS, because of the long period required for diagnosis. By the time they are finally diagnosed and apply for Social Security Disability Insurance, they recency of work test, combined with the absense from the work force during the preceding years, precludes eligibility. Accordingly, the recency requirements exert a disproportionate impact on the female young adults who are most subject to MS.

Under my proposal SSDI applicants with MS would be exempt from the recency test. They would, nonetheless, remain subject to the minimum requirements needed for fully insured status.

To be classified as under a disability for purposes of SSDI eligibility, the applicant or beneficiary must be deemed unable to engage in any "substantial gainful activity" [SGA] by reason of any medically determinable physical or mental impairment. One standard applied to ascertain whether an individual is capable of engaging in SGA is by checking his or her income level. If certain threshold earnings—currently $300 per month, with the exception of that for the blind—are exceeded, a finding of SGA is made, and the individual is deemed ineligible for benefits.

This threshold earnings level provides disabled beneficiaries in general with a major disincentive to work. They fear that their valuable disability income and associated health insurance benefits might be endangered if they exceed this remarkably low level of earnings. The disincentive is particularly significant with respect to people with multiple sclerosis. In part, this is because of the difficulty many of them have in obtaining benefits. Also, in view of the unpredictable and lifelong nature of the disease, and the unavailability of insurance, health insurance coverage is especially valuable to them. If these individuals were to lose their benefits, earnings at the SGA level would be wholly inadequate to meet their needs in the absence of health insurance coverage. Further, temporary remissions often render people with MS capable of performing some work, notwithstanding their disability, but typically they remain incapable of sustaining highly remunerative work on a continuing basis. Exacerbations will likely occur, again making them incapable of work.

I propose increasing the SGA threshold for beneficiaries with MS to approximately $610 per month—comparable to that for persons disabled due to blindness—and calculating future amounts in the same manner as they will be calculated for the blind. This change would bring those with MS closer to a level at which they would have a true incentive to attempt work, consistent with the aims of the Social Security Program, while reducing the loss of benefits based on sporadic and insufficient income.

The Social Security Administration, in recent rules published in the Federal Register, has recognized some of the unusual features of multiple sclerosis that distinguish it from most other diseases and that merit special consideration in SSA disability determinations. In a rule affecting continuing reviews of disability, SSA established that in cases such as MS where evidence shows that an individual's impairment is subject to temporary remission, SSA examiners should be careful to consider the longitudinal history of the impairment(s), including the occurrence of prior remissions, and prospects for future worsening of the impairment(s). The rule specifies that improvement in such impairments that is only temporary will not warrant a finding of medical improvement. Similarly, most recently, in response to a comment by the National MS Society, the SSA agreed to amend the definition of "permanent impairment," and indicated that temporary remission in the severity of an impairment will not be a factor in deciding if an impairment is permanent. SSA stated, "a prime example of such an impairment is multiple sclerosis." The proposals in my bill are consistent with this growing recognition of the exceptional nature of MS, and of the special difficulties that this disease presents to SSDI and SSI applicants and beneficiaries.

The proposed amendments are not exhaustive. There are other problems faced by applicants and beneficiaries with MS that are not addressed. Nor are the amendments the only ways by which these people could be assisted to lead useful and productive lives to the maximum possible extent. Nonetheless, implementation of the suggested changes will constitute a significant step toward the objective of providing unique forms of assistance to people affected by this lifelong, severe, disabling, unpredictable, and unique disease. I invite and welcome your support of this important legislation.

H.R. —

A bill to amend titles II and XVI of the Social Security Act to establish more realistic rules for determining the eligibility of individuals who have multiple sclerosis for benefits based on disability under the OASDI and SSI programs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. OASDI AMENDMENTS: TERMINATION MONTH, RECENCY OF EMPLOYMENT, AND THRESHOLD EARNINGS LEVELS.

(a) TERMINATION MONTH.—Section 223(a)(1) of the Social Security Act is amended—

(1) by striking out "the earlier of", and inserting "If earlier," after "(II)", in the second sentence; and

(2) by inserting after the second sentence the following new sentence: "In determining the termination month in the case of an individual whose impairment (on which his or her benefits are wholly or partly based) is multiple sclerosis, such impairment shall be considered permanently disabling for purposes of clause (I) of the preceding sentence, and clause (II) of such sentence shall not apply.".

(b) RECENCY OF EMPLOYMENT.—The first sentence of section 223(c)(1) of such Act is amended by inserting immediately before the period at the end thereof (in the matter after and below subparagraph (B)) the following: "or who has multiple sclerosis".

(c) THRESHOLD EARNINGS LEVELS.—The second sentence of section 223(d)(4) of such Act is amended by inserting after "No individual who is blind" the following: "or who has multiple sclerosis".

SEC. 2. SSI AMENDMENT: TERMINATION MONTH.

Section 1614(a)(3)(F) of the Social Security Act is amended—

(1) by striking out "the earlier of", and inserting "if earlier," after "(ii)", in the second sentence; and

(2) by adding after the second sentence the following new sentence: "In determining the termination month in the case of an individual whose impairment (on which his or her benefits are wholly or partly based) is multiple sclerosis, such impairment shall be considered permanently disabling for purposes of clause (i) of the preceding sentence, and clause (ii) of such sentence shall not apply.".

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall become effective October 1, 1986.

A GOOD GOVERNOR

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. GARCIA. Mr. Speaker, Charles Krauthammer wrote an excellent essay on Gov. Mario Cuomo of New York in today's Washington Post. As usual, there is speculation about the Governor's quest for the 1988 Presidential nomination.

I would like to insert Mr. Krauthammer's essay into the RECORD not to fan those speculative fires, but to point out that the people of New York are fortunate to have a Governor with such a highly defined sense of the ultimate purpose of politics in a democratic society—to serve the people. One does not always have to agree with Mario Cuomo to respect and admire his strong convictions and sense of integrity.

I mention all this, as I said, not to push the Governor's name in the forefront of future political races; that is, those beyond 1986. No; I mention this only to reinforce what most of us in New York already know, that we have a fine Governor who serves his State well. The future will take care of itself.

The essay follows:

[From the Washington Post, Aug. 15, 1986]

CUOMO WON'T TAKE THE EASY ROUTE

(Charles Krauthammer)

Vintage Mario Cuomo. Addressing the American Bar Association this week, he deplored the practice of appointing judges on the basis of ideology. He called instead for judging judges solely on the basis of "merit." Cuomo acknowledged that for 150 years presidents have tried to appoint ideological soulmates. One hundred and fifty years, but still a "bad habit." We should—he would—stop it.

"Perhaps many will label this as naive," said Cuomo. Sen. Orrin Hatch had another label, "Sour grapes," he said, from a man whose "party is not in control of who gets appointed," Since *Brown v. Board of Education*, liberalism, finding the president and the Congress often recalcitrant if not hostile, has made the courts its chosen instrument of social change. Now that a conservative president moves to reshape the Supreme Court to his liking, Democrats have suddenly discovered the merit principle.

Hatch has a point about timing. By and large, the charge is true that liberals, having held the judicial ball for 30 years and then fumbled it away, now want to declare the forward pass illegal. But on

intent—Cuomo's intent—I think Hatch missed the mark. Mario Cuomo is exactly the kind of man who as president would disappoint his liberal supporters and choose for the court the best and brightest, even (especially—it would reinforce his point) those not of this ideological stripe.

A statesman is a retired politician who urges his successors to do all the noble things he never had the courage to do. Cuomo is a premature statesman. He urges difficult things before he gets in the office and then, once in, sticks by them. He ran for governor of New York opposed to capital punishment, knowing it was an overwhelmingly unpopular position. As governor, he has stuck to his guns. Every year the legislature passes the death penalty. Every year Cuomo vetoes it.

Two years ago he waded into the Geraldine Ferraro-Archbishop O'Connor abortion debate. He took neither position but instead staked out new and difficult ground. The usual solution (John Kennedy's, for example) to a politician's "Catholic problem" is to say. "I serve first the Constitution. I will permit nothing to supersede that commitment."

There is nothing dishonorable about this solution, but Cuomo does not choose it. Religion is for him a matter of belief and not just affiliation. He said publicly, "I am a governor, I am a Democrat, but I am a Catholic first—my soul is more important to me than my body." On abortion Cuomo declared, "I accept the teaching of my church," He then proceeded to give the theology faculty at Notre Dame a closely reasoned argument, appealing to the American tradition of "Catholic realism," as to why he would nevertheless not seek to turn the Catholic position into civil law.

There is a lot to argue with in this view. Nevertheless, in this case as in others, Cuomo demonstrates that he is not one to take the easy route. His reputation for moral hauteur comes from the feeling that he won't let anyone else take that route either. His thunderous San Francisco convention speech was about the obligation of the well-off to share their good fortune with the poor.

Not a popular theme in the age of Reagan. In Reagan's Opportunity Society, virtue is at best a byproduct, at worst a nuisance. Reagan has achieved enormous political success by offering the opposite vision: like capitalism, it encourages the baser instincts (acquisitiveness, selfishness) in the expectation (it must be admitted that history has been kind to this idea) that an invisable hand will transmute them into the general good.

Cuomo's creed is the need to strengthen the visible hand, which in this era must belong to government. He believes in compassion—for what it does not just for the receiver but for the giver. He is considered the candidate of liberalism. In fact, he is the candidate of virtue.

Virtue—they don't call it that—is emerging as a Democratic theme for '88. Cuomo's is perhaps the most extreme form, but the idea of sacrifice or "true patriotism" is the Democratic alternative to the self-congratulatory, narcissistic patriotism of Reaganism. Each candidate gives the civic virtue theme his own rationale. Wired Joe Biden: we need the feeling back. Cool Hand Hart: it is a technical requirement for the machine of state (if we are to compete with the Japanese, etc). Mario Cuomo, political ascetic: it is a moral necessity.

Can you win an American presidential election running on virtue? On feeling, on community, on Hands Across America? Without a recession, doubtful. And if, on the road to New Hampshire, the theme begins to fade in Pat Caddell's polls, expect the others to look for another one. Not Cuomo. He would no more do that than stack a court with liberals.

CHILD CARE CENTER CLOSINGS SPUR CRISIS

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. MILLER of California. Mr. Speaker, I would like to warn my colleagues of a potential nationwide crisis in child care. Recently, I was alerted to such a crisis in my own district.

On August 29, two State-subsidized child care centers serving 75 low-income children will close in Concord, CA, leaving their families, most of whom are single parents, scrambling to find child care so that they can go to work to attend job-training programs. The centers are closing because State subsidies have failed to keep pace with the rising cost of quality child care. The crisis is particularly acute because there are already 300 families waiting for subsidized child care in Contra Costa County.

The alternatives are not promising. Many fear that these children, who are between the ages of 5 and 9, will be left home alone and unsupervised after school.

The other alternative is also unacceptable. For many single mothers with low-paying jobs who currently need subsidized child care to work or to seek job training, the alternative is to drop out of training or the work force, and join the welfare rolls.

My own district may be one of the first to be affected, but it certainly won't be the last. Every district has working families who depend on child care every day.

County officials in my district are doing their best to try to meet the tremendous need, but there are 25,000 children in the county in need of child care, and only 3,000 slots. They have recognized that child care is an essential municipal service and have come up with a plan to meet some of the need. But they can't do it alone.

The Federal Government must play a greater role, so that child care programs for the children of working families can stay open, and so that families trying to be self-sufficient can be supported in their efforts.

We need to be expanding the supply of child care, not shrinking it.

I would like to share an article from the Contra Costa Times. Parents who will lose child care at the end of the month describe the crisis better than I, and I urge my colleagues to heed their message.

[From the Contra Costa Times, Aug. 14, 1986]

DAY CARE CLOSINGS SEND PARENTS SCRAMBLING

(By Judy Ronningen)

CONCORD.—Single parents working for low pay are scrambling to find care for their school-age children after learning that two subsidized centers serving 75 children will close Aug. 29.

Closure of the Crawford Village and part of the Willow Creek centers will eliminate one-third of all the state-subsidized spaces in Central County where low-income parents can send 5- through 9-year-olds.

They are closing because state subsidies rose only 1 percent this year, while expenses rose higher, said Carolyn Lewis, executive director of the Mt. Diablo Community Child Care Advocates. The state pays 82 percent of the operating budget. Last year, the centers operated $4,000 in the red.

As a result, child-care professionals are predicting that more children as young as kindergarten age will be carrying their fingerprinting and math papers home to an empty house.

"You can be sure there'll be a lot of kids taking care of themselves," said Ronnie Vale of the Contra Costa Children's Council.

Ruth Fernandez, a waitress, worries about who will pick up her 8-year-old daughter and take her to day care—even if she can find care she can afford on a salary of $3.50 an hour.

At Willow Creek center, there was a bus to pick up children. Fernandez said she has no one to pick up her daughter at school and take her to day care.

"I told my ex-husband, maybe she's not going to school this year. Maybe she has to come with me to work," she said.

Clauette Roberts, a bank employee, says she will pay $250 to $300 a month for after-school care for her 8-year-old daughter. She paid one-third as much at Willow Creek Center.

"My parents are going to help me (pay for it), but I'm not sure how long I can depend on that," said Roberts. She said she knows mothers who will let even younger children stay home by themselves.

Parents pay as little as 50 cents a day per child for care at the Crawford Center and in the school-age program at Willow Creek Center, where a preschool program will continue.

During the summer, they provide a full-day program for children for 9 to 10 hours a day.

Nearly all of the parents are single mothers working at low-paying jobs. To qualify, a single mother, with a child can earn no more than $1,300, but most of the slots go to the lowest-paid mothers who may earn $770 to $1,000 a month. A few are on welfare and taking job training.

Lewis said it is impossible to raise parent fees in order to break even: Fees are set by the state as a condition of receiving subsidies.

She said another factor in the decision to close the centers was that the Mt. Diablo School District said the child-care agency would no longer be able to use the Crawford Village school.

It was needed as an alternative high school; since the Olympic High School campus is being sold. Since then, the district has changed its mind and would have allowed use of the school for another year.

Other centers with state-subsidized room for school-age children are the Cambridge Community Center, the Concord Child Care Center, the Martinez Early Childhood Education Center, and the Mt. Diablorun Holbrook Child Care Center.

All are full except Holbrook, which may take 14 transfers from the child centers.

The city of Concord sponsors "Our Place" for fourth- through sixth-graders, the age

group most likely to be left alone by themselves.

Anita Michel, an entry-level computer programmer, is grateful that her fourth-grade daughter qualifies for "Our Place." At $50 every eight weeks, it's a bargain.

Her younger daughter, a kindergartner, will go to a private home for family day care at $1.75 an hour.

Michel considers herself lucky to be paying double what she paid at Willow Creek, and lucky that her programming classes ended this year and she was able to land a job.

"If it were not for child care, I would not have finished school and gotten work," she said. "It's very sad that they're closing."

REPRESENTATIVE GILMAN'S ADDRESS ON HUMAN RIGHTS TO THE EUROPEAN PARLIAMENT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. LANTOS. Mr. Speaker, earlier this summer the delegations from both our own body and that of the European Parliament met in Santa Fe, NM, to discuss a wide range of issues. Prominent among these was human rights, a deep concern of so many Members of Congress. One of our most active fighters in the struggle for human rights worldwide, Congressman BEN GILMAN, was asked to deliver the American delegation's address on this important subject. As ranking minority member of the Foreign Affairs Subcommittee on Europe and the Middle East, and as an executive committee member of the human rights caucus, BEN GILMAN has been a champion for many years on behalf of those tens of thousands of innocent men and women denied the basic freedoms of communications, religion, and cultural heritage guaranteed them by the Helsinki Final Act and other international agreements.

I would like to share with my colleagues the thought-provoking and forceful messages of his address, which I request be printed below. It is only through such commitment and dedication, displayed by Congressman GILMAN throughout his many terms in the House of Representatives, that we will be able to acheive our goal of basic human rights for every man and woman on this Earth, and I recommend this speech as required reading for us all.

REMARKS OF REPRESENTATIVE BENJAMIN A. GILMAN

"Man was born free, and he is everywhere in chains".[1] This premise of Rousseau's argument in " The Social Contract" is still valid today. The individual's human rights, consisting of freedoms emcompassing the religious, cultural, social and economic spectra, are among the most important in any society. The common values of freedom and justice which those of us here share are goals we seek throughout the world. Yet the precious ability to communicate—to express oneself freely, to discourse whenever on so desires, are among the basic freedoms being denied those whose only desire is that the social contract with their government be upheld.

The chains shackling men and women vary in scope. While none of us can lay claim to citizenship in a human rights utopia, we can assure ourselves that having committed our hearts and minds to this concept, mankind's existence can be improved if our efforts do not lose pace.

Yet underlying the desire for man rights globally, we must first acknowledge that the definition of freedom varies from nation to nation, implementation of theory is based on the understanding of the concepts presented, and it is a unified acknowledgement of the importance of the individual which we seek. Unfortunately, however in a world fraught with conflict and discrimination, there exist many nations who renounce the individual's inalienable rights in favor of state control. "To renounce freedom is to renounce one's humanity * * * (and) such renunciation is contrary to man's very nature." [2]

Freedom House has assessed human rights in the 167 countries of the world. 56 are characterized as free, 56 as partially free, and 55, not free. This report is based on Freedom House's own definition of freedom, but suffice it to say, most of us would endorse the precepts upon which they base their analysis. The situation is precarious, with almost complete balance, one-third is free, one-third is semi-free, and one-third is not free. Accordingly, the struggle for human rights, is staggering, as the one-third battles the two-thirds for control. While many bemoan and throw up their hands in despair, it behooves us to remember that we are morally obligated to pursue human rights for our fellow man. Is that not the essence of "am I not my brother's keeper?"

Though our concern, our struggle and awareness for human rights have grown in the past few decades, so too have abuses of those rights. Which brings us back to one's definition of what is fundamental human freedom. For example, although the Soviet Union is a signatory to the Helsinki accords, and in theory has committed itself to the human rights concepts expounded in basket three, in actuality it does not enforce them. Rather, in meetings with various Soviet officials and parliamentarians, we are told time and again that shelter, health care and education are primary human rights. Granted, shelter, education and other physical amenities, are of importance, but first and foremost an individual most be free in his environment. Otherwise, the social contract with the forces that govern him cannot be complete. Though we may differ on the nuances of the human condition that constitute a free individual, in our hearts and minds we all recognize abuses of human rights.

Our governments meet from time to time to discuss various proposals on a variety of subjects. It is during these sessions that we attempt to promote harmony and unity. In the past year we have witnessed several multilateral and bilateral meetings, in which human rights were on the agenda. These include an expert's meeting on human rights that met in Ottawa one year ago, a cultural forum in Budapest as well as the meeting on human contacts that took place in Berne, Switzerland. The Ottawa meeting, which I was pleased to attend, focused on a broad range of human rights principles and isues. The Budapest cultural forum addressed the many artistic issues that have not yet been reconciled, such as the necessary freedoms that novelists, poets, artists and others require if they are to be true to their conscience and their art. The Berne meeting, on the other hand, centered its efforts on avenues to promote the positive development of contacts amount persons, institutions and organizations. It considered such topics as family reunification, binational marriages, and travel for personal and professional reasons.

The modestly fruitful summit meeting in Geneva between President Reagan and Soviet Leader Mikhail Gorbachev led to the release of several prominent Soviet Jewish and Pentacostal dissidents just prior to and following that session. A number of long-term unresolved binational marriage cases were also settled, leading some to believe that the Soviet Union had "turned the corner" on the important matter of human rights.

While we continue to assess the outcome of all these meetings, and maintain a close interest in the conference on confidence and security building measures and disarmament that has been meeting in Stockholm since January 1984, many of us have concluded that the recent flurry of activity on human rights cases by the Soviet Union is a public relations initiative designed to divert attention from the serious infringements that continue in depth and on a wide scale.

Witness the remarks made by Secretary General Gorbachev in France: "The issue of human rights does not represent any difficulty for us. We are ready to discuss this issue anywhere, with any audience, and any representatives." Yet in reality, when Members of Congress and others attempt to discuss human rights and emigration, we are met with strong resistance and evasion.

In view of this, we are then convinced that there has been a serious misinterpretation of human rights principles. Even though the Soviet Constitution guarantees certain rights, in reality, they are not abided by. Two articles of the Soviet Constitution, among others, make provision for "guaranteed freedom of speech, of the press, and of assembly, meetings, street processions and demonstrations," and "the privacy of citizens, and of their correspondence, telephone conversations and telegraphic communications." [3]

If these two provisions of Soviet law are true, then why had the U.S. House of Representatives Postal Committee documented thousands of cases of mail and parcels from the U.S. to the Soviet Union that never reached their intended destinations? Why do hundreds of innocent Soviet Jews, Pentacostals, Baptists, Baltic nationalists and writers, artists and other creatively-minded people languish in prisons and labor camps across the vast expanses of the Soviet Union on transparent charges?

It is obviously due to the underlying Soviet assumption that these people and so many thousands of others who are persecuted for their beliefs in the Soviet Union on a daily basis, are contrary to the Soviet manifesto which dictates that all means are possible to satisfy the end result. Soviet ideology and activity require subsuming the individual in favor of the state, whereas in a democracy, majority rule shifts as individual decisions change. Indeed, in the Soviet Union, it is an insult to call someone an "individualist." Additionally, derived from the

[1] *The Social Contract*, Jean Jacques Rousseau. Book 1, chapter 1.

[2] *Ibid.* Book 1, chapter 4.

[3] *Soviet Constitution*, Articles 50 and 56.

Biblical injunction, "do unto others as you would have them do unto you" is Kant's notion, "act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only." [4]

But we regularly hear of cases, rife in the Soviet Union and elsewhere, where religious, cultural and social oppression are perpetuated. In a systematic, state-sponsored attempt at silencing all but the official view, movement and communication are restricted, innocent men and women are arrested on false charges, physical violence is perpetrated, and on numerous occasions, individuals are drugged into submission in various psychiatric hospitals. One cannot even think out loud for fear of arrest, and you cannot trust anyone in this atmosphere. Big brother is indeed watching * * *

The injustices that have been documented to those of us in the West have been committed against Soviet Jews, Helsinki monitors and their affiliates, Baptists, Pentacostals and ethnic nationalists. There are those who want to change the system from within and those who simply desire to leave, as is their right. Of a Jewish population estimated at 2.5 million, 400,000 have made known their desire to emigrate. Of these 20,000 have been refused repeatedly. Either "it is not in the state's interest" that they leave, or the individual applying purportedly has access to state secrets. It does not matter that the supposed secrets are outdated by decades. To apply to emigrate means certain loss of one's job. Yet to be without employment means risking arrest on charges of parasitism. These and many other catch-22 situations are the true backbone of the Soviet system.

Currently, more than twenty Soviet Jewish cultural and religious activists are in prisons or labor camps for simply wanting to practice their Jewish heritage in Israel. Some were arrested on false drug possession charges, while others, known to be Hebrew teachers, were accused of "defaming the Soviet state and social system." Ida Nudel, Iosef Begun and Iosef Berenshtein will not be forgotten, regardless of where they are imprisoned or exiled. We will continue to work for their release and emigration to Israel.

The plight facing Soviet Baptists and Pentacostals is just as dim. It is known that thousands desire to emigrate, as do over one hundred thousand ethnic Germans. These men and women only want the religious and cultural freedom that is their due, but which has been rudely denied them. Emigration of ethnic Germans dwindled to a trickle, while Baptist and Pentacostal leaders are incarcerated, their children threatened to be taken away as wards of the state. American and Soviet spouses and their families are separated by thousands of miles and official Soviet refusals that have no basis in fact. Why then cannot the Soviets comprehend the moral imperative that "every man has the right to risk his own life in order to preserve it?" [5]

Human struggle, dictated by human nature, continues to this day. Our collective resolve that fundamental human rights be established and maintained around the world has borne some fruit. Global consciousness of the inviolability of the human spirit has been raised. Freedom House reports that our world is a bit freer than last year. We have witnessed change in the Philippines, in Haiti and in Argentina. In South Africa and in Afghanistan, to mention just two, the struggle goes on. Within the Soviet Union the struggle continues mightily. We must lend our voices and our hearts to produce a unity of thought and commitment about human rights, elevating this concept until it is a reality everywhere.

To do less would be an injustice to our brothers and sisters around the globe. There is an appropriate Latin phrase that captures the essence of human rights which sums up our commitment to this principle:

Malo periculosum libertatem quam quietum servitium—better perilous liberty than quiet servitude.

[4] *Foundations of the Metaphysics of Morals*, Immanuel Kant. Second section: Transition from the popular moral philosophy to the Metaphysics of morals.

[5] *Op. Cit.* Rousseau. Book 2, Chapter 5.

ASSURED ACCESS TO SPACE ACT

HON. BILL NELSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. NELSON of Florida. Mr. Speaker, today, I am introducing legislation to provide assured access to space for national security, scientific, commercial and other users. The bill will also foster the development of an expendable launch vehicle industry. Such a commercial industry is essential if this country is to have robust and reliable access to space. This fact was recognized by Congress when it passed the Commercial Launch Act in 1984.

But things have changed since then. The industry has not developed and now more than ever this country needs the alternate launch capacity which a commercial expendable launch vehicle [ELV] industry would provide.

The Subcommittee on Space Science and Applications, which I chair, has held a number of hearings on the issues addressed in this legislation. From the record it is clear that additional steps must be taken now to foster the development of this vital resource.

Access to space is critical if this Nation is to maintain its leadership role in space. We cannot relinquish our position, either intentionally or nonintentionally by failing to act now.

The bill which I have introduced today requires the Administrator of NASA to purchase competitively commercial launch services for Government payloads which will be backlogged as a result of a 2-year downtime in shuttle launchings.

The Administrator will be required to carry out the procurement of launch services for Government payloads in a manner which fosters the development of an expendable launch industry. The procurement will also complement the medium launch vehicle [MLV] procurement [MLV] which is currently planned by DOD for national security payloads.

The bill will also ensure that Government facilities are made available for commercial use on an additive cost basis, that is, we will charge commercial users incremental costs and not costs otherwise required to meet the Government's space transportation needs.

In effect, this bill will encourage ELV's as the primary launch system for commercial customers, but will ensure the availability of shuttle as a backup launch vehicle. This is important. One lesson we have learned is that we should not rely on any launcher as the sole means to space. This applies to all users.

Encouraging greater ELV use will be accomplished by modifying the shuttle pricing policy for commercial and foreign users. In no case will the Administrator be able to charge a commercial customer less than that customer would be charged to fly on a comparable expendable launch vehicle. It is important that ELV's become competitive in the world marketplace, and this incentive should assure that. Importantly, NASA will continue to provide no-cost or low-cost flights for customers involved in research programs with NASA. The Committee on Science and Technology has persistently encouraged NASA to promote research use of the shuttle.

This bill will help us achieve a robust fleet of launch vehicles to assure continued access to space and leadership for the U.S. Space Program:

H.R. —

A bill to provide for assured access to space for national security, scientific, commercial, and other users and foster the development of an expendable launch vehicle capability, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Assured Access to Space Act".

SEC. 2. FINDINGS.

Congress finds that—

(1) The assurance of reliable access to space is critical in order to meet national security, scientific, and commercial objectives of the United States space program.

(2) The United States space program (including government and industry) must provide the assurance of reliable and continued access to space.

(3) The United States should demonstrate reliability by honoring existing lanuch commitments.

(4) In order to ensure reliable and continued access to space, the United States should utilize the capability of expendable launch vehicles and the Space Shuttle.

(5) Provision of launch vehicles and services by the private sector is an important complement to United States launch capability, and Congress remains committed to the findings contained in the Commercial Space Launch Act (P.L. 98-575).

(6) The United States cannot concede the commercial launch vehicle business to foreign competition.

SEC. 3. PURPOSE.

The purpose of this bill is to assure reliable and continued access to space by providing for the utilization of commercial expendable launch vehicle capability in order to meet national security, scientific, and commercial objectives of the United States space program.

SEC. 4. PROCUREMENT OF LAUNCH SERVICES.

(a) AUTHORITY.—The Administrator of the National Aeronautics and Space Administration shall purchase, through competitive procurement, expendable launch vehicle services for the purpose of launching government payloads, as aggregated by the Administrator. The services purchased under this subsection shall be provided on a reimbursable basis.

(b) SCHEDULE FOR PROCUREMENT AND LAUNCHING.—The Administrator shall procure at least 15 launches over a 5-year period beginning in 1988. Such launches shall be launched beginning in 1988 at a rate of no less than two each year.

(c) IMPLEMENTATION.—The Administrator shall carry out this section in a manner which fosters the development of an expendable launch vehicle industry and complements the medium launch vehicle procurement planned for national security payloads.

(d) REPORT.—The Administrator shall report to Congress on how he will carry out this section no later than November 1, 1986.

SEC. 5. DEFINITION OF DIRECT COSTS.

Section 15(b) of the Commercial Space Launch Act is amended by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and by inserting after paragraph (1) the following new paragraph:

"(2) For purposes of paragraph (1), direct costs shall not include costs associated with meeting the space transportation needs of the United States.".

SEC. 6. RESPONSIBILITIES UNDER COMMERCIAL SPACE LAUNCH ACT.

Section 5(a) of the Commercial Space Launch Act is amended to read as follows:

"(a) The Secretary shall be responsible for carrying out this Act, and in doing so shall consult with other agencies to provide consistent application of licensing requirements under this Act and to ensure fair and equitable treatment for all license applicants.".

SEC. 7. SHUTTLE PRICING POLICY.

(a) AMENDMENTS.—

(1) Section 202(2) of the National Aeronautics and Space Administration Authorization Act of 1986 (Public Law 99-170; 42 U.S.C. 2466) is amended to read as follows:

"(2) the efficient use of the Space Transportation System;".

(2) Sections 204 and 205 of such Act are amended to read as follows:

"SEC. 204. (a) The Administrator shall establish and implement a pricing system to recover reimbursement in accordance with the pricing policy under section 202 from each commercial or foreign user of the Space Transportation System, which except as provided in subsection (c) shall include a base price of not less than $74,000,000 for each flight of the Space Transportation System in 1982 dollars, and in no case shall be less than the price for a comparable launch on a United States expendable launch vehicle.

"(b) Each year the Administrator shall submit to the President of the Senate, the Speaker of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science and Technology of the House of Representatives, a report, transmitted contemporaneously with the annual budget request of the President, which shall inform the Congress on the implementation of the shuttle pricing policy under this section.

"(c) The Administrator may set a price lower than the price determined under subsection (a), or provide no-cost flights, for any commercial or foreign user of the Space Transportation System who is involved in research, development, or demonstration programs with the National Aeronautics and Space Administration.

"SEC. 205. This title shall apply to flights of the Space Transportation System beginning on and after January 1, 1988.".

(b) APPLICABILITY.—The amendments made by subsection (a) shall not effect contracts entered into before the date of the enactment of this Act.

(c) REPORT.—(1) Not later than 3 years after the date of the enactment of this Act, the Administrator of the National Aeronautics and Space Administration shall determine the effectiveness of the amendments made by subsection (a) and whether or not there has been demonstrated a competitive domestic expendable launch vehicle capability, and shall report the determinations to Congress.

(2) For purposes of paragraph (1), the existence of 3 contractual commitments between commercial users and a launch service provider, made in good faith, to launch nongovernment payloads, shall create a presumption of a demonstration of a competitive domestic expendable launch vehicle capability.

THE BREAD AND ROSES STRIKE OF 1912

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. ATKINS. Mr. Speaker, Labor Day in this country is often regarded as a "rite of passage"—that Monday respite which reminds us that the twilight of summer is at hand. But as with all holidays this Nation solemnly observes, the significance of the day is far more than seasonal. Lawrence, MA, a city in my district, was the site for the very labor dispute which inspired this holiday: The bread and roses strike of 1912. In recognition of the 75th anniversary of this important turning point in the American workers' movement, I hereby offer the following proclamation for insertion into the RECORD.

PROCLAMATION

Whereas, the period between Labor Day 1986 and Labor Day 1987 marks the 75th Anniversary of Lawrence's Bread and Roses Strike of 1912 and

Whereas, the Bread and Roses Strike marked the beginning of the legitimization of labor in America, a turning point in the women's movement and an example of people from many lands speaking many languages uniting to achieve a common goal, and has inspired poets, singers, painters and novelists for several generations, and

Whereas, the City of Lawrence is now rediscovering its heritage as an immigrant city—a city of workers and the historic mill district where the strike occurred is being restored as a cultural and residential focal point for the Merrimack Valley including a Heritage State Park and the Museum of America Textile History, and

Whereas, the Bread and Roses Heritage Committee was started last fall by an enthusiastic group of young people who believe in the City of Lawrence, its rich history and its promising future and

Whereas, this group has planned a year-long celebration from Labor Day 1986 through Labor Day 1987 entitled "The Year of the Worker" featuring multi-cultural festivals, conferences, art exhibits, tours, and the re-creation of historical events.

Therefore, I, Congressman Chester Atkins proclaim the year from Labor Day 1986 through Labor Day 1987 "The Year of the Worker" in Lawrence, Massachusetts, and declare that the City of Lawrence be recognized by the Congress of the United States of America for its supreme example of unification of the various ethnic groups within the City.

Congressman CHESTER G. ATKINS,
5th District, Massachusetts.

Attest: This fifteenth Day of August in the year Nineteen Hundred and Eighty Six.

SOUTH AFRICAN SANCTIONS

HON. ALTON R. WALDON, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. WALDON. Mr. Speaker, the other body's continuing debate on South African sanctions comes as a great disappointment to me. Their proposed legislation does not raise the price South Africa must pay for imposing a brutal state of emergency to preserve their savage racist apartheid system. The amended Senate bill lacks the force sufficient to make sanctions effective. With the passage of this bill, U.S. policy is in danger of substituting illusion and symbolism for political courage and action. As the world's most powerful democracy, we are morally bound to help South Africa move toward democratic rule based on freedom and justice for all of the citizens of South Africa and we need legislation which reflects this commitment.

I wholeheartedly support H.R. 4868, Congressman DELLUMS' sanctions bill. His bill completely breaks trade relations with South Africa, with the exception of strategically important minerals, and it sends a clear message that America will not tolerate the actions of the South African Government.

South Africa is not a legitimate state. It is not within the bounds of acceptable civilized behavior. It attacks its neighboring black-ruled states, it forces it neighbors into economic dependency, and it steals 87 percent of the land in South Africa for the white rulers. They never super-exploited black labor in order to create a situation for the whites in which ordinary white workers can live in homes with swimming pools and have black servants.

To maintain this white privilege they have imposed conditions upon the blacks that are totally unacceptable. The state of medical care, education, wages, caloric consumption, and housing would be enough to cause any people to revolt against a privileged class who enjoy one of the highest economic standards of living in the world.

The only way to balance the inequities in South Africa is to establish a new black-majority government. The present government needs to be pressured to move in this direction, however impossible it may seem to them at the moment. The African National Congress has been struggling for decades to make majority rule a reality without automatically excluding whites. They have always said that white people will be invited to stay in a unified, African, majority-ruled South Africa. The whites can be citizens of the new African nation if they give up their racist dream of white minority rule. If they integrate into a black-majority African nation, they will simply

be South Africans, subject to the same rights and duties as all other South Africans.

It is time for the United States to recognize the inevitable in South Africa: apartheid is doomed and it will be replaced. America should try to hasten the apartheid state's disappearance by establishing strong economic sanctions to induce it to negotiate a transfer of power. If the South African Government refuses, we have even more reason to impose sanctions to slow down and blunt the genocidal war which will occur if they reject negotiations.

The United States also faces an equally important choice. We must either support sanctions and a negotiated transfer of power or we will be doomed to end up on the wrong side of another historical battle for justice. If we decide not to support the struggle for black liberation we will compromise our democratic values. We will weaken our relations with African and European nations. Worst of all, the new South African Government will view us with hatred and hostility.

The future of South Africa must be based on comprehensive racial equality. If the black people of South Africa were free of the chains of apartheid, then they could enjoy the benefits of economic, social, and educational opportunities, freedom of speech, the right to vote, and the right to choose their government leaders. Our duty is clear, unless the South African Government frees all political prisoners, unbans all organizations, ends apartheid, and begins negotiating the transfer of the government's power then we must impose tough economic sanctions with real teeth. Let us work together to make a trade embargo and mandatory disinvestment the law of the land, a signal of hope for South Africans, and a rallying cry for freedom.

ACTION AGAINST CHILE

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. GARCIA. Mr. Speaker, today's Washington Post included two letters to the editor from Representative STAN LUNDINE of New York, chairman of the Banking Committee's Subcommittee on International Development and Institutions and Finance, and Peter Hakim, staff director of the Inter-American Dialog, on the need for Congress to pass legislation that would force the administration to vote against loans to Chile.

I totally agree with Representative LUNDINE's and Mr. Hakim's cogent arguments in favor of such legislation, and I am submitting their letters to the RECORD for my colleague's perusal.

The letters follow:

[From the Washington Post, Aug. 15, 1986]

SANCTIONS AND CHILE

"Sanctions and Chile" [editorial, Aug. 3] asked Congress to grant the administration "flexibility" to conduct its own policy. Based on recent experience it is imperative for Congress to exhibit a healthy skepticism toward the administration's commitment to human rights in Chile.

Assistant Secretary of State Elliott Abrams made headlines recently by telling the subcommittee I chair that he would indeed recommend a "no" vote on loans to Chile "at this time."

Behind that headline development, however, were months of escalating pressure by Congress, particularly my subcommittee, on the administration to change its policy. The fact is that Mr. Abrams resisted even coming to testify publicly before Congress on U.S.-Chile policy. When obliged to do so by the subcommittee, he then was confronted with the obvious likelihood of provoking a fresh public outcry if he failed to shift publicly the administration's policy on Chile.

That shift is a positive step, and should be commended. But it does nothing to undo the fact that the Reagan administration has supported nearly $3 billion in loans to the Pinochet regime in just six years. Gen. Pinochet has never had to pay an economic price for his disregard of human rights. Never, until perhaps now. This is despite clear evidence of human rights abuses in Chile and constant congressional pressure on the administration to obey U.S. human rights law passed in 1977.

The longstanding congressional record, including the record of the House Banking Committee, in pushing, shaming and pleading with President Reagan to see Gen. Pinochet for what he is demonstrates the need for Congress to stay very involved in foreign policy—not to withdraw and naively trust the president to do what is right. The fact is that for Veronica de Negri and so many other grieving mothers, this action is already too late.

STAN LUNDINE,
Chairman, Subcommittee on International Development Institutions and Finance.

Over the past year, U.S. policy toward Chile has, without question, taken a positive turn. The administration has become a strong advocate for human rights, free elections and a democratic renewal in that country. But whatever impact such advocacy may be having would be blunted if the United States voted this fall in favor of critical multilateral loans to Chile.

Legislation is necessary to ensure that this does not happen. Congress should not be criticized for trying to "tie the administration's hands." Instead, it should be applauded for seeking to stiffen the resolve of an administration that has too often been wavering and indecisive in its policies toward repressive regimes such as Gen. Pinochet's.

What is needed is not "flexibility," as The Post states, but action. Formal and final decisions on loans worth $1 billion are scheduled to take place within the next two to four months. The loans are already in an advanced stage of development and negotiation. They will almost certainly be approved—no matter how the United States votes—unless the White House begins now to persuade other countries also to oppose them.

JUSTICE IN SOUTH AFRICA

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. CRANE. Mr. Speaker, as the debate continues over sanctions for South Africa, I want to call my colleagues' attention to a recent speech by Assistant Secretary of State Alan Keyes before the National Urban League Conference in San Francisco. Alan Keyes, formerly a deputy to Jean Kirkpatrick at the United Nations, is the highest ranking black political appointee at the State Department. His speech, "Does South Africa Have a Future?" deserves careful reading by all of us.

The speech follows:

DOES SOUTH AFRICA HAVE A FUTURE?

(By Alan L. Keyes)

AN ESCALATING CYCLE OF VIOLENCE

The world today is burdened with the tragic consequences of righteous passion undisciplined by careful thought. Not every crusade against evil and injustice leads to the promised land. Many instead are lost in a wilderness of violence, a vicious circle of repression, retribution, and revenge. Will this be the fate of South Africa? Will the just demands and hopes of a people long oppressed end in a quagmire of civil war—black against white, black against black, white against black, and white against white—until equality in suffering and atrocity grimly refutes the hateful premises of racism?

In a world beset by so many ills and host to so many deadly and intractable conflicts, it is awfully hard to see through the ugly realities of present-day South Africa to a better day. Why should South Africa fare better than Lebanon, Northern Ireland, Cyprus, Chad, Ethiopia, Angola, Iran, and Iraq? What will keep it from this tragic roll of countries burnt out with conflicts no one in the world knows how to end? The South African situation has all the qualifications for inclusion. On the one hand, people determined by any means to throw off the yoke of physical oppression and indignity imposed upon them by the heinous apartheid system. On the other, people too crudely arrogant or terrified to share power or to use it well. Bound together now by the iron bands of a long and bitter history, they must live and let live or kill and be killed together. On the one side, the advantages of a just, angry, and unquenchable determination to be free. On the other, the advantages of technology, organization, and the residue of a stubborn and bigoted national spirit, crystallized in bitterness after the Afrikaners suffered defeat at the hands of what was then the world's most powerful empire. The one side will never give up, for suffering only sharpens the thirst for justice. The other will not easily yield, since fear and misbegotten pride are often willing partners in self-destruction.

As these antagonists come to grips, not only South Africa but the whole southern African region will be embroiled in conflict.

Now there are some who contemplate this prospect with grim resignation. I think they feel that if this is the price that must be paid to end the long nightmare of apartheid, then so be it. Yet no one can guarantee that the nightmare of apartheid will end before the nightmare of war and mutual atrocity has established itself as a permanent reality. No one can say that the whirlwind of violence will not give birth to a tyranny of violence, rejecting racism only so that it may oppress all equally. Is this the justice for whose sake apartheid is condemned? Is this the future for which the oppressed victims of apartheid have suffered and struggled and died and are dying today?

APARTHEID AND THE STRUGGLE FOR JUSTICE

Apartheid is the evil against which we fight, but we do not fight against evil for the sake of evil. We fight against evil for the sake of a present and future good. Without the sense of a positive good to be preserved and realized, the struggle against evil is determined and defined by evil itself. The oppressed see themselves only with the eyes of the oppressor. They fear as he would have them fear; they hate as he would have them hate; they kill as he would have them kill. They react according to a logic determined not by their own good but by the violence, fear, and hatred at the heart of the evil they seek to undo.

Such logic can be the basis of struggle but not of victory, for true victory is achieved not when the present enemy is vanquished but when a better destiny is won. To achieve that destiny, it is not enough to know the good we seek to achieve. It is not enough that we seek to destroy apartheid unless, in the process, we see and help to build the foundations for a South Africa that is just, democratic, and free. Yet how is it possible to see the ingredients for such a future in the present welter of stubborn discrimination, injustice, physical brutality, and oppression?

Clearly, it is impossible if we allow the reality of apartheid to blind us to the complex reality that is South Africa itself. It is unfortunate that among the chief victims of apartheid is the racism that apartheid represents, to see without racial blinders the problem of governance and nation-building that confronts the whole South African people. Apartheid is not unjust only because it is racist; it is unjust because it manipulates racism in order to achieve the arbitrary domination of the whole society by one group or faction within it.

Historically, I think apartheid had the twin purposes of neutralizing the power of the English-speaking whites in South Africa while guaranteeing the political supremacy of the Afrikaners. It achieves these purposes by isolating whites within the false solidarity of a racist enclave. Within this all-white enclave, the political power of the more numerous Afrikaners counterbalances the economic power of the more wealthy English-speaking community. At the same time, the resentment engendered by racist practices prevents cooperation, and has prevented it, between the English and the nonwhites to challenge Afrikaner domination.

In South Africa, therefore, the injustice is not simply racism, it is the arbitrary domination of one faction of the society, skillfully manipulating and employing racism to keep all its other elements in check. But if the injustice lies in factional domination, justice cannot be achieved simply by substituting the tyranny of one faction for that of another, even if the new faction was a majority of the population. Justice, therefore, I believe, is not simply majority rule. As an American, but especially as a black American, nothing is more evident to me than this oft-neglected truth. I often think about it—if simple majority rule had prevailed in the United States. I certainly would not be sitting up here today as an official of the U.S. Government. In the history of the United States, simple majority rule meant slavery. Simple majority rule meant Jim Crow. Simple majority rule meant the unjust repression of a vulnerable minority.

Fortunately, the basic principles of the American Constitution did not sanction unlimited majority rule. They demanded respect for individual rights, whether the individuals composed a majority or a minority of the population. What we often forget, however, is that guarantees for individual rights were not originally intended to protect the welfare of poor, vulnerable minorities. They were intended to prevent the personal and property rights of the wealthy few from being invaded and expropriated by the more numerous majority. They were part of the overall system of checks and balances through which a political system based upon the authority of the people avoids tyranny, demagoguery, and endless factional strife. As it turned out, the same principles that protected the wealthy few from the arbitrary abuses of government power could later be invoked to protect a poor, black minority.

The American experience suggests, therefore, that when rightly conceived, the constitutional protections afforded a privileged minority can become bulwarks for all against arbitrary and tyrannical uses of government power. What seemed at first to be limits on democratic freedom were revealed instead as guarantees of that freedom. Justice, therefore, is not the simple assertion of the political power of a majority. In a just society, whether a small minority or a large majority, no one is allowed arbitrarily to dominate the whole. The power of each must be balanced and limited by protections for the power of the other.

TOWARD A DEMOCRATIC FUTURE

Now I hope you will all excuse me for that slight digression into political theory, but I thought it was necessary because we talk a lot about justice, but we don't think about it in great detail, despite the fact that it is a very difficult thing to achieve and understand sometimes. Injustice, not so; we all know what injustice is. We just have to watch our TV sets to know what injustice is, to know what brutality is—the oppression, the jailings of the black leadership in South Africa—just watch that, and you know what injustice is.

But justice requires some further thought; but as you can see when you think about it, it is not impossible to conceive of. It shouldn't be impossible for the whites in South Africa to conceive of either because, on the basis of the concept of democratic justice I have just outlined, it is quite possible to envisage a democratic future for South Africa that no one in South Africa need be afraid of. It is a future in which all have an equal vote but in which the power of the majority is limited and constrained by laws and practices which protect the persons and property of minorities. It is a future in which the archaic or artificial divisions of race and tribe are gradually replaced by the more productive and useful divisions of economic, professional, and social interest. It is a future in which whites and blacks understand that human beings may have more in common than language or race or even the shared experience of oppression and the struggle to overcome it. It is a future in which the long-repressed but undying spirit of black Africa joins with the stubborn pride and careful industry of white Africa in the crucible of a new national identity—one that could point the way toward the brighter future of the entire continent.

Strange as it may seem, in that future, South Africa—the very community that today maintains a system to repress freedom in South Africa—could be the anchor and shield against repression. In the new South Africa, the white community would retain the advantages of economic power, of technical and managerial expertise, of skills invaluable to the maintenance and progress of society. Too few to dominate, they would, nonetheless, be too powerful to be oppressed. Individuals and groups that would otherwise be exposed to the arbitrary abuse of power could, by forging alliances with whites, successfully thwart efforts to rule by fear or brute force. The pattern of arbitrary rule by one man or one race or one party that prevails in so many other parts of Africa and the world could be successfully brought to an end if the whites could be brought to play a constructive role in the political system.

I believe that a just constitution for South Africa will protect property but accord no privileges to race. It will allow a certain influence to economic interests, but without recognizing such interests as the privileged possession of any race or ethnic group. By respecting the balance of public and private forces within the society, it will guarantee that all have the instruments with which to protect their interests while none has the power to destroy or dominate the interests of the rest. Taking advantage of geographic as well as economic divisions, it will aim to prevent tyranny and to compel shifting patterns of cooperation along nonracial, nontribal lines. It will aim to preserve the existence of a thriving private sector in South Africa. This sector will serve both as a refuge and a base for Afrikaners no longer able to enjoy the privileges of the present racially exclusive welfare state. It will also avoid reliance upon government power as the exclusive engine of progressive social and economic change.

Without the racist blinders of apartheid, such a future for South Africa is easy to imagine. Given the ugly realities of apartheid, it will be difficult to achieve. Yet the effort to conceive of it can help us to discern better and worse ways of working for justice and against the apartheid regime. Once we conceive a positive future for the country, we realize that our efforts now must help to build the new, more just society even as we support those forces working to dismantle the present unjust regime. Justice in South Africa cannot wait until the campaign against apartheid is over. Laying its foundation must be an integral part of that campaign. In a campaign of destruction, bombs and bullets and negative pressures might suffice, but in the effort to construct a just society we must seek to transform the pillars and walls of oppression into the bricks and mortar of a new mansion of freedom.

If we wish to foster such a process of transformation, the first step is to realize that it is a process that must involve all the people of South Africa. The common error that is made on all side in the current discussion of the South Africa tragedy is the assumption that the white government and the white community are the arbiters of the country's future. Whether the goal is pressure or engagement, the primary object of every existing approach is to influence a change of heart among South Africa's whites. The nonwhite population is often perceived either as victim or threat, the target of repression or the source of angry violence.

The tragic irony of apartheid lies precisely in this insidious triump of its racist presumptions. When shall we come to see in the angry faces of striking students not only the desperate hatred of oppression but the desperate passion for learning and truth? When shall we come to know in the grim de-

termination of striking workers not just the burning reaction to repression but the deep will to labor with dignity, rise with merit, and pass on to a future generation a legacy of achievement? When shall we be able to see beyond the "necklaces" and battling shantytown gangs to perceive the unquenchable spirit that can light a hearthfire in the deepest poverty, maintain the bonds of family through long years of separation, keep home and even hope alive, despite every brutal blow of degradation? When shall we see beyond the categories of victimization to the strong, resilient human beings whose passion, will, and spirit are the constructive flame in which the better future of South Africa can be forged and tempered?

Despite every effort of the apartheid system, these people have already been the makers of a profound revolution in South Africa's life. We speak glibly of South Africa's mineral wealth, of its agricultural plenty, of its developed industrial economy. But whether on the land or in the mines or in the factories, the hands and sinews that have made such progress possible have been drawn primarily from South Africa's black community. Blacks comprise over 75% of South Africa's labor force, and without them hardly a crop would grow, hardly a drill or screw would turn. They are the indispensable builders of present-day South Africa, the positive power of its economic life. If they have been weak, it is only because until now, they have not been fully conscious of this power or fully capable, through organization, of transforming it into an instrument of change.

More than anything else, the growth and expansion of South Africa's modern economy have impelled the development of this consciousness. The very economic arena in which blacks were unjustly deprived of their arable land, discriminated against in wages, unjustly denied promotion for their skill and merit, nevertheless provided the framework for developing the most potent form of power in the hands of South Africa's blacks today. It is not their power to destroy that offers the most potent threat to the apartheid system. It is the indispensable necessity to South Africa's existence of their power to labor and to build. And what people should realize, I think, is that blacks do not have this power because the South African Government permits them to enjoy it; they have it because neither the government nor the country could long survive without it. Those who talk of powersharing in South Africa as if it were only a future goal have been duped into forgetting that, despite every effort of repression, black South Africans have begun to make it a present reality. The question is not whether whites and blacks will share power but, rather, how blacks, effectively using the power they have, can work toward the justice they have been denied.

U.S. INFLUENCE IN PROMOTING POSITIVE CHANGE

Seen in this light, the question for Americans and for others in the international community is not with what well-intentioned gestures we can show our hatred of apartheid and our sympathy with the suffering of its black victims but rather how, with concrete acts, we can support the expansion and use of their positive power. Will we serve the latter through a campaign which, in order to bring pressure to bear on the white South African Government, sacrifices the modern arena in which this black power is today emerging in full force? Will we serve that purpose by withdrawing our effective presence from South Africa, leaving a weakened black community alone with an armed oppressor, facing the desperate choice of combat or surrender? The proponents of punitive economic sanctions claim that such sanctions are the last means of avoiding an all-out civil war. I believe that, on the contrary, by depriving South African blacks of their most potent nonviolent tool for change, these sanctions will, in fact, make such a war inevitable. Given the future for which we hope, given the positive goal of justice for which we strive, we should oppose such sanctions—not because they will hurt South Africa's blacks but because they are not the most effective way to help them.

Our goal should be to help South African blacks transform the economic revolution that could not have occurred without them into the political revolution that is their moral right. To achieve this goal, we must not dismantle or withdraw from our role in South Africa's economy. We must seek broadly and effectively to develop and use that role in ways that explicitly enhance the actual power of South Africa's unjustly oppressed black majority. Our effort should not be undertaken in the token spirit of reformers but in spirit of peaceful revolutionaries. Even Marx acknowledged that man has never invented a more potent tool of revolutionary historical change that the capitalist economic system. Its insistence upon profit and efficiency has little tolerance for the archaic categories of feudal tradition or the invented classifications of racist delusion. It is no accident that the South African business sector has gradually come to be among the most outspoken opponents of apartheid repression. It is no accident that South Africa's modern economic sector has yielded an ever-stronger antiapartheid labor union movement, which continues to grow, despite repeated efforts at repression and destruction of its leadership by the South African Government.

Now this does not mean, and I am not arguing, that on their own, economic forces will bring an end to apartheid. Even if this were true, it might take several generations, and we don't have several generations. What is needed is a conscious effort to harness and accelerate the effects of the financial and organizational forces of the modern private sector. We must continue and intensify the sharing and use of power in the economic sphere as a base and instrument for change in the political arena.

Now I think this could be addressed in three broad areas:

Within the modern corporations and enterprises themselves and in their relations with the black community, and I think, for those of you who are from the private sector out there, what you should understand is that what I am talking about here is actually harder that what the proponents of sanctions are asking you to do. They are asking you to withdraw your power. In fact, I am asking you to share it now in effective ways with the black people of South Africa, to share it now by means that will involve black people in the decisionmaking structures of the South African economy—structures that are in the hands and within the power of corporate structures that can be influenced today by people in the American community and other parts of the international community.

In addition to this kind of acton, there should be massive support for the increasingly effective South African labor movement.

I would see, as well, a novel suggestion but one that bears thinking on—a program of expanded capital ownership that seeks to facilitate ownership by black South African workers of shares in firms doing business in South Africa so that they will directly derive benefit from the operation of those corporations, directly see their financial and organizational power base increased by the activities of those corporations.

In line with the spirit of quiet revolution, efforts in these areas must go beyond reformist schemes to improve the conditions of life for blacks. The aim should be effectively to incorporate the black community within the power structure of the economic sector and to use some portion of the resources of that sector to support black efforts to build and sustain effective bases of economic, social, and political organization. Corportions should consciously seek to become the wellsprings of expanding oases of transformation in South Africa—the focus of peacefully revolutionary communities in which the new South Africa ceases to be a dream and becomes a powerful, incorporate reality competing with the sordid spectacle of apartheid for the allegiance of South Africans, white and black, who dare to believe in the better destiny of their country.

The American corporations in South Africa, as well as those of other foreign states, could be the best available positive leverage the international community has in that situation. If we throw this leverage away in order to create pressure, we will deprive outselves of the ability to create change and to make the future happen now. This is not to say that these corporations or the private economic sector are the only instruments of change in South Africa, but they are the ones over which we, as outsiders, can have the greatest influence and through which we could hope to achieve the most immediate and direct effects. In a world prone to facile gestures and easily disposable moralism, it may seem better to use these instruments once and then throw them away. But I believe that such a course would be cheap, selfsatisfying, and morally wrong.

I do not mean to suggest, either, that using America's position in South Africa in the way I have outlined will bring about immediate political change in South Africa, but then again, what will? I do believe it is the best way to make maximum positive use of America's important influence in bringing about the conditions for change. Because we all know the final analysis: it's not going to be outsiders who decide the future of South Africa. That future will come about only as the result of negotiations among all South Africans of good will—black and white.

It's also clear that such negotiations are unlikely to occur, and even more unlikely to bear good fruit, in a climate of violent state repression, with the most important leaders of the nonwhite community jailed and the leaders of the South African Government barring the gates against peaceful agitation for change. Free from the racist assumptions and effects of the apartheid system, we can see the way clearly to a future—a secure future for all South Africans.

But between the idea and the reality, between the motion and the act, there falls the shadow of violence—violence to preserve evil, violence to destroy evil, violence feeding upon itself to block out the vision of a better day. Violent repression and the violence it foments are the chief enemies of

South Africa's present and future hopes. If international pressure serves a useful purpose in this situation, then it should be as a means of discouraging such violence on all sides, beginning with the repressive violence of the South African state. This, not the destruction of the economic engines of change, should be America's immediate aim and the aim of all people of good will in the world at large.

CONTRA AID

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. MILLER of California. Mr. Speaker, since the House voted last June to approve $100 million in aid to the Contras in Nicaragua, conditions inside Nicaragua have worsened. The Sandinistas have closed down the opposition paper La Prensa, have expelled a bishop who was a leading critic of the regime, and have prevented another highranking Church figure from returning to Nicaragua.

I deplore these actions, as have many of my colleagues. In the words of the U.S. Catholic Conference, the crackdown aimed at the leaders of the Catholic Church is "legally unjust, and morally wrong, as well as politically ill-considered."

Last spring when we were debating whether or not to send military aid to the Contras, many of my colleagues argued that military pressure was necesssary to force the Sandinistas to negotiate. Proponents of aid argued that Contra pressure would force the Sandinistas to come to terms with their domestic opponents and with their Latin American neighbors. Opponents of aid rejected that logic and said that aid to the Contras would worsen the observance of human rights and civil liberties in Nicaragua, and serve as the government's excuse to crack down even further on its opponents.

In light of the Sandinistas' actions of the last few months, I ask whether our vote in the House has contributed to dialogue and reconciliation in Nicaragua, or has darkened the horizons with more recriminations and bitter distrust?

Repression against the Church in Nicaragua contributes to the isolation of the Sandinista government at home and abroad. The crackdown may even please proponents of Contra aid, who have the most to gain from these Sandinista actions.

But lest my colleagues doubt that the hierarchy of the Catholic Church in this country remains unalterably opposed to U.S. aid to the Contras, despite its condemnation of recent Nicaraguan Government actions against the church, I would like to share the text of a letter from the U.S. Catholic Conference to our colleagues in the Senate, who this week have debated the issue of Contra aid:

U.S. CATHOLIC CONFERENCE,
Washington, DC, August 7, 1986.

DEAR SENATOR: As the Senate once again takes up the troublesome issue of military aid to the Nicaraguan contras, I would like to re-state the position of the U.S. Catholic Conference on the matter.

Our opposition to such aid has been unvarying since the question first arose. It is not based on our negative assessment of the contras' human rights record, although all are agreed that this continues to be a serious problem. Still less is it based on any positive assessment of the human rights performance of the Nicaraguan government. Quite the contrary, the USCC has consistently denounced specific violations of human rights in Nicaragua and we have vigorously protested government infringement of the rights of the Church.

The silencing of church media, the appropriation of church property and especially the expulsion of foreign church workers remain serious and still unresolved sources of tension between church authorities and the government. To these are now added the unjustifiable expulsion of Bishop Pablo Antonio Vega and the refusal to readmit Msgr. Bismarck Carballo. We are unalterably opposed to these actions of the Nicaraguan government, considering them legally unjust and morally wrong, as well as politically ill-considered.

It should be recognized, however, that the Bishops of Nicaragua, in their pastoral letter of April 6, 1986 stated:

"We believe that any form of aid, no matter where it comes from, if it is the cause of destruction, pain or death for our families or of hatred among Nicaraguans, is to be condemned."

In accord with this position, the U.S. Catholic Conference remains firmly opposed to the use of military force and violence as a means to pressure the Nicaraguan government.

The proposed package of military aid to the contras must therefore, in our view, be rejected. We deplore the recent vote in the House of Representatives approving such and urge that the Senate exhibit the superior wisdom of rejecting it.

Furthermore, the legislation passed by the House calling for an additional $300 million to be provided in economic aid to four countries of Central America specifies three possible sources for this added money: unobligated Food for Peace (P.L. 480) funds, the Emergency Reserve for African Famine Relief, and Development Assistance Accounts. We are concerned lest humanitarian and development aid funds be diverted to purposes and regions for which they were not intended. Humanitarian programs must not be converted into mere tools of political expediency.

We urge the Senate to reject the provision of military assistance to the Nicaraguan opposition which, in our view, will only intensify and prolong the conflict, result in much greater death and suffering, and serve no valid political, still less humanitarian, objective. We join our opposition to military assistance, as we have in the past, to support for a political settlement in Central America, following the lines of the Contadora process, and a continuing concern for human rights in Nicaragua and the rest of Central America.

Sincerely yours,
Rev. Msgr. DANIEL F. HOYE,
General Secretary.

A TRIBUTE TO SENATOR THOMAS EAGLETON

HON. ROBERT A. YOUNG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. YOUNG of Missouri. Mr. Speaker, I would like to take this opportunity to note that I, along with many of my colleagues, have been invited by a group of Hellenic-Americans, headed by Mr. Sam Nakis of my district and past president of the Ahepa, to participate in an appreciation night dinner in honor of Senator THOMAS EAGLETON. At the close of the 99th Congress, Senator EAGLETON will be retiring from the U.S. Senate. On September 6, 1986, in St. Louis, MO, this group will recognize Senator EAGLETON's support of Greece and Cyprus and his efforts with respect to Greek-American projects in Missouri, as well as other matters of importance to Greek-Americans.

This event is supported by Greek-American organizations around the country and will be held in conjunction with the annual meeting of the Ahepa Supreme Lodge, which will also take place in St. Louis. The dinner is to benefit the new Thomas F. Eagleton Endowment Fund at Washington University in St. Louis. Senator EAGLETON will occupy an endowment chair and teach public affairs at Washington University when he retires from the Senate.

Mr. Speaker, Senator EAGLETON was instrumental in cutting off American aid to Turkey after that country invaded the island of Cyprus in July 1974. In that regard, it is my understanding that the Cypriot Ambassador to the United States, the Honorable Andreas Jacovidis, will attend the dinner. Senator EAGLETON, you will recall, persuaded Congress and the President that continued military aid to Turkey was in violation of our foreign assistance laws because Turkey had used U.S.-supplied equipment in its invasion of that island nation.

Shortly after the Turkish invasion of Cyprus, Senator EAGLETON sponsored an amendment to the foreign aid bill to stop military assistance and sales to Turkey. An embargo of U.S. arms sales to Turkey became effective in February 1975, as a result of Senator EAGLETON'S persistent support.

Later that same year, Senator EAGLETON visited both Greece and Cyprus, accompanied by Mr. Nakis, and witnessed first hand the suffering of refugees. Since that time, he has continued to act as a national spokesman for Greek-Americans on this important issue.

I would also like to commend Senator EAGLETON for his efforts in obtaining Federal assistance for the AHEPA 53 apartments for elderly Americans. This project, which has enjoyed enormous success, has since become a model for many similiar AHEPA-sponsored federally assisted senior citizen projects around the country.

It is in this context that Mr. Nakis has remarked to me that, "Senator EAGLETON has done more for Greece and Greek-Americans than any American politician since Harry Truman."

In conclusion, I am pleased to join with so many others across the country in saluting my

good friend and colleague TOM EAGLETON for three decades of service and devotion to the United States.

PROTECTION FOR WITNESSES IN THE CASE OF RODRIGO ROJAS

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. BARNES. Mr. Speaker, Members of the House frequently use the extension of remarks privilege to insert the names of constituents and others with whom they are acquainted, that have performed some kind of laudatory service, or are celebrating an anniversary, and so forth.

However, today I am inserting the names of 15 individuals whom I have never met, and probably will never meet. I am doing so not so much to congratulate them, as hopefully to focus attention on them so as to save their lives.

These 15 men and women recently gave eyewitness testimony implicating members of the Chilean military in the brutal murder of Rodrigo Rojas, an American resident, in Chile. These courageous individuals have risked their lives by coming forward to recount the horror of having seen Chilean military personnel, with their faces blackened, pouring gasoline over Rodrigo Rojas and a companion, Carmen Quintana, and setting them both on fire. Two of the witnesses are nurses assistants in Quilicura, a small town outside of Santiago, where those responsible for this heinous crime dumped the burned bodies, leaving them for dead.

Many of the witnesses have already received death threats because of their testimony. I hope that the publication of their names in the CONGRESSIONAL RECORD will be a reminder that the Congress of the United States is watching this case closely, and will deter anyone from attempting to retaliate against these brave individuals.

NAMES OF WITNESSES GIVING TESTIMONY IN THE CASE OF RODRIGO ROJAS

1. Florencio Rodriguez Cituentes.
2. Maria Elena Osorio Rojas.
3. Jose Francisco Rosales Farias.
4. Isabel Quintana Arancibia.
5. Luis Fuentes Marin.
6. Maria Virginia Hernandez.
7. Pablo Leiva Pastenes.
8. Pedro Marcelo Martinez Pradenas.
9. Rosa Lusmila Cabrera.
10. Jorge Irigorio Olmedo.
11. Marcial Estrogez Araya.
12. Mario Andres Allende Ramonal.
13. Jorge Sanhueza Medina.
14. Teresa Alvares Aravena.
15. Orielle Campoix Mondaca.

NATIONAL DEFENSE STOCKPILE AND SOUTH AFRICA

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. BENNETT. Mr. Speaker, the July 8, 1986, Presidential proposal to reduce our national defense stockpile goals from $16 billion to $700 million would be very detrimental to our national security. That proposal if carried out, would cause the disposal of a number of strategic and critical materials including chromium, cobalt, manganese and the platinum group metals which are supplied to the United States largely from southern Africa. In this regard, I would call my colleagues' attention to an August 14, 1986, Wall Street Journal editorial entitled "Stockpiles Are Inadequate" by Hans H. Landsberg, senior fellow emeritus at Resources of the Future.

STOCKPILES ARE INADEQUATE

(By Hans H. Landsberg)

In June, Rep. Ronald Dellums (D., Calif.) achieved a coup of sorts by steering through the House a measure slapping sanctions on South Africa that were far tougher than what most observers had thought politically possible. Included is an absolute ban on U.S. imports of South African goods.

Well, not quite absolute. Even so implacable a foe of apartheid as Rep. Dellums thought it prudent to create a loophole for what often are styled indispensable strategic minerals from South Africa—primarily chromium and the platinum-group metals. These minerals are critical to the high-tech U.S. economy and to defense industries, and they simply are not found in the U.S. in quantities and at costs that make domestic production an attractive proposition. Moreover, South Africa's major competitor for both chromium and platinum is the Soviet Union, hardly a welcome alternative. These facts largely explain this past Monday's dramatic run-up in the price of platinum, over 80% of the supply of which comes from South Africa.

LACK OF PRECISION

South Africa's internal conflict is a legitimate cause for worry in this context, but most talk about the threat posed by cutoffs in the supply of minerals suffers from lack of precision. Do we envisage a deliberate South African ban on exports? Highly unlikely. A U.S. embargo on imports from South Africa? Only somewhat more possible. Short-term interruption of production and/or transportation facilities through civil unrest? Likely. Longer-term interruption for the same reason? Possible, but unlikely.

Except for the last contingency, and leaving aside the situation in other industrial countries, U.S. stockpiles would be our first line of defense, bolstered by letting prices rise and throttling back demand that can do with less or without. More drastic measures would consist of government-established allocation to what are deemed essential uses. Costs would include not only higher prices but also probably diminished performance in those uses for which other materials are substituted. Any combination of these measures would be inconvenient, but few would argue that they constitute mortal danger.

Stockpiles, improved efficiency and allocation apart, no other remedies offer a quick fix. Domestic production, even at high cost, cannot be initiated at the flip of a switch. Substitution by other materials, where that is physically possible (there is no substitute for manganese, for example), is equally a time-consuming process.

If stockpiles are so important, what shape are they in? A strange thing happened a year ago: The Reagan administration proposed a drastic cutback in the U.S. strategic stockpile. Referred to in the official July 1985 announcement as "modernization," the proposals would set up two tiers of stockpiles. The top one (Tier I) would consist of "materials that would be required during a protracted military conflict that would not be available in sufficient quantities from domestic or reliable foreign sources." The second, or "supplemental," reserve (Tier II) would consist of materials that "the U.S. government already possesses" and that "would offer additional assurance against materials shortages during a period of military conflict." Obviously, Tier I is the serious stockpile. Tier II appears designed largely to buffer opposition to the entire proposal.

Surprisingly, Tier I goals include no platinum or manganese. Even Tier II has no goal for the platinum-group metals. Manganese turns up only in Tier II, and then at only 60% of its current goal. As for chromium, a place has been retained in Tier I, but the goal has been reduced by 85%. The new numbers were put together by an interagency committee, not by some anonymous, green-eyeshade accountant. One assumes, therefore, that they have the blessings of the departments of Defense and Commerce, and every other responsible agency.

POSSIBLE EXPLANATIONS

The question that arises is, what has happened since 1981 when the newly elected president ordered as "long overdue" the purchase of cobalt to raise the stockpiled quantities? (Cobalt is mined mostly in Zaire, but shipped mostly through South Africa. The recommended goal for cobalt would reduce the current goal by 75%.) Possible explanations range from the notion that the administration is discounting civilian needs to a more charitable view that the president and his advisers are optimistic about supplies from secure foreign sources or about technological innovation, or both. Others would argue—and this sounds a more realistic note—that the administration sees in this situation a source of additional funds as newly surplus stockpiles are sold and acquisitions held at modest level.

Whatever the assumptions and motivations, the proposed stockpile modernization clearly spells "Who needs South Africa?" That may not have been the intent. Nor are the administration's recommendations likely to be adopted in full. Congress has barred any reduction in stockpile goals until the end of the current fiscal year on Sept. 30, about which time a General Accounting Office report should be available. The probable outcome is a compromise on stockpile levels, but the verdict already is in on the U.S. stake in South Africa's strategic materials. If the tough-minded realists of the Reagan administration no longer believe that South African minerals are indispensable, who will?

ESTABLISHING A WESTERN REGIONAL EXPORT LICENSE OFFICE

HON. LES AuCOIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. AuCOIN. Mr. Speaker, the State of Oregon has been one of the last in the Nation to climb out of the depths of the 1981 recession. But, after some pretty tough times, we are finally starting to see some light at the end of the tunnel. And one of the catalysts in our recovery has been Oregon's burgeoning high technology community.

Primarily located in Washington County's "Silicon Forest," these electronic pioneers have generated millions of dollars in new tax revenues, thousands of new jobs and new hope to the residents of the First Congressional District.

Still, the competition for high technology products in the international marketplace is fierce. And the workers in Silicon Forest burn the midnight oil to ensure that they maintain their innovative edge.

But the edge has been blunted significantly in the last few years because the U.S. Government—under the guise of national security—has set up roadblocks before our high tech industry in the form of restrictive and confusing export controls.

Uncle Sam has become an impediment to exports, rather than a facilitator. And he has put our folks behind the eight ball.

THE PROBLEM: GETTING AN ANSWER OUT OF WASHINGTON

One of the most frustrating problems confronting our high tech exporters is, quite simply, getting a response on an export license applications. Now, this might seem like an easy task to us on the outside. But you talk to someone who has actually tried to ship the simplest of technolgies out of this country and you will soon learn about the hoops and fires that they must go through in the bureaucratic circus.

The 8 month delays in getting applications approved, conflicting opinions from the same agency, lost licenses, and constant busy signals on the so-called status line are well documented by now. But, in addition to these problems, our high tech exporters on the west coast face one other practical problem: their physical distance from Washington, DC.

All redtape leads to Washington. So, there comes a time when the only recourse for the exporter is to visit our Nation's Capital to try to personally coax the bureaucracy into giving him or her an answer on their application.

And they come to Washington because it is the only office in the country that processes export licenses. It is the only place in the country where an exporter can talk to a real person about the technology in question.

And it's particularly unfair to the large high technology community on the west coast.

First of all, there's the 3 hour time difference that cuts into the amount of work time they have in common with Department of Commerce employees. If an Oregon export manager arrives at his or her office at 8 a.m. and you allow 1 hour for lunch, there is a "window" of only 4 hours to conduct work.

Second of all, they face considerable travel expenses, such as hotels, food, and airfare, when they come to Washington. This can run into hundreds of dollars per trip. Multiply that by a trip a month and the tab gets pretty high. The expense puts small startup companies at a particular disadvantage.

Third, this usually means having to take an executive, export manager, or a technician out of the office for at least 1 or 2 days. Time away from the office means less time promoting business.

For the Oregon businessperson, Washington can be light years away. But for businesses based on the east coast, all it takes is a hop, skip, and a jump on the shuttle to talk in person with a Commerce Department license officer. This situation is also a disadvantage to small businesses that cannot afford to hire Washington-based law firms or consultants to track down their licenses.

Mr. Speaker, as much as I like seeing my friends in the high-technology community, space in my office is already at a premium. I'm happy to serve as a way-station for high-technology export managers in search of the lost license, but I think there's an easy solution to this problem.

THE SOLUTION: A WEST COAST EXPORT LICENSE OFFICE

It's time to give the high-technology community west of the Mississippi a fair shake. That's why today I am introducing legislation that would require the Department of Commerce to establish and operate a Western Regional Export License Office.

The goal of this bill is simple—to put west coast exporters on a level playing field with exporters on the east coast. This office would serve the same function that the Washington, DC, office serves—the only restriction would be that its services would be available only to exporters on the west coast.

This office would accept and process regular export licenses, emergency licenses and amendments to licenses. This office would also be equipped with the necessary technicians and engineers who understand the technologies in question.

The establishment of such an office would make it much easier to get an answer on an export licenses application. And export licenses are the ticket into the competitive marketplace.

This office will save our companies—some of whom have had to lay off employees in the last few years—hundreds and thousands of dollars. It would expedite overseas sales, further production and ultimately mean more jobs to the industry.

THE FIRST STEP: ASKING GAO FOR FEASIBILITY STUDY

It's my hope that the introduction of this legislation will serve as a catalyst for further detailed discussion of the idea.

There are many questions that have to be answered:

How much money will it cost to establish and operate such an office?

How can we accommodate the Departments of Defense and Energy and their necessary review of certain licenses?

If the workload of the Washington Office was significantly cut back, would it be possible to shift personnel to the west coast?

These and other important questions must be answered. Therefore, I will immediately request that the General Accounting Office conduct a feasibility study of this proposal.

I do have one bottom line, however. It would make no sense to add an office in the west coast if it meant adding yet another layer of Government bureaucracy to the already interminable export license process. I would not pursue this idea and I would not expect the high technology industry to support my proposal if that were the ultimate result.

Mr. Speaker, our exporters are being strangled by a noose of redtape, conflicting policies, and frustrating bureaucracy.

A west coast export license office will streamline the process and shake some of the cobwebs loose. But, more importantly, it will send a message to our businesses that the Government wants to help and that it's willing to provide them with the bare essentials—decent access to a licensing process that the U.S. Government itself requires.

The text of my legislation follows:

H.R. —

A bill to amend the Export Administration Act of 1979 to require the establishment and operation of a western regional export licensing office

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 15 of the Export Administration Act of 1979 (50 U.S.C. App. 2414) is amended by adding at the end the following:

"(d) WESTERN REGIONAL OFFICE.—The Secretary shall establish and maintain a western regional office which shall have the authority to issue licenses for the export of goods and technology from the United States."

NATIONAL APPLIANCE ENERGY CONSERVATION ACT OF 1986

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. MARKEY. Mr. Speaker, it is with great pride that I am introducing today the National Appliance Energy Conservation Act of 1986. As indicated by the broad bipartisan cast of original cosponsors, this bill represents a rare consensus among industry and consumer groups reached over the last 6 months. An identical bill will be introduced today in the Senate by Senators EVANS, JOHNSTON, CRANSTON, and others. In other words, although this bill arrives late in the session, it starts with the switches "on" and the compressors humming. I intend to work with my colleagues to enact this law before Congress adjourns.

This bill is without question the most important energy conservation legislation to come forward in over a decade. It fulfills the promise of Federal appliance standards that has been held out since the 1975 Energy Policy and Conservation Act, a promise that will translate into at least $28 billion in savings for consumers over the life of the products affected by

this bill. It also means a reduction in electrical peak demand of 22,000 megawatts, or the equivalent of 22 large electric powerplants. And, finally, it means a certain and predictable climate for long-term planning by the appliance industry, which has been buffeted in recent years by an uncertain legislative and regulatory environment.

The structure of this bill cannot be understood without a little history. The Department of Energy, which has been under a statutory obligation to promulgate appliance standards since the late 1970's, missed key deadlines and ultimately issued, in April 1982, the now notorious no-standard standards—the agency's determination that the appliance standards best suited to the Nation's needs were no standards at all. DOE's determination is one of those rarities in regulatory lore, an approach that displeased everybody: Consumers, who were robbed of the savings from Federal appliance standards; manufacturers, who were pitched into the uncertain and at times volatile waters of the State legislatures which, not content to wait around for DOE, were enacting appliance standard laws of their own; Congress, which did not take kindly to having its clear directive ignored; and the court, which struck down the defective no-standard standard 1 year ago in a strongly worded, 154-page decision.

While Federal standards were suffocating under DOE's regulatory pillow, the battle for appliance standards shifted to the State fronts. California, New York, Maine, and others enacted State legislation. Massachusetts and Wisconsin began the process of doing the same. This growing plethora of individual State standards brought some long-term adversaries—environmentalists and appliance manufacturers—to the bargaining table to see whether it would be possible to cure the errors of the past decade. The result of that negotiation was an agreement that is the foundation for this bill.

The heart of the agreement is the following: Congress directly legislates strong appliance standards for eleven major appliances; in turn, State appliance laws and regulations are preempted. Although States with appliance standards on the books before January 1987 are grandfathered, that grandfather too expires on the effective date of the Federal appliance standard, which varies depending upon the appliance. While we all agree that preemption is a sensitive issue in most cases, it is significant that the industry is asking Congress to enact Federal standards as tough or tougher than any State standards currently in effect. States thereby stand to save as much or more energy, the Nation as a whole gets appliance standards, which exist in only half a dozen States at present, and the appliance manufacturers will be able to tool their production lines and target their R&D in an intelligent way.

This is a bill with no losers, and significant winners all around. It is a bill that enjoys broad support on both sides of the aisle in both houses. I urge all of my colleagues to put their best efforts toward making this hard-fought quest for Federal appliance standards a reality by the close of the 99th Congress.

THE NATIONAL APPLIANCE ENERGY CONSERVATION ACT OF 1986

The National Appliance Energy Conservation Act of 1986 sets specific energy conservation standards for major home appliances. It is the result of a breakthrough in negotiations between appliance manufacturers represented by the Association of home Appliance Manufacturers (AHAM); the Air Conditioning and Refrigeration Institute (ARI); the Gas Appliance Manufacturers Association (GAMA) and the Hydronics Institute and the Natural Resources Defense Council (NRDC).

Most appliance manufacturers and energy conservationists now agree that national standards will be more beneficial and less costly than a proliferation of differing state standards. And, at present, it appears more efficient and less costly to set standards by law than to invoke a federal rulemaking process.

Manufacturers prefer one national standard to a profusion of dissimilar state standards because a single standard maintains a more stable market for the development of energy efficient products. NRDC supports a single standard because it believes a single standard provides a reliable basis for forecasting and managing energy consumption.

What the National Appliance Energy Conservation Act of 1986 does, as of the effective dates, is basically the following:

It establishes specific future energy conservation standards for most major home appliances and central heating and cooling systems.

It supersedes further state regulation of appliance efficiency but allows petition for exemption after a set period.

It establishes some element of predictability on future energy demand for utilities and state energy commissions.

It preserves existing state building codes affecting appliances.

It retains the national Energy Guide labeling program.

It gives manufacturers adequate lead time to develop new energy efficient appliances to meet the standards.

And it establishes timetables and criteria for the Department of Energy to reevaluate and, if appropriate, revise the standards.

In developing the National Appliance Energy Conservation Act of 1986, care has been taken to respect the right of each state to manage its own energy resources and needs in light of its own special circumstances. At the same time, it is recognized that a multitude of differing state standards adds unduly to the costs and risks of developing more energy efficient products and run counter to the need for a coherent and stable national energy policy.

The National Appliance Energy Conservation Act of 1986 amends the existing Energy Policy and Conservation Act of 1975.

APPLIANCE EFFICIENCY STANDARDS CHRONOLOGY

Federal activities

1973—Arab oil embargo triggers four-fold increase in oil prices and raises consumer awareness of the need to conserve energy.

1975—Congress passes the Energy Policy and Conservation Act (EPCA), requiring the Department of Energy (DOE) to mandate energy labeling of appliances and to prescribe voluntary, industry-wide appliance efficiency improvements and authorizing DOE to set mandatory efficiency standards only if labeling and voluntary approaches proved ineffective.

1978—Congress passes the National Energy Conservation Policy Act (NECPA), 42 U.S.C. § 6291 *et seq.*, requiring that mandatory efficiency standards be established expeditiously for 13 products (refrigerators, freezers, water heaters, room air conditioners, central air conditioners, furnaces, dishwashers, clothes washers, clothes dryers, home heating equipment, kitchen ranges/ovens, television sets, and humidifiers/dehumidifiers) and preempting all state appliance efficiency regulations, while allowing states to petition for an exemption from preemption upon demonstrating a "significant" state interest.

1980—DOE issues proposed rules that would establish efficiency standards for eight products.

1981—Under the Reagan Administration, DOE retracts the 1980 proposed rules. DOE is sued by NRDC and others for failing to issue final standards by January 2, 1981, the deadline imposed by NECPA. *NRDC* v. *Edwards*, Civ. No. 81-2546 (D.D.C.) The suit results in a settlement establishing new deadlines, which DOE later fails to meet.

April 1982—DOE issues proposed rules that would establish "no standard" standards—i.e., no federal regulation—for all appliances. The proposal is based on findings that standards would not result in significant energy savings and would not be economically justified and on DOE's policy preference to rely on the "free market" rather than on government regulations to improve efficiencies.

December 1982—DOE issues final "no standard" standards for clothes dryers and kitchen ranges/ovens, preempting all state regulations.

February 1983—NRDC files petition for judicial review of December 1982 rules in the U.S. Court of Appeals for the D.C. Circuit.

August 1983—DOE issues final "no standard" standards for refrigerators, freezers, room air conditioners, central air conditioners, water heaters, and furnaces, preempting all state regulations.

October 1983—NRDC files petition for judicial review of August 1983 rules in the U.S. Court of Appeals for the D.C. Circuit; similar petitions are subsequently filed by the California Energy Commission, the State of New York and the State of Minnesota.

1985—The D.C. Circuit issues its opinion overturning DOE's "no standard" standards. *NRC* v. *Herrington*, 768 F.2d 1355 (D.C. Cir. 1985). The Court rules that DOE set an unreasonably high threshold for "significant" energy savings, failed to analyze the "maximum technologically feasible" energy efficiency improvements, overestimated the economic burdens on manufacturers of standards, failed to prepare an environmental impact statement, and violated procedural requirements in enacting the "no standard" standards. The Court orders DOE to reevaluate its decision and to establish standards by 1988.

July 1986—NRDC and appliance manufacturers reach agreement on consensus legislation that would establish national efficiency standards and would clarify and strengthen preemption of state standards.

State activities

1974—California enacts the Warren-Alquist State Energy Resources Conservation and Development Act, emphasizing the importance of energy conservation and authorizing the California Energy Commission (CEC) to adopt appliance efficiency standards.

1976-1977—CEC adopts standards for refrigerators/freezers, room air conditioners, central air conditioners, furnaces and water heaters, and other appliances.

1983—NRDC formally petitions the CEC to revise and strengthen the state's central air conditioner and refrigerator/freezer standards.

March 1984—DOE grants petitions allowing California, New York, Wisconsin, Minnesota, and Oregon to enforce standards regarding clothes dryers and/or kitchen ranges/ovens. 49 Fed. Reg. 11764 (March 27, 1984).

August 1984—DOE proposes to grant petitions from 26 states to enforce various appliance efficiency standards. 49 Fed. Reg. 32944 (August 17, 1984).

December 1984—CEC adopts tightened efficiency standards to become effective in two stages: for central air conditioners, in 1988 and 1993; for refrigerators/freezers, and 1987 and 1992.

January 1985—Appliance industry files separate lawsuits challenging the refrigerator/freezer and central air conditioner standards.

October 1985—Los Angeles County Superior Court denies industry's motion seeking to overturn refrigerator standards. *AHAM* v. *CEC*, No. C 530060 (L.A. Super. Ct.).

December 1985—Sacramento County Superior Court upholds validity of central air conditioner standards; case currently on appeal. *Lennox Industries* v. *CEC*, No. 326378 (Sacramento Super. Ct.), on appeal, 3 Civil 25986 (3d Appellate District).

1986—Bill that would establish appliance efficiency standards passes Massachusetts House of Representatives; action pending in Senate. Similar bill passes New York Assembly.

FILLING A GAP IN MEDICARE: THE COMMUNITY NURSING AND AMBULATORY CARE ACT

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. GEPHARDT. Mr. Speaker, today I have introduced legislation to fill an important gap in our Medicare system. In the wake of Medicare payment reforms in 1983, the length of stay in hospitals has dropped dramatically. Patients are being discharged earlier, and going home sooner. For some, that's good news. For others, it means needing nursing care in the home. That is why I am introducing the Medicare Community Nursing and Ambulatory Care Act of 1986.

I am joined by several distinguished cosponsors, from all parts of the Nation, and from both sides of the aisle.

The bill is designed to help bridge the gap between hospital and home, or for any Medicare beneficiary who needs nursing care for whatever reason. I'm sure you have been hearing a great deal about the "quicker and sicker" problem. Skilled nursing care provided by community centers can turn that into "healthier at home."

The act would let community nursing centers set up and receive payments for each enrollee. These centers will provide high quality nursing care under the supervision of RNS, as well as physical, occupational, or speech therapy. All those eligible under Medicare part B may enroll in a community nursing center, and will receive all of their home care benefits from the center they choose.

This bill strengthens our health network by making it diverse, flexible, and responsive to those who need care. Our health system is changing rapidly, and we in Congress must do our part to lead the way to compassionate and cost-effective care.

This is legislation that provides sophisticated care through sophisticated finance. It relies on prepayment based on actuarial data, which provides incentives for efficiency and cost control. Prepayment has been the key to health maintenance organizations' success, because it encourages good management, and even more important, it encourages prevention.

Community nursing centers will help more Medicare beneficiaries live independently. This bill is for those who need some help, but who don't need or want to move to a nursing home. I believe care should be brought to the patient, instead of bringing him or her to a hospital or a nursing home whenever possible.

The bill includes quality assurance measures which will protect beneficiaries. The safeguards include peer review and a grievance procedure to insure both the Medicare enrollees and the Federal Government get what they are paying for.

The Community Nursing and Ambulatory Care Act makes use of one of the best resources of our health care system: professional nurses. Professional nurses' skills have been underutilized. We have not made full use of their training and capacity to help patients in their own homes and in their own communities.

The bill recognizes the expanded role nurses can play in providing primary health care. Within the community nurses will be able to provide regular health assessments, case findings, and post-hospital care. They will be able to educate their patients, promote health, and prevent disease.

The nursing care providing under the terms of this legislation can substitute for more expensive institutional services. Professional nurses can decrease the need for institutionalization by delivering a wide variety of health services to the elderly. Nurses can oversee this care, and make the best use of health resources through careful coordination and planning.

To contain costs, we need new ways of delivering health care. The bill gives nurses a broader role, which uses their skills efficiently to provide primary care to our elderly who need it. We can make our Medicine dollar go further by making better use of our professional nurses.

I would like to thank the American Nurses Association for the assistance in drafting this legislation, and I am looking forward to moving this bill into reality.

TRIBUTE TO CORY SERVAAS

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. JACOBS. Mr. Speaker, Dr. Cory SerVaas is the physician equivalent of Florence Nightingale. She is a leader of the Benjamin Franklin Literary and Medical Society.

Our colleagues may have wondered what the large van is doing parked just outside the Capitol Building. The answer is simple: It is saving women's lives. It is the Mammobile, an angel of mercy brought to us by the Benjamin Franklin Literary and Medical Society and the Saturday Evening Post.

Dr. SerVaas and Dr. Myron Moskowitz, professor of radiology at the University of Cincinnati are directing the effort.

Because of timely discoveries by this mobile miracle, the free cancer treatment study being conducted at Bethesda Naval Hospital by Dr. Judith Bader of the National Cancer Institute, is catching a lot of new cancers in time.

Mr. Speaker, it is refreshing to know that while the debate on bigger and better vehicles to destroy human life is raging only a few yards away on the House floor, at the curb this smaller and happier vehicle is quietly saving human life.

Please read the following letter to Dr. SerVaas from Dr. Bader:

DEPARTMENT OF HEALTH
AND HUMAN SERVICES,
Bethesda, MD, July 30, 1985.

CORY SERVAAS, M.D.,
Benjamin Franklin Society, Indianapolis, IN.

DEAR DR. SERVAAS: I am writing to congratulate you on the magnificent service you are providing to the women of the Washington, D.C. metropolitan area with your Mammobile. Your educational and diagnostic services are contributing in a very important way to saving lives with early diagnosis of breast cancer.

Any woman's mammogram that leads to a diagnosis of cancer, might like to know that the National Cancer Institute is now conducting an important study of treatment for early breast cancer. Participation in the study (comparing treatment with mastectomy and reconstruction to treatment with lumpectomy and radiation) is available to qualified women who have had only a diagnostic biopsy and no other therapy. The initial evaluation, treatment and follow-up care are provided without cost to women who wish to participate in this study. A personal consultation regarding entry into our program at the National Cancer Institute is available by contacting me or Teresa d'Angelo (our nurse) at (301) 496-5457.

Sincerely yours,

JUDITH L. BADER, M.D.

AIRLINE COMPUTER RESERVATION SYSTEMS ARBITRATION ACT OF 1986

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. MINETA. Mr. Speaker, today I am introducing legislation to protect airline passengers, travel agents, and the smaller airlines from the consquences of the dominant position of two large airlines, American and United, in operating the computer reservations systems [CRS] used by most travel agents. The legislation is cosponsored by the ranking minority member of the Aviation Subcommittee, Congressman JOHN PAUL HAMMERSCHMIDT. I emphasize at the outset that although the legislation I am introducing would help remedy some of the worst CRS abuses, the legislation is not intended as a substitute for timely and effective regulatory action by the Department of Transportation.

The Aviation Subcommittee of the Committee on Public Works and Transportation has long been concerned with the problems arising form American's and United's domination of the CRS industry.

In recent years, most travel agents have become automated. As a result, 80 to 90 percent of the tickets sold by travel agents are processed through a CRS. It has become difficult, if not impossible, for an airline to compete effectively if it does not have access on reasonable terms to the CRS systems used by agents. In view of the domination of the CRS industry by United and American there has been continuing concern as to whether these airlines are using their control of the CRS market to take unfair competitive advantage of travel agents and other airlines, to the detriment of airline passengers.

In 1983, the Aviation Subcommittee conducted extensive hearings on the CRS problem. Following these hearings the Aviation Subcommittee chairman and ranking minority member wrote to the Civil Aeronautics Board suggesting that the CAB establish standards of fair competitive practices for the CRS industry. In response, CAB adopted rules which prohibited various unfair competitive practices, including bias in the display of schedules, and discrimination in the fees charged to airlines to participate in a CRS system.

Despite the CAB's rulemaking and some CRS owners' remedial measures, I am concerned that there may continue to be unfair competitive practices in the CRS industry. I have been particularly concerned with three problems: excessively high fees charged to airlines to participate in CRS systems, continuing bias in the display of schedules, and the high-liquidated damages which must be paid before a travel agent can change systems.

My first area of concern has been the fees charged by United and American for participation in their CRS systems. Following the CAB rulemaking, CRS vendors were required to establish uniform booking fees to be paid by all airlines participating in a CRS system. The new fees established by American and United raised prior fees by as much as 500 percent. We have been concerned that these fees may produce unreasonably high profits, and unfairly affect the costs of other airlines.

A second CRS problem is bias in schedule displays to favor the vendor carrier and disadvantage competitors. Bias obviously presents serious problems for a carrier whose schedules are given inferior display space. In addition, bias makes it difficult for travel agents to serve the public by finding the best flights for a customer. To the extent a passenger does not learn of the best flights he or she may be seriously disadvantaged.

Although the CAB's rules outlaw the most obvious forms of bias, there have been recent allegations of a new and very subtle form of bias in the display of schedules on CRS screens. Delta Airlines has filed a complaint with DOT alleging that American Airlines changed its schedules in competitive markets for the purpose of having American's flights displayed on a higher line in the CRS. Under the formula used in American's CRS to determine the order of flights, elapsed time is an important factor.

Delta alleges that American reduced the elapsed times to get the flights displayed on a higher line. American has denied these charges and claims that the change in its schedules was a legitimate response to its competitors who were showing shorter elapsed times than American.

Whether American or Delta is correct is a complex factual issue. At this time I am taking no position on the merits of the case. But I think that it is a very significant case and we will be watching it carefully.

If Delta is correct in its charges, we will have to face up to the difficult question of how we can control bias if the CRS vendors have the ability to tinker with the formulas used to order schedule displays and the inputs used in these formulas.

A third CRS problem involves the liquidated damages clauses in travel agents' contracts to lease a CRS system. Some vendors require a travel agent to make very substantial payments to end a contract to use a CRS system. For example, it has been estimated that under one contract an agent would have to pay $63,000 to terminate a 5-year CRS contract when it was half way through. This type of contract may make it prohibitively expensive for an agent to switch to a new CRS system. In addition to being a burden on the agents, the provision may inhibit competition between CRS systems and discourage new entry into the CRS industry.

I have been deeply concerned with the apparent reluctance of the Department of Transportation to deal with these CRS problems.

On the question of whether booking fees are excessive, several Government studies have concluded that the level of booking fees may be a serious problem. Late in 1985, the Department of Justice issued a study pointing out that despite the CRS rulemaking there has been little reduction in the market power of the principle CRS owners. DOJ also pointed out that "it is possible that, even with the CRS rules, current access prices are far above competitive levels." DOJ further found that "the effectiveness of the nondiscriminatory price rule in constraining access fees depends on the existence of 'countervailing market power' in the hands of large nonvendor carriers. * * * It does not appear that any major nonvendor airlines possess countervailing power in bargaining with the major CRS vendors."

Despite these disturbing conclusions of the Department of Justice, the Department of Transportation did not undertake any investigation of whether CRS booking fees are producing excessive profits or anticompetitive consequences. On May 21, following a study by the GAO which also found that there was a serious question about whether booking fees were excessive, Congressman HAMMERSCHMIDT, Senator KASSEBAUM, and I wrote to Secretary Dole urging that DOT begin a study on the booking fees. The Secretary's interim response suggested that the study we requested might not be undertaken because there would be complex economic and regulatory issues and "serious data collection problems." We were promised a final decision on whether the study would be conducted by August 1. To date we have not been advised of DOT's final decision on whether DOT will study booking fees.

On the question of liquidated damages, I wrote the DOT almost 1 year ago asking them to look into the problem. On November 25, DOT gave me an interim response stating that they were aware of the problem and were actively considering several alternative courses of action, including an enforcement investigation or issuing an advance notice of proposed rulemaking. They promised to advise me "shortly" of what they were going to do. I have not yet received any indication that DOT has decided what action it will take.

DOT's lack of enthusiasm for carrying out its regulatory responsibilities is one of the reasons I am introducing legislation establishing an alternative means of dealing with CRS problems. However, the legislation does not cover all CRS problems and it is not intended as a substitute for regulatory action. We will continue to urge the Department of Transportation to carry out its responsibilities.

The bill I have introduced permits airlines and travel agents to have disputes over the terms of CRS contracts resolved by binding arbitration.

I recognize that in most industries the parties are free to negotiate the terms of contractual relations, and neither party is compelled to accept an arbitrator's decision on what contractual terms are fair and reasonable. However, the CRS industry is different from other industries. CAB and the Department of Justice have found that in the CRS industry there are competitive problems which have not been satisfactorily resolved by market forces. These problems have required Government regulation over areas that would not be regulated in other industries, such as how schedules are displayed on CRS screens, and whether CRS booking fees must be the same for all airlines. The bill I am introducing proposes arbitration as an alternative to further Government regulation to deal with these types of problems. Arbitration appears to be a more efficient and less burdensome means of resolving these problems than resolving them by regulatory or judicial decision.

In general, the bill I am introducing permits airlines listed in a CRS system or travel

agents to request binding arbitration on the issue of whether provisions in a CRS contract—such as booking fees and liquidated damages—are fair and reasonable. In an arbitration on fees, the arbitrator would evaluate whether revenues realized by the CRS owner from the fees and other sources—including incremental revenues—would cover the costs of the CRS system, including a return on investment. For other contractual provisions—for example, liquidated damages for an agent ending a contract—the arbitrator would decide whether the provision was consistent with normal business practices in a case in which neither party had monopoly power.

For arbitration to be required, it would have to be requested by a substantial number of airlines—one-third of the total RPM's of all carriers not owning a CRA—or agents—one-third of all the agents using a CRS system, or 100 agents. There would also be limits on how often arbitration could be requested.

A more detailed summary of the legislation is set forth at the conclusion of my statement.

I recognize that this is a novel approach to dealing with the CRS problem, and I would particularly welcome written comments from interested persons on this legislation. The details of the CRS Arbitration Act are set forth below.

How the CRS Arbitration Act would work:

The basis scheme of the CRS Arbitration Act is to establish binding arbitration to resolve any dispute over any provision in a CRS contract if a sufficient number of participating carriers or travel agents indicate a need for such arbitration.

For participating carriers, the threshold is set at the number of carriers which accounts for at least one-third of all domestic scheduled revenue passenger miles flown by participating carriers subject to such provision in the most recent calendar year—but excluding the revenue passenger miles flown by the vendors from the calculation. The one-third threshold recognizes that a substantial interest should be exhibited but that majority rule would be inappropriate. For subscribers, that is travel agents, the threshold is set at one third of all subscribers subject to the provision or 100 such subscribers, whichever is less. Again, the threshold is intended to insure a sufficient showing of need before the arbitration procedures are invoked.

The Federal Mediation and Conciliation Service [FMCS] would be given the responsibility for appointing arbitrators and establishing the detailed ground rules for arbitrations.

The standards to be applied by arbitrators in these disputes are defined as broadly as possible and recognize that binding arbitration is necessitated by the fact that arms-length negotiations have not been possible in the marketplace. For example, the standard for fee disputes takes into account the position of participating carriers and travel agents that such fees should be cost-based while also recognizing the vendors' arguments for "an adequate return on investment" and a "reasonable profit."

The act contemplates three arbitration scenarios:

1. First round arbitration: Within 90 days after enactment, any participating carrier or travel agent could petition the FMCS for arbitration on any provisions. The FMCS would then give the vendors 30 days to advise it as to the number of participating carriers or travel agents affected by each provision. If the FMCS determined that the number of petitions met the threshold for a particular provision, that provision would be arbitrated. The arbitrator's decision would be binding on all of the petitioners' contracts as well as on contracts executed or renewed at a later date.

2. Second round arbitration: A new provision, that is a provision not included in contracts on the date of enactment, can be the subject of a petition for arbitration at any time. Similarly, a provision in a particular contract existing at the date of enactment but not subject to arbitration because of the failure of the participating carrier or agent to file a petition may be the subject of a petition for arbitration at any time 1 year after the date of enactment. In either instance, the FMCS would not order arbitration unless the petitioners exceeded the threshold numerical standards.

3. Changed circumstances arbitration: One year or more after the date of an arbitrator's decision, that decision may be reviewed on the basis of changed circumstances.

INDIAN INDEPENDENCE DAY

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. GARCIA. Mr. Speaker, today is the 39th anniversary of India's independence from Great Britain—in yesterday's RECORD, I mistakenly stated that it was the 40th anniversary.

In honor of this auspicious occasion, News India, a popular Indian American weekly newspaper headquartered in New York City has published a special 44-page edition on India and on the Indian-American community. I want to commend News India and its fine staff, especially John Perry, Arthur Pais, and Minoli De Soysa, for the excellent job they have done of making us all more aware of India's rich heritage, as well as our own Nation's growing Indian community.

On a related note, I am submitting for the RECORD a copy of a speech by the President of India, His Excellency Zail Singh in honor of today's celebrations. I hope my colleagues find his words as inspiring as I did.

THE PRESIDENT'S ADDRESS

On the occasion of the thirty-ninth anniversary of our Independence, I greet you all my countrymen and extend to you my best wishes. This is an occasion for us to remember with gratitude the great sacrifices made by our people during the freedom movement. I pay my respectful tributes to all those who participated in the freedom struggle with exemplary courage and devotion.

We have reason to be proud of our achievements in various fields since Independence. We have reached a stage in our development and growth where further sustained efforts will ensure accelerated progress. Our aim should be to become a strong and prosperous nation in the near future. Unfortunately in the recent past, disruptive forces have been at work, which seek to threaten our unity and integrity. This diverts our attention from the mighty task of development. It is extremely painful for us to witness the growing trend of violence in the country. Whether the people inciting or indulging in violence are driven by religious fanaticism or are persuaded by any other concept, they are striking a serious blow at the very foundation of our national existence. I express my profound grief over the loss of many innocent and precious lives owing to senseless violence.

In a democratic society there is ample scope for the people to press their legitimate demands in a peaceful manner. Unless the people concerned are willing to tackle the issues in a spirit of give and take, it will be difficult to arrive at a lasting solution to any problem that may be agitating the minds of any section of the society. Let us ask ourselves if we have been doing our duty to the country without narrow or selfish consideration. Also whether we have subordinated our self or sectarian interest to the overall interest of the country.

India has been passing through a phase full of threats and dangers. The dark forces of communalism, casteism, regionalism and chauvinism have been trying to have their way. Taking a cue from these disruptive events, some external powers have been taking an unhealthy interest in our internal affairs. Their intention is to further endanger our unity. This calls for alertness and vigilance. Our countrymen have always demonstrated complete solidarity at critical moments of our history. But it is very important to anticipate such events without complacency and to always remain united. Our sovereignty and integrity are paramount. We have to ensure that no quarter is given to any outside power to directly or indirectly encourage or promote fissiparous tendencies in our country. Our own strength should be the best guarantee for safeguarding our dignity and honour. I call upon all citizens of the country whatever their ideological or political affiliations, whether they belong to the ruling parties in various States or support the opposition, they should all apply their energies in seeking solutions to problems in a peaceful and constructive manner.

The people of India have given themselves a socialist and secular democracy. This democracy has shown its inner strength and efficiency to the world. It is the most important duty of everyone to inculcate a sense of honesty and integrity in social and political life. Corruption at all levels has to be ruthlessly eliminated. There is a special responsibility cast on leaders, publicmen and administrators to maintain an honest image. Democracy also calls for firmness and tolerance in interaction among political parties and social groups.

The Prime Minister has shown statesmanship in rising above Party interests in dealing with some long standing issues of national concern. National problems call for solution based on national consensus. The spirit of mutual accommodation should be strengthened and everything should be done to eradicate the feelings of mutual mistrust.

Our younger generation has to defend and protect the Independence and promote unity and goodwill among people. I am happy that during the past year the student community by and large has shown a sense of discipline. But their exploitation by opportunists whether political or religious is detrimental to the interests of the country. The elements who try to exploit the impres-

sionable minds of our younger generation not only impair their future but also do great disservice to the nation. The energies of our young men and women should be channelised toward reconstruction and development.

Our strategy of planned economic development has worked successfully over the years. We have made appreciable progress in many directions. But the fruits of development have still not reached large sections of society. Economic growth with stability and social justice is our objective. But we are yet to reach a reasonable degree of satisfaction in the provision of even the minimum needs of the poorest people. Apart from the Scheduled Castes and Scheduled Tribes there are other backward classes accounting for approximately half the population. A large number of them are politically, socially and economically weak. A major endeavour is needed to provide opportunities to these people for growth and development.

Economic offenders and tax evaders undermine the effective implementation of economic policies. Government have taken several measures to contain the activities of these anti-social elements. It would need determination, rectitude and impartiality on the part of law enforcing authorities to bring the genuinely guilty to book.

India stands for peace and friendly relations with all countries. In pursuance of this objective we are continuously endeavouring to reduce tension in the world. We have been trying for the establishment of a new International Economic Order based on justice and equity. Under the stewardship of India the Nonaligned Movement has taken long strides toward cohesion and unity of purpose among the Third World countries. The Movement has been striving hard for disarmament. Only disarmament can ensure the survival of mankind. We are greatly concerned over Super Power rivalry in the Indian Ocean and are making determined efforts to free it from their military presence. The continuance of policies of discrimination based on colour is a great blot on civilization. India is committed to extend every possible support to the struggling majority in South Africa to attain emancipation from racial discrimination.

We are closely bound to countries in the South Asian Region by geo-political and historical links. SAARC no doubt has emerged as a symbol of regional cooperation. India extends its whole hearted support to this association. At the time there has to be progress in our bilateral relations with our immediate neighbors.

Our defence forces have served the nation with a sense of duty and utmost devotion. They are a symbol of national unity and discipline. The nation appreciates their excellent services and expresses its gratitude for their dedication and sense of patriotism.

I would like to conclude by appealing to all my fellow citizens to bear in mind that the unity and integrity of the country are supreme and no sacrifice is too big to preserve our independence and sovereignty.

ALEX NAIMON

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. BARNES. Mr. Speaker, I invite my colleagues' attention to the retirement earlier this year from the Federal service of Alex Naimon, one of my constituents, who rendered distinguished service to four agencies over a period of more than 36 years.

Mr. Naimon began his career as an electronic technician with the Department of the Navy during World War II. With the assistance of the GI bill, he obtained a masters degree from Columbia University and then a law degree from Harvard Law School.

He was then appointed to the Office of Price Stabilization, where he served as an attorney in the Rubber, Chemical and Drugs Division. When OPS was abolished in 1953, Mr. Naimon accepted an appointment in the Office of the Surgeon General of the Army, where he worked for the next 17 years and rose to be its highest ranking civilian attorney.

Among his accomplishments was his idea of a "Army Investigational Drug Review Board" which was subsequently implemented through his efforts. For this work—and for negotiating the approval and coordination with the Food and Drug Administration of an antimalarial drug for use by the troops in Vietnam—thus preventing untold numbers of cases—Mr. Naimon was cited with a Department of the Army Certificate of Achievement.

In 1965, Mr. Naimon was appointed to the Army's most powerful board, the Army Board for Correction of Military Records, established after World War II to ensure that benefits were provided for veterans for whom they had been mistakenly or unjustly denied.

As OTSG's compliance officer, Mr. Naimon was instrumental in making nondiscrimination policy applicable to hospitals and physicians in CHAMPUS contracts. His contributions to the Army Medical Department in general, and to preventive medicine officers in particular, were recognized by the International Health Society, which in 1968 gave him a "Distinguished Deputy Judge Advocate."

In 1970, Mr. Naimon transferred to the Health and Welfare Department, where he served as both the legislative liaison officer and the regulations officer for the National Center for Health Services Research. In these capacities he was active in projects in such areas as: Health Maintenance Organizations, national health planning, biomedical research, and medical malpractice.

From 1977 until his recent retirement, Mr. Naimon worked for the Veterans' Administration's Office of General Counsel, drafting legislative proposals and legal opinions on a variety of issues. He received numerous commendations for his work, including one by the Department of Justice for his work on a complex kidney organ bank litigation case.

In addition to his Government work, Mr. Naimon has been active in the Federal Bar Association, and served his community on a variety of capacities.

Mr. Naimon's career exemplifies the ideal of public service—working in the public interest both in interpreting the law and in proposing changes to the law. Our country has certainly benefited from Mr. Naimon's having dedicated his life to the belief that the role of lawyers in Government should be to preserve the rule of law and our democratic form of Government.

PROTECT AUTO INDUSTRY JOBS

HON. FRED J. ECKERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. ECKERT of New York. Mr. Speaker, once again I rise in support of easing the automobile mileage regulations known as the corporate average fuel economy. It is imperative that the Department of Transportation make the necessary changes and ease these standards before they cause American autoworkers and others who are employed in this field to lose their jobs.

Thousands of hardworking taxpayers are employed at Gleason Works, Rochester Products, Delco, Alton Tool Works and other auto related businesses in the Rochester area. Many retirees in this area whose retirement benefits are reliant upon the success of these businesses are concerned about the effects these outdated regulations could have on them. While energy conservation is important, the change in standards is minimal when you consider what the negative effects could be on jobs and retiree benefits if they are not changed.

I have included an article from the June 12, 1986, issue of the Detroit News on the plans of Japanese auto companies to sell larger and more luxurious cars in the United States. Because of the current fuel economy program, the Japanese automakers have a significant advantage over domestic full-line manufacturers as they pursue this strategy. The Japanese companies have amassed substantial credits which they can now use to offset the lower fuel economy of larger cars which they plan to sell. It would be unfortunate if our largest domestic automakers were to be needlessly penalized by an overly stringent CAFE program. It is time for the Department of Transportation to modify this program and reduce the CAFE standards.

NEW INVASION IN WORKS: JAPANESE LUXURY AUTOS

(By Richard A. Ryan)

TOKYO.—Japanese auto executives say a majority of the new cars they will build in the United States will be larger, more luxurious and more profitable models than those they have traditionally sold.

Recent interviews in Japan with top auto officials of Toyota, Nissan, Mazda and Honda reveal an eagerness to expand the Japanese share of the United States auto market, already at 22 percent, by sharply increasing the number of cars manufactured in America.

And they think they can do that best by building cars designed to compete in a segment of the market historically dominated by American-made automobiles.

"I have observed the American market, "Seija Tanaka, general manager of Honda Motor Co. Ltd., said between sips of green tea in the Honda World Headquarters building in Tokyo.

"And even if we have another oil crisis in the years ahead, I think there is a very high probability that there will be continued demand for luxurious and sporty models. Americans have to drive long distances and the people are really accustomed to that way of living."

Small, fuel-efficient Japanese-built cars gained a foothold in the American market during the gasoline shortage of the early 1970s. Now, with oil plentiful and prices down, Japanese manufacturers, like their American counterparts, are shifting to the larger, more powerful cars they think U.S. consumers want.

"Thanks to the growth of the economy in the United States," said Tetsuo Arakaws, executive managing director of Nissan Motor Co. Ltd., "we have good forecasts for auto sales."

The Japanese hint that they are willing to give up the lower end of the automobile market, the sector they once dominated, to the Korean-built Hyundai Excel, which sells for under $6,000, and to Yugoslavia's Yugo, which retails for less that $5,000. In 1985, according to the Motor Vehicle Manufacturer's Association, American consumers purchased 23,302 Hyundais and 8,277 Yugos, both newly introduced.

"Frankly speaking, we cannot compete with the Korean cars and their low prices," acknowledged Nissan's Arakawa. Sales of smaller Japanese-built cars have declined since January while sales of the more expensive models have increased by 10 percent, he noted.

Honda's Tanaka says market surveys show that sales of "sporty and luxurious" model cars will double between now and 1990. To meet this demand, Honda intends to market its Regent and Integra models in the United States. The Integra will sell for between $10,000 and $12,000 while the Regent will be priced in the $20,000 range.

"With the larger spaces and larger roads in the United States, larger cars are more in keeping with the latest of the American people," said Hideu Kamio, executive vice-president of Toyota Motor Corp., in an interview in the firm's Tokyo headquarters.

"Certainly the era when people were interested in small cars seems to be ending and people seem to be moving again toward the larger cars."

THE DREAM CALLED FUSION

HON. ROBERT A. YOUNG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. YOUNG of Missouri. Mr. Speaker, on August 7, there were only a few small articles buried deep in a few large papers to draw the public's attention to an event of major significance. As the Associated Press reported that day, scientists at Princeton University had managed to heat a rarefied gas to a record 13 times hotter than the core of the Sun.

Now certainly that seems like a scientific achievement of note, but is it really all that relevant to the average person, or even the average Congressman? Mr. Speaker, the answer is yes, an absolute yes!

It is remarkable that this temperature of 200 million degrees Centigrade was reached at all. The previous worldwide scientific record was a mere 80 million degrees Centigrade reached in 1980. Princeton's experiment exceeds that record by 2½ times, 13 times hotter than the core of the Sun itself.

But this accomplishment is only part of the significance of the event. The scientists and engineers responsible for the experiment were at the Department of Energy's Princeton Plasma Physics Laboratory patiently continuing their efforts to bring the dream of fusion closer to the reality of power. The temperatures recorded in the Tokamak fusion test reactor [TFTR] should remind all of us that fusion research is on track and is producing results. At temperatures of 200 million degrees Centigrade, fusion can and will take place.

In addition to the success with temperature, the TFTR is showing substantial progress in achieving critical requirements for a successful fusion reactor, such as the density of plasma—that is, the hot gas that is contained by the device's magnetic field. Slowly but surely, we are moving toward our next fusion milestone—the elusive, but critical break-even point.

For a fusion reactor, the break-even point occurs when the energy produced equals the energy required to keep the plasma hot. The plasma or superheated gas, if successfully heated and confined, will create a medium in which atoms will collide and fuse. Once break-even occurs, Mr. Speaker, nuclear fusion becomes a technological reality and a commercial challenge. The realization of fusion-powered electricity will quickly follow.

And what is the significance of fusion-powered electricity? Imagine a potential source of energy which relies on low-cost, readily available, inexhaustible fuels. Imagine energy produced by sea water. Imagine the absence of the environmental and safety concerns associated with nuclear fission. Imagine harnessing the process that powers the Sun and the stars for the benefit of all mankind. This is the dream called fusion.

Mr. Speaker, the recent technical achievement in the TFTR at Princeton demonstrates to the Congress and to the American people that the U.S. Magnetic Fusion Program is providing a significant return on our Nation's investment. In fact, the levels of plasma temperature and heat confinement achieved in recent TFTR experiments exceed the objectives specified for the TFTR when the project was first authorized by the Congress in March 1976. This program is moving ahead and deserves the support of the Congress so that the United States can remain preeminent through its achievements in TFTR and the planned follow-on device to produce a burning fusion plasma.

Mr. Speaker, there may not have been banner headlines or special newscasts. There may not have been much congressional or public awareness. But I would suggest to my colleagues that it is a welcome alternative to the daily slew of crises to hear of a program which embodies the highest aspirations of the American people and is successful.

JOHN D. LUSK HONORED SEPTEMBER 18, 1986

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. LEWIS of California. Mr. Speaker, I would like to take this opportunity to recognize a truly outstanding citizen, Mr. John D. Lusk. The Old Baldy Council, Boy Scouts of America will present their 1986 "Good Scout of the Year Award" to Mr. Lusk on September 18 of this year.

This award serves to recognize those individuals who are supportive of the Boy Scout organization and whose personal characteristics serve as examples to the young men in Scouting today. John Lusk has long been involved in Boy Scouts and he continues to support the program and its fine ideals.

Mr. Lusk started his career as a developer in 1946 by building custom homes in the Brentwood-Bel Air area. Now 40 years later, he is the chairman of the board and chief executive officer of the Lusk Co. Its residential projects include the entire spectrum of housing possibilities: luxury, waterfront homes, equestrian estates, condominiums, townhomes, and even manufactured housing.

In addition to making his business a success, John Lusk has served as past president of the Building Contractors Association, western trustee of the International Council of Shopping Centers and director of the National Association of Home Builders. He is a trustee of Mead Housing Inc., an eleemosynary trust to develop housing for low-income families, and a life trustee of Claremont-McKenna Men's College.

John Lusk was honored with the "Builder of the Year Award" from the Building Contracters of America, as well as the past president's award. He was also named "City of Hope Man of the Year" for the Construction Industries Alliance.

John Lusk has long been active in many philanthropic and community endeavors in addition to his active support of the Boy Scouts. Other contributions to the community include his role as founding trustee of Presbyterian Community Hospital in Whittier, CA. Mr. Lusk is an ardent supporter of Nuestros Pequenos Hermanos, which is an orphanage in Cuernavaca, Mexico, and many other charitable causes as well.

Mr. Speaker, I ask that you join me in saluting John D. Lusk. His many contributions and successes make him an outstanding leader in the community and a most deserving recipient of the "Good Scout of the Year Award."

MERCED RIVER LEGISLATION

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. COELHO. Mr. Speaker, I am introducing today legislation to place the upper portion of the main stem and the south fork of the Merced River within the National Wild and Scenic Rivers System. This bill will help to guarantee that the beauty of this river will be preserved and maintained for future generations.

The main stem and south fork of the Merced River offer a number of scenic, cultural, and recreational resources for all people who come to visit it. The river serves as an important habitat for a variety of fish, with the south fork being designated as a California wild trout stream. Red-tailed hawks and

golden eagles have been seen in the area, along with a variety of wild animals. Many rare plants and flowers make the river an enjoyable place to visit throughout the year.

The geological formations that can be found in the canyon are as striking as you will find anywhere in the world. The effects of a long ago ice age have left their indelible mark resulting in magnificant scenery for all who come through the area. Waterfalls in several places enhance a visitor's enjoyment of all that the Merced has to offer.

The river system also provides a number of people with the opportunity for hiking, fishing, white-water rafting, and swimming. The Merced has truly become an active recreational area, which I have been able to enjoy many times in the past.

The tremendous values of the river are threatened by those who wish to develop projects along the Merced. If these projects are permitted to continue, not only the river but Yosemite Park itself will experience severe consequences.

Consequently, the legislation I am introducing today will insure that all projects will be prohibited along the Merced River in the future. The upper portion of the main stem of the river will be designated a wild and scenic river from its source in Yosemite National Park to the town of Briceburg at Highway 140. Additionally, the South Fork of the Merced River from its origin in Yosemite National Park will receive the same wild and scenic designation.

Pending final recommendations from the Bureau of Land Management on the lower portion of the main stem of the Merced from Briceburg to Bagby, and to explore other possible uses for this segment of the river, a moratorium will be placed on the Briceburg to Bagby section for 5 years. Additionally, the legislation would require consultation with the Mariposa County Board of Supervisors when decisions are made regarding the management of those sections of the river placed within the wild and scenic designation.

The Merced River has provided many memorable times for people of my generation. This bill will ensure that our children and grandchildren will be able to experience what we see is worthy of protection today.

H.R. 5205, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS BILL

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. RANGEL. Mr. Speaker, I rise in support of H.R. 5205, Department of Transportation and related agencies appropriations bill, 1987. As chairman of the House Select Committee on Narcotics Abuse and Control, I am pleased that $372,983,000 of the Coast Guard's operating expenses budget is earmarked for drug interdiction activities.

House Report 99-696, which accompanies H.R. 5205, states:

It seems clear that the Coast Guard's drug interdiction activities have been only marginally effective in combating illegal drug use. The Appropriations Committee continues to believe that the Coast Guard's drug interdiction activities are an important component of our national effort to combat illegal drug use. The committee, however, recognizes that there are not unlimited resources for this effort and expects the Coast Guard to develop program performance measures and to improve the coordination, evaluation, and direction of its drug interdiction activities.

Mr. Speaker, I have found the men and women of the Coast Guard to be extremely dedicated to their mission and cognizant of the need to make wise use of available resources. Because of their expertise in conducting at-sea boardings of suspected drug smuggling ships, Congress authorized an additional 500 Coast Guard personnel to place more law enforcement boarding teams on Navy ships operating in drug smuggling areas. My information is that this program is effective and proceeding on schedule.

Improved measures of performance are needed and would certainly be welcome. However, I point out that no one knows how much drugs are transported to the United States, and that the Coast Guard is just one of several Federal agencies charged with narcotics law enforcement. Also, drug smugglers adjust their methods of operation and smuggling routes to avoid detection and interdiction. For example, America's Southwest border has become an appealing point of entry for narcotics smugglers in part because Federal law enforcement pressure in south Florida has been increased.

H.R. 5205 contains $2,416,607,000 for the activities of the Coast Guard in fiscal year 1987. Of this amount $1,849,800,000 is for Coast Guard operating expenses, of which $15 million will come from the boating safety account.

The operating expenses account is the heart of the Coast Guard's budget. In fiscal year 1986, the Coast Guard experienced a $142 million shortfall, which was partially offset by $45 million which the Coast Guard received in the urgent supplemental, Public Law 99-349. The effect of these cuts was to force the Coast Guard into a "squeeze down/slow down" operating procedure which reduced routine drug patrols in many parts of the country and affected other vital Coast Guard missions. The amount in H.R. 5205 is $13 million less than required due to projected fuel savings, but still 15 percent over the amount appropriated for operating expenses in fiscal year 1986. Mr. Speaker, while there may have been some fat in the Coast Guard budget at times in the past, I can assure you that this is no longer the case. Every cent contained in the Coast Guard's operating expenses buget is vitally needed to restore Coast Guard services to near normal levels in 1987.

H.R. 5205 includes an appropriation of $101,850,000 for the capital acquisition, construction, and improvement [ACI] programs of the Coast Guard. This recommended appropriation plus an estimated $102,250,000 in unobligated carryover funds will provide for a total program level of $204,100,000, approximately $63 million below the President's request. Moreover, these unobligated carryover funds include $69,750,000 from the coastal defense augmentation account, which Congress approved last year to provide additional resources to enhance the Coast Guard's military readiness. Now these funds are to be used to meet the Coast Guard's ongoing procurement needs, such as the renovation of existing medium and high endurance cutters. The total program level includes $144,900,000 for vessels, and $5,600,000 for aircraft. Mr. Speaker, many drug smugglers possess state-of-the-art boats and airplanes. I question whether the recommended level for ACI in H.R. 5205 is sufficient for the Coast Guard just to keep pace with the resources available to sophisticated drug traffickers, and whether it is consistent with the intent of Congress expressed last year in creating the coastal defense augmentation fund.

I am disappointed that in fiscal year 1987 full-time positions, including reimbursables would be 342 military and 41 civilian positions below the fiscal year 1986 level. Drug interdiction is a dangerous and labor intensive business, and situations arise in which there is just no substitute for having adequate manpower.

Mr. Speaker, these are hard times economically, and I urge that the Coast Guard keep a close watch on all its expenditures. I support passage of H.R. 5205, although it contains the bare minimum necessary for the Coast Guard to carry out its multimission role. However, we cannot expect the Coast Guard to be more effective in drug interdiction unless we give them additional resources. At present, the Coast Guard is doing the best job it possibly can with the resources it has. It is my hope that the House can find a way to give the Coast Guard, and our other hard-pressed drug enforcement agencies, some additional resources in the comprehensive drug bill Members will have the opportunity to vote on later this year. However, by including these funding levels for Coast Guard operations when it passed H.R. 5205 on July 30, 1986, the Congress reaffirmed its support for the vital role the Coast Guard plays in America's drug interdiction efforts.

H.R. 4825: EXPANSION OF MENTAL HEALTH SERVICES

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. TOWNS. Mr. Speaker, this week the House passed H.R. 4825 which will allow clinical social workers to be reimbursed under the Federal Employee Health Benefits Program [FEHBP]. I believe that this legislation will expand the choice of mental health practitioners for Federal employees and thus improve the quality of health care.

H.R. 4825 removed the unnecessary requirement that a psychiatrist referral was re-

quired before a FEHBP beneficiary could receive services from a clinical social worker. The current referral requirement may add additional costs for the clinical social worker in private practice who may have to arrange for the consulting services of a psychiatrist for this purpose. In rural areas, where there are few or no psychiatrists, the referral condition becomes a more serious problem. It may result in the absence of reimbursement for mental health services provided by clinical social workers, and consequently the absence of needed mental health services.

A Department of Defense study, in fact, verified that "no quality of care problems" resulted from the use of clinical social workers and that the cost was in fact reduced. I believe that H.R. 4825 will place clinical social work in its rightful place as a mental health profession equivalent to psychiatry and psychology. Hopefully, the Senate will also act on similar legislation so that the services clinical social workers will be readily available to Federal employees.

HONORING WILL BENNEY, ROBERT RUIZ, AND JERRY ROSALES

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. TORRES. Mr. Speaker, I rise today in recognition of several dedicated men; Mr. Will Benney, Mr. Robert Ruiz, and Mr. Jerry Rosales. Mr. Benney is a sixth-grade teacher at Valinda Elementary School in La Puente, CA and the current president of East San Gabriel Valley Task Force on Drug and Alcohol Abuse. Mr. Ruiz and Mr. Rosales are members of the task force. These three gentleman have developed an antidrug program called Friend to Friend.

Approximately 75 high school students were chosen to participate in the program, which commenced with a conference in Pico Rivera, CA. The conference was the kickoff for a year of activities in which the participants will first develop solid, positive friendships and then spread the antidrug message to their peers. These students will also spread the message to elementary school children through a student-operated speaker's bureau.

The task force is an outgrowth of a Chemical People Program presented last year under the auspices of Nancy Reagan, in which communities were urged to implement local anti-substance abuse programs. The program promotes positive peer pressure so other youths will choose a drug-free lifestyle.

Mr. Benney, Mr. Ruiz, and Mr. Rosales should be commended for taking a stand against drug abuse and actively participating in a program that will give the youth of today the ability to make the right choice about drug use.

THE NATIONAL SEABED HARD MINERALS ACT OF 1986, AND THE NEED TO EXPLORE AND MAP OUR NATION'S EXCLUSIVE ECONOMIC ZONE [EEZ]

HON. MIKE LOWRY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. LOWRY of Washington. Mr. Speaker, the Panama Canal/Outer Continental Shelf Subcommittee held a hearing on June 26, 1986, to examine the adequacy of section 8(k) of the Outer Continental Shelf Lands Act Amendments [OCSLAA] as a regime for the exploration and commercial recovery of hard mineral resources in the exclusive economic zone [EEZ]. At that time, witnesses representing the industry, the environmental community, and coastal States, expressed serious misgivings about the present regulations for hard mineral exploration and commercial recovery under an act designed to regulate oil and gas development.

Therefore, today I am introducing the National Seabed Hard Minerals Act of 1986. This act is designed soley as a regime for hard mineral resource exploration and commercial recovery off the U.S. coastline on the Outer Continental Shelf and within our Nation's recently established EEZ.

Presently very little is known about hard minerals on the seabed of the United States. This bill is intended to initiate a comprehensive and systematic research plan that will support activities with respect to environmental assessment, and general mapping and charting of the EEZ, including areas that may be subject to future exploration and commercial recovery of hard mineral resources. The resource assessment, mapping, and environmental assessment called for in this bill would provide the necessary information and data to improve our understanding of the Earth's geology which will be useful to researchers, government, and industry, and may lead to the future exploration and commercial recovery of valuable hard mineral resources.

There is also a need for improving State-Federal consultation regarding resource development offshore of a State's coastline but in Federal waters beyond the territorial sea. The OCSLAA has not, in my view, allowed enough State participation in resource decisionmaking which could affect the marine and coastal environment. Therefore, this bill introduces the concept of State-Federal task forces that will provide an arena for the discussion of issues of concern. It also provides a means for the resolution of disputes between States and the Federal Government if they arise.

The key sections of the National Seabed Hard Minerals Act of 1986 [NSHMA] are as follows:

Section 102 contains the findings and purposes.

Section 103 contains the definitions, including the definition of "Seabed of the United States", which is defined as the lands beyond the territorial sea out to a minimum of 200 nautical miles from the baseline, and to a maximum of 350 nautical miles as long as the submarine lands are part of a natural prolongation of the continental shelf.

Section 201 establishes a resource assessment, mapping, and environmental assessment program to be administered by the National Oceanic and Atmospheric Administration (NOAA) and the Department of the Interior.

Section 202 provides for the establishment of state-federal task forces to advise the Administrator of NOAA (Administrator) and the Secretary of Interior (Secretary).

Section 203 establishes criteria for Stable References Areas in which no exploration or commercial recovery activities may be carried out.

Section 204 defines the roles of the Secretary of Interior, and the Administrator of NOAA. The Secretary is granted authority over the mining code provisions of the Act while the Administrator is given responsibility to ensure environmental compliance, including the specifications of environmental terms and conditions for licenses and permits, and the preparation of any environmental impact statements which are required. This section also requires the Secretary and Administrator to more clearly delineate, and agree upon, their respective roles and report to Congress within one year from the date of enactment.

Section 301 gives the Secretary the authority to issue to eligible applicants licenses for exploration and permits for commercial recovery.

Section 302 creates a priority of right for the issuance of licenses on the basis of chronological order of applications filed.

Section 304 lists the criteria necessary for an acceptable application.

Section 305 lists the criteria which must be met for the issuance of licenses and permits, and defines the terms "logical exploration unit" and "logical recovery unit".

Section 306 requires the Administrator to prepare environmental impact statements for the issuance of licenses and permits.

Section 307 requires a certification of consistency with state coastal management programs for each license or permit issued under the Act.

Section 308 allows a consultation period between the Governor(s) of the affected state(s) and the federal government. It also provides for the formation of a Dispute Resolution Panel based on the request of the Governor(s).

Section 309 lists the terms, conditions, and restrictions to be contained in licenses and permits.

Section 310 establishes the duration of a license for a period of 10 years and the duration of a permit for a period of 20 years.

Section 311, 312 and 313 specify the procedures for modifications and revisions of the license or permit, the revocation and suspension of activities under the license or permit, and relinquishment.

Section 314 establishes a revenue sharing formula for royalties received from hard mineral recovery, which provides for 50 percent of revenues to affected coastal states, 40 percent of revenues, similar to the formula in the Mineral Lands Leasing Act of 1920, to a Marine and Coastal Environment Protection and Mitigation Fund, and 10 percent to the General Treasury.

Section 401 through 408 provide for enforcement, private actions for equitable relief, and administrative procedures.

Section 503 authorizes appropriations of $10 million per year, for five years, for resource evaluation, mapping, and environment assessment of the Seabed of the

United States and $500,000 per year, for five years, for public education and research to the Secretary and Administrator, respectively.

Section 504 repeals section 8(k) of the OCSLAA.

Section 505 states that this Act does not cover salt and sulfur leases.

Section 506 states that navigation and fishing rights and other reasonable uses of the high seas are not affected by this act.

TRIBUTE TO DR. RICHARD F. SCHIER

HON. WILLIAM H. GRAY III

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. GRAY of Pennsylvania. Mr. Speaker, I rise today to share with you the outstanding accomplishments of Dr. Richard F. Schier, professor of political science at Franklin and Marshall College in Lancaster, PA. Dr. Schier will retire from Franklin and Marshall College at the end of this academic year. It is fitting that we honor him today.

Dr. Schier served his country in World War II with service in New Guinea and the Philippine Islands from 1943 to January 1946. He returned home to his native Iowa and completed a bachelor of arts degree in 1946 and a masters degree from the State University of Iowa in 1947. In 1951 Dr. Schier earned his Ph.D. from the University of California at Los Angeles. He then left the United States to become an education adviser to the Department of Defense in Europe from 1951 to 1953. In 1953 Dr. Schier returned to the United States and joined the faculty at Franklin and Marshall College. He has been with the Government Department at Franklin and Marshall College for over 20 years, earning the respect of his colleagues and all who have come in contact with him.

During his years at Franklin and Marshall College, Dr. Schier has published extensively in such respected publications as: The New Leader, Intellect, USA Today, and the New York Times. He has written on topics as diverse as political fundraising, party reform, political advertising, and tax collection policies. Professionally, Dr. Schier has been a political analyst for ABC-TV on Pennsylvania races since 1966. He served on the board of directors of the Pennsylvania Division of the American Civil Liberties Union from 1964 to 1968. He has served on numerous committees for the American Political Science Association. Currently he is an associate editor for national affairs with USA Today.

Dr. Schier's political career brought him to Washington in 1965 to serve as legislative assistant to former U.S. Senator Joseph S. Clark. In his adopted State of Pennsylvania, Dr. Schier rose through the ranks of the Pennsylvania Democratic State Platform Committee, going from staff director in 1962 to chairman of the committee in 1974.

Mr. Speaker, as you can see from Dr. Schier's outstanding accomplishments, he is indeed a great scholar. But just as importantly, he is a devoted teacher. Dr. Schier has taught thousands of students through the years. He has passed on his love of the political process to them. He encourages government service and participation in party politics. He has instilled in his students the importance of participation. Dr. Schier serves as an example to all of us that we can influence, we can participate and we can make a difference in our country's future.

Dr. Schier will retire from Franklin and Marshall College at the end of this academic year. Those of us who have passed through the ivy-covered halls of Franklin and Marshall are grateful for having the experience of being taught by him. It is my hope that although Dr. Richard Schier is retiring from Franklin and Marshall, he will continue to teach and influence the young people who will become our leaders of tomorrow.

RESTRICTING NATIONAL GUARD TRAINING MISSIONS OUTSIDE THE UNITED STATES

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. BEREUTER. Mr. Speaker, on Wednesday, August 14, the House of Representatives voted 261 to 159 in support of the amendment of the gentleman from Mississippi [Mr. MONTGOMERY] to the fiscal 1987 DOD authorization bill which would prohibit State Governors from withholding consent for the training of National Guard members outside the United States.

The Montgomery amendment was probably motivated by recent experiences relating to the refusal of certain Governors to allow State National Guard units' training missions in Honduras because of protests over U.S. policies in Central America.

In an editorial printed in the Omaha World Herald on August 13, 1986, this issue was discussed in depth, and I submit a copy of that editorial for the benefit of my colleagues:

GUARD TRAINING MISSION DESERVES TO GO AHEAD

Iowa Gov. Terry Branstad deserves the public's support for refusing to cancel an Iowa National Guard unit's training mission in Honduras next week despite protests by opponents of U.S. policies in Central America. Sit-ins and letter-writing campaigns aren't the right way to establish a military unit's training program.

True, the right to dissent is guaranteed. But nowhere is it written that officials must hold a question open indefinitely and submit themselves to the cross-examination of everyone who holds a conflicting point of view. In the case of the Guard's mission to Honduras, responsible officials made their decision months ago. No good reason has been presented for them to reverse it.

Branstad, who is campaigning for re-election, says opponents of the training mission are playing politics. A resolution approved by the Democratic-controlled Iowa House of Representatives urged that the mission be called off. Four legislative Democrats reiterated their opposition to the mission last month after returning from a trip to Honduras.

The protest has been carried beyond a mere recitation of the arguments to the point of unreasonableness. Several days ago, a group of protesters took up a position outside the governor's office in the State Capitol and refused to leave the building at closing time. They were removed by police. Thirteen people were charged with trespassing. A spokesman said the group had intended to stay in the building until Branstad called off the training mission.

Opponents contend that such training exercises could lead to greater U.S. military involvement in Central America. But the Iowans would be stationed at a U.S. facility on the grounds of a Honduran air academy in a mountainous valley in the central part of Honduras—far from contra and Sandinista forces. It is unlikely that the U.S. forces would be involved in combat or in training contras; Congress and the Honduran government monitor the facility to be sure that doesn't happen.

What is the warlike act that Branstad has approved? The 38-member unit—a medical company—is scheduled to leave for Honduras next week. While there, the unit's doctors, dentists, nurses and corpsmen—all volunteers—will treat U.S. servicemen and Honduran civilians. Branstad's office said he gave his approval because he was convinced that the Iowans would be safe and that the training exercise would be worthwhile.

Those were proper questions for Branstad to answer. However, for a governor to use the Guard to make a political statement, as Branstad is being urged to do, would be a highly questionable use of authority—as well as being unfair to the men and women who wear the uniform of the National Guard.

STATE LEGISLATURES' STANCE ON RISK RETENTION BILL

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. FLORIO. Mr. Speaker, my subcommittee is actively considering legislation to help facilitate self-insurance groups and insurance purchasing groups. The National Conference of State Legislatures [NCSL] recently adopted a resolution on this subject by a unanimous vote. The statement covers a number of points that all Members will be interested in considering in connection with this legislation. The NCSL resolution follows:

NCSL RESOLUTION

Congress has before it legislation proposing to expand the 1981 Risk Retention Act to most lines and sublines of liability insurance. The 1981 legislation permitted the formation of risk retention groups which could self-insure or collectively purchase product liability coverage regardless of state anti-grouping laws.

One problem which has surfaced during the current crisis has been the absolute unavailability of certain lines of liability coverage or unavailability prompted by increased premiums. Nearly every state has addressed this problem, for political subdivisions particularly, by either establishing self-insurance authority, permitting pooling arrangements or risk retention groups, and/or establishing joint underwriting associations and market assistance plans.

The National Conference of State Legislatures believes that insurance availability is

critical for public and private sector entities. NCSL believes that federal legislation providing yet another alternative for potential liability insurance coverage through risk retention groups or collective purchasing groups is desirable. Such legislation will not entirely resolve the current crisis but could assist businesses, political subdivisions and others to obtain coverage.

Federal legislation should ensure that groups are similarly situated, that one risk retention group not serve as a reinsuror for other risk retention groups, that groups pay premium taxes and that such groups be subject to state regulation and/or oversight both in the chartering and non-domicilary states.

Federal legislation should ensure that adequate regulatory safeguards be made applicable to risk retention groups. These safeguards should include, but not essentially be limited to, protections against unfair trade practices and unfair claims settlement practices, state examinations of financial condition, submission of annual reporting requirements, participation in all insolvency guaranty fund and adequate capitalization.

THE HONORABLE BERKLEY BEDELL

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 7, 1986

Mr. MINETA. Mr. Speaker, I rise to pay tribute to my good friend, BERKLEY BEDELL.

This is a House that employs such expressions as "my distinguished colleague" and "my good friend" as a matter of custom, and the words sometimes lose their meaning. Yet when I speak of BERK, I am truly speaking of my good friend.

BERK BEDELL and I were the two old men of the class of 1974. In a class full of 20- and 30-year-olds, we were the senior statesmen.

Over the years, we have worked together on many projects. I have come to value my good friend for his integrity, and his determination to forge ahead when others' spirits weaken.

BERK BEDELL simply gets out there with his quiet Iowa twang and just won't move until the right thing gets done.

There are perhaps flashier Members of this Congress but it's is BERK's style of hard work, determination, and thoroughness that actually makes this House work.

BERK is a wonderful person. His sense of humor and kindness are well known to those of us who are proud to count ourselves as his friends.

We will miss BERK. We will miss him as a legislator, and as a friend. I join with all of my colleagues in wishing him well.

I would be remiss if I didn't also mention that my wife, May, and Elinor Bedell, have become close and special friends over the last 12 years. I know that May will miss Elinor greatly.

And so, Mr. Chairman, on behalf of May and myself, we wish the Bedells good fortune as the next exciting chapter of their life begins.

I understand that while their plans are not fully decided, they do intend to spend a major part of their time here in Washington fighting for world peace.

It is typical of BERK and Elinor that rather than take a well-deserved quiet retirement, they will keep up their efforts for the good of the world.

They are truly fine human beings, and this House will be poorer without them.

TREAT ACCOUNTANTS FAIRLY

HON. FRED J. ECKERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. ECKERT of New York. Mr. Speaker, over the past year the Oversight and Investigations Subcommittee of the Committee on Energy and Commerce has been conducting hearings on the role of accountants in our financial system. The subcommittee reviewed the role of accountants in the ESM Government Securities case and the Beverly Hills Savings & Loan case. We have also heard from critics of the accounting industry who have suggested that more regulations are required over accountants because they do not have enough independence from their clients.

In response to these charges I submit an article from the June 30, 1986, issue of Forbes. This article refutes the charge that accountants are not independent of their clients by reviewing a recent situation which involves an accounting firm and an insurance company. The accounting firm quit an audit engagement it had for 14 years, one that brought the firm fees of probably $1 million a year. The reason the firm quit was over the way the company was reporting its operating income. If the accounting firm was not independent it would have simply given in to the insurance company's method of reporting operating income.

The point I make by inserting this article is that accountants are independent of their clients and need to be treated fairly. The reason Congress is now looking into the role of accountants is that we seem to be having a change in the expectations of what role accountants play in our financial system. As a result of these changing expectations the accounting industry has started a substantial number of initiatives at the Auditing Standards Board, Accounting Standards Executive Committee, and other standard-setting bodies. Let's give the accounting industry some time to respond to these changing expectations before Congress steps in and imposes a set of troublesome and burdensome regulations. Let's treat the accountants fairly.

NOW YOU SEE IT, NOW YOU DON'T

(By John Heins)

Without warning Coopers & Lybrand resigned on April 24 as auditor for Baltimore's USF&G Corp. What's the deal? Big Eight accounting firms don't often up and quit an audit engagement after 14 years, especially one that brings in fees of probably $1 million a year from an $8 billion property/casualty insurance company. Something big? Big indeed. Two weeks before the resignation, USF&G, prodded by Coopers & Lybrand, had restated its financial statements for 1983, 1984 and the first nine months of 1985. The results were not pretty. The restatement cut 1983's operating income by 19 percent, to $140 million, and slashed 1984's operating income from plus $93 million to minus $41 million.

What happened? Battered by huge underwriting losses since 1981, USF&G needed help. It discovered it could use its investment portfolio to exploit some of the new financial abstractions Wall Street has dreamed up in recent years. Until Coopers & Lybrand finally blew the whistle, financial wheeling and dealing enabled USF&G to boost investment income and take it into operating income.

Explains David O'Leary, an insurance stock analyst at Hartford, Conn.'s Fox-Pitt, Kelton, Inc., "USF&G was basically transferring money from capital to income. While its [reported investment] income was going up, capital was getting killed."

How do you transfer money from the investment portfolio to operating income? One clever USF&G strategy involved selling covered call options—that is, selling investors the right to buy stock in USF&G's portfolio at a predetermined price.

Suppose, hypothetically, that USF&G owned IBM at a cost of $100 a share. IBM rises to $150, so USF&G has earned a capital gain of $50. But the insurer might sell a $140 call (the right to buy the stock for $140) against its IBM for a premium of $20.

The accounting question is, Where do you record that $20 premium? As part of "realized gains or losses on investments"? Or as part of operating income, along with gains or losses on underwriting? Operating income, remember, is what analysts and investors tend to look at when judging an insurer's performance.

Until the restatement, USF&G was recording the entire premium as operating income. It was doing so despite the fact that part of the premium ($10 in our example) reflected a capital gain already in the stock when the call was sold. Then, when the call was exercised, USF&G would show a $10 capital loss—the stock, carried at $150 on the books, was being "sold" for $140. By sticking $10 of what had been a capital gain into income, USF&G effectively depleted the capital account to augment the operating income account. Coopers & Lybrand, then, required USF&G to put some of these capital gains back into "realized gains on investments."

Another of USF&G's devices to boost reported income involved buying dividends. USF&G would buy stocks before the dividend date of record, entitling it to receive the dividend and record investment income. Then, still before the record date, USF&G would agree to sell the stock exdividend at a capital loss—that is, at the market price, minus the dividend payment the new owner would not receive. Again—taking money out of the capital account and putting it into operating income. According to the restatement, these dividend machinations overstated operating income by $81 million ($1.49 a share) in 1984 and $120 million ($2.02 a share) in 1985.

There was more. In order to take unrealized gains on some of its debt securities into net income, USF&G would sell and then immediately repurchase the securities. Similar "wash sales" are common to realize losses near the end of the year for tax purposes. But neither the IRS nor the accountants have any standards dealing with wash sales to realize gains. Only after Coopers & Lybrand argued that the economic substance of the wash sale transaction was not really a

sale did USF&G restate the questionable gains—which had, it now appears, overstated net income by $52 million in 1984 alone.

USF&G executives seek to shift the blame to fuzzy accounting rules. "There are so many new ways to invest your money and trade your securities," contends Paul Schlough, USF&G's vice president for investor relations, "that the accounting treatment never really was very clear." Schlough might have a point—except for the rules of common sense, and the fact that other firms have been more conservative. Several mutual fund companies and at least two other insurers (Combined International and American General), for example, also write covered call options but mostly credit all proceeds to capital gains, not investment income.

Are USF&G's shenanigans unique? Probably not. The Securities & Exchange Commission was worried enough that it asked the Financial Accounting Standards Board to put a major project concerning "financial instruments"—such as options—on the FASB's already crowded agenda. The board has its work cut out. "The area of financial instruments is one of the final frontiers," says John Deming, KMG Main Hurdman's director of accounting. "There is no real authoritative accounting literature, and anyway, Wall Street seems to come out with a new scheme every day."

What of Coopers & Lybrand's partners, without whose prodding USF&G might still be magically turning capital gains into income? The firm refuses to comment on the USF&G affair. That may be because Coopers rendered clean opinions for USF&G's 1983 and 1984 reports; those opinions may have helped USF&G in raising $268 million in much-needed capital through two stock offerings last year. A shareholder class action suit was filed against Coopers and USF&G soon after the restatement, alleging negligent misrepresentation and fraud.

Perhaps a little late, the accountants nonetheless did the courageous thing in forcing its client to stop playing accounting games. What a pity Coopers ends up paying for its courage by being sued as well as by losing a valuable account.

ROBERT O. TOWNSEND HONORED SEPTEMBER 18, 1986

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. LEWIS of California. Mr. Speaker, it gives me great pride to honor at this time a longtime friend, Mr. Robert O. Townsend. He will be recognized by the Old Baldy Council, Boy Scouts of America when they award him with the "Good Scout of the Year Award" on September 18 of this year.

Recipients of this award are those individuals who have supported Boy Scouts by involving themselves in the organization and by exemplifying those personal characteristics which are taught and encouraged. Bob Townsend—a role model for all Scouts—is a fine leader and a dedicated contributor to his community.

The Boy Scouts have been a part of Bob's life since his youth. His father, Mr. Oliver Elvin Townsend, was instrumental in founding troop No. 1, of which Bob is a charter member.

Bob was a veteran of World War II, having nobly served in the U.S. Navy in all three theaters of the war. For the next 25 years he was active in the agricultural production business, as well as the teaching profession. He also involved himself in real estate and land development, and in 1968 was appointed to the San Bernardino County Planning Commission, where he served as chairman for 4 of the 6 years of his involvement.

Water development and the protection of water quality are important to Bob Townsend, and accordingly he has planned and executed numerous projects that will benefit the people of southern California for years to come. One such project in which Bob was the leading force was the construction of a Cucamonga flood control project, which at the time was the largest flood control project west of the Mississippi.

Although Bob retired this year from his position as a member of the San Bernardino County Board of Supervisors, he remains active in improving water quality for the area. He is a private consultant and is working with the city of Fontana.

Mr. Speaker, please join me in congratulating Bob Townsend on receiving the "Good Scout of the Year Award." His many years of hard work and his countless contributions to his community have benefited many of his fellow citizens. Indeed, he represents one of the most important goals Boy Scouts strive to achieve—effective and active community leadership.

A TRIBUTE TO GLENN MARCUSSEN

HON. TONY COELHO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. COELHO. Mr. Speaker, I would like to take this opportunity to commend Glenn Marcussen for the job that he has done as city manager for Coalinga, CA.

Glenn has served in this capacity since 1960 and has been only the second city manager for Coalinga. In his role, Glenn has been responsible for getting most of the city involved in curb and gutter districts as well as making vast improvements in the streets. Perhaps his greatest accomplishment has been bringing drinking water to the residents of Coalinga—something which had always been short in supply.

All in all, Glenn has made many contributions and provided dedicated service to the city of Coalinga. I would like to wish Glenn well upon his resignation.

JOINT BOLIVIAN-UNITED STATES DRUG OPERATION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. RANGEL. Mr. Speaker, the recent deployment of U.S. military forces to assist Bolivian efforts to suppress illicit cocaine manufacturing has brought national attention to the widespread illicit production and trafficking of coca and cocaine in that country. Bolivia's rationale for requesting United States assistance was explained by Fernando Illanes, Bolivia's Ambassador to the United States, who said, "If we don't attack this problem our country will disappear as a nation as we know it very soon." In short, the Bolivian narcotics traffickers were taking over control of the country, and this operation, known as Stop Prop, is designed to prevent that from happening.

Revelations of the seriousness of the problem in Bolivia were, however, no surprise to the select committee. Coca leaf produced in Bolivia is the raw material responsible for 40 percent of the cocaine entering the United States and approximately 10 percent of that cocaine is also illicitly produced in Bolivia. Most of the Bolivian coca leaf crop is converted to coca paste for smuggling to Colombia where it is processed into cocaine and then trafficked to the United States.

Since the 1970's, Bolivian cocaine production has expanded. New regions have come under cultivation. The committee estimates that in 1985, Bolivia could produce 240 tons of cocaine for international traffic, making it responsible for 40 percent of the international cocaine trafficking.

In the report of our 1985 Study Mission, the Select Committee on Narcotics recommended a more realistic recognition of the depth of the problem and a more comprehensive program of support and assistance from the United States to bring the production and traffic under control. Bolivian President Paz Estonsoro by requesting United States assistance to move against the cocaine processing laboratories within his country, has demonstrated that he is aware of the serious nature of the problem. By addressing the problem of narcotics trafficking, Bolivia should improve the health of its people, bring stability to the countryside, and create an environment for industrial and agricultural development. Failure to do so will simply exacerbate the problem.

Therefore, I believe it is imperative that the administration develop, as soon as possible, a comprehensive program to assist the Bolivian Government reduce the quantity of coca leaf production to legal levels and progressively eliminate all other production of coca leaf by the voluntary compliance of growers, or by eradication, if necessary.

I hope that recent efforts, where United States military and DEA personnel are assisting the Bolivian police suppress illicit cocaine manufacturing installations and trafficking, will reduce the volume of cocaine directed at the United States this year. I am, however, not convinced that reductions in cocaine trafficking will occur until the Bolivian authorities halt the constantly expanding production of coca leaf in their country and commence the progressive eradication of the enormous illicit cultivation that now exists.

FIFTY YEARS OF CORPORATE LEADERSHIP

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. STARK. Mr. Speaker, it is my pleasure today to honor an American corporation that has served *well the individual* consumer and the communities of which it is a part.

"Proud of Being Unique, Dedicated to Being the Best." This is the motto of Cornnuts, Inc., a company founded some 50 years ago in Oakland, CA.

Like the beginnings of many companies in America, Cornnuts, Inc. sprang from the combination of a good idea and a lot of hard work. But Cornnuts, Inc. did not stop there. A third ingredient that has made this business not only a consistent supplier of snacks for 50 years but an exemplary corporation is its commitment to socially responsible values.

Mr. Speaker, allow me to submit the "Cornnuts Mission Statement."

We are dedicated to providing high levels of consumer satisfaction through attentive service and superior product quality and value;

We appreciate the inherent human worth of our coworkers;

We encourage participation and decision-making at every level in the organization;

We will generate sufficient earnings to fund Cornnuts growth and to maintain its financial integrity;

We will be a good "corporate citizen" by supporting the work of deserving community organizations and operating our plants in an environmentally responsible manner.

I present this to you as an example of the possibility, if not the necessity, for looking beyond the simple criterion of fiscal solvency. At Cornnuts, Inc., product quality and customer satisfaction are given top priority. In addition, by combining a respect for the rights of the employee with shared decisionmaking and responsibility among the workers, Cornnuts, Inc. has created an excellent atmosphere in the workplace. Growing out of this positive work atmosphere, Cornnuts, Inc. has extended itself and has registered an excellent record of advancing the well-being of the community.

Mr. Speaker, I present Cornnuts, Inc. to you today as an example of corporate responsibility. I commend Cornnuts for its continued service to the consumer and to the community. Cornnuts, Inc., with its solid foundations, is sure to be successful for another 50 years.

DOD STUDY ON REPRESENTATION OF RELIGIOUS FAITHS AN IMPORTANT FIRST STEP

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. TOWNS. Mr. Speaker, as a cosponsor of H.R. 1875, the Military Chaplains Faith Balance Act, I was pleased to see that the House agreed to mandate a study by DOD to seek proportionate representation among clergy serving in the Armed Forces.

H.R. 1875 enjoyed broad support with over 180 cosponsors. In this "Year of the Flag" and rededication to the principles embodied in our Constitution, I am hopeful that this study will lead to a resolution of the current imbalances which exists in the representation of those faiths among chaplains of the Armed Forces compared to the representation of those faiths among members of the Armed Forces as a whole.

I believe that it is important that civil and religious liberties of our citizens be protected by providing religious leaders and chaplains of their respective faiths.

HONORING DAV'S NEW COMMANDER, KEN MUSSELMAN

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. TORRES. Mr. Speaker, I rise today to recognize a very dedicated man, Mr. Ken Musselman, formerly of Pico Rivera, CA. Mr. Musselman was one of the many courageous men who risked their lives in Vietnam.

When Mr. Musselman left the United States for Vietnam he was a strong, able-bodied man. He returned home a disabled veteran. Unfortunately, he stepped on a land mine in Chu Lai, South Vietnam.

Even though Mr. Musselman and his wife were accepting of his disability, many employers were not. Through the assistance of the Vietnam Readjustment Act, Mr. Musselman obtained employment at the Naval Weapons Station in Seal Beach, CA. He has worked there ever since.

He was recently elected commander of the Disabled American Veterans, a private organization that lobbies for the rights of disabled veterans. Mr. Musselman is an active advocate of the rights and benefits of disabled veterans. Mr. Musselman attended his first chapter meeting of the DAV in 1974. He was immediately elected treasurer.

As the commander, he will act as the liaison between the national headquarters and the local chapters. In this capacity he will travel throughout the United States keeping the 1-million members informed of the activities of the national headquarters.

Mr. Musselman's dedication to the Disabled Veterans of America is to be commended. I urge my colleagues to join me in recognizing the commitment that this gentleman has made to the betterment of many disabled veterans in the United States.

CONTINUED RAMIFICATIONS OF THE SUGAR PROGRAM

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. GRADISON. Mr. Speaker, almost 1 year ago we were preparing for debate on the 1985 farm bill. At that time, I offered an amendment, along with Mr. DOWNEY of New York, that we felt was a reasoned approach to the problems arising from the Sugar Program. As you recall, last September we were unable to persuade a majority of our colleagues to adopt our approach for a gradual reduction of the floor in the non-recourse-loan rate for sugarcane to 15 cents over the course of 4 years.

A number of important issues were addressed during the debate. In the end, the House retained the Sugar Program essentially intact. Ultimately, Congress unwisely added provisions to the farm bill that compel the administration to adjust sugar import quotas downward in an effort to avoid cost to the Government resulting from forfeited sugar.

In spite of assurances, the Sugar Program is not a no cost program and it has added to the budget deficit. Last year, the Federal Government accepted over 425,000 tons of forfeited sugar at a cost in excess of $160 million. In an effort to lessen the budgetary impact of the program, the law now requires the Government to dispose of sugar forfeited to the Commodity Credit Corporation [CCC] prior to the announcement of new sugar quotas on December 15.

Unable to dispose of the CCC sugar on the domestic market, the Department of Agriculture announced last Tuesday the sale of the remainder of the surplus stock to China. The administration sold 145,850 metric tons of sugar for $15.3 million. While the sale will save added costs to the CCC, the taxpayers took a loss of approximately $45 million on the sugar sold to Beijing. That is in addition to substantial losses already incurred through sales in the domestic market.

Of added importance was the reaction of Australia. The government of Prime Minister Robert Hawke reacted sharply against the sale which cuts into a traditional market for Australian sugar, which it should be noted is not subsidized. The economic blow struck by the sale, therefore, was not felt by members of the European Community, who continue to subsidize sugar production, but by a valued ally in a region of the world undergoing considerable change.

The announced sale came only 1 week after the United States, also to the dismay of Canberra, announced its decision to subsidize wheat sales to the Soviet Union. The erosion of the trilateral alliance between Australia, New Zealand, and the United States, for reasons other than agricultural trade, is evidently of concern to all parties. Recently, American and Australian officials have met to discuss ways to strengthen the bilateral security relationship.

Although neither side appears to want to link security and commercial issues, actions

such as these can only do damage to the American position in the region. This is especially important given the expansion of Soviet naval power in the Pacific and recent diplomatic initiatives by Moscow in the Southwest Pacific.

Mr. Speaker, I am not arguing that the United States should bow to the commercial desires of our allies. I am suggesting, however, that the effects of our agricultural policy extend far beyond the farm. The Sugar Program, in particular, has proven deleterious to our friends in Central America and the Philippines. The sale to China has driven down the world market price for raw sugar. The prospect of tighter quotas will add even more to their difficulties.

Requirements that amount to dumping American sugar on the world market have aggravated American-Australian relations at a sensitive time for both countries. Dumping and subsidization will only make it more difficult to arrive at equitable trade agreements with the European Community, Canada, Australia, Argentina, Brazil, and other major agricultural exporters. Prime Minister Hawke referred, correctly in my view, to trade subsidies as self-defeating stupidity. As the lastest case indicates, our agricultural policies can have unfortunate political results.

For the United States, the maintenance of the Sugar Program continues to be economically unsound, politically unwise, and strategically injurious. These practices may prove to be beneficial to a few farmers in the short-term. Ironically, they may also prove to be more harmful to the long-term interests of the farmers these policies are designed to benefit.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1987

HON. GEORGE C. WORTLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 14, 1986

Mr. WORTLEY. Mr. Chairman, I rise in opposition to the Hertel-Martin amendment and in strong support of the Navy's Homeporting Program.

This Congress has approved the 600 ship Navy. We've invested $50 billion in building the new fleet. Now we have to decide where to put the additional ships. We have two choices: Expand existing ports or construct new ones.

There is a fundamental problem associated with expanding existing ports. These ports already are congested and overcrowded, and the real estate is not available to relieve these conditions. The current situation would only be made worse by basing additional ships at existing ports.

There are some important advantages to construct new ports as called for in the Navy's Homeporting Program.

Dispersal of ships to various ports around the country reduces the vulnerability of the fleet to a single devastating attack.

Dispersal would diminish the fleet's vulnerability to random acts of terrorism.

Dispersal would give the Navy a wider geographical base, making it easier to respond to regional conflicts and to protect vital trade routes.

Dispersal would help maintain an important industrial base and shipbuilding capability in peacetime, which becomes absolutely vital in time of war.

Dispersal would improve training and command effectiveness because ships that would be deployed together would also train together. Integration of naval forces would be improved.

Dispersal would improve the ability of the Naval Reserve to recruit the number of reservists required for it to fulfill its enhanced role in our strategic naval strategy. As the highly respected gentleman from Mississippi [Mr. MONTGOMERY] has stated:

> The Navy will not be able to recruit and retain the reservists necessary to man an increasing number of Naval Reserve ships unless the force is dispersed to additional locations.

The cost of gaining all of the benefits of homeporting is estimated to be about $217 million more than the cost of expanding current ports. State and local governments have already pledged more than $150 million to offset the cost of homeporting because they recognize the benefits of the program for their local economies.

Homeporting should not be a regional issue, but a national security issue. Homeporting will enhance our defense capabilities, it would avoid overcrowding of current port areas, and it would not result in the sacrifice of vital naval facilities in the Great Lakes region.

I strongly urge my colleagues to support the Homeporting Program and vote to defeat the Hertel-Martin amendment.

UNITED STATES-CANADA DAYS OF PEACE AND FRIENDSHIP

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. HORTON. Mr. Speaker, the United States and Canada have for many years been at peace; we have been trading partners; we have shared tourism; and we have generally been good neighbors. Our relationship is positive and productive.

We have been like friendly neighbors. And if ever, like any neighbors, we have our differences; they do not hamper the relationship itself. However, this relationship may be one of the world's most unsung relationships. Much news is made of our activities with the countries of NATO or those we consider our adversaries; and justifiably so. But I think it is time to make much ado about something—that something is our ties with Canada.

I have joined Mr. BONIOR as a prime sponsor of "United States-Canada Days of Peace and Friendship," which sets aside July 2 and 3, 1987 to actively celebrate the United States-Canadian relationship. A similar resolution is moving through the Senate, as well as the Canadian Parliament. No other 2 days could be more appropriate than July 2 and 3. July 4 is our Independence Day, and July 1 is Canada Day, their celebration of independence.

The celebrations will take place on a local level. In cities and towns on both sides of our border, there will be picnics, barbecues, lectures and seminars, sports competition and debates, exhibits and performances. Each community will decide how it wishes to observe July 2 and 3. The celebrations could be an extension of the July 1 and 4 activities. Any group or organization could participate and sponsor activities: Federal, State, and local officials, educators, local businesses, service clubs, youth and student groups, and others. It will be an excellent opportunity for United States and Canadian citizens to learn more about their similarities and differences.

This resolution has the support of a number of American and Canadian dignitaries, the U.S. Chamber of Commerce, the American Legion, and other organizations.

Mr. Speaker, I believe that "United States-Canada Days of Peace and Friendship" is a worthwhile project, and I am glad to be a prime sponsor. The Senate is joining us today by introducing the resolution on their side. I ask all my colleagues to help us in this effort, as I know that July 2 and 3, 1987, will be very educational, a lot of fun for those involved, and a wonderful way for the United States and Canada to express appreciation for each other.

UNITED STATES/UNITED NATIONS: FUNDING CRISIS

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. FASCELL. Mr. Speaker, the Committee on Foreign Affairs has been very concerned about U.S. budget cuts on its U.N. assessed contribution. Last year, we passed a 2-year Foreign Relations Authorization Act that contained the U.S. assessed contributions to the United Nations. We also passed a 2-year Foreign Assistance Authorization Act that contained funds for various U.N. programs. Before the Foreign Relations Authorization Act got out of the Congress, various restrictive amendments were attached to it. One was the Kassebaum-Solomon amendment that called for a reduction of the U.S. assessment from 25 percent to 20 percent unless the United Nations adopted budget reform measures. Then there was the amendment offered by Mr. SUNDQUIST on the House floor that aims to end so-called kickbacks made by Eastern-bloc Secretariat officials to their U.N. Missions. There was also the PLO/SWAPO withholding that was put on this legislation back in 1979 and every year since then that requires the United States to withhold its proportionate share of the U.N. budget that is allocated to in any way assist activities supporting the PLO or SWAPO.

The administration in sending to Congress its fiscal year 1987 appropriations subtracted moneys for the Kassebaum amendment—$79.1 million; $1.9 million for PLO/SWAPO—so already in their presentation the proposed U.S. assessment was short about $81 million

plus about another $30 million that the administration has taken out for currency fluctuation and for a dispute between the United States and the United Nations over payment of taxes by Secretariat officials. That brings the total to $110 million. But on top of these cuts, the Gramm-Rudman-Hollings amendment to the Federal Deficit Act of 1985 can impose even greater cuts and without any concern for our treaty obligations to the United Nations which are imposed on us under article 19 of the U.N. Charter. The House Foreign Affairs Subcommittee on Human Rights and International Organizations chaired by the Honorable GUS YATRON, Democrat of Pennsylvania, and the Subcommittee on International Operations chaired by the Honorable DAN MICA, Democrat of Florida, held hearings on the impact of the GRH on the U.N. budget last March so we would know where we stood. They also discussed the U.S. voluntary contributions to various U.N. programs whose authorization is in the Foreign Assistance Act. It is disturbing the extent to which actual and estimated cuts could drop. Just a few weeks ago, the House Appropriations Subcommittee on State, Justice, and Commerce cut another $47 million from that assessment for money for the Sundquist amendment noted earlier, the Swindall amendment for the U.S. proportionate share of the U.N.'s Department of Public Information and an across-the-board cut. The Senate is taking action this week on the appropriations bill and I hope that after they have acted that the United States will still be a member of the United Nations.

The United Nations Secretary-General has already begun to trim from the U.N. budget where he can; right after the first of the year, he authorized administrative cuts that would save about $30 million and he called back into session the 40th session of the General Assembly to find ways to reduce still further his 1986 budget. The General Assembly finally agreed by consensus to about $30 million more in reductions. However, U.S. shortfall is going to be a good deal more than $60 million perhaps as much as $160 million. When added onto all the other cuts from 18 other U.N. members that are shorting the United Nations in regular contributions, the United Nations is clearly in what is probably the worst financial pinch it has ever faced. Of course, reforms in the United Nations are necessary and I hope that the group of experts will produce serious proposals to report to the Secretary-General this September and that the General Assembly will incorporate them. If this is possible, I hope that the Congress will respond favorably and fund the United Nations at a level that it needs to do its job. It is unfortunate but I fear that the U.S. assessment could fall from 25 percent to perhaps 12 percent or even 10 percent, all within 1 year.

These deep budget cuts in our U.N. assessment have brought the light of public interest to this matter. In two recent public meetings, both held last June on Capitol Hill, key perspectives on this current situation have been thoroughly aired. The results of these discussions deserve wide publicity. I had hoped to be able to insert the transcripts of these meetings for all to read in the CONGRESSIONAL RECORD. But, in view of the estimated high costs of doing so, my intention is to advise you that a written record of each of these meetings exists and is available from the offices noted below.

The first meeting, sponsored by the American Society of International Law, on June 12 focused on the "Legal Issues in the Crisis in U.N. Funding." Participants included: The Honorable Elliot Richardson, chairman of UNA-USA; Keith Highet, president of the Society; Larry Hargrove, vice president and executive director of the Society; Richard Nelson, director, International Organization Program, American Society of International Law; Carl August-Fleischauer, the U.N. Legal Advisor; Michael Kozak, Deputy Legal Advisor, Department of State; Alan Gerson, Special Assistant to the Attorney General; and Margaret E. Galey, staff consultant, Committee on Foreign Affairs. The transcript of that session, held in the main Committee on Foreign Affairs hearing room, will be available from the American Society's headquarters: 2223 Massachusetts Avenue NW., Washington, DC 20008.

The second meeting, sponsored by the Friends Committee on National Legislation, and cosponsored by 57 public interest groups, met all day, June 20, in the main Committee on Foreign Affairs hearing room to consider "The U.S. and the U.N.: A Crisis of Money and Influence." This was perhaps the largest meeting in recent memory held on Capitol Hill to discuss the various and interrelated issues in the U.S./U.N. funding crisis. Following welcoming remarks by the Honorable Elliot Richardson, currently chairman of the UNA-USA, the Honorable Stephen Lewis, Canadian Ambassador to the United Nations discussed "Reviving a Vision of the United Nations." Then, a panel of experts each representing an important though different perspective of the U.S./U.N. funding situation offered their respective insights: James Sutterlin, Director, Executive Office of the U.N. Secretary-General and a member of the Advisory Committee on the Financial Crisis; Dennis Goodman, Senior Deputy Assistant Secretary, Bureau of International Organization Affairs, Department of State; Charles Lichenstein, senior fellow, Heritage Foundation; David Lonie, minority consultant to Representative GERALD SOLOMON; the Honorable JIM LEACH, Member of Congress from Iowa and the Committee on Foreign Affairs.

The session was moderated by Nancy Alexander, legislative director, the Friends Committee on National Legislation. Following the morning meeting, I had the honor during a luncheon attended by about 250 interested citizens, of delivering an address on the topic: "Is U.S. Membership Still in the U.S. National Interest." In my remarks, I indicated that the United States is not only indispensible to the United Nations but that the United Nations is indispensible to the United States. FCNL has arranged for the morning briefing and lunch meeting to be transcribed. If you are interested in reviewing the transcript of this meeting, you should contact the Committee on Foreign Affairs, room 2170, Rayburn House Office Building, Washington, DC 20515.

Let me conclude by saying that U.S. budget cuts in its assessed contribution to the United Nations and the specialized agencies appear to demonstrate that the United Nation has few friends on Capitol Hill. Last year, more restrictive amendments were adopted than at any previous time to foreign relations authorizing legislation. On top of the cuts being imposed by the Kassebaum-Solomon amendment and the Sundquist amendment which total about $100 million, the Gramm-Rudman-Hollings amendment to the Federal Deficit Act of 1985 is also causing sharp cuts in the U.S. assessed contribution. The U.S. assessed payment, which has been set at the level of 25 percent of the United Nations' regular budget, since 1972 is likely to fall far below this percentage level in real terms for fiscal year 1987. Some think that U.S. financial squeeze will lead to needed reform in the organization. An 18-member group of experts is expected to make constructive proposals to the U.N. Secretary-General this September. If U.N. delegations at the upcoming 41st session of the U.N. General Assembly will find a way to implement them, much of the U.S. concern could be alleviated. Meanwhile, the two public meetings held last June that I have referred to earlier would indicate that the United Nations does have a constituency critical though it may sometimes be. Those meetings have provided a useful record on an important issue in our foreign relations

WHAT PRESIDENT REAGAN SAID ABOUT THE AFRICAN NATIONAL CONGRESS

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. WOLPE. Mr. Speaker, I am pleased today to share with this Congress an article written by the distinguished former Prime Minister of Australia and the cochairman of the British Commonwealth Eminent Person's Group which seeks to correct the impression given by President Reagan during his August 12, 1986, press conference in Chicago on the African National Congress. In his current position, Mr. Fraser was involved in the creation of the Commonwealth report which provides a careful and convincing case for new economic sanctions. It is my hope that this letter will provide a useful view for my colleagues. This letter to the editor appeared in the Washington Post on August 14, 1986.

WHAT PRESIDENT REAGAN SAID ABOUT THE ANC

(By Molcolm Fraser)

I am sure my co-chairman, Gen. Olesegun Obasanjo of the Commonwealth Eminent Person's Group on Southern Africa, would want to join me in correcting the impression given by President Reagan's speech Tuesday night in Chicago.

Mr. Reagan said, among other things, the one South African group supporting sanctions was the African National Congress. He also said the ANC was dominated by communism.

In fact, the current leadership of that group is largely moderate, nationalist and

pragmatic. After many decades of nonviolence as a policy, it was forced to respond to the violence of apartheid by violence of its own. It did that against a background of denial of political and legal rights to blacks. This view of the ANC is supported by Prof. Lodge of Witwatersrand University, who is an accepted authority on the ANC from South Africa itself.

The ANC is not the only black group supporting sanctions. The United Democratic Front and all its many affiliated groups across South Africa support sanctions. The trade union groups COSATU and CUSA support sanctions. Most prominent church leaders, such as Bishop Desmond Tutu and the Rev. Alan Boesak, support sanctions. Alan Boesak's origins were in the Dutch Reform Church. The leading Catholic hierarchy also supports sanctions. These groups all support sanctions as the only means by which the West can offer effective support to the legitimate cause of blacks.

Everyone knows sanctions would hurt blacks. But blacks are hurting every day. Many are dying daily as a result of attacks by the security forces. They also know that continued and increasing guerrilla warfare will hurt both blacks and whites. Most of all, the use of effective sanctions offers the only opportunity of averting that course.

The blacks in South Africa are seeking to exercise those same rights that President Reagan asserts for the contras in Nicaragua, where, incidentally, I support the president's policies.

The president has argued, as does British Prime Minister Margaret Thatcher, that sanctions should be avioded because they would hurt blacks. Even so, there are some sanctions, such as the denial of air links and the freezing of overseas bank accounts, that virtually inconvenience whites alone.

If the United States and Britain do not provide substantial support for the cause of black rights in the form of sanctions, the blacks will conclude, as our group indicated in its report, that they are on their own as far as the West is concerned. The black leadership would then make decisions leading to total guerrilla warfare in response to the violence of apartheid.

Because of numbers, the blacks would win such a contest. It may take up to eight or 10 years after great loss of life. The government arising from such a conflict would be pro-Soviet and anti-West. It would nationalize the totality of Western economic and commercial interest. That will be the consequence of maintaining present policies in the United States and Britain. In such circumstances, Western strategic and commercial interests would both be destroyed.

On the contrary, a government composed of current black leaders would be largely pragmatic and would want the economic system to continue. This is recognized by many members of both sides of Congress, and I hope current proposed legislation receives substantial support.

It is tragic that the two most powerful and effective leaders in the Western world, President Reagan and Prime Minister Thatcher, stand very much alone in not recognizing these factors.

The writer, former prime minister of Australia, is co-chariman of the Commonwealth Eminent Person's Group on Southern Africa.

BRIG. GEN. GEORGE EVANS BARKER PROMOTED TO MAJOR GENERAL

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. GREEN. Mr. Speaker, I rise to recognize the promotion of Brig. Gen. George Evans Barker, a constituent of mine, to major general.

General Barker is a 31-year veteran of military service, an executive with the American Cancer Society, and a resident of Manhattan. This highly respected and dedicated citizen-soldier has long been active in civic, business, and community affairs throughout the Greater New York metropolitan area.

In his 31 years of service, Barker has received numerous awards, including the Meritorious Service Medal with two oak leaf clusters; the Army Commendation Medal; the Army Achievement Medal; and the National Defense Medal.

General Barker was commissioned in the U.S. Army as a second lieutenant in the field artillery after graduating from Arkansas State University in 1955. He will receive his second star at ceremonies to be held at Fort Torren, Flushing, NY, on August 16, 1986.

He has had a variety of assignments in both the Active Army and the U.S. Army Reserve. His recent major duty assignments include commander of the 5th Battalion, 5th Field Artillery; deputy chief of staff for personnel and administration; and chief of staff for the 77th U.S. Reserve Command.

General Barker was selected for promotion to flag rank in 1984 and prior to his current assignment commanded the 353d Civil Affairs Command. He assumed command of the 77th Army Reserve Command, the largest one in the United States with a total strength of over 15,000 personnel, on December 15, 1984.

Mr. Speaker, I ask that my colleagues join me in congratulating Brig. Gen. George Evans Barker on his promotion to major general and on his 31 years of dedication to military excellence.

EMERGENCY APPROPRIATIONS FOR SUPERFUND

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. CLINGER. Mr. Speaker, I want to extend thanks to the leadership of the Appropriations Committee for offering legislation earlier today making emergency appropriations for EPA's Superfund Program. Without their leadership, EPA would have been forced to begin terminating contracts on September 1 for hazardous waste site cleanup. Even though there is every expectation Congress will report a reauthorization bill before the end of this fiscal year, EPA did not have funding necessary to keep the program alive.

I am hopeful the Senate will act in a similarly expeditious manner and that we can leave for the upcoming district work period assured that Superfund will still be with us on our return September 8.

THE MILITARY CHAPLAINS REFORM ACT OF 1984

HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. KOSTMAYER. Mr. Speaker, I urge all of my colleagues to support, as I do, long overdue legislation that would provide for representation of chaplains in the U.S. Armed Forces in proportion to the religious makeup of the Armed Forces.

This measure, H.R. 1875, enjoys the bipartisan support of nearly 200 cosponsors and was introduced by my good friend and colleague from Pennsylvania, BOB BORSKI.

The Military Chaplains Reform Act of 1984 is based on one of our most sacred traditions, the freedom of worship, and would make it easier for the men and women who serve in our military to seek and receive religious counsel from a clergyperson of his or her own faith.

I hope my colleagues will join me in supporting and working for the speedy enactment of this worthy legislation.

CHANGES IN U.S. MARSHALS SERVICE

HON. PAT SWINDALL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. SWINDALL. Mr. Speaker, on July 24, 1986, I introduced H.R. 5258, a bill which provides a simple amendment to title 28 569(a) of the United States Code of Laws. This amendment has a straightforward and worthwhile purpose. That it, to emphasize that the courts of this land are empowered to require the presence of the district marshals at any court session and to eliminate any prospect that the discretion granted to the courts under section 569(a) can be altered by administrative fiat or any agency interpretation thereof.

For almost 200 years since the two were created under the Judiciary Act of 1789, the district courts and the district marshals have enjoyed the most harmonious relationship. The U.S. marshals have always been officers of the article III courts. This is still true notwithstanding the statutory supervision of the marshals by the Attorney General. The status of the marshals as an officer of the court supervised by the Attorney General is no anomaly. The U.S. attorneys and their assistants are officers of the court in which they practice. The presense of the marshals and their career deputies during court proceedings serves to assure the dignity, formality, and respect for Federal court proceedings which the public expects of them.

In recent years, subtle and pervasive changes have occurred in the U.S. Marshals Service and in court administration. Among

these are administrative agreements which purport to limit the judicial discretion granted by the Congress in 28 U.S.C. 569(a) to the courts so that they may require the presence of marshals at court sessions. The dignity, authority and independence of Federal courts and their proceedings are beyond price. It is necessary to clothe the article III courts of this Nation with an unmistakable grant of authority on matters touching court security so that no one will presume to alter the clear expression of the Congress in this regard.

The language of the proposed amendment is clear. However, it does not lead to the absence of appeal for the abuse of judicial discretion. Virtually identical language in other statutes has been construed not to prevent review by mandamus where a court has exceeded its authority acting on impermissible grounds. The 1471(d) language of this amendment is familiar in the Federal law. It appears in title 28 in sections 1334(c)(2), 1452(b), 1471(d), 1478(b) and 2906. The language is familiar to the courts through many precedental decisions. The enactment of this forceful language will eliminate delay, relieve frustration, ease friction between the branches of Government and achieve finality in all but the rarest of instances.

The language of the amendment should not be construed to provide that a deputy marshal must be in attendance during all courts proceedings. Such is left to the discretion of the courts. Section 569(a), as amended, will simply provide that marshals will be on hand when the judges of our article III courts require their presence in the exercise of sound judicial discretion.

Mr. Speaker, the laws that we pass are merely promises to the public. They are kept or broken in the courts. Our actions in this body and in the Senate require the judges of this Nation to face wrenching and difficult decisions. We cannot leave them to the mercy of agency interpretation and administrative fiat when they feel that the presence of a marshal is required in their courtrooms.

TRIBUTE TO DOROTHY ELDRIDGE

HON. BERNARD J. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. DWYER of New Jersey. Mr. Speaker, on Wednesday, July 30, the arms control movement lost one of its most committed members with the death of Dorothy Eldridge.

Mrs. Eldridge was the founder and executive director of New Jersey SANE. To those of us who knew her and worked with her, Dorothy Eldridge was New Jersey SANE, for one was truly synonymous with the other.

Though in her eighties, Dorothy Eldridge was in her office daily. Though the executive director of New Jersey SANE, she personally made the phone calls to congressional offices each time a vote on an arms issue was pending. She kept New Jersey SANE the grassroots organization she created it to be.

Dorothy Eldridge cared deeply about the need for arms reduction and recognized the need to bring an awareness of the dangers of an arms buildup to the people of her community. Because of her commitment and her efforts, the New Jersey Committee for a Sane Nuclear Policy was born. New Jersey SANE has now become a model for disarmament and peace organizations across the country.

New Jersey has lost an exceptional woman and the peace movement will be poorer for her passing. The legacy which Dorothy Eldridge has left, however, will continue wherever there are people willing to work for a safer world through sensible arms policies.

BANK LAWS NEED REFORM

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. LAFALCE. Mr. Speaker, I wanted to take this opportunity to share with my colleagues a most insightful recent editorial from the Washington Post. In highlighting the need for a fundamental reform of our Nation's banking laws, the editorial recognizes that, "the financial industry is changing very rapidly, driven by two forces—telecommunications and deregulation. The collision of these new practices with obsolescent banking laws is generating intolerable situations." The editorial urges Congress to go beyond enactment of legislation to recapitalize the FSLIC and to reform the laws governing emergency interstate acquisitions. It points out that, "the needs of the S&L insurance fund and the difficulties of coping with failing banks both count as crisis. But they are not isolated crises. They are only aspects of a system of laws and protections that requires fundamental revision."

I am in complete agreement that a comprehensive and fundamental restructuring of our banking system is long overdue. I am hopeful that the House and Senate Banking Committees, the Congress, and the administration will soon roll up their proverbial shirt sleeves and begin working together toward the critical and complex task of banking law reform.

OLD LAWS FOR THE BANKS

Sen. Jake Garn has now abandoned his own bill, introduced hardly six weeks ago, for comprehensive reform of the banking laws. As chairman of the Banking Committee, he has been working toward reform for some years—but with the degree of uncertainty that this latest turnabout reflects. The record of the House Banking Committee has been no better, and as for the Reagan administration, it has tried to stay out of sight altogether in this whole struggle. The current quarrel over tax breaks for the undertaxed banking industry hardly touches the job of restructuring that urgently needs to be begun.

The financial industry is changing very rapidly, driven by two forces—telecommunications and deregulation. Interconnected computers make it possible to move money and to trade securities on a scale, and at speeds, that are wholly new to the world economy. Deregulation has made the deposit system more profitable but less stable and—since deregulation is also under way abroad—it is vastly increasing the movement of funds across national borders. The collision of these new practices with obsolescent banking laws is generating intolerable situations.

Example: Goldman Sachs and Co., one of this country's most eminent investment banking houses, announced a few days ago that it is negotiating a limited partnership with a Japanese bank, Sumitomo. A gigantic operation, Sumitomo is larger than any American bank. There's nothing wrong with the marriage. But American banking laws prohibit Sumitomo's American competitors from buying into such investment houses as Goldman Sachs.

The two make a very powerful combination: the lending resources of a big bank, allied to the great flexibility of an investment house to underwrite all sorts of securities, participate in mergers and acquisitions, and to deal on its own account as well as its customers'. If it's proper for a Japanese bank to make this kind of a connection, it ought to be proper for American banks to do the same thing. And if American banks are going to do it, they ought to do it under sophisticated legal safeguards carefully adapted to current circumstances. Instead, most of the big American commercial banks are edging their way toward some of the traditional functions of the investment houses by exploiting the crevices and crannies in banking laws passed half a century ago.

Mr. Garn says that he wants to devote the rest of the year to two particularly urgent requirements: legislation to provide more money for savings and loan deposit insurance, and to allow merger of failing banks across state lines. The needs of the S&L insurance fund and the difficulties of coping with failing banks both count as crises. But they are not isolated crises. They are only aspects of a system of laws and protections that requires fundamental revision. And that fundamental revision now seems to have been, once again, indefinitely postponed.

RECOGNITION OF THE ACCOMPLISHMENTS OF THE 82ND AIR BORNE DIVISION THROUGH A FEDERAL CHARTER

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. WALGREN. Mr. Speaker, I urge all Members of Congress to support and cosponsor H.R. 669, a bill to grant a Federal charter to the 82nd Airborne, Inc., an organization that strives to keep alive the memory of its members who fought so courageously for our country and the traditions of the 82nd Airborne. From its activation in 1917, the 82nd Airborne Division fought bravely in both World Wars, Korea, Vietnam, and Grenada. Nicknamed the "All-Americans" because they represented all of the regions of the United States, they have become known as "America's Guard of Honor" with the distinction as the Army's number one reaction force. As an organization, the 82nd Airborne Division, Inc. helps strengthen the bond between the active and retired members of the 82nd Airborne and served their interests in a myriad of ways, from preserving the history of the division to providing help with the Veterans' Administra-

tion. I urge members to support a Federal charter for 82nd Airborne Division, Inc. Currently, the division has a membership of 20,000 with units throughout the world. The Federal charter would give this division congressional recognition and express the appreciation of the American people that those who have served in the 82nd Airborne have earned.

SATELLITE TV DISHES

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. ALEXANDER. Mr. Speaker, today I am introducing legislation to guarantee that satellite television programming will be available to satellite dish owners at a fair price.

My bill is similar to H.R. 1840, which was introduced by my colleague Mr. TAUZIN of Louisiana in March of last year and which has rested peacefully in the Telecommunications Subcommittee ever since.

I call the House's attention to the fact that satellite dish owners are no closer to price relief than they were 2 years ago, despite the tremendous amount of publicity this issue has received during the 99th Congress.

The people of the First Congressional District of Arkansas are calling for help. The satellite dish is a necessity in rural America, not a luxury. If you don't own one, you just can't get the same programming as people in areas served by cable television.

I agree that satellite broadcasters should receive a fair price for their product. But satellite broadcasters should not have a license to commit airwaves robbery from the sky. They should not be permitted to set prices so high that Americans who live outside the city are penalized every time they turn on their TV. Times are tough enough in the heartland.

We have heard time and again that we should allow the market to work its will and determine the prices for satellite programming without Government interference. We are told market forces will ensure that dish owners will pay no more per month for programming than do cable subscribers.

I say that's fine. If the market works the way we are told it will, providing competitive prices all by itself, the provisions of this legislation will never come into play.

But let's make sure that there is an enforcement mechanism in place if a particular provider in a particular area persists in holding his prices too high.

This bill says that if you are a dish owner, and

First, you can't receive a particular channel,

Second, you live in a cable-serviced area and are forced to deal with the local cable operator to obtain satellite programming, or

Third, you live outside a cable-serviced area and have to pay more than cable subscribers do for the same service,

Then the market isn't working for you and you can petition the Federal Communications Commission, which then must set a fair price.

The satellite dish owners in my district, Mr. Speaker, are not looking for an end to scrambling of satellite TV signals. They don't want something for nothing. They want equal access to programming that cable subscribers receive, and they want it at a fair, equitable price. I support their aims and will continue to work for them.

A SALUTE TO THE GILBERTON BOROUGH FIRE DEPARTMENT

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. YATRON. Mr. Speaker, I rise today to pay tribute to the Gilberton Borough Fire Department of Gilberton, PA. From September 13–20, 1986, the fire department, which consists of the American Hose Company No. 2 of Mahanoy Plane and the Continental Hose Company No. 3 of Gilberton, will be celebrating its 100th anniversary.

The Gilberton Borough Fire Department has a long and storied history. It was first organized in January 1886 in response to a disastrous fire which destroyed the Philidelphia and Reading Railroad Co. Plane and Engine House at the head of the famous Mahanoy Plane. The department originally consisted of three companies—one for each of the three villages comprising Gilberton Borough. Friendship Hose No. 3 of Maizeville was disbanded in 1919. The other two companies, American Hose No. 2 of Mahanoy Plane and Continental Hose No. 3 of Gilberton, have been operating continuously since 1886. For the past 100 years, the companies have bravely and diligently protected the surrounding community and its citizens.

Under the current leadership, the fire companies are thriving. Fire Chief John Zuban and Fire Marshal Michael J. Kitsock are ably supported by American Hose President Michael G. Kazema and Continental Hose President John McCabe. Each hose company has 100 members who are dedicated and skilled firefighters. Through generous donations and active fundraising efforts, the company has been able to purchase their own buildings and state-of-the-art equipment, further improving the quality of their services. With years of experience, top-quality equipment, and a committed and dedicated membership, the Gilberton Borough Fire Department is one of the most respected fire companies in our area. Mr. Speaker, I rise today to pay tribute to this commitment and I know that my colleagues will want to join me today in congratulating the Gilberton Fire Department on its centennial and in wishing them continued success and good fortune in the years to come.

JOSHUA LOGAN AND HIS ARTISTIC CONTRIBUTIONS

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. SMITH of Florida. Mr. Speaker, as a member of the Congressional Arts Caucus, I would like to take this opportunity to pay tribute to Joshua Logan, a Pulitzer-prize-winning playwright, for his outstanding contributions to the artistic and theatrical world.

Joshua Logan is one of the most distinguished men in the history of American theater. His legendary career as author, director, and producer of numerous Broadway productions and Hollywood films include: "Mister Roberts," "Annie Get Your Gun," "The World of Suzie Wong," "Camelot," and "Paint Your Wagon." Perhaps best known for winning a Pulitzer prize for coauthoring "South Pacific" with Oscar Hammerstein II, Joshua Logan also directed the film version of that popular musical.

Joshua Logan was born in Texas in 1908 and raised in Louisiana. He attended Culver Military Academy and Princeton University where he was president of the Triangle Club. He left Princeton to study with Stanislavsky at the Moscow Arts Theatre.

I also am pleased to recognize Joshua Logan for his recent contribution to the south Florida community. He is the first person to hold the "Dorothy F. Schmidt Eminent Scholars Chair in the Visual and Performing Arts" at Florida Atlantic University [FAU]. Since assuming the post in 1983, Mr. Logan has brought distinction to FAU by choosing the university theater for the world premier of his original musical, "Huck and Jim on the Mississippi."

As an eminent scholar, Mr. Logan broadened the horizons of FAU's theater students by sharing his personal experiences and reminiscences with them in the seminars and workshops he taught. At spring commencement ceremonies in April 1986, Florida Atlantic University awarded a doctor of humane letters degree to Joshua Logan for his artistic contributions to the students and faculty at FAU and to the south Florida community.

Earlier this year, Joshua Logan retired from his teaching post at FAU and returned to his home in New York. His spirit and enthusiasm for the arts will continue to enlighten the south Florida community however. In honor of Joshua Logan's contributions to south Florida, "South Pacific" will be performed at Bailey Hall on Broward Community College's central campus from September 2 to 21, 1986. The popular Broadway musical will be presented by Melissa Hart Productions in partnership with the AFL-CIO of Broward County.

LAND EXCHANGE BETWEEN NEVADA AND FLORIDA

HON. BARBARA F. VUCANOVICH

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mrs. VUCANOVICH. Mr. Speaker, yesterday I introduced a bill which would facilitate a land exchange between the States of Nevada and Florida. This legislation authorizes the exchange of public land in Nevada for privately owned land of equal value in Florida.

Under this transfer, Aerojet General Corp., will exchange approximately 4,800 acres of land it owns in Florida for approximately 54,000 acres of BLM land in Nevada in Lincoln, Mineral, and Clark Counties. Aerojet

plans to construct facilities on the land for new aeropsace and defense projects.

This legislation authorizing the transfer is extremely important. I believe Nevada will eventually benefit by additional jobs and a boost to a depressed economy. The people who live in the counties affected by this exchange are excited at the prospect of a major corporation constructing a new facility so close to their home and look forward to the new jobs it will create.

The entire Nevada delegation is delighted with this agreement between Aerojet and the Bureau of Land Management and we welcome Aerojet to our State with open arms.

The Florida land will be added to the Wildlife Habitat Preservation Program of the U.S. Fish and Wildlife Service and to the south Florida water management district.

This legislation is good for Nevada and Florida and I urge its passage during this Congress. Thank you.

TRADE NEGOTIATIONS

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. SHUMWAY. Mr. Speaker, on September 15 the GATT member nations will convene a ministerial meeting in Uruguay to determine the scope of the next round of multilateral trade talks, the eighth such round to be held under the auspices of the GATT since its creation in 1947.

The GATT negotiations represent a unique opportunity to discuss with some of our major trading partners the problems which impede free trade and economic prosperity, including subsidies, tariffs, and nontariff barriers.

In addition, it is essential that the GATT mandate be expanded to provide an international framework for enhancing agricultural trade, direct foreign investment, the service industry, the protection of intellectual property rights, and the GATT dispute settlement procedures.

These trade negotiations are greatly needed to counter the protectionist trend which has grown in response to the 1982 world recession. As a result of the last round of GATT negotiations, the Tokyo round, the United States received agricultural trade concessions totaling millions of dollars when phased in. Yet, according to the Department of Agriculture, agricultural trade problems have grown because of the broad exceptions to the GATT rules which have been expended to agriculture over the years.

Agriculture is one sector of the world economy which is particularly fraught with trade distortions. Existing protectionism in agriculture has contributed to surplus production, low world commodity prices, and international price instability. International rules designed to eliminate agricultural export subsidies and to remove barriers to agricultural markets in both developed and developing countries are essential to the future of our agricultural section.

Today I am introducing a resolution which calls on the GATT member nations to agree to broad negotiations encompassing all of these important trade issues. I urge my colleagues to join me in sending a message to the GATT ministers in September.

ADDITIONAL STATEMENT ON ADMIRALTY ISLAND LAND EXCHANGE LEGISLATION

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. SEIBERLING. Mr. Speaker, earlier this week the House passed H.R. 4883, the Admiralty Island Land Exchange Act of 1986, after that bill was reported from the Committee on Interior and Insular Affairs.

During consideration of the bill on the House floor, there was discussion of litigation involving lands on Admiralty Island which would be affected by the bill.

I think it is important that the RECORD reflect that the Committee on Interior and Insular Affairs has never taken any position or expressed an opinion as to the rights or duties of any of the parties to such litigation, and that in reporting the bill the committee did not either take a position regarding that litigation or intend that the reporting of the bill or the actions of the House in passing the bill should be construed as of themselves limiting, expanding, or otherwise affecting any duty under existing law which the Secretary of Agriculture or any other Federal official may have either with respect to the lands on Admiralty Island addressed by the bill or with respect to the owners of those lands. Only enactment of the bill into law will have such an effect.

So far as the committee is concerned, the merits of the issues which have been raised in litigation concerning the Admiralty Island lands are for the courts to decide, now as in the past.

U.S.-CANADA DAYS OF PEACE AND FRIENDSHIP

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. BONIOR of Michigan. Mr. Speaker, it is my pleasure today to introduce a resolution to commemorate July 2 and 3, 1987, as "U.S.-Canada Days of Peace and Friendship." I am joined by over 160 of my colleagues in the House who wish to show their high regard for our country's special relationship with Canada, our neighbor to the north.

We share a continent with Canada and she is one of our closest allies, yet our relationship often goes unsung even by our own two countries. The resolution we are introducing today would serve to highlight our longstanding peaceful relationship with Canada, the extensive trade and tourism our two countries exchange, and our common goals and ideals. The celebrations occurring on these days would also shed light on our cultural differences and would be an opportunity for American and Canadian citizens to learn more about each other's heritage.

Cities and towns on both sides of the border await this proclamation by both governments so that they may begin planning a variety of events to celebrate these 2 days. The dates of July 2 and 3 are very appropriate, as they fall between July 1, which is Canada Day, and July 4, our own Independence Day. These days would give American and Canadians time to pause and remember that we have an unusual tradition of peace and friendship to nourish and maintain.

A similar resolution is to be introduced in the other body. But in order for this to be a truly international celebration, the House of Commons of the Canadian Parliament is also acting to designate these 2 days as "U.S.-Canada Days of Peace and Friendship."

Mr. Speaker, I believe it is fitting that we set aside 2 days to honor our relationship with Canada. The 3,500-mile border between our two countries is the longest undefended border in the world. Canada is our largest trading partner and is truly a longstanding ally in our international political and economic endeavors.

The passage of this resolution is supported by the Canadian section of the U.S. State Department and the U.S. section of the Canadian Ministry of Foreign Affairs. Both governments welcome this long-overdue recognition of the friendship and vital economic, political, and cultural relationships of our two nations.

I have worked closely with two distinguished gentlemen from New York on this resolution, Mr. HORTON and Mr. NOWAK, and our distinguished colleague from Guam [Mr. BLAZ]. All of us hope, Mr. Speaker, that the Members of this body will join us in supporting the quick passage of this resolution to show our resolve and respect for our multifaceted relationship with Canada.

At this time, I would also like to recognize the efforts of David Boyer, senior writer at National Geographic magazine, who has worked tirelessly to bring this idea to the attention of Congress. His innumerable contacts with Members and staff have earned him the respect and affection of all of us who have had the pleasure to work with him on this resolution. It is efforts like those of David Boyer's that should make us remember that we must not take our peaceful and fruitful international relationship for granded.

There is much to be gained by international cooperation and amity. This resolution is one way we can celebrate the warmth and high regard we all hold for our very special relationship with Canada.

H.R. 5073, ASBESTOS HAZARDS EMERGENCY RESPONSE ACT

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. WALGREN. Mr. Speaker, I urge support for H.R. 5073, the Asbestos Hazard Emergency Response Act, before us today. It is long past time that the Nation took action to remove hazardous asbestos from our schools.

Unfortunately, many schools across the country, including many in the Pittsburgh area,

were built at a time when we were unaware of the dangers of asbestos; it was used as an insulator and fire retardant. But we now know that asbestos can be a carcinogen. Damaged asbestos can release fibers into the air that remain airborne for a long time. The fibers can be easily inhaled and cause several diseases, including cancer. Children are much more susceptible to harm from these airborne particles. This is why asbestos-containing materials can be so dangerous in schools.

Congress created a grant and loan program for cleanup several years ago, but the asbestos problem is large and progress has been slow. EPA's efforts have been insufficient and many cleanups that have been done have been done sloppily—in some cases, creating even more dangers. The bill before us today directs EPA to issue regulations covering the cleanup process: to prescribe proper asbestos inspection procedures; define appropriate cleanup actions; establish standards for safe cleanup; and require the use of accredited cleanup personnel. Equally, if not more important, the bill also creates a trust fund for helping schools inspect and eliminate asbestos.

A majority of the schools in the Pittsburgh area responding to a survey indicated that asbestos is present. In response, the Allegheny County Health Department formed a task force to create an Asbestos Public Information Program. The county health department is now developing regulations to accredit contractors and to ensure that asbestos removal is done by qualified contractors.

I hope that H.R. 5073 will fill in the gaps in our current effort and provide clear guidance for the removal of hazards and ensure the safest environment possible for schoolchildren.

PROMOTING INTERNATIONAL GOODWILL

HON. ALAN WHEAT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. WHEAT. Mr. Speaker, the tensions and conflicts that arise between nations around the globe could often be avoided with a greater understanding of a country's culture, lifestyle, and political system. Government and private-sector programs that serve to increase mutual understanding between the people of different countries are invaluable in the quest for world peace.

K.C./NEAR, a nonprofit organization located in my congressional district, sponsors annual visits to Kansas City by Japanese students from Kyoto University of Foreign Studies. The visits give Japanese students the opportunity to experience American culture and lifestyles by sharing experiences with families in the United States. It also provides American families with the unique and enriching opportunity to glimpse a different way of life through relationships with the charming and talented young people from Japan.

In 1974, Professor Kimio (Kim) Kotani brought 11 students to the United States under the auspices of the International Student Exchange Service. During that summer, the group visited 13 cities, including Rockford, IL. In Rockford, Professor Kotani established a friendship with Wynn and Andrea Presson that helped to continue the visits each summer.

When the Pressons moved to Kansas City in 1978, they invited the students to spend 2 days in Kansas City with the Research Medical Center family. In 1981, K.C./NEAR was formed. An acronym for Kansas City/New Experiences and Relationships, K.C./NEAR's purpose is to provide a formal framework for the visits with the intent of promoting international understanding and goodwill.

Each year, the students begin their visit to the United States in Rockford, IL. Three weeks later, they visit Kansas City, and later they travel to Denver and San Francisco.

Professor Kim carefully selects the students for each visit from more than 350 applicants each year. The students must speak better than average English, pass an examination, and be musically or artistically talented.

This year, Kansas City area families will host 32 Japanese students. Among other activities, the students will visit Royals Stadium to watch the world champion Kansas City Royals, see a "Summer on the Square" concert at Crown Center, and take a trip to the Missouri State Fair in Sedalia.

Mr. Speaker, the Japanese students will receive honorary citizenship certificates from Kansas City Mayor Richard Berkley at the K.C./NEAR farewell banquet on August 24. In appreciation, the students will perform a musical show for the host families and K.C./NEAR members. All the participants in the program—both United States and Japanese students—are to be commended. Through their participation, this program helps to assist in the further development of friendly, sympathetic, and peaceful relations between the United States and Japan.

NATIONAL PORT WEEK

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. BIAGGI. Mr. Speaker, I am pleased to join with my distinguished colleagues Mr. JONES of North Carolina, Mr. HOWARD, and Mr. ROE in introducing a resolution that designates the first week in October as National Port Week.

National Port Week is a period designated by the Congress and the President to recognize the important role played by our river, coastal, and Great Lakes ports. Since most goods in international trade are transported by ship and pass through our ports, they are important facilitators of trade and ocean transportation. Additionally, the commitment of our ports to building and maintaining modern and efficient shoreside facilities is an important contribution to the movement of international cargo. Our modern and efficient system of ports helps U.S. farmers and manufacturers to compete in the international marketplace. These ports also benefit the American consumer by contributing to the availability of low-cost imports.

The economic impact of ports is indeed substantial. Our national port system provides employment for over 1 million people. They generate over $60 million in direct and indirect economic benefits to our national economy—and $1.5 billion to the balance of payments.

This year, both Houses of the Congress have passed port development legislation. This legislation, now in conference, will facilitate the dredging of our harbors to accommodate the larger merchant and naval vessels that have evolved in recent years.

Finally, I would like to touch on the defense role of our ports. It is estimated that, in any overseas conflict, over 95 percent of the necessary arms, supplies, and troops would be transported by ship. Our port industry is fully aware of the part it has in assuring the swift and safe transport of troops and equipment. Whenever the port community has been called on to assist in a military exercise, its response has been prompt and fully cooperative.

National Port Week recognizes the economic and defense importance of our ports. It is a small action by Congress that conveys an important message to our citizens. I strongly urge my colleagues to join with me in honoring the ports of our Nation.

MOVING THE NORTHERN PUEBLOS AGENCY OF THE BIA TO SAN JUAN PUEBLO

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. RICHARDSON. Mr. Speaker, I would like to go on record as supporting the proposed relocation of the Northern Pueblos Agency of the Bureau of Indian Affairs [BIA] to San Juan Pueblo in New Mexico. The San Juan Pueblo is seeking to expand and stabilize its economic base through the development of a tribal office complex. It has been proposed that the Northern Pueblos Agency of the BIA relocate their offices to the San Juan Pueblo tribal office complex. This move would provide a financial cornerstone for the tribal enterprise. One of the major thrusts of the BIA is self-determination and economic self-sufficiency—I believe that the BIA can actively promote this goal by leasing office space in tribal enterprises.

The report for the Senate interior appropriations bill contains language stating that within available funds, the Santa Fe portion of the Northern Pueblos Agency should be relocated to San Juan Pueblo. I am in strong support of this relocation. The BIA should make every effort to identify appropriate funds. Relocating the Northern Pueblo Agency offices would serve several significant purposes—it would give a needed boost to San Juan tribal economic enterprises—at the same time, it would enable the BIA to facilitate its own admirable goal of tribal self-sufficiency.

POLISH AMERICAN HERITAGE MONTH

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. GUARINI. Mr. Speaker, I would like to take this opportunity to commemorate the designation of August 1986 as "Polish American Heritage Month." It is time to honor the Poles and Polish Americans who have contributed to developing our Nation's culture and history.

Since the earliest days of our Nation, Poles and Polish Americans have played an important part in shaping the direction of not only America but the world, Poles were among our first settlers during the founding of Jamestown in 1607. Five Poles voyaged on the *Mayflower*, landing at Plymouth Rock in 1620.

Between 1870 and the close of World War II, approximately 2.5 million Polish citizens found their way to the United States. Today the Polish-American community is over 8 million strong. America was made with the hands of pioneers of different nationalities. The participation of Polish immigrants in contributing to our country's greatness thus forming an important chapter of American history.

Poles have left a lasting mark in the history books of the world. We are all so very pleased that Pope John Paul II is leading the Roman Catholic Church and all persons of good will as a pilgrim of peace. He exemplifies the expression and conviction that service to humanity must be at the basis of all our efforts to assure the dignity and worth of each human being regardless of race, religion, or place of birth. Pope John Paul II said, on October 28, 1978: "There can be no true human progress without the steadfast loyal and sincere pursuit of growing cooperation and unity among peoples." We are all aware of the courage and steadfastness of Lech Walsea, the Polish labor leader who has proved to be a valiant fighter for human rights. This commemoration provides us with a great opportunity to send a message to the Poles struggling for freedom and democracy in their country today. All freedom-loving Americans must continue standing behind the Solidarity movement as they struggle and suffer in the totalitarian rule of the Soviet Union.

Today we pay tribute to those of Polish background as we salute them and honor them for their many contributions to the world. They include Marja Sklodowska, the Polish-born chemist who discovered radium and Frederick Chopin, an outstanding musician. Closer to home, we have the Pulaski Skyway in Jersey City, named in memory of the Great Polish General. It is traversed by millions of automobiles from my congressional district forming a connecting link into the surrounding cities and suburbs.

In all the communities in Hudson County, Polish Americans are leaders in religion, business, education, and government. Here, many doctors, dentists, attorneys, and other professionals join with educators and business leaders as examples of character which make up the foundation on which America stands. I am privileged to have them all as constituents, friends and fellow citizens.

Dziekujemy—Sto Lat.

THE CONFEDERATED TRIBES

HON. JAMES V. HANSEN

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. HANSEN. Mr. Speaker, this bill which I introduce today corrects perplexing land problems affecting a small Indian tribe located in my district along the west-central border of Utah. The Confederated Tribes of the Goshute Reservation have lived for more than 80 years on an area beset with various boundary problems and uncertainties. While these difficulties have been recognized for some time, no congressional action has yet been taken to resolve them. This bill is an important first step toward ending these problems.

The Goshute Reservation, which consists of approximately 95,000 acres, straddles the Utah-Nevada border about 40 miles south of the city of Wendover. When established by Executive orders shortly after the turn of the century, the reservation's legal description contained an error which created a strip of land running through the middle of the reservation ¼ mile wide and 7 miles long. Technically, this strip, today, is owned by the United States and is administered by the Bureau of Land Management. The bill would change the status of the strip to be reservation land held in trust by the United States for the tribe.

Among the other provisions of the bill are sections which will place the tribal cemetery (now owned privately by the tribe) in trust status along with surrounding BLM land. Other sections will combine surface and subsurface interests where such are not split between tribal and Federal ownership.

I believe that this bill is noncontroversial and will meet with the support of the tribe, the non-Indians in the area, and affected Government agencies. I have personally met with members of the tribal government and with members of the non-Indian community. Their concerns and interests have been carefully noted and are reflected in the draft of the bill which I introduce today. Through the process of meeting with the public and receiving their comments, I believe I have been able to eliminate the possibility of local objections to the bill.

In addition, I have worked closely with representatives of the Department of the Interior and have accepted their suggestions to improve the bill.

I hope that this bill will see prompt action by the House of Representatives to make passage possible before we adjourn this year.

THE CALL TO CONSCIENCE VIGIL

HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. SCHULZE. Mr. Speaker, I rise today to join my colleagues in the Congressional Call to Conscience Vigil, sponsored by the Union of Councils for Soviet Jews. I would like to express my deep thanks to my colleague from Ohio, TOM KINDNESS, for coordinating these efforts and speaking out on behalf of those desiring to emigrate from the Soviet Union.

Mr. Speaker, the situation for Jews in the Soviet Union is becoming increasingly dismal. The emigration of Jews from the Soviet Union has fallen drastically, to the point where the doors seem to have been closed. To date, only 417 Jews has been permitted to exit from the Soviet Union this year. In addition, only 31 were permitted to emigrate last month, the second lowest monthly figure in history. The cases that were to be resolved as a result of the recently concluded Bern Conference have not been resolved, those promised exit visas still have not seen those visas become a reality. And the Soviet Government still plays games with the promised emigration of Leonid Shcharansky and Ida Milgrom, brother and mother of Anatoly Shcharansky. Mr. Speaker, the situation is indeed grim.

On a more personal note, I would like to talk of the case of Dr. Joseph Irlin. Dr. Irlin was a noted specialist in cancer research when he applied to emigrate to Israel in 1979. When he submitted his application to emigrate, he was forced by Soviet authorities to resign from his job. Two years later, he was refused permission to leave the Soviet Union on the grounds that "there was no reason for your emigration." Since that time, he has been forced to work as a research scientist in Moscow. Boris Gulko, the international chess master and former refusenik, was recently in Washington and made a special plea for the release of Dr. Irlin. It is my hope that the upcoming discussions between the United States and the Soviet Union and the Government of Israel and the Soviet Union will bring positive results on the issue of Jewish emigration and those like Dr. Irlin, will soon be permitted to emigrate.

NAMING FEDERAL COURTHOUSE AS "ALBERT V. BRYAN FEDERAL COURTHOUSE"

HON. STAN PARRIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. PARRIS. Mr. Speaker, today I am introducing legislation to designate the Federal Courthouse for the Eastern District of Virginia in Alexandria, as the "Albert V. Bryan Federal Courthouse."

Judge Albert Vickers Bryan was a native Alexandrian, born on July 23, 1899. After serving in the U.S. Army during World War I, he

was the city attorney of Alexandria from 1925 to 1928, and served as the Commonwealth's attorney in Alexandria from 1928 until 1947. In 1947, he was appointed by President Truman as judge of the U.S. District Court for the Eastern District of Virginia, and served as chief judge from 1959 through 1961. In 1961 Judge Bryan was appointed to the Court of Appeals for the Fourth Circuit, where he served until his death on March 13, 1984. He also was the rector of the University of Virginia from 1960 through 1964, and a member of the board of visitors from 1956 through 1960. In the community he was a member of the board at Mount Vernon, and was senior warden and a vestryman of Christ Episcopal Church in Alexandria.

As that brief history of major accomplishments clearly indicates, he spent most of his life serving the public and was an outstanding judge for 37 years, until the age of 84. It is fitting that we honor Judge Bryan's devotion to our courts and to the Constitution by dedicating the Alexandria Federal Courthouse in his memory.

ACTION AGAINST TERRORISM

HON. DAN GLICKMAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. GLICKMAN. Mr. Speaker, June marked the anniversary of the TWA hijacking in Beirut last year. I think all of us remember the anger, shock, and sorrow that was felt after we heard the news that hostages had been taken and one American, Robert Stethem, had been killed. Those long days while Americans were held captive were difficult ones for the country and those who knew individual hostages. There have been numerous other incidents since then, and Americans traveling abroad are still the frequent target of terrorist activities.

There is no question that something must be done, and I do think Congress has taken the lead in pursuing a proper course of action. However, all too often, it takes a major event, such as the hijacking, to refocus our attention on the problem of international terrorism. As pessimistic as it may sound, terrorism is a problem we must continue to confront. That is why I introduced an amendment to the Department of Defense authorization bill which calls for action, not reaction.

The amendment, which was approved by the House, expresses the sense of Congress that the President, with the advice of the Department of Transportation, should consider utilizing U.S. military forces overseas, as appropriate, to assist in securing the safety of American air carriers and passengers. Placement of military personnel in overseas airports to fulfill security functions such as screening passengers and baggage, and securing aircraft could be used to guard against terrorist activity. The amendment ensures that troops would be stationed at airports only in those countries which have agreed to this arrangement and that their assignment would not adversely affect our military preparedness.

We have in place all throughout Western Europe and the Orient the world's finest security force: the American military. In fact in some cases these forces are stationed very close to the airports. We should put them in those airports to serve a defensive role in the war against terrorism. It is a logical use of a force already in place and trained to help in this ongoing battle.

I think it is important that we send a message to terrorists around the world that we mean business when it comes to the safety of American citizens. Although this measure cannot erase the suffering and the pain felt by the families of the TWA hostages or the victims of terrorist actions, it does let those like the Peel family of Hutchinson, KS, know we have not forgotten their trauma and that we are willing to take steps to provide the best security possible for Americans traveling abroad so they can have confidence to travel abroad without fear.

MEDICARE COMMUNITY NURSING AND AMBULATORY CARE ACT OF 1986

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Ms. OAKAR. Mr. Speaker, I am pleased to join my distinguished colleague from Missouri, Representative GEPHARDT, as an original cosponsor to the Medicare Community Nursing and Ambulatory Care Act of 1986. This legislation would establish community nursing centers to provide the necessary health services which bridge the gap between hospitalization and independent living. The centers would provide nursing care supervised by registered nurses, occupation therapy, physical therapy, and speech therapy. Reimbursement for servcies would be provided on a prepaid basis to cover those persons eligible under Medicare, part B.

Our fragmented health care system is in desperate need of this type of legislation. With the current incentives for prompt discharge from hospital care, the elderly client is being returned to the home with more complex nursing needs. These needs range from simple physical assessment and observation to extensive physical rehabilitation and education. Unfortunately, at this time, the system does not provide the continuity, coordination, and post hospitalization support necessary to effectively meet these needs. We must improve the stucture of services to be more responsive to the needs of the 30 million Medicare beneficiaries.

The community nursing center fits comfortably with the direction of our health care policy. The program encourages community-based noninstitutional care, early identification of health problems, prevention, and efficient use of health care providers. The financing mechanism relies on prepayment, which has been the key to the success of the health maintenance organization. The CBO has estimated the act would cost $10 million in the first year, and $50 million over 3 years.

Only by enacting creative and innovative legislation like the Community Nursing and Ambulatory Center Act of 1986 will we be able to continue to meet the health care needs of our elderly citizens. I urge my colleagues to join in this worthy effort.

COMMENDING THE FORT LAUDERDALE CHILDREN'S THEATER

HON. DAN MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. MICA. Mr. Speaker, I would like to take this opportunity to congratulate the Fort Lauderdale Children's Theater on the addition of the new Lenzen room. It is an honor for me to share with you in the proud feelings that surround this joyous occasion.

The Children's Theater has always been a special interest of mine. It was conceived in 1952, and 7 years later, the theater was established as a not-for-profit theatrical and educational organization. Since then, I have observed a flourishing cultural concept that has greatly enriched the community.

Expansion and growth have been a key factor in the overwhelming success of the Children's Theater. The first classes were held in a rented garage with a 65-student capacity; the students attended classes after school from September to May. Several moves occurred within the following years and in 1970, the theater converted a building in Fort Lauderdale into a fully equipped studio theater with classrooms. Today the program enrolls 300 students from Miami to Palm Beach, and has established itself as a quality theatrical facility.

Certain aspects of the Children's Theater have remained intact since its beginning. A great emphasis has always rested on education in the theater arts, concentrating on individual potential and the development of self-confidence, poise, discipline, and self-expression. The program also instills a community awareness and responsibility in the students, and performs for festivals, hospitals, senior citizens, libraries, the Broward Arts Council, and the county school system.

In 1985, the summer touring company became a new facet of the Children's Theater. Last summer, the company appeared in 27 locations and this year, is performing in 45 locations in Broward, Palm Beach, Dade, and Monroe Counties. The company members must audition for the job and are paid for their employment. The program is funded by the South Florida Cultural Consortium and National Endowment of the Arts, and is a unique opportunity for students and south Florida.

As we celebrate the addition of the new Lenzen room, I want to extend my warmest wishes for success in all your future endeavors. And I would like to thank you for the doors you have opened for young actors and actresses, and for the joy you have given south Florida.

DESERVING TRIBUTE TO JOE ADDABBO

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. SCHEUER. Mr. Speaker, today I am introducing, along with 136 of my colleagues, a bill to rename the St. Albans Veterans' Administration Extended Care Center in Queens, New York, as the "Joseph P. Addabbo Veterans Administration Extended Care Center at St. Albans."

Joseph P. Addabbo served this body with distinction since 1960. He was one of the most highly respected Members of Congress. I knew him as an outstanding legislator and a warm, compassionate friend. Serving at one time on the Veterans' Affairs Committee, Joe took a special interest in the welfare of veterans. He sponsored numerous bills helping veterans in the areas of education, housing, employment and health.

Quiet, effective and dedicated, Joe was instrumental in converting the St. Albans Naval Hospital Extended Care Center to the Veterans' Administration Extended Care Center that exists today.

The renaming of the Extended Care Center in honor of Joe Addabbo is a fitting tribute to a man who did so much to help our veterans and those in our society who most needed concern and assistance.

Born and educated in Queens, New York, Joe Addabbo was dedicated to improving the quality of life for his constituents. He personified the highest standards of integrity and unselfish devotion to public service.

Joe was a great friend to chapter No. 76 of the National Amputation Chapter of the Disabled American Veterans. It is that group, including its chairman, Tony Galgano, and trustee, Sol Kaminsky, which deserves much of the credit for the bill I am introducing today.

I urge my colleagues to join me in this deserving tribute to Joe Addabbo.

THE FINANCIAL FRAUD DETECTION AND DISCLOSURE ACT

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. WYDEN. Mr. Speaker, in May of this year I introduced the Financial Fraud Detection and Disclosure Act to require and enable independent auditors to detect and disclose illegal and fraudulent activities at publicly held corporations.

Today, along with the Chairman of the Energy and Commerce Committee, Mr. DINGELL of Michigan and 17 of our colleagues, I am introducing a revised version of the legislation.

This new legislative proposal [H.R. 5439] incorporates suggestions made during the course of public hearings on financial fraud held by the Oversight and Investigations Subcommittee of the House Energy and Commerce Committee on June 19 and 23, 1986. After those hearings, I discussed this issue at length with accounting experts, practicing accountants, and nonpartisan governmental organizations. As a result of the hearings and additional input, I believe that this revised legislation responds to all major reservations expressed about the original legislation.

Mr. Speaker, in 16 hearings conducted by the Subcommittee on Oversight and Investigations during 1985 and 1986, the subcommittee compiled an overwhelming record of devastating financial frauds. Again and again, the subcommittee found that independent auditors have failed to detect or to report fraudulent activities at a number of major corporations and financial institutions in this country.

In one financial disaster after another, including E.F. Hutton, United American Bank, Penn Square Bank, E.S.M. Government Securities, Home State Savings Bank of Ohio, American Savings and Loan of Florida, Drysdale Government Securities, Saxon Industries, and others, the disaster struck virtually on the heels of clean audit certificates issued by audit firms indicating that the companies were financially sound. The result? Hundreds of thousands of investors and creditors were out hundreds of millions of dollars.

In spite of these and the many other major audit failures that have taken place in recent years, Mr. John Shad, Chairman of the Securities and Exchange Commission, said in his written statement to the subcommittee on June 23, 1986, "The evidence * * * suggests that the system is working well."

Mr. Speaker, the many small depositors, investors, and others who are out in the cold because of these financial disasters do not share Mr. Shad's viewpoint. The fact is that SEC has failed to take the steps necessary to deal with financial fraud—even though both the Commission and the accounting profession have the authority to do so. Under current rules, when an auditor discovers a major financial fraud, the auditor is required to do nothing but inform corporate management and consider resigning. While this rule may help protect accounting firms from lawsuits, it does very little to protect the consumer from fraud and illegal activity.

To correct this glaring problem, the revised Financial Fraud Detection and Disclosure Act establishes a comprehensive and integrated system for assuring the detection and reporting of financial fraud. The revised bill emphasizes the crucial role of corporate management in establishing effective internal control systems and correcting material financial problems when they are found. The new bill clearly establishes the responsibility of independent auditors to detect and disclose financial fraud and provides the profession with legal protection and the tools needed to get the job done. The auditors responsibilities are based on procedures which the General Accounting Office has used successfully in its audits of Federal programs and agencies.

The revised bill contains the two major changes the profession sought in the original bill. First, it includes a materiality provision. The earlier legislation required detection and disclosure of any illegal or fraudulent act. The profession said that this could be interpreted to include a parking ticket or a stolen pencil. No one wants nitpicking. The new bill has been revised to avoid this result.

Second, instead of immediately bringing materially fraudulent or illegal acts to the attention of regulators, the revised legislation requires that auditors first report instances of fraudulent activity to the corporation's management and to the audit committee of the board of directors. The management and the audit committee would have up to 90 days to correct the material fraud or illegality. Only if management and the audit committee fail to act responsibly to correct the material fraud or illegality would the auditor report the matter to appropriate regulatory and law enforcement authorities.

Mr. Speaker, in a 1984 decision, *United States* versus *Arthur Young and Company,* the Supreme Court described the independent accountant as the public's watchdog. The court stated:

> By certifying the public reports that collectively depict a corporation's financial status, the independent auditor assumes a public responsibility transcending any employment relationship with the client. The independent public accountant performing this special function owes ultimate allegiance to the corporation's creditors and stockholders, as well as the investing public. This "public watchdog" function demands that the accountant maintain total independence from the client at all times and requires complete fidelity to the public trust.

The present system for dealing with financial fraud falls far short of that described by the Supreme Court. Ten years ago, the accounting profession was put on notice by the Congress that the public legitimately expects independent auditors to make reasonable efforts to detect and report financial fraud. The accounting profession's response—from the Cohen Commission to the Treadway Commission—has been to study the issue, but to take no effective action.

The problem of financial fraud is growing. Last year, the Oregon Corporation Commissioner Jane E. Edwards said, "I am amazed at the amount of fraud that is going on." We read about insider trading abuses and financial corruption virtually every day in the newspaper. Although the vast majority of business persons and auditors are honest, responsible citizens, there is no question that a growing minority are trying to skirt or ignore our laws and take improper advantage of our citizens.

Contrary to the views of Mr. Shad who believes the system is "working well," many other Government regulators are calling for significant changes to protect the public from major financial fraud. The former and present chairmen of the Federal Deposit Insurance Corporation testified before the subcommittee that 50 percent of the 120 bank failures that occurred last year were due to fraud and insider abuse. Both testified that increased measures are needed to combat the serious problem of financial fraud, and that independent auditors should be doing more in the area of detecting and reporting fraud and illegal activity. As the executive partner of a major auditing firm recently pointed out, under the current system, the only way instances of financial fraud surface is if the auditor happens "to stumble into it in the dark."

Mr. Speaker, such a system falls far short of providing the protection the American public deserves. Let's pass the Financial Fraud Detection and Disclosure Act—with it our country will have a far better system for the detection and reporting of significant financial frauds.

TRIBUTE TO SOOKY GOLDMAN

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to a wonderful woman, who is an outstanding member of my community and a close personal friend, Ms. Sooky Goldman. Sooky is the Julia Ann Singer Center's 1986 honoree and the friends of Julia Ann Singer will honor her on September 11, 1986, in the International Ballroom of the Beverly Hilton.

The Julia Ann Singer Center is a treatment facility for abused, emotionally disturbed and learning disturbed young children and their families. The center employs an innovative psychoeducational approach in treating these children. In her typical manner, Sooky has worked tirelessly to support the center, with fundraising and with a variety of special projects.

I have had the pleasure of working with Sooky Goldman on many issues and know that she is a highly motivated and admirable individual who is always ready to lend a hand and hard work to help with any worthwhile cause. She is always ready to take on the most challenging proposals and with her winning ways, she is invariably successful.

Sooky has been involved with so many important programs and charitable organizations that have benefited the community that it is an impossible task to do justice to the breadth of her experience and the magnitude of her contribution. Sooky has always been there when she is needed: She served on the board of directors of Meals on Wheels, she is the founder of the Beverly Hills Art League, and she was the founder of the Beverly Hills Teen Center "The Water Department." Her most special and favorite project is an environmental education program known as the William O. Douglas Outdoor Classroom. When it comes to preserving this beautiful area and making it available for students to learn about their environment, her dedication is legendary.

Sooky's tireless commitment and her diligent hard work have earned her the gratitude and admiration of all. The Beverly Hills Chamber of Commerce named her "Woman of the Year." She was selected as the "Democrat of the Year" by the County Democratic Central Committee for the 43d Assembly District. She is also a recipient of the "Woman of the Week Award" from the Beverly Hills Times.

It is a distinct pleasure and honor to join with my colleagues and the friends of Julia Ann Singer in saluting this remarkable woman. Sooky Goldman is a special person—a valued friend, a dedicated and much-beloved member of our community, and a great philantropist and humanitarian.

FISCAL RESPONSIBILITY

HON. DAN SCHAEFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. SCHAEFER. Mr. Speaker, Congress has once again presented itself with these options: Extending the debt ceiling, allowing the Government's finances to collapse, or raiding the Social Security trust fund for a termporary financial fix. Speaking for myself, none of these are appealing. Do we push the Federal Government further into debt, do we disrupt all Government payments, or do we dip our hands into the assets of America's elderly?

Each year we force ourselves into making these no-win decisions. The fact is, we have the power to avoid them all together. While I am encouraged that Congress has finally realized that the deficit is a problem that must be dealt with, we lack the responsibility to significantly reduce Federal spending. As a result, we are forced to enact a temporary extension of the debt ceiling, then another, and another. Unless we act now, this progression will never stop.

I realize that serious deficit reduction is not easy. We must tell our constituents that they will have to do without certain benefits which they may be accustomed to receiving. While this may be difficult at first, I am certain that the American people will accept less Government in return for financial integrity. After all, fiscal responsibility is not easy or popular, but it is prudent and necessary. It is also a decision which will benefit America—ones which we are not accustomed to dealing with.

CAN WE BELIEVE HANOI?

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. DREIER of California. Mr. Speaker, I rise today to highlight the release of a former American serviceman from imprisonment in Vietnam. Missing for over a year, Robert Schwab III, was handed over to U.S. authorities in Bangkok yesterday.

I am not here to defend Mr. Schwab's illicit entry into Vietnam. However, it should be noted that he was on what may be called a humanitarian mission to rescue his stranded Vietnamese family. In the process of executing his mission, Mr. Schwab became America's most recent MIA in Southeast Asia on April 23, 1985. During his custody, Hanoi not only failed to report his apprehension they denied it. As Vietnam celebrated the fall of Saigon last year and denied holding any Americans against their will, Mr. Schwab languished in their jail.

Mr. Speaker, my message should be obvious. There are over 2,400 Americans in Vietnam who Hanoi would have us believe died or disappeared into thin air. Time after time after time, the Vietnamese have told us they are not holding any Americans against their will. And for the most part our bureaucracy in Washington has taken Hanoi's word, I hope the release of Mr. Schwab will raise more than a few eyebrows around here as we attempt to bring our missing servicemen home from Vietnam.

HIGHER FEES WILL HELP PROTECT OUR IRREPLACEABLE NATIONAL PARKS

HON. DICK CHENEY

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. CHENEY. Mr. Speaker, I am proud to join with three of my House colleagues today in introducing a bill that will help protect the beauty, the wildlife, and the visitor attractions of America's splendid national parks. The legislation I've introduced today, along with Representatives YOUNG, LAGOMARSINO, and REGULA, will give the parks a fighting chance to maintain a high quality visitor experience for years to come.

There is nothing very good about the current system of entrance fees. It is a kind of deception: I believe most park visitors think the money they hand to the ranger at the entrance station goes to the park where it was collected. But it doesn't. The money goes into a Federal account called the Land and Water Conservation Fund. The fund makes many worthwhile municipal park projects possible around the country, but the general treasury ought to be the source for the fund, not the Nation's national park visitors.

Even if current law allowed entrance fees to stay at the park where they were collected, which it does not, the admission fee is ridiculously small. At the current maximum of $2, the entrance fee is little more than a token. And since 1979, Congress has forbidden any increase in the fee, preventing the National Park Service from raising any more money from the most obvious source.

Wyoming's four national park units, and particularly Yellowstone and Grand Teton, urgently need the revenues which this will help to generate. Our bill would raise entrance fees to a maximum of $10 at those two parks. And the National Park Service would be authorized to raise fees at Wyoming's other two park units, Fort Laramie National Historic Site and Devil's Tower National Monument. The admission fees would be considerably less than $10 at Fort Laramie and Devil's Tower.

This bill is an improvement from the version originally proposed by the administration in one very significant way: it dedicates all the revenue collected from entrance fees to the National Park Service. The original bill would have taken away 20 percent of the revenues and diverted them to the general treasury. The bill gives priority in spending the entrance fee revenue to the park where the fees were collected.

As the administration originally proposed, our bill would authorize volunteers to collect admission fees at park entrance kiosks. Such a procedure could greatly reduce the cost of collecting fees, directing more of the revenue toward park improvements and less toward simply covering collection costs. But we have improved the original proposal by providing

that the use of volunteers cannot lead to dismissing park employees.

Mr. Speaker, it is essential that we preserve the natural resources of our parks. It is equally important that we maintain park visitor facilities. I am delighted with the support of my colleagues, and I hope this legislation can move quickly through the House in the remaining days of this session. There can be no doubt that Yellowstone, Grand Teton, and the other parks in the Nation desperately need the money.

A TRIBUTE TO OHIO'S VIETNAM VETERANS

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. McEWEN. Mr. Speaker, the Ohio Council of Vietnam Veterans will be holding its Sixth Annual State Convention, September 19-21, 1986, in North Canton, OH. This annual convention, which is open to all of our State's Vietnam Veterans, families and friends, and serves to remind all of us of the sacrifices they made for our Nation.

Mr. Speaker, our veterans who served in Southeast Asia during the Vietnam era were thrust into conditions unlike those of any previous conflict or war. Due largely to the significant efforts of Vietnam veterans themselves and one organization in particular—Vietnam Veterans of America—there is now a fairly comprehensive package of Vietnam Administration benefits and services intended to address the unique concerns of this special group of Americans.

Though Vietnam Veterans of America is a relatively young organization, formed in 1978 as a lobbying organization and chartered by Congress in May 1986, it has become a viable and respected force in veterans' affairs. Its Washington staff testifies regularly before congressional committees. Fresh, innovative, and growing, the organization has matured into an effective representative of not only Vietnam veterans, but the general veteran population as well.

Vietnam Veterans of America has helped bring about a greater understanding of psychological problems experienced by Vietnam veterans and has worked steadily, energetically, and successfully to correct many inaccurate public perceptions of the Vietnam War and its American participants. VVA has been instrumental in ensuring the establishment of programs to address issues of particular concern to Vietnam veterans, including agent orange, post-traumatic stress disorder, readjustment counseling, and unemployment. The organization has strong support on Capitol Hill, highlighted by the existence of a Vietnam Veterans in Congress Caucus, which VVA helped form.

Mr. Speaker, as a nation, we are still in the infant stages of understanding the Vietnam war and what its veterans went through, but the important thing is, we are trying. America's Vietnam veterans have many times over earned our highest praise for being noble participants in a noble cause. Vietnam Veterans of America has been in the forefront of effecting a renewal of national pride for these courageous individuals. VVA has been an active ingredient of the salve that has begun to heal the wounds of controversy stemming from the war.

We owe an infinite debt of gratitude to those we asked to leave home, leave family, leave friends, leave jobs to be thrust into the grisly carnage of a jungle on the other side of the world. Their country asked and they went. It is with that same loyalty that we should embrace our Vietnam veterans and remember those who did not return.

On the day that the Statue of Three Fighting Men was dedicated at the Vietnam Veterans Memorial here in Washington, President Reagan had this to say of our Vietnam veterans:

> You performed with a steadfastness and valor that veterans of other wars salute. And you are forever in the ranks of that special number of Americans in every generation that the Nation records as true patriots.

Mr. Speaker, these true patriots are fortunate to have Vietnam Veterans of America, a truly responsive and caring organization, serving their needs with compassion and integrity. I know my colleagues will want to join me in saluting both the organization and its mission.

PROTECTING TELEPHONE RATEPAYERS

HON. AL SWIFT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. SWIFT. Mr. Speaker, since the divestiture of the Bell Operating Cos., was forced on AT&T as part of the resolution of an antitrust suit brought by the Justice Department, many of us have been concerned about the ultimate fate of the ratepayers, especially residential and rural customers.

The gentleman from Oregon [Mr. WYDEN] has been instrumental in seeking to protect ratepayers, as have Congressmen DINGELL, WIRTH, LELAND, BLILEY, and others. The gentleman from Iowa [Mr. TAUKE] and I introduced a comprehensive bill, H.R. 3800, to permit the Bell Operating Cos., into new lines of business primarily because we saw advantages to ratepayers if restrictions were lifted. But, at the time we introduced H.R. 3800, we noted the need to flesh out a sound ratepayer protection section to make sure ratepayers would not be subsidizing new, competitive ventures undertaken by the telephone companies. I believe that we have now been able to do that. During the hearings held by the Subcommittee on Telecommunications, many of us spent considerable time exploring with the various witnesses why this was important to do and how best to do it.

It's clear from the comments of the Department of Justice that preventing cross-subsidies is good policy.

Mr. Douglas Ginsburg, Assistant Attorney General for the Justice Department, testified that it would be "inappropriate for the ratepayers of the monopoly service to cover the entire cost of the plant and equipment when some of it is being used to participate in the competitive market." He stated clearly that "if the same plant and equipment serve both the regulated business and the competitive business, then some allocation of the fixed cost of that plant and equipment must be made between the two." He said, "the competitive buisness conducted by the telephone company should be expected to make a contribution to the overhead of the telephone company for its use of those common facilities."

Mr. Ginsburg stated his view that, when the same service is provided by a telephone company and by a competitor, "each of them should be charged an equal amount, and each of them, therefore, should be making a contribution to the cost of having the poles and wires there in the first place." He stated that, "there should be a mechanism to make sure that only those who use the—new—service pay for it." He indicated that, to the extent that new services used common equipment, they should contribute to joint and common costs.

It's clear from the comments of the Federal Communications Commission that this is good policy.

In its notice of inquiry into cost allocation issues, the Commission has stated that, in order to assure "just and reasonable rates for services that remain subject to regulation, it must guard against cross-subsidy of nonregulated ventures by regulated services." It noted that "marginal cost standards, however attractive in theory, are difficult to use for regulatory purposes, because marginal costs are not readily measured by conventional accounting methods." And, in both alternative plans it proposed, the two first principles were that "costs shall be directly assigned to either regulated or nonregulated activities whenever possible" and "only those costs which cannot be directly assigned to regulated or nonregulated activities shall be treated as common costs." These common costs are to be allocated whenever possible according to their actual or expected use.

It's clear from the comments of consumer groups that this is good policy.

Mr. Gene Kimmelman, legislative director of the Consumer Federation, stated his belief that "whatever transmission tariffs are, they must involve equitable distribution of costs among all services."

And, It's clear from the comments of the Bell Operating Cos. that this is good policy.

Mr. Gary McBee, of Pacific Telesis, testified that, if the Bell Operating Cos. are allowed to get into new lines of business, consumers will benefit because "the cost itself would go down, because we would be distributing the recovery of those costs over a wider range of services." He stated that "the usage of plant ought to be assigned directly to new services, and the joint and common costs of the business ought to be assigned to new services on the basis of usage."

Mr. Larry DeMuth, of U.S. West, agreed. Specificly he said that "the fixed costs of the utility business * * * would receive wider use if we were permitted into these other competitive businesses. The costs associated with those other competitive businesses would have * * * to be borne by the competitive

business entirely, so that the benefit to the regulated business would be greater usage by the competitive businesses."

I specificly asked both witnesses whether they thought that new, competitive services should pay not only their own costs but also pick up their share of fixed costs, and both witnesses agreed that, to the extent that the new services use existing facilities, they should also pay a portion of the joint and common costs associated with the business.

In response to a question whether new services should pick up a share of fixed costs on a basis of usage, Mr. DeMuth responded, "In my view, they must pay for all of the embedded costs that they use." Mr. McBee stated that his view was that "a new service provided through the network would also have to pick up a portion of * * * every common cost of the business."

Ameritech has written to our subcommittee that a "contribution to common costs, which cannot be associated with the provision of a specific product or group of products, will be assessed to unregulate services. If this policy is adopted by the FCC, basic ratepayers will directly benefit through lower rates because new services will be provided which will pay not only for the costs that they cause but also for a share of the common costs of the business."

Since our hearings, I have worked closely with other interested Members and with a variety of interested parties to refine—as precisely as we can—what the essential elements of a ratepayer amendment should be. I believe that the amendment we've come up with today will protect ratepayers and make sure they don't subsidize new business ventures by the Bell Operating Cos. Other issues, no doubt, could be added and I'm sure others would offer their own refinements to this proposal. I will, of course, work with interested Members.

While I've tended to focus on this as a ratepayer protection piece, it's really a piece that will protect competition at the same time. Protecting ratepayers and protecting competition are two sides of the same coin. The worry that competitors have is that they will face unfair competition because they will compete against subsidized products and services. And, if there is a subsidy, it's going to be coming out of the ratepayers pockets. So, protecting ratepayers and protecting competition are the same thing.

Mr. Speaker, in an increasingly competitive environment, the self-interest of telephone companies in maximizing universal service has changed. Where once a company could clearly benefit by making telephone service available at the lowest possible price, once there is competition and others can benefit without contributing, it's no longer in anyone's self-interest to maximize universal service. While the self-interest of Bell Operating Cos. in trying to get H.R. 3800 enacted is obvious, and while they make a good case that their being able to offer new services will benefit consumers, where I see the real benefit is by allowing new services to pick up their share of the costs of the basic telephone network. Sharing costs between existing and news services can take pressure off local rates and help preserve universal service. But, to ensure that will happen—and to assure ratepayers benefit—means making sure costs are properly allocated and new services pay their fair share of costs. The risk that we won't be able to do that are not insignificant; but, potential benefits make the risks worth taking.

Consumers will benefit not because there will be some subsidy of some sort. To the contrary, this amendment would prohibit subsidies of any sort going either to or from regulated services. The benefit, here, will be in the form of savings due to efficiencies. This amendment will make clear that the benefit of those efficiencies will flow both to consumers of new services and to the customers of basic phone service who, with their monthly phone bills for phone service, provided the capital to build that network.

The amendment and explanation follow:

SWIFT/TAUKE AMENDMENT TO H.R. 3800

Page 3, strike out line 20 and all that follows through line 5 on page 5 and insert the following new sections (and redesignate the succeeding sections accordingly):

SEC. 4. INFORMATION SERVICE RESTRICTIONS.

(a) PUBLIC INTEREST FINDING.—The authority granted to a Bell operating company under section 3 to engage in the provision of information services shall be available only if the Commission determines that—

(1) there is no substantial possibility that the providing of such services by the Bell operating company could (A) harm competition in the information services industry, or (B) harm customers of telephone service, and

(2) such authority is otherwise consistent with the public interest.

In making the determination under this subsection, the Commission shall consult with the Secretary of Commerce and with the Attorney General.

(b) NONDISCRIMINATORY INTERCONNECTION.—The authority granted to a Bell operating company under section 3 to engage in the provision of information services shall be available only if there are in effect rules prescribed by the Commission which ensure that other information service providers have opportunities for interconnection to the telephone service facilities of the Bell operating company which are comparable to the interconnection provided by the Bell operating company to itself or to any affiliate of such company.

(c) ELECTRONIC PUBLISHING.—[Reserved.]

SEC. 5. MANUFACTURING RESTRICTIONS.

(a) PUBLIC INTEREST FINDING.—The authority granted to a Bell operating company under section 3 to engage in manufacturing shall be available only if the Commission determines that—

(1) there is no substantial possibility that the manufacturing by the Bell operating company could (A) harm competition among manufacturers in the United States, or (B) harm customers of telephone service, and

(2) such authority is otherwise consistent with the public interest.

In making the determination under this subsection, the Commission shall consult with the Secretary of Commerce and with the Attorney General.

(b) NONDISCRIMINATORY PROCUREMENT.—The authority granted to a Bell operating company under section 3 to engage in manufacturing shall be available only if there are in effect rules prescribed by the Commission which ensure (1) that other manufacturers have opportunities to sell equipment related to telephone service to the Bell operating company, and (2) such opportunities aer comparable to the opportunities the Bell operating company provides to itself or to any affiliate of such company.

SEC. 6. SAFEGUARDS AGAINST SUBSIDIES.

(a) PROHIBITION AGAINST CROSS-SUBSIDIES.—

(1) LIMITATION.—Telephone service shall not subsidize, nor be subsidized by, lines of business authorized by this Act. The Commission shall prescribe rules to carry out this subsection.

(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed to prohibit the use of cross subsidies within a Bell operating company if such cross subsidies do not involve telephone service.

(b) RULES FOR COST ASSIGNMENT AND ALLOCATION.—The Commission shall establish rules for assigning and allocating all costs of factors of production which are in any way used in lines of business authorized by this Act. The authority granted to a Bell operating company under section 3 to engage in manufacturing or information services shall be available only if the Commission has determined that the company has provided reasonable assurances that it will comply with the rules prescribed under this section.

(c) SPECIFIC REQUIREMENTS FOR RULES.—The rules shall require that—

(1) to the extent the cost of any factor of production is caused solely by one or more lines of business authorized by this Act, such cost shall not be assigned to, or recovered by charges for, telephone service, and

(2) to the extent that any line of business authorized by this Act uses factors of production that are also used, jointly or in common, to provide telephone service—

(A) so much of the costs of such factors as are caused by or attributable to a line of business authorized by this Act, shall not be assigned to, or recovered by charges for, telephone service, and

(B) so much of the costs as cannot be directly assigned to lines of business authorized by this Act or to telephone service, shall be allocated, in accordance with the requirements of such rules, in a manner that the Commission determines will provide for a reasonable allocation between—

(i) such lines of business, on an aggregated basis, and

(ii) telephone service.

(d) JOINT AND COMMON COST ASSIGNMENT AND ALLOCATION CRITERIA.—The assignment and allocation criteria established under subsection (c)(2) shall include the assignment or allocation of—

(1) the cost of capacity or special characteristics jointly or commonly required for telephone service and for any line of business authorized by this Act;

(2) investment and associated costs (including depreciation and maintenance) jointly or commonly needed to provide plant availability to meet demand (including peak demand) for telephone service and for any line of business authorized by this Act; and

(3) the costs of plant and facilities jointly or commonly used for telephone service and for any line of business authorized by this Act.

(e) INSULATION OF RATEPAYERS FROM FAILED VENTURES.—

(1) ASSETS.—The Commission shall ensure that economic risks of line of business authorized by this Act are not borne by telephone service ratepayers and, in the event of a business failure, investment assigned the line of business shall not be reassigned

to the telephone service except upon a showing that the customers of telephone service will benefit.

(2) DEBT.—Any Bell operating company affiliate—

(A) which is engaged in a line of business authorized by this Act, and

(B) which is structurally separate from an affiliate engaged in the provision of telephone services,

shall not obtain credit under any arrangement that would permit a creditor, upon default, to have recourse to the assets of the telephone service affiliate.

(f) TRANSFERS OF ASSETS BETWEEN RELATED COMPANIES.—The Commission shall establish rules governing the transfer of assets between a company providing telephone service and related companies. Such rules shall protect the interests of ratepayers of telephone service.

(g) ANNUAL AUDITING REQUIREMENT.—Each Bell operating company that engages in any line of business authorized by this Act shall provide to the Commission each year a report on the results of an audit by an independent auditor conducted for the purpose of determining whether the company has complied with the cost assignment and allocation rules prescribed under this section.

SEC. 7. FEDERAL-STATE JOINT BOARD.

The Commission shall convene a joint board under section 410(c) of the Communications Act of 1934 regarding the establishment and implementation of principles of cost assignment and allocation to be used by the Commission and State commissions in the exercise of their respective authorities.

Page 6, line 24, strike out "and" and on page 7, after line 2, add the following new paragraphs:

(6) the term "factors of production" means any property, plant, equipment, personnel, research, services, investment, or other tangible or intangible resources which is used to produce a product or service, and

(7) the term "telephone service" means telephone exchange service, within the meaning of section 3(r) of the Communications Act of 1934.

Page 7, strike out lines 4 through 15 and insert the following:

(a) IN GENERAL.—Except as provided in subsection (b) and (c) this Act shall be effective on July 1, 1987.

(b) AUTHORITY OF MANUFACTURE.—The authority to manufacture telecommunications equipment under section 3 shall be effective on July 1, 1987, or such later date as the Commission may establish in its determination under section 5(a).

(c) EFFECTIVE DATE OF COMMISSION AUTHORITY.—The authority of the Commission to prescribe regulations and to institute proceedings under this Act is effective upon enactment.

JOINT EXPLANATION OF RATEPAYER PROTECTION AMENDMENT

As introduced, H.R. 3800 granted authority for a Bell Operating Co. to offer information services and to engage in manufacturing. This general authority was subject to restrictions, set forth with regard to information services in section 4 of the bill and with regard to manufacturing in section 5. This amendment would add new provisions which embody protections for ratepayers and competition and which requires the FCC to convene a Federal-State joint board to advise it with regard to the protections. In addition, there is a need to add two new definitions and to change the effective date of the authority.

INFORMATION SERVICE RESTRICTIONS

As in the original bill, this amendment requires that a public interest finding be made before a Bell Operating Co. could engage in providing an information service. There could be no harm to competition or to ratepayers. In addition, the Commission would have to seek the advice of the Secretary of Commerce and the Justice Department to draw on their then current knowledge and expertise regarding markets into which the companies are seeking entry.

The new section 4 adds one new restriction as a precondition before a Bell Operating Co. can offer information services: the FCC must first require that other information service providers have comparably efficient interconnection to the telephone network—often referred to as CEI. CEI must be in place and available to other providers before the BOC can, itself, offer information services. This requirement, which has been proposed by the FCC, makes good sense. It gives the BOC's every incentive to ensure that others have a fair opportunity to compete and assures that, to the extent new services require use of the existing telephone network, there will be a sharing of network costs not only by the BOC's, in their role as information service providers, but also by others offering information services. As Mr. Ginsburg suggested in his testimony, when the same service is provided by a telephone company and by a competitor, "each of them should be charged an equal amount, and each of them, therefore, should be making a contribution to the cost of having the poles and wires there in the first place."

There is an issue that remains unresolved in this amendment—the issue of electronic publishing. In the original H.R. 3800, we did not lift the ban on electronic publishing that currently applies to the BOC's. We defined electronic publishing by reference to the court decree in the United States versus AT&T decision. Many suggestions have been made on how this issue has been handled but, in this context, we have chosen to limit the amendment to changes necessary to provide general protections for ratepayers and competition.

MANUFACTURING RESTRICTIONS

As in the original bill, this amendment requires that a public interest finding be made before a Bell Operating Co. could engage in manufacturing. There could be no harm to competition or to ratepayers. In addition, the Commission would have to seek the advice of the Secretary of Commerce and the Justice Department to draw on their then current knowledge and expertise regarding markets into which the companies are seeking entry.

The new section 5 adds one new restriction as a precondition before a Bell Operating Co. can engage in manufacturing: the FCC must first require that other manufacturers have opportunities to sell network-related equipment to the Bell Co. that are comparable to the opportunities the BOC provides itself. Open procurement policies must be in place before the BOC can, itself, engage in manufacturing. It gives the BOC's every incentive to assure that others have a fair opportunity to compare and assures that ratepayers do not pay prices that are too high for equipment provided to the network by a manufacturing arm of the Bell Operating Co.

PROTECTING RATEPAYERS AND COMPETITION

Our fundamental goal is to ensure that ratepayers do not subsidize new ventures, and at the same time not hamper competition in the markets into which the Bell Operating Cos. seek entry.

The bill states, as a matter of Federal law, that telephone service shall neither subsidize, nor be subsidized by, new business ventures. This is not to say that ratepayers will not benefit from new ventures. They will. Greater use of the existing plant and equipment will result in a broader base across which to share costs. With more users sharing the costs, the ratepayers' burdens will lessen.

The essence of the ratepayers protection provisions are that the FCC is required to assign costs, to the maximum extent possible, to those lines of business that causes them. To the extent that costs are not solely caused by a new activity, but are shared jointly with telephone service, as much as possible they should be assigned to the new activity to which they are attributable. Only if no assignment can be made will the FCC allow a BOC to allocate joint and common costs between a telephone service and new activities. When it does, the costs must be allocated in a reasonable way, taking into account the capacity and special characteristics required by a new activity and its cost, the investment needed to provide plant availability, and the relative use made by new activities. This will ensure that, at a minimum, new activities pick up their proportionate share of the use of existing plant and equipment and, to the extent they cause costs that would be higher than that, they pay for the costs they cause and a proportionate share of other costs.

In many ways this is the "fully distributed" cost allocation—something which many telephone companies have argued hurts their ability to offer new services. They argue, and the point is well taken, that if a new service or product is forced to carry a fully distributed share of general overhead costs, that product or service may not be offered competitively, if at all, in the marketplace. On equitable grounds, they argue that other companies against whom they will compete will have no such limitations and, as a result, the BOC's will be at a competitive disadvantage.

On the other side of the equation is the concern of many that the BOC's not be able to compete unfairly by leveraging their position as a monopolist to the disadvantage of both ratepayers and competitors. After all, their competitors who choose to price at less than fully distributed costs will not be able to load costs onto ratepayers with no choice but to pay the higher price for monopoly services.

The solution which this amendment offers, we believe, satisfies both concerns. We give to the BOC's complete flexibility to assign and allocate costs as they choose among competitive products and services. In no case can costs attributable to competitive ventures be loaded onto telephone customers. This provides the legitimate concerns by the BOC's for flexible pricing while protecting monopoly ratepayers.

The ratepayer amendment will also insulate ratepayers from having to pay for failed ventures by prohibiting the transfer of assets back

into the rate base unless there is an affirmative showing that telephone customers will benefit. There is no benefit in a more stringent test. If an investment will benefit the ratepayers and the price paid is fair to ratepayers, that's fine. Any losses will have to be absorbed by shareholders or by other competitive lines of business. In addition, the amendment tracks the requirement attached by Judge Greene to current waivers that any debt financing not be secured by the assets of regulated telephone service.

In addition, we require that the Commission adopt rules to protect ratepayers that will govern transactions between related companies. The FCC, in their ongoing cost-allocation study, has proposed several alternatives that could meet this test. This amendment does not specify which, if any, of the current proposals should be adopted, but does require that any rule have, as its goal, the protection of ratepayers.

Finally, each BOC must provide the FCC with the results of an annual audit, conducted by an independent auditor, that verifies compliance with the requirements of this amendment. In addition, the audit must be conducted so as to ensure that noncompliance would be detected, that accounting controls are adequate to ensure compliance, and that the auditor has had access to the information needed to determine whether the company has complied with the requirements of this amendment.

FEDERAL-STATE JOINT BOARD

The joint board that will be set up under this amendment is a standard, section 410(c) joint board that has worked well with regard to allocation of costs between Federal and State jurisdiction. We use the current joint board process under the Communications Act, a process that has worked well and provides a significant role for State regulators who share with the FCC authority for regulating our telephone system.

TECHNICAL AND CONFORMING AMENDMENTS

The new definitions are not complicated. "Telephone service" is telephone service—the basic service that most of us must rely on for communication and for which we have no reasonable alternative. And "factors of production" is intended to capture each and every cost—of any nature whatever—that goes into a product or service. I will just comment briefly on the new effective date. First, although the original effective date was chosen because September 1, 1986, is the date by which most "equal access" will be provided, it's unlikely that this legislation will be completed prior to that time and we thought it would be useful to push the effective date off for three reasons. One is that the preliminary steps involved—the joint board process, CEI, and the cost allocation study, will take until early next year. Also, we will by then have the reports being prepared by the Department of Justice and by NTIA. And, finally, I'd like to see the rules implementing this be in place for at least several months before the restrictions are lifted. That will give adequate time for Congress—and the courts if any decisions are appealed—to consider whether the FCC has done the job with which they are being charged. And any harm in delay of a few months will be greatly outweighed by the time for careful reflection of these issues.

Mr. Speaker, a lot of people have helped us understand the issues that we had to understand in order to write this amendment. I doubt any would claim it in whole as their version of "perfection" but I would like to thank each and every one for their help, advice and criticism. We look forward to continuing to work with everyone interested in making this bill as perfect as possible.

RATEPAYER PROTECTION LANGUAGE OFFERED FOR H.R. 3800

HON. THOMAS J. TAUKE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. TAUKE. Mr. Speaker, today I am pleased to join my colleague from Washington [Mr. SWIFT] in introducing an amendment to H.R. 3800 concerning ratepayer protection and safeguards that ensure the continued development of a competitive telecommunications industry. Mr. SWIFT and I hope to introduce this amendment whenever the Subcommittee on Telecommunications marks up this important piece of legislation.

The amendment is a product of many hours of discussion and negotiation with interested parties, both for and against H.R. 3800, in and out of Government, and representing both political parties. We believe it represents a balanced, constructive and reasonable approach to several unresolved issues in the legislation. I want to commend my colleague from Washington for his continued strong leadership and commitment to the issue.

The amendment addresses several fundamental concerns that have been raised about the legislation. First, some have said the Bell companies still could exert unfair control over access to essential local exchange facilities—the so-called bottleneck problem. The amendment requires that before a Bell company can engage in information services, it must offer other providers of such services comparable interconnection, according to rules prescribed by the FCC.

The amendment also requires that a Bell company can manufacture telecommunications equipment only after it has established nondiscriminatory procurement practices, according to rules prescribed by the FCC.

Both provisions are intended to enhance competition in the information services and equipment manufacturing markets. They may not guarantee any existing competitors profits. But they do not guarantee everyone has a fair and equal opportunity to compete.

The potential for cross-subsidies between regulated and unregulated services is also addressed in the amendment. The principle underlying the amendment is unequivocally proconsumer and procompetition: Telephone service shall not subsidize, nor be subsidized by, any other line of business. Bell companies can engage in new services only after the FCC adopted tough accounting rules concerning the allocation of costs, ensuring that any new service recover all of its direct costs as well as a fair share of the joint and common costs, by making corresponding reductions in the regulated rate base.

I am gratified to announce that my colleague from Mississippi, the distinguished Republican whip Mr. LOTT and an original cosponsor of H.R. 3800, has joined us in support of this amendment.

With this amendment in mind, I call upon my colleagues to examine this language closely and join with the nearly 180 Members of the House in cosponsoring this bill. Given the encouraging signs of activity in the other Chamber, under the strong leadership of Senators DOLE and DANFORTH, I am confident we may be able to advance the concepts embodied in this bill this year.

LEGISLATION AUTHORIZING NEEDED CHANGES IN ENTRANCE FEES IN NATIONAL PARK SYSTEM

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. YOUNG of Alaska. Mr. Speaker, I am introducing legislation today along with our distinguished colleagues, Messrs. UDALL, LAGOMARSINO, CHENEY, and REGULA, which would authorize needed changes in the statutory limits on entrance fees in units of the National Park System.

As many of the Members of this Chamber are aware, our national parks have seen a resurgence in visitations in recent years. At some parks, it has become increasingly difficult to maintain park infrastructures due to significantly increased use. One area in which we can act to address this problem is to eliminate several obsolete limits on park entrance fees and to earmark the resulting revenue increase to park operation and maintenance. The legislation I am introducing is designed to accomplish this result, which retaining protections to ensure that fee levels will be retained at amounts which are affordable for park visitors, including families. Specifically, the legislation would:

Limit the annual specific park pass to a cap of $15.

Cap the fee for a single visit at $10, and permits one increase every 5-year period thereafter following 180 days' notice to the Congress.

Make available for expenditure 100 percent of all fees collected.

State that expenditures shall be for the cost of collection, interpretation, and protection and management, including research, of natural and cultural resources. It also provides that priority shall be given to resource needs within the collecting parks.

Mr. Speaker, in an era of budget limitations, we must deal with creative means to meet our obligations. This legislation will maintain a commitment to the maintenance of the national parks so that those who visit and enjoy those parks will be provided with the type of experience promised when the park units were set aside. For these reasons, I urge my

colleagues to support this important legislation.

A CONGRESSIONAL SALUTE TO RICHARD S. RIEGNER

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to Mr. Richard S. Riegner, who will celebrate his 40th anniversary with the Firestone Tire & Rubber Co. on August 29, 1986.

Mr. Riegner was born on August 3, 1922, in Pottstown, PA. After graduation from the University of Pennsylvania he worked for 1 year as an order clerk for the Shultz Baking Co. and for 2 years as a stock control expediter for Jacobs Aircarft Co. From 1941 until 1943 he served as an honorable member of the U.S. Navy.

Richard Riegner joined Firestone Tire & Rubber Co. on August 29, 1946, as an office clerk in a Pennsylvania store. Since then he has served as a district credit manager, wholesale credit manager, tire division credit manager, and director of wholesale and commercial credit. Since December of 1985 he has served as manager of corporate credit. Through his recognition of the potential in the Young Talin family many years ago, Mr. Riegner is greatly responsible for the success of the Talin Tire, Inc., of Long Beach.

Mr. Riegner enjoys many hobbies, including extensive travel, tropical fish, and growing exotic plants.

My wife, Lee, joins me in honoring Mr. Riegner on this happy occasion. We wish to extend our congratulations and warmest wishes for the years ahead to Mr. Riegner, his wife, Mary Elizabeth, his two children, Richard Joseph Riegner and Deborah Anne Thoma, and his two grandchildren, Amanda Leigh Thoma and Elizabeth Anne Thoma.

IN SUPPORT OF DAVIS-BACON REFORM AMENDMENTS

HON. JIM ROSS LIGHTFOOT

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. LIGHTFOOT. Mr. Speaker, I am disappointed that the House earlier today rejected Congressman DICKINSON'S amendment to the fiscal year 1987 defense authorization bill. This amendment would have exempted from the Davis-Bacon Act military construction projects which cost up to $250,000. However, the House approved Congressman HAWKINS' amendment that exempts military construction projects which cost up to $25,000 from the Davis-Bacon Act. While approval of the Hawkins' amendment is a step in the right direction, much more should be done to reform the Davis-Bacon Act to update it to today's labor standards.

It is also regrettable that Congressman STENHOLM decided to withdraw his amendment to the surface transportation reauthorization bill in light of the earlier vote on Davis-Bacon. Congressman STENHOLM's amendment was a more comprehensive approach to reforming Davis-Bacon, and was similar to H.R. 472, which 120 of my colleagues and I have endorsed. His amendment would have raised the threshold from $2,000 to $1 million; codified existing administrative regulations that make Davis-Bacon wage determinations more accurately reflect actual locally prevailing wages; allowed the expanded use of "helpers" (semiskilled and unskilled workers); and reduced paperwork requirements.

It is unfortunate that the House refused to adopt Davis-Bacon reforms today. The reforms proposed by Congressmen STENHOLM and DICKINSON would benefit small businesses, lead to greater job creation, and most important, save taxpayer's money

For example, raising the threshold and reducing the paperwork requirements would encourage more small businesses to bid for Federal contracts. It has been over 50 years since the threshold was raised, which makes for an extremely outdated figure. And the current burdensome paperwork requirements discourage many firms, especially small and minority contractors, from even bidding on Federal jobs.

Expanding the use of helpers would result in the creation of more jobs because contractors would be more inclined to hire disadvantaged jobseekers, such as women, minorities, and the long-term unemployed. Worker protections would also be included in Davis-Bacon changes to ensure that workers are not paid substandard wages for doing skilled work.

Furthermore, reforming the Davis-Bacon Act would provide us with considerable savings without having to make hard budget choices, such as cutting back programs. It these days of fiscal restraint and Gramm-Rudman, we must scrutinize all programs closely to find budget savings, and what better place to do this than by updating the archaic Davis-Bacon provisions. It is estimated that leaving Davis-Bacon in its present form inflates Federal construction costs by nearly $5 billion over 3 years. Passage of the Stenholm amendment to the highway bill would have achieved savings of $1.8 billion in budget authority and $1 billion in outlays over 5 years.

Support for reforming Davis-Bacon is broad-based and bipartisan. In a nationwide poll taken in May 1986 by Decision-Making-Information, Inc., 58 percent of the America people supported reform of Davis-Bacon. In addition, groups such as the National Association of Counties, the National League of Cities, the National Federation of Independent Business, the U.S. Chamber of Commerce, the Associated Builders and Contractors, the Associated General Contractors, and the Citizens Against Government Waste, all support reform of the Davis-Bacon Act.

In light of today's actions, comprehensive reform of the Davis-Bacon Act will not take place this year. However, the chairman of the Labor Standards Subcommittee has made a commitment that hearings would be held on this issue next month. He also stated his intentions of bringing before the House next year a comprehensive Davis-Bacon reform bill. I look forward to debating this issue next year, and I hope that the House will approve these much-needed Davis-Bacon reforms.

OMNIBUS NUCLEAR SAFETY ACT OF 1986

HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. BRYANT. Mr. Speaker, today I have introduced the Omnibus Nuclear Safety Act of 1986. This legislation is intended to reform the current regulatory procedures of the Nuclear Regulatory Commission by abolishing that Commission and in its place establishing the Nuclear Regulation and Safety Agency and creating the office of Inspector General and a Nuclear Safety Board within that new agency. My proposal also addresses the issue of prospective preapproval of sites, standardization of design and joint construction and operating licenses for the next generation of nuclear power plants.

A section-by-section summary follows, which I commend to my colleagues' attention. I intend to solicit their support to enact legislation to make nuclear power a safe alternative energy source to help diminish our country's dependence on foreign suppliers.

ONMIBUS NUCLEAR SAFETY ACT OF 1986—SECTION-BY-SECTION ANALYSES

The proposed Act represents the first legislative embodiment of the Kemeny Commission's and the Rogovin Special Inquiry Group's major recommendations. Different bills over the years, in a piecemeal approach to reforms urged in the wake of the Three Mile Island incident, have sought separate political paths to standardization and licensing reform, and to the single-administrator, inspector general and safety board concepts. But the proposed Omnibus Act, with the exception of intervenor funding, brings all the separate paths into one legislative vehicle for the first time.

FINDINGS AND PURPOSES

Sec. 2. This section of the proposed Act tracks almost entirely the NRC standardization and licensing reform bill—with one major exception on page 6, line 5 where the proposed Act says that it is appropriate to "consider the overall safety consequences of regulatory practices." The NRC bill spoke to the need to "consider the economic consequences of regulatory practices."

Sec. 3. Defines "Agency" as the Nuclear Regulation and Safety Agency. It is called the Nuclear Regulation Agency in the Simpson bill (S. 1235). The "Director" is defined as the head of the Agency.

Title I—Establishment of Agency

Sec. 4. Establishes Nuclear Regulation and Safety Agency as the successor organization to the Nuclear Regulatory Commission.

OFFICERS

Sec. 5. (a) Establishes the Agency's Director as a person appointed by the President with Senate confirmation. The Director shall carry out all functions transferred to the Agency.

Sec. 5. (b) Establishes the Agency's Deputy Director as a person appointed by the President with Senate confirmation.

Sec. 5. (c) Establishes offices for the Agency's four Assistant Directors, one for each of

the NRC's existing program areas: nuclear reactor regulation; inspection and enforcement; nuclear material safety; and, research. Each of the Assistant Directors is appointed by the President with Senate confirmation.

Sec. 5. (d) This provision, new in the proposed Act, creates the Office of Inspector General (IG) in the Agency. The IG would be appointed by the President with Senate confirmation. The Agency's IG is defined as having all the powers and responsibilities of inspectors general in all other federal agencies.

Sec. 5. (e) This provision, new in the proposed Act, creates a three-member, Presidentially-appointed Nuclear Safety Board. The Safety Board proposed by the Omnibus Act cannot investigate anything it likes. There is a threshold event that must take place in order for the Board in the Omnibus Act can be activated. An "abnormal occurance" standard was put in the Act. The Board must make periodic reports to Congress, the President and the Director.

Sec. 5. (f), (g), and (h) Conforming Amendments.

Sec. 6. Abolishes the NRC.

Sec. 7. Transfer of Personnel and Appropriations.

Sec. 8. Specifies that personnel changes shall not cause anyone loss in compensation or grade for a year after the Act takes effect.

Sec. 9. Incidental Transfers.

Sec. 10. The Savings Provisions Sec. 10(f) on pg. 18: requires the Agency Director to promulgate regulations for licensing hearings to be held by administrative law judges, not multi-member licensing boards. Agency staff is prohibited from serving in its traditional role as a party to hearings, and appeals boards are abolished.

Sec. 11. Reference.

Title II—Siting and Licensing

Sec. 101. Amends section 185 of the Atomic Energy Act as follows below:

Subsection (a) of section 185 as it would be amended authorizes the Agency to grant a construction permit for a production or utilization facility and, upon the completion of construction to grant an operating license. This subsection restates existing authority with one exception. This legislation would delete the requirement for specification of the earliest and latest completion dates for construction permits. The existing provision has produced unnecessary paperwork and expenditure of resources without assuring that construction is diligently pursued. Moreover, the provision in current section 185 for earliest and latest completion dates made sense when it was included in the Act in 1954 because the federal government would be owning the fuel and would need to allocate special nuclear material between the civilian nuclear power and defense programs. It was important to AEC to predict completion dates (and hence operation commencement dates) with accuracy so that civilian requirements for special nuclear material could be predicted accurately and planned for properly. The federal government no longer allocates fuel and has a much lesser need to predict completion dates accurately. Thus, the provision is no longer needed to serve the purpose for which it was adopted.

Although the requirement for the specification of the earliest and latest construction completion dates is deleted, the Agency will still issue a construction permit or a combined construction permit/operating license for a fixed period not to exceed forty years pursuant to sections 103(c) and 183 of this Act. The legislation would also provide specifically for an opportunity for a public hearing.

Subsection (b) of section 185 as it would be amended permits issuance of what would be called a combined construction permit and operating license (CP/OL) for a thermal neutron power generation facility. This definition excludes facilities such as breeder reactors and fuel reprocessing plants. The language of Section 185(b) tracks the NRC bill with five important exceptions.

First, the Omnibus Act requires that any design eligible for a CP/OL be "essentially complete."

Secondly, any public hearing held for CP/OL must be adjudicatory. This was not specified in any of the pending bills.

Thirdly, a CP/OL application may reference no more than two design approvals granted under section 194(a) of the Omnibus Act. (Section 194(a) deals with the pre-approval of standard designs).

By prohibiting a CP/OL from referencing more than two prior design approvals, the Omnibus Act makes clear that industry cannot obtain standard design approvals for a multiplicity of pre-approved subsystems or components. The provision means that no single unified design eligible for a CP/OL can be made up of more than two separate "pieces" that have prior Agency approval: NSSS and BOP or a nuclear island/turbine island configuration.

Fourth, a CP/OL must incorporate a phased-approval procedure for construction quality assurance. This is a requirement for Agency "sign-as-you-go" approvals that require opportunities for public notice and comment that do not constitute hearings.

Fifth, a CP/OL must incorporate requirements and acceptance criteria for operator training and emergency plans. These requirements are in addition to the NRC bill's provision that a CP/OL incorporate the "inspections, tests, and analyses which shall be performed and the acceptance criteria therefor, . . ."

Specification of the required inspections, tests and analyses in the combined construction permit and operating license, i.e., before facility construction commences, would establish a clearly defined set of requirements governing the licensee and the Agency in discharging their complementary responsibilities as respects facility construction and operation. The Agency will be in a better position to assure that the plant has in fact been constructed and can be expected to operate in accordance with the license authorization. At the same time, license specifications of those requirements would enhance regulatory certainty for the facility licensee by prescribing what will be expected of the licensee in the construction and early operational phases of the plant and the bases for determining the adequacy of the licensee's performance. Importantly, this will also facilitate and make more effective public participation by providing information, prior to authorization of facility construction, of how the applicant's compliance with specified construction and operation requirements will be demonstrated following license issuance.

The significance of the latter point cannot be overstated. Since all inspections, tests and analyses—as well as the acceptance criteria used to judge whether they have been properly carried out—are part of the CP/OL, they can be litigated by the public during a CP/OL hearing. So before construction ever begins, the public can intervene to challenge the validity of all the "yardsticks" that will be used to measure construction quality. This would also be true of the acceptance criteria for operator training and emergency preparedness plans.

CP/OL-specified inspections, tests, analyses and acceptance criteria also have an important role to play in determining whether a pre-operational hearing is granted under section 185(b).

To obtain a pre-operational hearing, one must either present new information—an issue that "was not and could not have been raised and resolved" in any prior proceeding—or one must show "nonconformance with the license." CP/OL-specified acceptance criteria and inspections tests and analyses give the public a broad range of issues on which to build a pre-operational case for nonconformance. This would be true, for example, if the CP/OL-specified inspections or tests for welds showed that the welds did not meet their CP/OL-specified acceptance criteria, and it would be true if a utility did not meet the CP/OL-specified acceptance criteria for its emergency plan or operator training program. Either way, one would have a case for nonconformance and obtain a pre-operational hearing.

Today's system of design-as-you-go construction in a two-stage licensing process cannot establish (before construction begins) all the groundrules for measuring construction and operations adequately. It has been necessary to delay identification of "inspection, tests and analyses, and acceptance criteria therefor," until near the time when design and construction were nearly complete. The subsection establishes all the groundrules in a litigated CP/OL so that prior to plant operation it will be completely clear as to whether or not a license has met all acceptance criteria. If the licensee has not, then a nonconformance situation demonstrably exists and a pre-operational hearing must be granted.

Subsection (c) of section 185 is the backfitting standard for the CP/OL. The Agency cannot modify a CP/OL without meeting a threshold. The modification would have to be required "to protect the public health and safety or the common defense and security [and it must] substantially enhance the public health and safety or the common defense and security by improving overall safety of facility operation." The subsection contains no cost standard.

Early Site Review

Sec. 103. Amends the Atomic Energy Act by creating a new section 193 as follows below:

Subsection (a) of section 193 lists the factors the Agency must consider in granting early site approval. Early site approvals are valid for 10 years.

Subsection (b) of section 193 deals with fees to be collected by the Agency for early site approval.

Subsection (c) of section 193 requires an adjudicatory public hearing for a site to be approved.

Subsection (d) of section 193 allows a site permit to be referenced in a CP/OL application. The subsection also allows the Agency to renew a site permit for a period of not less than 5 nor more than 10 years unless the Agency finds that "the site will not comply with this Act or the Agency's regulations."

Subsection (e) of section 193 makes it clear that if an approved site is not used for a nuclear plant, it can be used for other purposes. The subsection, in effect, frees a

piece of property for other uses if no nuclear project is actually undertaken.

Subsection (f) of section 193 is the backfitting standard for a site permit. The Agency cannot modify a site permit without meeting a threshold. The modification would have to be required "to protect the public health and safety or the common defense and security [and it must] substantially enhance the public health and safety or the common defense and security." The subsection contains no cost standard.

Approval of Designs

Sec. 104. Amends the Atomic Energy Act by creating a new section 194 as follows below:

Subsection (a) of section 194 is the backbone of standard design preapprovals. It directs the Agency to establish procedures permitting the approval of standardized facility designs for thermal neutron power generation facilities for ten years, notwithstanding the fact that no utility has filed for a license to construct and operate the facility.

The Omnibus Act allows the Agency to consider approvals for "any major subsystems,"; the Omnibus Act as a whole would prevent vendors and architect-engineers from seeking standard design approvals for a multiplicity of plant subsystems. That's because section 185(b) of the Omnibus Act specifies that any unified design incorporated in a CP/OL application cannot reference more than two prior design approvals granted under section 194(a). Again, no plant to be built under a CP/OL regime can be made up of more than two "pieces" that have prior Agency approval.

The Omnibus Act directs the Agency to "specify by regulation the criteria and requirements for approval of any such subsystems and interfaces." This means that should a particular nuclear plant design be made up of two separate filings with the Agency (NSSS and BOP or a nuclear island/turbine island configuration), then the vendors and architect-engineers would have to specify—upfront—the interfaces between any two pieces that together make up a single whole plant.

Finally, a design approval granted under 194(a) is a license. This is very important from a public participation standpoint since the Atomic Energy Act specifies that the granting (or amending) of any license by the Agency requires a public hearing.

Subsection (c) of section 194 contains two major departures from all three pending bills.

First, any hearings for standard design approvals must be adjudicatory. While section 189 of the Atomic Energy Act (not amended by the Omnibus Act) speaks to public hearings, it never specified that they be adjudicatory. They could be legislative, for instance. Under 194(c) of the Omnibus Act, then, the hearing is specified to be ajudicatory. The Omnibus Act also contains this requirement for early site approvals and CP/OL applications.

Secondly, sec. 194(c) of the Omnibus Act prohibits the Agency from granting any approvals for designs that do not demonstrate technical resolution of all applicable Unresolved Safety Issues (USIs). This is a key feature of the Omnibus Act, a feature that would drive the next generation of nuclear plants to be "safer."

Subsection (d) of section 194 connects standard design approvals to CP/OL applications. The subsection also allows the Agency Director to renew standard design approvals for a period of time of "not less than five nor more than ten years . . . unless he finds that the design will not comply with this Act or the Agency's regulation."

Subsection (e) of section 194 is the backfitting standard for pre-approved standard designs. The Agency cannot modify a design approval unless the "modification is required to protect the public health and safety or the common defense and security and that the modification proposed will substantially enhance the public health and safety or the common defense and security by improving overall safety or security of facility operation." The subsection contains no cost standard.

Subsection (f) of section 194 deals with the process to be undertaken by holders of standard design approvals who seek amendments to those approvals.

Deleted from the Omnibus Act is a provision that would allow a utility to seek variances from a design approval in its CP/OL application.

Title III—Miscellaneous Provisions

Definitions

Sec. 201. Amends section 11 of the Atomic Energy Act by adding a definition of "thermal neutron power generation facility."

Sec. 202. Defines "standardized design."

Title IV—Conforming Amendments

Sec. 301. Antitrust Provisions.

Sec. 302. General Provisions.

Sec. 303. Expands role of the Advisory Committee on Reactor Safeguards (ACRS) review and report upon applications for CP/OLs, early site approvals and sign approvals.

Sec. 304. Conforming Revocations.

Sec. 305. Amends the table of contents of the Atomic Energy Act.

Title V—Effective Date

THE BERLIN WALL

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. BEREUTER. Mr. Speaker, we in the West are at this time taking note—I am careful not to say celebrating—the 25th anniversary of the erection of the Berlin Wall. For the most part we are using the opportunity to point out to the world what a testament to the failures of communism the wall is. It is altogether appropriate that we do so, just as we also should not fail to pay homage to the brave persons who tried, many unsuccessfully, to breach the wall.

But many of us have overlooked the manner in which East German authorities are attempting to exploit this situation to their own advantage. As the editorial from the August 12, 1986 edition of the Lincoln Journal which follows, and which I commend to my colleague, makes clear, the GDR is using the West German constitutional right of asylum to flood West Berlin, and ultimately the Federal Republic of Germans, with refugees of every kind. As many as 100,000 such persons are expected this year. By contrast, the United States, with a population four times that of West Germany, takes in only 50,000 refugees per year. All of these people make demands on social services; some of them also are said to be responsible for ethnic tension, crime, drug use, and terrorism.

None of the solutions proposed to deal with this problem is ideal. Whichever way Bonn chooses to handle the matter, we should do our best to be supportive.

A NEW CHALLENGE IN BERLIN

The 25th anniversary of the Berlin Wall finds that city again a testing ground for the West. How far is the community of free nations willing to go to support its high ideals? That has become the root issue in West Berlin and West Germany, now inundated by a tide of refugees.

Remembering Central European Jews' often futile search for a haven from Hitler's Holocaust, the foundng fathers of West Germany wrote into its constitution a right of asylum. That is a precious principle.

Precious, too, not only to West Germany but to its allies, including the United States, is the principle that the Bonn Republic is an open society, Berlin an open city—that the Berlin Wall serves only the Communist East, and stands as a monument to totalitarian failure.

With no basic bar to refugee immigration, lacking even border guards in most places to check newcomers' claims to be fleeing political oppression or war, West Germany and the allied governors of Berlin are finding their commitment to asylum and openness sorely challenged.

For those flooding into Berlin and West Germany bring with them ethnic tensions, demands on social services, crime, drug use and the danger of terrorism. Last year there were about 75,000 of them; this year more than 100,000 are expected. By contrast, the United States, with a population four times that of West Germany, accepts only 50,000 refugees a year.

East Germany and the Soviet Union clearly are exacerbating the problem by offering Third World refugees cheap air fares to Berlin. They would be delighted to see the West German constitution revised to eliminate asylum, or the West erect a "wall" of its own in Berlin.

Bonn needs a helping hand. Other West European nations could accept part of the refugee inflow. But those countries are tightening immigration restrictions, not liberalizing them. Or Washington could pressure Moscow, asserting that a solution to the refugee problem is essential to superpower relations. That would necessitate a shift of priorities in U.S. foreign policy.

Or Western checkpoint could be set up throughout Berlin, and more refugees turned away. But that would change the Western concept of Berlin, and require more allied troops than are now Berlin. The city would be militarized.

None of these responses is likely. Refusing the humiliating step of rewriting its constitution, West Germany probably will have little choice but to negotiate directly with East Germany. And that would recognize East Germany's authority in Berlin, and amount to a Communist victory.

Moreover, in return for stemming the refugee flood, the East Germans undoubtedly would ask for more interest-free trade credits, increased payments for maintaining transit routes to West Berlin and generally a greater flow of funds from West to East Germany.

Bonn, in other words, may well end up paying blackmail to preserve its ideals. And, in this case, the West's ideals.

TRIBUTE TO TERRY ANDERSON

HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. PEASE. Mr. Speaker, 1 year and 5 months ago, Terry Anderson was taken hostage in Lebanon. Today, he is still a hostage, far away from his family and friends. Most of you have heard his name, but I doubt that many of you know much about Terry Anderson. In tribute to him I am submitting an excellent article from Sunday's Washington Post. This article, written by a friend of Terry's, allows us to become acquainted with a man in captivity. It reveals his high character and dedication to his career as a journalist. Please take a moment to read this article. We cannot forget Terry Anderson and the other hostages still in Lebanon.

[From the Washington Post, Aug. 10, 1986]

REMEMBER TERRY ANDERSON: STILL HELD HOSTAGE

(By David Ignatius)

One of Terry Anderson's friends from the Associated Press tells this story about him: Anderson is in Tripoli in northern Lebanon in late 1983 covering the bloody fighting there between Palestinian factions. He is on the main boulevard of the city, which is desolate and deserted.

"We ought to go up that road and see what's happening," says Anderson to his AP colleague, Bill Foley.

"Why? The road is deserted for a good reason!" responds Foley.

"I'm going," insists Anderson. They head up the road together. They have travelled about 100 yards when all hell breaks loose and the area is pounded with artillery shells. Anderson agrees on the wisdom of a tactical retreat. But he is back on that same road the next day.

Edward Behr of Newsweek describes reporters as people who want to see what's around the next corner, regardless of the risks. Terry was that kind of correspondent. He wasn't the sort of bureau chief who wanted to sit in the office and write checks. He wanted to go see the action, no matter where it was. That was part of why he stayed on in Beirut long after most of his American colleagues had left town.

Anderson liked to quote Winston Churchill: "Nothing in life is so exhilarating as to be shot at without results."

Terry Anderson is now a hostage. Most Americans know him only as one of the faces in the grainy photographs that appear occasionally in newspapers and on television. Recent reports suggest that he spends his days chained to the wall.

I met Anderson during my visits to Beirut in the early 1980s when I covered the Middle East for The Wall Street Journal. Like many of Terry's friends from Beirut, I feel a sense of outrage and shame that he is still in captivity 17 months after he was seized by the kidnappers who call themselves Islamic Jihad. I don't know how we can get Terry back among us. But I do wish other Americans could see him the way his friends remember him—as a courageous reporter who represented the very best of his profession—and not as the anonymous face that stares out from the photographs. That dehumanized anonymity seems like a victory for the kidnappers.

Anderson's world in Beirut revolved around the AP office, where he was the bureau chief. The bureau was on the fourth floor of a building across the street from the Commodore Hotel. When the electricity was out in the neighborhood, as it often seemed to be, you climbed the stairs to the AP office. It was one of the great journalistic outposts in the world, staffed by a cast of characters worthy of "The Front Page."

There was Farouk Nassar, a short, white-haired man with a large stomach who had suffered two heart attacks on duty in the bureau. Farouk loved to play the horses, and he regarded the closing of the Beirut race track as one of the unforgiveable depredations of the Lebanese Civil War.

Farouk wrote most of the AP leads and bulletins. He was very fast and rarely made mistakes. He had once worked for the AP as a stringer in Syria, and his colleagues claimed that he had filed so many stories and run up such huge bills that the AP decided it would be cheaper to take him on as a full-time reporter.

Next there was Francois Ghattas, a simple Lebanese man with little education who had taught himself electronics. He was the bureau's technician, and he would make the rounds in Beirut repairing broken telex machines so that subscribers could receive the news from AP. Anderson recognized Ghattas' talents and encouraged him to travel on repair jobs to Cairo, Amman and the Gulf states.

Then came the office manager and "fixer," a diminutive Lebanese Christian named Charles Bishara. He seemed able to obtain anything. During the height of the Israeli siege of West Beirut in 1982, for example, Bishara took Anderson aside.

"Terry, would you like some mineral water?" asked the fixer.

"Are you kidding? Of course I would!" replied Anderson. At the time, mineral water was selling for about $20 a bottle.

An hour later, a truckload of mineral water arrived from East Beirut, the driver having somehow navigated the Israeli blockade of the city. Nobody was quite sure how Bishara accomplished this miracle, and it was probably better not to ask.

Anderson joined the AP bureau in Beirut in 1982 in the midst of the Israeli invasion. He was coming from the AP bureau in Johannesburg.

The first thing most of us knew about Anderson was that he was an ex-Marine. He certainly looked the part. He was stocky, with a beard and glasses, dressed often in a safari suit. As time passed, Anderson's looks change a bit; He lost weight, the beard turned into a mustache, and he switched to aviator glasses. But he still looked like an ex-Marine.

Anderson tried to impart his Marine Corps training in September 1983 to the Washington Post's corespondents in Beirut, Herbert Denton and Nora Boustany. There was sniping and shelling of West Beirut that day as the Lebanese Army tried to regain control of the Moslem half of the city, and the three decided to leave the relative safety of the Commodore Hotel and see what was happening. Denton remembers that an argument erupted between Boustany, who thought they should run fast to avoid getting shot, and Anderson, who said that as an ex-Marine, he was convinced that they should walk slowly.

The argument was interrupted at one point by a Lebanese women screaming at them in Arabic: "You fools! You're going in the direction of the shelling!" When Anderson returned to the hotel, he told the other two that he had only been joking about how the Marines do things. "I'm just getting old and have to go slow," he explained.

Anderson chose to stay on in Beirut long after the story stopped being glamorous. He covered the internecine Palestinian warfare in Tripoli; he covered the harsh Israeli anti-terrorism campaigns in South Lebanon, and he covered the daily round of car bombs and carnage in West Beirut. That the world seemed to have lost interest in the Lebanon story didn't deter him.

"He had a real sense of right and wrong. He was troubled by what was happening in Lebanon, and he thought that if somebody was covering it, perhaps it would make a difference," recalls his former AP colleague Foley, now a photographer with Time.

Anderson knew the risk that he would be kidnapped, and a kind of fatalism developed. The militias all kept files on the dwindling group of foreign reporters in West Beirut, and they knew where Anderson lived, his daily schedule, the license number of his car. They increasingly came to see foreign journalists as pawns—bargaining chips—in the vicious game of Lebanese politics.

Explains Foley: "The bottom line was that if these guys wanted you, they would get you."

The day before Anderson was actually kidnapped, someone tried unsuccessfully to grab him. A car attempted to block his automobile, and he escaped only by gunning the engine and driving on the curb. Characteristically, he didn't mention the incident in the office because he didn't want to frighten his colleagues.

Foley warned Anderson that night to keep his head down. But Anderson dismissed the attempted kidnapping, saying: "It was nothing."

The next morning, March 16, 1986, on his way back home from playing tennis, Anderson was stopped by three men in a green Mercedes and thrown into their car. That was the last time he was seen by any of his friends in West Beirut. A British correspondent who was a close friend of Terry's risked his life over the next few days distributing handbills with Anderson's picture to checkpoints throughout the Bekaa Valley. But there was no sign of him. Only a cruel silence.

A lot of people, quite understandably, like to find fault with American press coverage overseas. I have a collection of books and articles at home, for example, taking my colleagues and me to task for our alleged failures covering the Middle East in the early 1980's. And this week I came across a long article in a publication called "The National Interest" criticizing press coverage of Central America. "It is common," opines the author of this broadside, "for journalists to flesh out sometimes sedentary stays in controlled nations with some very careful language."

Maybe so. Maybe there are foreign correspondents as lazy and tendentious as the critics claim. But Terry Anderson isn't one of them. He is a person of the highest character and professional commitment. Like most of the foreign correspondents I know, he worked hard and selflessly at his job, without any political stake in the events he was covering. What made him tick was that odd curiosity that makes some people determined to know what's around the next corner. He must not be forgotten. I hope he's back on the job soon.

S. 1888, PUBLIC LANDS CLEANUP ACT

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. ALEXANDER. Mr. Speaker, I rise in support of S. 1888, Public Lands Cleanup Act. This bill is directed at establishing for the Nation a national, volunteer-powered, public lands cleanup program similar to one which has been phenomenally successful in Arkansas for more than a decade and a half.

Concerned about the tons of trash blotting the landscape around Greers Ferry Lake, in my district, and the shortage of public funds to clean up the recreation areas visited by millions of people annually, Carl Garner, a dedicated and determined public servant, went into action. Carl is the resident engineer for the U.S. Corps of Engineers at Greers Ferry Lake.

He originated the cleanup day in 1970. And, despite stormy weather, about 50 volunteers joined him in that first effort. Their goal was to clear away 6 years of trash that had accumulated along the lake's 300 miles of shoreline.

Each year, since the first one, the volunteer effort has grown. As one who has regularly participated since that first year, I am proud to say that our corps of volunteers now numbers in the thousands as each annual cleanup day arrives. Now, in addition to the efforts at Greers Ferry Lake, there are annual cleanup days on 13 lakes and along the Arkansas River which are lead by the U.S. Corps of Engineers and the Keep Arkansas Beautiful Association.

The Arkansas effort has earned national recognition, including multiple first place awards from Keep America Beautiful, Inc.

I believe that S. 1888, Public Lands Cleanup Act, can help spread the volunteer-powered, public lands cleanup movement throughout the United States and make our Nation, and public lands in particular, a world-class example of what people can achieve when joined together in dedication, determination, and initiative.

Mr. Speaker, we can take the example provided by the Great Arkansas Cleanup and use it to instill in all Americans a sense of stewardship over the public lands.

The Great Arkansas Cleanup is not just about eliminating pollution. It is not just about volunteer involvement or community spirit. It is about education. As a result of the cleanup, the people of Arkansas' First Congressional District now have a keener awareness that they themselves own the public lands, benefit from them, and must take responsibility for them.

I hope we don't stop with this bill tonight. We can take action to bring together citizen volunteers, established organizations such as Keep America Beautiful and the Boy Scouts, for example, and the Federal land management agencies, in a program of partnership. This program would work to keep the public lands clean and spread the word about the pride of ownership Americans should have in those lands. The Public Lands Cleanup Act is an important step, but it is only the first step.

The Interior Department has instituted a major program this year called Take Pride in America—This Land Is Your Land." The Advertising Council, Inc., has made the program one of its national campaigns for 1986.

I call upon Interior not to let their efforts end this year, but to incorporate this legislation and similar efforts into a permanent plan of action.

With an attitude of responsibility for their public lands, Americans will think twice before abusing the parks, waterways, and recreation areas of the Nation. An ongoing, educational approach which encourages volunteers to actively engage in programs like the Great Arkansas Cleanup is a proven way to bring about that hardest of things to legislate—a change in attitudes.

With this legislation and other initiatives I feel sure will follow, we can produce a triumph of democracy by involving the people in the maintenance and management of their own national heritage. I urge the passage of S. 1888.

COMPLIANCE WITH SECTION 308 OF THE BUDGET ACT

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. FAZIO. Mr. Speaker, the Congressional Budget Act, as amended by the Gramm-Rudman law, requires that each committee that files a conference report make certain material available to the membership "as soon as practicable prior to the consideration of such conference report." In compliance with this requirement, I will insert in the RECORD at this time the material required by section 308 of the Budget Act:

CONFERENCE AGREEMENT ON H.R. 5203 LEGISLATIVE BRANCH APPROPRIATIONS, FISCAL YEAR 1987—COMPARISON WITH BUDGET RESOLUTION

Section 308(a)(2) of the Congressional Budget and Impoundment Control Act of 1974, as amended, requires that the conference report accompanying a bill providing new budget authority contain a statement detailing how the authority compares with the reports submitted under section 302 of the Act for the most recently agreed to concurrent resolution on the budget for the fiscal year. This information follows:

	Sec. 302(b)			Conference agreement		
	Discretionary	Mandatory	Total	Discretionary	Mandatory	Total
Budget authority	$700,000,000	$984,000,000	$1,1684,000,000	$677,246,000	$1,006,753,214	$1,683,999,214
Outlays	575,000,000	1,107,000,000	1,682,000,000	545,156,000	1,134,292,000	1,679,448,000
Direct loans	0	0	0	0	0	0
Primary guarantees	0	0	0	0	0	0

MILITARY CHAPLAINS FAITH BALANCE ACT

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. BORSKI. Mr. Speaker, I want to express my gratitude to the Armed Services Committee for accepting my amendment to the Department of Defense Authorization for Fiscal Year 1987. This amendment requires the Department of Defense to conduct a thorough and complete study of the causes and conditions of the current shortages of military clergy, and to submit recommendations to Congress for alleviating the existing imbalances.

Religious support and guidance is vital to our military personnel and their families, especially when they are far away from home, or are faced with critical personal and interpersonal conflicts. The study mandated by this amendment is an important victory in the long and difficult struggle to assure that all of the men and women in the Armed Forces have access to clergy of their faith.

I want to take this opportunity to pay special tribute to Father Joseph J. Turner. As director of the Chaplains Research Committee, he has worked tirelessly with many other veterans groups, religious organizations and individuals to guarantee the free exercise of religion for all of our military personnel and their families. Their efforts have generated strong, bipartisan support for this amendment and for H.R. 1875, the Military Chaplains Faith Balance Act, which I introduced and is cosponsored by nearly 200 Members of this body. H.R. 1875 directs the Pentagon to take specific steps to achieve a proportionate representation of military clergy.

Mr. Speaker the time has come for us to take charge of an intolerable situation. Freedom of worship, one of our most fundamental consititutional guarantees, is being denied to many of our soldiers, sailors, and marines. According to the National Council of Churches and Department of Defense statistics, these brave men and women are without access to clergy of their own faith. While they risk their lives to protect our freedoms and security, their basic spiritual needs are not being met.

I believe that the men and women who are devoting their lives to defend our country deserve to have their religious and spiritual needs served by a chaplain of their faith. We owe every man and woman who wears the uniform of the United States the opportunity to

engage in the special bond which exists between a soldier and clergy who shares with him or her longstanding, common religious beliefs. We need to act now to eliminate shortages of clergy within the Military Chaplaincy Corps.

The simple fact is that the Department of Defense has failed to respond adequately to the shortages of military clergy. Our military services must do considerably more to fully utilize clergy of underrepresented faiths who have and want to volunteer for military service. That means improving recruiting programs, overhauling outmoded Pentagon personnel policies and a more efficient utilization of existing resources, money, and manpower alike.

One of the most serious obstacles to easing and eliminating the present shortages is the unwarranted and involuntary separation of clergy as a result of Defense Department mandatory retirement policies. These policies dismiss much needed clergy for reasons that have nothing to do with their basic peacetime function. As one former military chaplain has observed, military clergy are "hired as ministers and priests and rabbis but fired as soldiers."

Nothing illustrates this better than the Defense Department's up-or-out rule. Under this rule, a captain must be promoted within two eligibility periods, or he can be honorably discharged from the service. Military chaplains begin their careers as captains and many have been released simply because they they failed promotion.

It's time to take a closer look at the military's up-or-out policy as it relates to the dismissal of military chaplains. Ultimately, it is our soldiers who must suffer the loss of these dedicated clergy and their many years of experience.

The objectives of this amendment are threefold.

First, its seeks to provide Congress with essential information. Despite repeated requests, the Department of Defense has failed to provide complete data regarding existing denominational shortages within the Military Chaplaincy Corps. This information is vital to understanding the causes and scope of the current shortages, and it's absence impedes efforts to guarantee that all of our military personnel and their families have access to clergy of their faith.

The study mandated by this amendment will include: A listing of all religious denominations represented in the Armed Forces and the goals that are set by the Defense Department for the number of chaplains to serve each denomination; a comparison of such goals and the actual number of chaplains for each such religious denomination for fiscal year 1987; an analysis of how such goals and the actual number of chaplains compares to the demographic representation of religious denominations in the United States; and recommendations to ensure that chaplains in the Armed Forces better reflect current and future demographic.

Second, this amendment requires that the study in question include a thorough review of the use of grade retentions, continuation boards and standby tours of duty for Reserve and inactive Reserve clergy from underrepresented faiths. Presently these active duty extensions are being fully utilized by other Branch Service Corps to meet the dire needs of the military. Their use is no less applicable to the Military Chaplaincy Corps.

Finally, the Department of Defense is instructed to make a comparative analysis of the use of retention in grade and age waivers for physicians and clergy in the Armed Forces. This analysis must include an examination of the rationale and purpose of their use and application.

The present policy of the services to grant military doctors greater protections against involuntary separation should be extended to military clergy. As stated by the Veterans of Foreign Wars of the United States:

> War of peace, the unique spritual needs of our soldiers must be as understandingly met as their physical ailments. It cannot, nor should not, be one or the other.

Mr. Speaker, I am hopeful that this legislation will go a long way to eliminate the existing shortages of clergy within the Military Chaplaincy Corps. The courageous men and women who are serving in our Armed Forces deserve to have clergy of their faith. We must act now to make that a reality.

LIABILITY CRISIS SENDS AVIATION INDUSTRY INTO A TAILSPIN

HON. BILL NELSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. NELSON of Florida. Mr. Speaker, the general aviation industry is just one industry hardest hit by the liability insurance crisis. The viability of the industry is tenuous due to sizable and unpredictable court judgments and settlements that are currently facing aircraft manufacturers. In some cases, insurance premiums alone now exceed labor costs—they averaged $70,000 per airplane in 1985, despite the general aviation industry's best safety record in years. These and other factors have had a dramatic effect on sales. In 1979, over 17,000 general aviation aircraft were sold in the United States; last year there were 2,032.

General aviation tort law has become highly specialized with issues that are not generally considered a part of the general tort law. The relationship between Federal regulations and tort law as they affect general aviation can best be addressed by legislation separate from bills which have been proposed to deal with the general issue. Thus, groups representing aircraft users have taken an active role in trying to legislatively address this problem.

Mr. Speaker, Congress must play a delicate yet important role in solving the liability insurance crisis. Most of the legal questions that arise from this crisis are the responsibility of State governments, and Congress must carefully decide where, and if, Federal regulations should be placed. For these reasons, I am a cosponsor of H.R. 4142 to provide uniform rules of liability for bodily injury and property damage arising out of general aviation accidents. I believe that the issue of increasing product liability costs must be addressed by Congress in fairness to both general aviation manufacturers and purchasers.

A recent article in the Florida Today outlines the evidence problems in the aviation industry due to the liability crisis. I commend the article and would like to bring it to the attention of my colleagues. I respectfully request insertion of this article, "Liability Crisis Sends Aviation Industry Into Tailspin," in the RECORD at this point.

LIABILITY CRISIS SENDS AVIATION INDUSTRY INTO TAILSPIN

(By Ann Mittanas)

Product liability insurance costs top the list of causes for the nose dive in sale of general aviation aircraft in the United States, according to Frank Manning, president of Piper Aircraft Corp.

In the past 10 years, the average cost of product liability paid by Piper per airplane increased from $1,750 to $75,000 "and it's still going up," Manning said while addressing the Florida Airport Manager's Association conference Monday at the Holiday Inn Oceanfront, Indialantic.

"When you consider the fact that our lowest-priced model, the Warrior, has a base price of some $10,000 below that figure, you begin to get a feel for the enormity of the product liability problem," he said. "Without question, if something is not done very soon to change the product liability laws, our general aviation industry, especially major manufacturers will be destroyed."

Because of the liability insurance crisis that's affecting businesses nationwide, the General Aviation Manufacturer's Association has been lobbying in Washington, DC, for changes in the laws. Those efforts resulted in a bill that came out of a U.S. Senate committee last week, but it contains a clause that still holds the industry liable for a product 20 years after it is manufactured.

"Unfortunately, a 20-year statute of repose doesn't do a lot for the industry," Manning said. "By the time an aircraft is 10 years old, many of its parts have been changed or altered and it is not conscionable to hold a manufacturer responsible."

Private aircraft manufacturers in the United States have been experiencing one of their worst years ever. Sales have plummeted and workers have been laid off at both Cessna Aircraft in Wichita, Kan., and Piper in Vero Beach. In February, Piper laid off 600 employees, but 150 were rehired with resumed production of the piston-powered aircraft.

Aircraft sales for the entire industry in 1980 totaled 11,877 airplanes. In 1986, experts predict 1,500 units will be sold.

Piper Aircraft was acquired in January, 1984, by Lear Siegler, Inc., a Santa Monica, Calif., company that produces aerospace, automotive and commercial/industrial products.

H.R. 5450 MEDICAID NURSING HOME QUALITY CARE AMENDMENTS OF 1986

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. WAXMAN. Mr. Speaker, Mr. DINGELL and I are pleased to introduce today, along with Mr. PEPPER and Mr. ROYBAL of the Select Committee on Aging, Mr. STARK, chairman of the Subcommittee on Health of the Committee on Ways and Means, as well as five of our colleagues of the Subcommittee on Health and the Environment, H.R. 5450, the Medicaid Nursing Home Quality Care Amendments of 1986. The purpose of this legislation is to improve the quality of care and the quality of life for 1.5 million elderly and disabled Americans—mostly women, disproportionately poor—now residing in nursing homes.

Mr. Speaker, the Federal Government will spend about $1.7 billion under the Medicaid program on services delivered to the elderly and disabled poor by skilled nursing facilities [SNF's] and intermediate care facilities [ICF's]. That represents about 30 percent of all Federal Medicaid expenditures. To assure that the services we are buying are of adequate quality, we rely on a Federal-State regulatory system. Unfortunately, this system does not work. As the prestigious Institute of Medicine of the National Academy of Sciences recently observed:

> [T]here is a broad consensus that government regulation of nursing homes, as it now functions, is not satisfactory because it allows too many marginal or substandard nursing homes to continue in operation. * * * In many * * * Government-certified nursing homes, individuals who are admitted receive very inadequate—sometimes shockingly deficient—care that is likely to hasten the deterioration of their physical, mental, and emotional health. They also are likely to have their rights ignored or violated, and may even be subject to physical abuse.

This bill would end this disgraceful state of affairs by reforming the current regulatory framework along the lines suggested by the Institute of Medicine [IOM] in its recent report, "Improving the Quality of Care in Nursing Homes" (1986). This 2-year, independent study was undertaken at the request of the administration with the support of the Congress, and has been widely viewed as the most thorough, comprehensive, and up-to-date analysis of this issue. The IOM's findings and recommendations have been endorsed by every major national senior citizen and nursing home reform organization, in addition to several State and local groups.

In brief, Mr. Speaker, the IOM report makes five major findings that are the underlying basis for the legislation we are introducing today. First, it concludes that, despite the massive infusion of Fedral (and State) Medicaid funds, poor-quality homes outnumber the very good homes. Second, the report makes clear that the effective regulation of nursing homes is absolutely essential to the health and well-being of their frail elderly and disabled residents. Third, it acknowledges the critical role of the Federal Government in establishing and enforcing an appropriate nursing facility regulatory scheme. Fourth, it documents the inadequacy of the current Federal regulatory system in ensuring the availability of quality care and demonstrates the need for major revisions in that system. And finally, the study recognizes that the touchstone for any meaningful regulatory revisions must be a focus on what actually happens to nursing home residents, not just on whether the facility is properly staffed and offers a safe and sanitary physical environment.

The IOM report was the subject of joint hearings held in March by the Subcommittee on Health and the Environment and the Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce, along with the Subcommittee on Health and Long-Term Care of the Select Committee on Aging. At that hearing, representatives of each of the various interest groups—consumers, providers, and regulators—all testified in support of the IOM's findings and endorsed the study's specific proposals. The witnesses were unanimous in their concern over reports of continuous and chronic quality of care violations, their criticism of the present regulatory system, and their commitment to enacting legislation that would help bring about needed regulatory reform.

This bill would implement many of the IOM's legislative proposals. It would revise and consolidate the current conditions of participation for SNF's and ICF's. It would restructure the current survey and certification and inspection of care processes. And it would expand the range of enforcement options available to both the Federal and State governments. Specific reforms found in the legislation are outlined below.

I want to note that the bill's reforms are limited to the Medicaid Program (which pays for over 40 percent of all nursing home care) and do not apply to nursing homes participating in Medicare only. Medicare part A is not within the jurisdiction of the Committee on Energy and Commerce. Similarly, the bill limits its reforms to the nursing homes serving the elderly and physically disabled. While I recognize that there are substantial quality problems in some of the intermediate care facilities for the mentally retarded [ICF's/MR] serving Medicaid patients, the IOM report did not contain recommendations in this area. The bill therefore leaves current law, as it affects Medicare—only nursing homes and ICF's/MR, unchanged.

The Subcommittee on Health and the Environment will be holding hearings on this bill this fall. We will be asking consumers, industry representatives, State officials, and other experts how this bill can be strengthened. On the basis of these comments, I would expect the bill to be revised and reintroduced for future subcommittee action.

Mr. Speaker, the time has come to face up to the problem of poor quality nursing homes. The growth of our Nation's elderly population means major increases in the demand for long-term care services, including nursing home care, for the foreseeable future. According to the National Center for Health Statistics, at current utilization patterns the number of elderly nursing home residents will increase by 58 percent from 1978 to 2003, even if one does not assume that mortality rates will decline. We simply have to get an effective regulatory system in place before the problem of poor quality care overwhelms the Nation and its frail elderly.

I urge Members to support this legislation and look forward to working with them on this most important issue.

SUMMARY OF H.R. 5450, MEDICAID NURSING FACILITY QUALITY CARE AMENDMENTS OF 1986

SCOPE

The bill applies only to what are currently defined as skilled nursing facility (SNF) and intermediate care facility (ICF) services under Medicaid. It does not affect SNF services under Medicare, and it does not alter current Medicaid requirements regarding services in intermediate care facilities for the mentally retarded (ICFs/MR).

REQUIREMENTS FOR NURSING FACILITIES (SEC. 2)

The bill would eliminate the current distinction between SNFs and ICFs by requiring that all nursing facilities participating in Medicaid meet a uniform set of requirements designed to assure quality care. These would apply to free-standing facilities, distinct parts of institutions, and "swing beds" in rural hospitals. The current Medicaid State plan requirement that nursing facility payments be "reasonable and adequate to meet the costs which must be incurred by efficiently and economically operated facilities in order to provide care and services in conformity with applicable State and Federal laws, regulations, and quality and safety standards" would be maintained. However, the current statutory payment differential between SNF and ICF services would be eliminated.

The bill would require that, to participate in Medicaid, a nursing facility must:

(1) be primarily engaged in providing nursing care or rehabilitation services to residents;

(2) promote maintenance or enhancement of quality of life of each resident;

(3) provide covered services under a written plan of care that is periodically reviewed and revised after each resident assessment;

(4) conduct an assessment of each resident, using an instrument designated by the Secretary, upon admission, periodically thereafter, and promptly after each significant change in the resident's physical or mental condition;

(5) protect and promote the rights of each resident;

(6) be administered in an effective and efficient manner;

(7) permit access to each resident by relatives and others;

(8) follow the same policies regarding admission, transfer, discharge, or service for all residents, regardless of source of payment;

(9) protect and periodically account for each resident's personal funds;

(10) provide, or arrange for the provision of registered nursing, physician, social, dental, pharmaceutical, dietician, and other services and activities sufficient to carry out each resident's plan of care (registered nursing services must be provided on a 24-hour basis);

(11) maintain physician supervision over all health care delivered to residents and clinical records on all residents.

(12) be licensed under State law and meet applicable life safety code standards;

(13) maintain a safe and sanitary physical environment;

(14) comply with all applicable Federal, State, and local laws and professional standards; and

(15) meet such other requirements as the Secretary may find necessary.

The current requirement that all SNFs have in effect a utilization review program would be repealed.

USE OF RESIDENT ASSESSMENTS (SEC. 3)

The bill would direct the Secretary, within one year after enactment, to designate an instrument for use by all nursing facilities in conducting resident assessments which describe, without reference to diagnosis, each resident's capability to perform daily life functions. Within two years after the implementation of the new uniform requirements for nursing facilities, the Secretary would be required to evaluate, and to report to Congress, on the resident assessment process.

SURVEY AND CERTIFICATION PROCESS (SEC. 4)

To assure compliance by all participating nursing facilities with the requirements set forth in section 2, the bill would require the States to conduct a standard survey of each participating nursing facility (other than State-owned facilities) on an unannounced basis not earlier than 9 months, and not later than 15 months, after the previous survey. The standard survey would include a review of a sample of the resident assessments. Where a State finds through a standard survey that a facility performed poorly with regard to one or more specified requirements, the State must then perform an extended survey, in which each resident's assessment is reviewed. Results of surveys would be available to the public. For the first three years of implementation, the Federal government would pay 100 percent of reasonable State survey and certification costs.

The Secretary would be responsible for developing, testing, and validating the protocol used by the States in both the standard and extended surveys. The Secretary would also be responsible for assessing the adequacy of each State's standard and extended surveys through "look behind" surveys of a sample of facilities. States with inadequate survey and certification performance would be subject to a reduction of their Federal matching payment for administrative costs. The Secretary would also be responsible for conducting standard and extended surveys of all nursing facilities owned by the States.

The current law requirements that States annually review and evaluate the care of each Medicaid resident in an SNF or ICF (known as "inspection of care"), and the physicians periodically recertify the need of Medicaid residents for SNF or ICF services, would be repealed, as would the penalties associated with noncompliance with these requirements.

ENFORCEMENT PROCESS (SEC. 5)

States would be required to have at their disposal the following remedies for noncompliance with Medical requirements for nursing facilities:

(1) termination of participation;

(2) denial of payment for new patients;

(3) civil money penalty;

(4) temporary receivership;

(5) emergency closure; and

(6) transfer of residents.

With the exception of temporary receivership, the bill provides similar remedies to the Secretary.

In the case of noncompliance with the requirements of section 2 of the bill that would immediately jeopardize the health and safety of residents, the State is required to terminate the facility's participation in Medical and may invoke any additional remedy. In the case of noncompliance with the requirements of section 2 that does not immediately jeopardize the health and safety of the residents, the State is allowed to terminate participation or, in the alternative, use one or more of the other remedies at its disposal.

EFFECTIVE DATES (SEC. 6)

In order to allow the Secretary, the States, and participating facilities a reasonable time to prepare for implementation, the provisions relating to requirements for nursing facilities (section 2) and survey and certification (section 4) would be effective October 1, 1989. The provision relating to the development of a resident assessment instrument (section 3) and enforcement (section 5) would be effective the first calendar quarter beginning 90 days after enactment, except where State legislation is required.

THE DEFENSE PRODUCTION ACT AMENDMENTS OF 1986

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 15, 1986

Mr. LaFALCE. Mr. Speaker, today I am introducing legislation that will reauthorize the Defense Production Act [DPA], now scheduled to expire on September 30 of this year, for a 2-year period. In addition, this legislation addresses two other concerns central to the preservation of our industrial competitiveness and defense preparedness.

The first additonal concern is the potentially adverse impact the increasing demand for offsets may be having on the stability and vitality of our industrial base. Because of this concern, the Subcommittee on Economic Stabilization, which I chair, instituted an annual offsets reporting requirement under the 1984 amendments to the DPA. The administration's first report, issued by OMB earlier this year, was disquietingly perfunctory given very serious concerns that we might be unadvisedly exporting jobs and production overseas. The legislation I am introducing would clarify the offsets reporting requirement to ensure that annual reports give us an objective and thorough picture of the increasing impact of offsets on our industrial competitiveness and defense preparedness.

The second additional concern is the efficient management of defense procurement. In recent months, public disclosure of seemingly improper charges to Government contracts has undermined public confidence in the conduct of industry and in the ability of the Government to manage the procurement process. If we are to regain public confidence, we must ensure that standards effecting that process are established and implemented in an objective, reasonable, and timely manner. To that end, my legislation would reestablish an independent Cost Accounting Standards Board outside the Department of Defense. DOD is currently moving quickly to exercise what I believe to be questionable authority over cost allocability standards governing defense contractors. I do not believe DOD has either the necessary expertise or independence from procurement issues to perform this function.

THE REAUTHORIZATION OF THE DEFENSE PRODUCTION ACT

In my view, it is critical that we extend Defense Production Act authorities. The DPA is our country's basic preparedness statute. Our preparedness depends on ensuring that our defense industrial base can respond adequately in the event of an emergency mobilization.

This act helps ensure that readiness. It contains the authorities which the Department of Defense and other agencies utilize on a day-to-day basis to establish priorities in defense contracting and to implement programs to maintain the mobilization readiness of our industrial and material resources. The contract performance priority and materials allocation authorities of title I represent the sole legal authority for our Government to keep the procurement, production, and deployment of national defense weapons systems on schedule. Title III contains the authorities, and provides financial incentives, for expansion of domestic productive capacity and supply of materials necessary for the national defense.

These efforts are critical. It is increasingly unclear that our defense industrial base would be able to meet the challenge of a serious mobilization effort. Over the past few years, the Subcommittee on Economic Stabilization has examined closely the status of key U.S. industries and the changing nature of our industrial base. We have found ample and disturbing documentation that that base is seriously and dangerously eroded. The erosion is continuing as the competitiveness of key sectors continues to decline.

A significant portion of the manufacturing leadership the United States once enjoyed has left our shores. In particular, a number of industries which make up the second- and third-tier levels of defense production, the subcontractor and supplier levels, have shrunken, and in some cases, virtually disappeared. These are the companies that supply the essential elements, components, parts, minerals, and materials to our prime defense contractors, and we are losing them. In addition, we are increasing our dependence on foreign sources for many of the basic materials, minerals, and processes which are absolutely vital to our defense programs. The reliability of some of these foreign sources cannot be assured.

The United States cannot remain a first-rate world power with a second-rate industrial base. We might have the most sophisticated weapons systems in the world, but if we do not have the industrial capacity to produce them quickly and efficiently when needed, we place ourselves in serious jeopardy.

Clearly, we cannot return to the totally self-sufficient days of the past. Neither the economic complexities of today's world, nor our security pacts with our allies, would permit that. However, it makes elementary common sense to make our country more secure by

devoting a very modest amount of the defense dollars we spend every year to addressing our deteriorating defense industrial base. DPA is a small program, but an important one.

Despite the importance of the program, I do not believe that the 5-year extension the administration seeks is appropriate. The authorities granted under the DPA are as broad as they are critical. With one exception, we have extended the program for no more than 2 years, in order for Congress to adequately oversee how those broad authorities are being applied. I do not think that now is the time to change that practice. Criticism has been levied in the past that projects did not adequately justify the national security benefits to be derived and/or the economic cost associated with the financial incentives provided, or that they did not adequately address identified weaknesses in our industrial base. The Congress must monitor the program closely to insure that these projects are effectively targeted to address real weaknesses in our defense industrial base.

THE OFFSETS REPORTING REQUIREMENT

Under the 1984 amendments to the Defense Production Act, the Subcommittee on Economic Stabilization mandated an annual report from the executive branch on the impact of offsets on the defense preparedness, industrial competitiveness, employment and trade of the United States. The first of these reports was issued by OMB in February of this year, approximately 4 months late.

The Subcommittee on Economic Stabilization has held several hearings to consider the impact of offsets on our industrial base. Those hearings established that foreign buyers of U.S. military equipment increasingly require offsets that serve their own economic interests as a condition of sale. The reporting requirement under DPA is the only means we now have of determining how the increasing demand for offsets may be adversely affecting our own defense industrial base, our employment, and the competitive position of our industries. We must focus our attention on the effect offset requirements are having on our own economic strength.

The administration report concluded that offsets have little impact on key elements of our economy. That conclusion is impossible to defend given some of the report's own findings.

The report makes clear that offsets are increasing foreign competition in key industrial sectors, particularly at the subcontracator level. In addition, the report found that direct offsets may have a longrun negative effect on some sectors of the U.S. industrial base. According to the OMB document, while the U.S. defense industry maintains an overall advantage in many areas of competitiveness, the margin of advantage in many areas of competitiveness, the margin of advantage has narrowed in recent years due to technology transfer through offsets. This is particularly troublesome since most offset obligations occur in key high-technology areas—namely aircraft, engines, and electronics. The long-term impact on our industrial competitiveness of the more rapid and wider ranging transfer of sophisticated technology and attendant technology development skills could be severe.

The subsequent GAO audit of the OMB study calls the adequacy and good faith of a study seriously into question. GAO found that the study ignores key data suggesting offsets may in fact have a serious impact on our defense industries and our industrial base; disregards major concerns of the Commerce and Treasury Departments regarding the impact of offsets on trade and competitiveness; and, generally, gives a far more positive impression of the impact of offsets than is justified given specific agency findings.

The administration has thus produced a report that appears to be a totally inadequate response to the Congress' legitimate concerns. Now it wishes to produce no report at all. The administration is taking the position that the reporting requirement should be repealed since, based on its own questionable analysis, offsets are not a problem.

I do not believe there is any justification whatever for the administration's recommendation that the requirement be repealed. Offsets may present us with very serious competitive problems. They may, as others argue, provide a useful trade tool that we, too, can effectively utilize. But it is impossible for either the Congress or the administration to make necessary policy judgments without the benefit of a decent data base and objective policy analysis. The Congress must ensure that we have them. It is unfathomable to me that an administration ostensibly so concerned about our trade problems appears so willing to do less.

In my view, the inadequacy of the initial report is symptomatic of this administration's desire to totally ignore a phenomenon that could be seriously undermining the competitive position of American industry, weakening our industrial base, and unnecessarily exporting American jobs and production overseas. The total inadequacy of the administrations' initial offsets report makes continuation and more careful targeting of the requirement all the more critical.

COST ACCOUNTING STANDARDS

The legislation I am introducing would create an independent Cost Accounting Standards Board outside the Department of Defense.

Congress first established an independent Cost Accounting Standards Board in 1970 to promulgate cost accounting standards designed to achieve uniformity and consistency in the cost accounting principles followed by defense contractors and subcontractors under Federal contracts. The Board was active until the end of fiscal year 1980, when it no longer received funding. Since that time, there has been no mechanism for interpreting, clarifying or amending the standards, or granting waivers and exemptions. There is a continuing need for an administrative body to perform these functions. Accounting is a dynamic discipline and conditions affecting the standards are in a continual state of flux.

But, while there is a clear need for this function to continue, I do not believe that the Department of Defense is the appropriate locus for that responsibility and am very skeptical regarding its efforts to assume effective control over this function. Independence was a primary feature sought by the Congress when it established the Cost Accounting Standards Board in 1970. It continues to be very important to insulate the responsibility for establishing, interpreting and updating cost accounting standards from the influences associated with the procurement process. Satisfying the need for independence within an agency like the Department of Defense with the largest procurement in the Federal Government is problematic.

Defense spending accounts for approximately $300 billion of our budget. At a time when budget pressures are intense, and we are being forced to closely scrutinize even the most critical programs, it is vital that whatever moneys are authorized and appropriated be spent legitimately and economically. We cannot guarantee what occurs without cost accounting standards that are objective, reasonable, and responsive to changing circumstances.

The business of doing business with the Government has become inordinately complex and in many respects unnecessarily so. This situation has created increased potential for abuse, but, in addition, increased potential for innocent mistakes to be perceived as criminal wrongdoing. Public disclosure of seemingly improper charges to Government contracts has seriously undermined public confidence in the conduct of industry and in the ability of the Government to manage the acquisition process. Certainly we must seek out and prosecute any wrongdoing. But we must also state the rules of the game in unambiguous, simple, and precise terms. Only in this way can we ensure that those who seek to comply with the intent and letter of the law can do so with reasonable effort and a sense of confidence that the standards applied to their conduct are necessary and appropriate.