

EXTENSIONS OF REMARKS

OMB/OPM REPORT CITES IMPORTANCE OF PRODUCTIVITY

HON. TOM CORCORAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. CORCORAN. Mr. Speaker, a draft report to the National Productivity Council entitled "Federal Actions to Support State and Local Government Productivity Improvement" has recently been issued. This August 1979 report resulted from the efforts of a study team cochaired by the Office of Management and Budget and the Office of Personnel Management.

I am happy to note that one of the five recommendations made closely corresponds with legislation I introduced on March 8, the Intergovernmental Productivity Improvement Act of 1979—H.R. 2735 and S. 1155, introduced May 15 by Senator CHARLES PERCY.

Our legislation would amend the Intergovernmental Personnel Act of 1970 by authorizing this program to make grants in the area of productivity improvement. This expansion of authority would improve the way in which Federal grants are utilized in conjunction with State and local governments by emphasizing efforts which improve productivity. Productivity improvement offers a real opportunity for maintaining or increasing the level of services without necessarily increasing taxes.

The draft report also recognizes the importance of the Federal grant-in-aid system and states:

* * * the mechanics of the grant-in-aid system itself have a negative effect on State and local productivity.

The report concludes that these two needs—improving the grants system and rationalizing existing and future productivity support activities—should receive priority attention.

Recognizing the importance of the grant-in-aid system, especially in terms of productivity, I joined Congressman LES AU COIN in introducing H.R. 4504 on June 18. Companion legislation, S. 878, was introduced on April 4 by Senator WILLIAM ROTH. This legislation, the Federal Assistance Paperwork and Regulation Reduction Act, would streamline and simplify Federal grant programs.

For the benefit of my colleagues, I include in the RECORD at this point the Executive Summary of the August 1979 draft report to the National Productivity Council entitled "Federal Actions to Support State and Local Government Productivity Improvement":

EXECUTIVE SUMMARY: THE FEDERAL INTEREST IN STATE AND LOCAL GOVERNMENT PRODUCTIVITY

State and local governments play a vital role in accomplishing specific national objectives and carrying out federally-mandated

programs. The Federal Government helps finance these activities through grants-in-aid and loans. Grant-in-aid outlays to State and local governments in 1978 were \$77.9 billion, and will rise to an estimated \$82.1 billion in 1979.

It is incumbent on the Federal Government to see that these dollars are spent wisely, and that future requirements reflect the efficient and effective use of Federal tax dollars by State and local governments. There are many ways that the Federal Government can and does try to achieve this goal. This report addresses one of these ways—encouraging and supporting State and local productivity improvement so that they can make the best possible use of the available resources.

Although there have been a number of recent studies on State and local government productivity improvement, there is no consensus on the actions that the Federal Government should take to support these efforts. In order to address this issue, the National Productivity Council, which serves as the focal point for Executive Branch efforts to improve private and public sector productivity, requested that a study be conducted. The objective of the study was to identify those actions that the Federal Government can and should take to support State and local government productivity improvement.

FEDERAL ACTIONS TO SUPPORT STATE AND LOCAL GOVERNMENT PRODUCTIVITY IMPROVEMENT

In examining those actions that the Federal Government can and should take to encourage and support State and local government productivity improvement, we have reached two principal conclusions. First, and somewhat ironically, the mechanics of the grant-in-aid system itself have a negative effect on State and local productivity. Improvements to the grants system are a basic element of Federal support of State and local government productivity improvement. Secondly, there currently are a number of Federal programs and projects that encourage and support State and local productivity improvement. They do not, however, constitute a rationalized or planned approach.

These two needs—improving the grants system and rationalizing existing and future productivity support activities—should receive priority attention. Beyond these comprehensive needs, there are three specific efforts that merit more attention by the Federal Government:

Increasing the capacity of State and local management to identify and implement productivity improvements;

Finding solutions to State and local service delivery problems through research and development of improved methods and technologies; and

Providing information and assistance on improved methods and technologies to help State and local governments effect productivity improvements.

THE FEDERAL GRANTS SYSTEM

One of the major ways that the Federal Government affects State and local government productivity is through the grants system itself. The impact is primarily negative because of the delays and additional costs caused by the myriad of regulations and excessive "red tape." In addition, most major Federal grant programs do not reward grantees for productivity performance either in distribution of funds or evaluation of grantee use of funds. Further, State and

local governments have little incentive on their own to be concerned about productivity in using Federal grant funds.

There is a major Executive Branch effort currently under way to simplify and improve the Federal grants system. Major components of this effort include:

The Federal Grants and Cooperative Agreement Act of 1977, which requires a comprehensive review of Federal assistance management practices, and proposals for reforming the Federal assistance system.

The Eligibility Simplification Project, which is a comprehensive review of major public assistance programs to find ways of simplifying the complex and burdensome process of determining eligibility for these programs.

Planning Requirements Reform, an effort to simplify and consolidate the numerous planning requirements associated with Federal grants to insure consistency among different agencies and programs and to lessen the burden on State and local government recipients.

Compliance with OMB Circular A-95, which is an effort to assure that major grant-making agencies follow prescribed procedures for evaluation, review, and coordination of federally assisted programs, and to clarify the role of State and local area-wide clearinghouses in reviewing the impact of major Federal programs on local plans and programs.

In contrast, very little work has been done on the development of productivity incentives in the Federal grants system. This is a very complex issue that was considered beyond the scope of this study.

RATIONALIZATION OF FEDERAL PRODUCTIVITY SUPPORT ACTIVITIES

Although a complete inventory of Federal activities supporting State and local government productivity improvement does not currently exist, many examples have been identified. Some are highly visible programs specifically intended to support productivity improvement efforts; many others are projects or activities that are part of other agency programs, and are often not specifically identified with productivity improvement. To a large degree more effective Federal support can be achieved by rationalizing and planning this support, hopefully precluding the need for additional resource investment. There needs to be an organizational and procedural framework in which this rationalization and future program development takes place. The first step in establishing this framework is the designation of a lead Federal agency.

Recommendation: Designate OPM as Lead Agency. The Office of Personnel Management should be designated as the lead Federal agency for State and local government productivity improvement. Two positions and \$100 thousand should be allocated for this purpose.

As lead agency, OPM should work with other Federal agencies, State and local governments, and other interested groups to plan and develop a program for Federal support of State and local government productivity improvement. OMB now has under way an effort to inventory current Executive Branch activities that support productivity improvement in the private and public sectors. The results of this survey should be used by OPM to identify "gaps" in support for State and local governments, duplicative efforts, and opportunities for agency cooperation.

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

BUILDING STATE AND LOCAL MANAGEMENT CAPACITY

A key factor in State and local government productivity improvement efforts is the capacity of management to identify productivity problems and to develop and implement solutions. This requires basic capability in a broad spectrum of management activities, including planning and evaluation, goal and priority setting, resource allocation, and the management systems that support these activities—personnel administration, budgeting, financial management, and information systems.

There are few Federal programs specifically designed to improve the capacity of State and local governments in these areas. The assistance programs that are available include: (1) the Intergovernmental Personnel Act, a \$20 million grant program that finances improvements in personnel management systems; (2) the Department of Housing and Urban Development's "701" program, a comprehensive planning assistance program; (3) HUD's Governmental Capacity Strengthening Program, which focuses on improving financial practices; (4) the National Science Foundation's Intergovernmental Program, which focuses on the use of scientific and technical information in management activities; and (5) the Department of Labor's Public Employee Labor Relations Program.

These programs do not represent a comprehensive program effort. More effective Federal support would involve expanding support to other management activities. The most often mentioned method is to amend the Intergovernmental Personnel Act to authorize grants and cooperative agreements in other management areas (information systems, program evaluation, etc.). There also have been suggestions that the focus of the IPA program be redirected—at least partially—from a "seed money" program that supports improvements in individual jurisdictions to a program that emphasizes the development and testing of management systems and techniques that can be adopted or adapted by a large number of jurisdictions.

Recommendation: Change Nature of IPA Program. The Intergovernmental Personnel Act should be amended to authorize grants and cooperative agreements in any management area. Award criteria should be revised to give more emphasis to the development and testing of management systems and techniques.

Closely associated with management capacity is the area of productivity measurement. Productivity data help managers to identify problems and opportunities and measure the results of improvement efforts. Various studies have estimated the percentage of jurisdictions with productivity measurement programs to be from 10 percent to over 50 percent. This relatively limited use of productivity measurement is partly due to the lack of measurement techniques for some areas, and to the lack of information on quality and effectiveness of service.

Although several Federal agencies support State and local productivity measurement in specific program areas, the Federal Government does not have any major or comprehensive program to support productivity measurement efforts in State and local governments. The range of possible Federal initiatives to fill this void includes research on measurement techniques for State and local activities not currently measured, the development of statistics comparing the productivity of various jurisdictions, and the development of an overall State and local productivity index. These latter two efforts would be very expensive to implement.

Recommendation: Continue Limited Federal Support of Productivity Measurement. The costs and relative benefits of a Federal effort in this area compared to other forms

of Federal support do not warrant a major Federal investment at this time. More analyses of the conceptual problems and approaches should be made. In the meantime, Federal agencies should be encouraged to continue their individual efforts to support State and local government productivity measurement and, where possible within their own budget priorities, expand such efforts.

IMPROVED METHODS AND TECHNOLOGIES

The performance of State and local governments can be improved through the development and application of improved methods and technologies to service delivery problems. A number of Federal agencies currently are involved in the identification of State and local service delivery problems, research and development on possible solutions, and dissemination of research findings. Most of this effort is carried out by the mission agencies within their own program operations. There are, however, a few cross-cutting or comprehensive efforts. The Intergovernmental Science, Engineering, and Technology Advisory Panel (ISETAP), in the Office of Science and Technology Policy, initiated a process this year to rank State and local research needs in priority order. In the information dissemination area, the National Science Foundation funds several information sharing networks, including the Urban Consortium. There remains, however, a need to: (1) establish the needs assessment processes on a more permanent basis; (2) test and evaluate promising technologies; and (3) improve information sharing.

Recommendation: Assign OSTP Lead Responsibility for Research Needs Assessment. The Office of Science and Technology Policy, through ISETAP, should take the lead in identifying the research needs of State and local governments. An additional two positions and \$100 thousand should be dedicated to this activity.

Recommendation: OPM, Working with OSTP, Should Encourage Needed Research. The Office of Personnel Management, in its role as lead agency, should work with OSTP to encourage Federal agencies to undertake research that supports State and local government needs, particularly "breakthrough" technology that could lead to major improvements in productivity.

Improved information sharing is discussed in the next section.

INFORMATION SHARING

Although over one hundred and sixty government agencies and non-Federal groups provide productivity-related information and data to State and local governments, we have concluded there is a major gap between this information and that desired by State and local governments. To a large degree the current information is not provided in a timely manner, and does not satisfy the problem-solving needs of many State and local operations. Federal actions should focus on improving the usefulness of information from Federal programs, especially the results of research programs. Since State and local officials accord higher credibility and trust to non-Federal sources, non-Federal information networks should be utilized and supported wherever possible, especially where more cost-effective.

Recommendation: OPM Should Develop an Information Sharing Program. The Office of Personnel Management, as part of its lead agency responsibilities, should develop an information sharing program. Three positions and \$400 thousand are recommended to support this activity.

RESOURCE REQUIREMENTS

Implementation of the study recommendations would involve five additional positions and \$500 thousand for the Office of Personnel Management, and two positions and \$100 thousand for the Office of Science and Technology Policy. We believe that the

need for further resource increases can be precluded by the better utilization of resources currently devoted to productivity improvement, and by giving higher priority to State and local needs within existing program funding. Resource requests beyond those recommended in this report should be supported by fully documented cost-benefit analyses.●

TRIBUTE TO THELMA DALEY

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. FAUNTROY. Mr. Speaker, on behalf of the residents of Washington, D.C., I would like to take a moment to salute Mrs. Thelma Thomas Daley of Baltimore, Md., national president of Delta Sigma Theta Sorority, Inc., a predominantly black public service organization of approximately 95,000 college educated women. Mrs. Daley will be relinquishing her office in just a few days after a series of outstanding public service accomplishments both by herself and by Delta Sigma Theta.

In the years that I and other members of the Congressional Black Caucus have had the opportunity to work with Mrs. Daley and her sorority we became truly impressed at the commitment to service of the sorority under her dynamic leadership.

For more than half a century this sorority has undertaken an array of activities designed to carry out its commitment to public service in areas such as education, economic development, legislation, housing, arts and letters, et cetera. Annually, more than \$500,000 is awarded to deserving students to assist them in attending colleges and universities. In 1978 alone, the national office provided assistance to 32 students totaling more than \$16,000. Contributions to other groups—such as the United Negro College Fund, NAACP, YMCA, NCNW, Urban League, and numerous agencies and institutions at the local community level—total more than \$750,000. Each year Delta Sigma Theta, Inc., makes a \$1,000 contribution to the National Black Achievement Scholarship Committee of the Nation's merit scholarship program.

Mrs. Daley and Delta Sigma Theta, Inc., in addition to the above have just recently compiled an even more impressive list of contributions in the struggle for the preservation of human worth and dignity. Those significant contributions include: \$134,000 grant from Department of Health, Education, and Welfare to develop a women's educational equity training and assessment program;

Establishment of four national "life development centers," designed to meet a variety of community needs related to its program goals of public service;

Establishment of the distinguished professor endowed chair to render perpetual support to black colleges;

Awarded in 1978 mini-grants to seven black colleges; and

Establishment of a resource center in science and engineering to increase the

number of low-income minority group students with the assistance of a \$2.76 million grant from the National Science Foundation.

In my city, the District of Columbia, Delta Sigma Theta, Inc. has been just as active. Here, the District of Columbia alumnae chapter was the recipient of a \$5 million grant to provide housing for senior citizens and handicapped persons. And in furtherance of full human and civil rights for all Americans, the D.C. chapter, in cooperation with the national office, continues to assist in the efforts to impact on full voting representation for the District of Columbia and ERA.

I could go on and on about the accomplishments of Mrs. Daley and Delta Sigma Theta, Inc., but suffice it to say Mrs. Daley and her sorority are an integral part of the black community and the larger community, in general.

Mrs. Daley is presently employed by the Baltimore City Board of Education and she has just completed a 2-year loan to the Maryland Department of Education as a consultant in career education and as Federal project director.

Listed in Who's Who in black America and as one of the 100 most influential black women, Mrs. Daley's and the organization's awards are numerous.

We in the congressional Black Caucus and others who knew her intimately through her generous work will miss her greatly. As she leaves office we salute her for her leadership, courage and accomplishments as president of Delta Sigma Theta, Inc. Moreover, we rejoice and do not despair because Mrs. Daley's leadership will continue to blossom in the hands of a new president, buoyed by an enduring institution in our community—Delta Sigma Theta.●

JOHN B. BRECKINRIDGE

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 30, 1979

● Mr. MAZZOLI. Mr. Speaker, I join my colleagues in expressing deep sorrow on the death of the honorable John B. Breckinridge, late a U.S. Representative from Kentucky's Sixth Congressional District.

John's service in the public sector followed the distinguished heritage of his forefathers and added to its luster and accomplishment.

John Breckinridge's outstanding career in public life began in the Commonwealth of Kentucky where, after graduating from the University of Kentucky's Law School in 1939, he became special attorney for the Anti-Trust Division of the U.S. Department of Justice. He served the U.S. Army in World War II and attained the rank of colonel.

John Breckinridge was elected a member of the Kentucky House of Representatives in 1956 and served as attorney general of the Commonwealth of Kentucky for 8 years. He was elected to the

U.S. House of Representatives in 1973 where he served with dignity and effectiveness through the end of the 95th Congress.

Concern for the betterment of his fellow man and woman, and a devotion to developing new legislative efforts to make America a better home for us all characterized John's service in the House. He worked diligently on behalf of his constituents of the Sixth District.

His service as chairman of the Executive Committee of Congressional Rural Caucus and his service on the Committee on Agriculture and the House Small Business Committee gave him the standing and the opportunity to help the people and the industries of his constituency.

John was not a celebrity Member of the House. But, he was a good man and a diligent, thoughtful Member of Congress.

The Kentucky congressional delegation has lost a friend. The House has lost an effective Member. The Commonwealth of Kentucky and the Nation has lost a patriotic citizen.

I extend condolences and sympathies to John's widow, Helen, and to all of his bereaved family.●

HON. WRIGHT PATMAN: A GREAT AMERICAN

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. GONZALEZ. Mr. Speaker, one of the great privileges and happy moments I have had thus far in my life has been the opportunity to have gotten to know, serve with, and join in battle with one of—if not the—greatest Texans and Americans of this century. His birthday would have been celebrated on August 6, and I speak of Wright Patman, of Patman's Switch, as he was wont to say.

I do not use hyperbole when I describe him as great. I mean the word in its fullest sense.

Wright Patman died as the dean of the House, and was called from us while still vigorous and virile and mentally alert.

What strong and powerful opponents and banking and special interests had not succeeded in doing once every 2 even numbered years in the half century of his service, was finally accomplished by his Democratic Caucus peers. But he did not become soured and embittered. He chaired the subcommittee of his predilection and performed admirably until the very end.

Oh, that his voice were here to rail against the usurers and greedy who have managed to take over our Congress and country as he himself would say in quoting an old rhyme:

He has no enemies, you say. My friend, the boat is poor. He who hath mingled in the fray of duty that the brave endure must have foes.

If he has none, he has hit no traitor on the hip, has cast no cup from perjured lip. Has

never turned the wrong to right. He's been a coward in the fight.

Chairman Patman, sire, sure wish you were here.●

MAJOR OIL COMPANIES SQUEEZE OUT INDEPENDENTS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. CONYERS. Mr. Speaker, the oil crunch of recent months has taken a heavy toll on American consumers. It also has done considerable damage to small, independent domestic refiners, that number about 150 companies and account for 30 percent of domestic refining capacity, and to the businesses that purchase oil from them.

The independent refiners, who purchase most of their crude oil from the major oil companies, have been forced to cut back their refinery production because of cutbacks in supplies from the major companies. Despite Federal law that mandates the equalization of refinery utilization, small refineries have been operating at 70 to 75 percent, while the refineries of the majors have been operating at 85 to 90 percent rates.

The lack of crude oil available to the small refiners has led to a decline in their sales of gasoline and No. 2 fuel oil. Between December 1978 and March 1979 the major oil companies increased their sales of No. 2 fuel oil by 770 million gallons and of gasoline by 240 million gallons, while the independents saw a decrease of 461 million gallons in sales of No. 2 oil and 88 million gallons in gasoline. The net effect was to boost the major oil companies' market power at the expense of the independents.

The Oil Imports Act of 1979 (H.R. 3604), which Representatives BENJAMIN ROSENTHAL, CHARLES ROSE, and myself, along with 52 other Members, have sponsored provides a remedy for the independents and the industrial firms that depend on them. The legislation would create a Federal nonprofit corporation to purchase all the foreign oil brought into the United States. The corporation would resell the oil it buys to all qualified purchasers in ways that spur competition among domestic marketers, insure equitable distribution in times of shortage, and that maximizes domestic refining capacity. Among its other purposes, the legislation recognizes the national interest of maintaining an independent sector within the American oil industry and lessening its dependence on the majors.

The July 9, 1979, issue of Energy User News spells out the difficulties the independent refiners have been experiencing in recent months. I commend to my colleagues the following article, "Small Refiners Cut Supply 50 percent." I am hopeful they will share with me the urgent sense of transforming the existing oil import and distribution system.

The article follows:

SMALL REFINERS CUT SUPPLY 50 PERCENT

(By Paul Vidich)

NEW YORK.—Independent oil refiners, hard-pressed for crude oil, are being forced to impose deeper than industry-average cuts in fuel oil and gasoline sales to their commercial and industrial customers.

While the major oil companies, such as Exxon and Mobil, have been allocating their fuel oil and gasoline supplies at 70 to 90 percent for the last three months, the allocations imposed by the independent refiners are falling in the range of 50 to 80 percent.

Truck and car fleets of commercial and industrial firms served by the independent refiners are in turn being hard-pressed for supplies.

The woes of the independent refiners, who number approximately 150 companies and contribute 30 percent of the nation's refining capacity, are in part attributable to the major oil companies, a survey of independent refiners, petroleum industry consultants, trade organizations and just published Energy Department data reveals.

The evidence suggests that while the major oil companies saw significant improvements in their imports of crude oil in the first four months of 1979—Shell, for example, was up 46.1 percent over the same period of the previous year—the major oil firms also cut back or eliminated deliveries of crude oil to small refiners.

Small refiners have been unable to deliver less fuel as a result. For example, while the top 15 U.S. refiners saw their sale of No. 2 fuel oil increase by 770 million gallons from December 1978 to March 1979, over the same period in the previous year, sales by the rest of the refining industry declined by 461 million gallons.

The major oil companies have publicly defended their behavior by explaining that the shutdown of the Iranian oil fields created a world shortage, and they could not supply all their customers.

The story, as it has been pieced together over two months, follows:

Within 30 to 40 days after Iran ceased exporting crude oil on last Dec. 27, all but one of the major oil companies announced cutbacks in crude deliveries to third parties—a category into which independent refiners in this country fall.

Exxon cut back third parties 10 percent; Texaco a week later cut back 8 percent; British Petroleum 45 percent and Gulf 20 percent of its Middle Eastern crude. Shell's cutbacks varied from customer and only Mobil Oil announced no cutbacks.

Among those cut back were Delta Refining, which had been supplied by British Petroleum; National Cooperative Refinery Assoc., whose 59,400 barrel per day (B/D) refinery in McPherson, Kan., had obtained 40 to 50 percent of its crude from two international majors, and Powerine, a 44,120 b/d refinery in Santa Fe Springs, Calif., which had obtained 25 to 30 percent of its crude through an international oil firm. Powerine in May and June has been on a 50 percent allocation fraction.

At the same time that the major oil companies announced "force majeure" (inability to fulfill agreements) on their contracts to supply crude to the small refiners, the major oil firms' imports of crude into the U.S. rose significantly, and continued to do so for the first four months of 1978. That is the latest period for which information is available.

HIGHER IMPORTS

Information collected by the Department of Energy, but not publicly distributed by the agency, reveals that the major oil firms' imports of crude during the first four months of 1979 were higher than the same period of 1978 by the following amounts: Exxon up 12.8 percent; Mobil up 14.1 percent; Chevron up 12 percent; Gulf up 29.7 percent; Shell up

46.1 percent. Only Texaco was down, falling 1.4 percent.

These figures are for Petroleum Administration Districts I-IV, which essentially is the continental U.S. East of the Rockies. This distinction is meaningful because the West Coast started to receive crude from the Alaskan North Slope in 1978.

Comparison to the first four months of 1977, which might be considered a more normal year because of the historically high level of crude stocks during the beginning of 1978, indicates that the major's crude imports were still up substantially. Exxon up 30 percent; Chevron up 3.3 percent; Gulf up 6.8 percent; Mobil up 1.0 percent; Shell up 2.0 percent and Texaco up 0.7 percent.

Total crude imports for the U.S. fell, 6.7 percent when the first third of 1977 is compared to 1979, so the result has been that the majors substantially increased their share of total imports.

While small refiners have in some cases been able to make up for the lost foreign crude through a Department of Energy program—known as the buy-sell program—which forces a major to supply crude to a small refiner, the program does not include all small refiners. Powerine, for example, can not participate because it has access to a port terminal into which foreign crude can be brought, says Andy Pfaff, of Powerine.

The problem suffered by United Refining in Pennsylvania, says William M. Petre, corporate secretary, is that shipment of crude under the DOE buy-sell program is often late. For a period in June Uniteds 48,000 b/d refinery was operating at 18,000 b/d. That meant that United customers in northwest Pennsylvania and western New York would not get 900,000 gallons per day of gasoline, No. 2 fuel oil and diesel fuel.

Despite the efforts of the DOE's buy-sell program to distribute crude supplies so that all refiners have the same refinery utilization rate—as the DOE is mandated to do under the terms of the Emergency Petroleum Allocation Act of 1973—small refiners are operating their refineries at 70 to 75 percent says a spokesman for the Washington-based American Petroleum Refiners Association, a group of independents.

The majors, on the other hand, have publicly stated they have been operating their refineries at approximately 85 percent for the past few months. In July, Texaco announced its refinery utilization would rise to 91.7 percent.

The lack of crude, and the resulting lower utilization of refinery capacity, has severely restricted the small and independent refiner's ability to supply gasoline and No. 2 oil to their customers.

From December 1978 to March 1979 U.S. refiners other than the top 15, saw their sales of No. 2 fuel oil decline by 461 million gallons from the same period in the previous year. In the same period, the sales of No. 2 fuel oil by the top 15 refiners increased 770 million gallons, reports the Energy Information Administration, an arm of the Energy Department.

The share of the total No. 2 fuel oil market controlled by the top 15 firms rose from 68.9 in December 1978 to 71.7 in March 1979.

The share of the national gasoline market controlled by the firms other than the top 15 refiners, also declined. It went from 30.4 percent in December to 27.8 percent. In March 1979, the small and independent refiners actually supplied 88 million gallons of gasoline less than they did in March 1978. However, the top 15 refiners supplied 240 million gallons more.

While it is dangerous to place too much emphasis on four months of data, it does appear that the major oil companies have weathered the oil crisis considerably better than the small and independent refiners.

Assessing the woes of the small refiners,

Robert Kane of the American Petroleum Refiners Association said:

"I'm sure you'll find many of those guys very willing to sell their facilities right now." ●

TO SLOW THE ARMS RACE—NOT EXPAND IT

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. BARNES. Mr. Speaker, as a freshman Member of this House, I did not have the opportunity to serve here with Representative Charles W. Whalen, Jr., who served his Ohio district as a Republican Member of Congress for six distinguished terms. He was a leading and respected member of the Foreign Affairs Committee, and recognized as 1 of the 10 outstanding Members of the House in 1978.

I have, however, had the delightful opportunity of getting to know and to work with Chuck Whalen in two capacities during this past year. Most importantly, he remains a familiar figure in the Halls of Congress as president and chief executive of New Directions, the national citizens lobby for world security. And, not unimportantly, I am honored to have Chuck Whalen as a constituent, who is now a registered resident of my district in Montgomery County.

In his role as president of New Directions, which lists as the first of its fundamental goals "to reduce the threat of war and nuclear annihilation," the Honorable Charles W. Whalen, Jr., wrote the President of the United States to urge that the line be held against those who would "place their trust in military rather than arms control solutions."

Mr. Whalen's letter is a very thoughtful evaluation of the four factors which he contends belie the claims of many that the strategic balance has shifted and that the United States is now in danger from the Soviet Union.

Mr. Speaker, I urge my colleagues to consider the counsel of their former colleague, Charles Whalen, whose message to the President follows:

AUGUST 2, 1979.

President JIMMY CARTER,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We were pleased to learn of your assurance, given last week to out-of-town editors, that you would not seek sharply increased military spending "just to get" Senate votes for SALT II. We urge you to continue to hold the budgetary line against the pressures generated by Senator Nunn, former Secretary Kissinger and others who see a shift in the strategic balance and who seem to place their trust in military rather than arms control solutions.

The strategic balance has not shifted. Rather, what troubles some Americans is the fact that the United States has lost the monopoly on world power that it enjoyed after World War II. Today, we are still "Number One" in the world. But we live on a more complex planet, coexisting with power centers in the Soviet Union, Western Europe, China, Japan and the OPEC countries. While we no longer exercise overall strategic su-

periority over the Soviet Union, we still deploy a nuclear force so vast that there are approximately as many warheads on our submarines as there are in the entire Soviet arsenal.

Those who urge you to boost military spending above the very high levels projected for coming years assume that the Soviet Union is gradually becoming dominant on the world scene and that the United States has been standing still militarily. They ignore four factors: (1) U.S. strategic programs and strengths; (2) Soviet weaknesses; (3) the unlikelihood of translating nuclear arsenals into political advantage, and (4) the mounting difficulty of verifying some new weapons systems.

Let me comment briefly on each of these points.

1. In the past decade the United States has increased the number of its strategic warheads by 5,250, the Soviets by 3,590. As Dr. Kissinger once said when he worked in the government, it is warheads, not delivery vehicles, that kill people and destroy targets. Moreover, during the same period the United States upgraded its existing missiles by adding new guidance systems and more powerful warheads; hardened the Minuteman silos; developed the highly accurate air-launched cruise missile, which will virtually nullify the large Soviet air defense system; made major modifications in the B-52 bomber; and developed the Trident submarine and Trident I missile. We have not been standing still.

2. The Soviet Union is a military superpower but it has major economic and diplomatic weaknesses. The inefficient Russian economy requires its leadership to import grain and technology from the West. This dependence will increase as the growth rate of the Soviet economy dips below 1% in the mid-1980's, as estimated by the CIA. After six decades in power, the Soviet leadership has no big-power allies. It is surrounded by a hostile China and restive East European countries. The USSR has an ally in Vietnam and a number of client states. Some of the latter are strategically located; all are poor or impoverished.

3. Russia has been unable to use its nuclear weapons for political advantage, or even to prevent a number of developments that were inimical to Soviet power. Despite their 5,000 strategic warheads, the Soviets were unable to prevent Pope John Paul II from speaking in Poland, unable to prevent Hua Kuo-feng from visiting Eastern Europe, unable to require Romanian acceptance of a military budget increase voted by the Warsaw Pact, and unable to dissuade the Japanese from signing a peace treaty with China. In a world of two nuclear armed superpowers, there is no known way for one of them to use weapons of mass destruction for limited political gains. The one new use of military power by the USSR, the transport of Cubans to Africa, has been accomplished by conventional forces.

4. Your Administration is now struggling with methods for verifying the MX missile under the terms of SALT II. The difficulties obviously come from trying to monitor a weapon system which is specifically designed to be elusive. Yet, ground-launched cruise missiles—for which there is a growing clamor—would create, because of their small size, even more formidable problems of verification. In their pursuit of military solutions, many of those who seek to load SALT II with additional military programs ignore how difficult it could become in the 1980's and 1990's to achieve verifiable arms control.

We hope, Mr. President, that you will stand fast against the doomsayers, bring some of these arguments into the public debate, and

help preserve the SALT process as a means of reducing arms.

Sincerely,

CHARLES W. WHALEN, Jr.,
President. ●

THE FUTILITY OF THE GAS ALLOCATION SYSTEM

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. GILMAN. Mr. Speaker, I want to draw to the attention of my colleagues what I consider to be the biggest culprit of our most recent energy crisis; the Federal gas allocation system.

The coincidence of two events in the early 1970's shook the historical economic foundations of the oil industry. First, the United States ceased to have a surplus of domestically produced oil and became a net importer of oil. Second, following the Arab oil embargo, the price of foreign produced oil quadrupled. These developments prompted Government intervention at all levels of petroleum pricing and supply, including new Federal controls over gasoline price and supply.

It was the Arab oil embargo that sparked the first congressional attempt to deal effectively with the oil industry's new disposition. Accordingly, Congress passed the Emergency Petroleum Allocation Act (EPAA) in November 1973, in an attempt to counter the petroleum product shortages and price gouging that were direct consequences of the Arab oil embargo. Congress was well aware that as a result of the oil shortage, the large oil corporations would act to protect their own interests first. Therefore the legislation maintained that a mandatory allocation program "be so structured as to prevent major oil companies from inequitably restructuring crude production for their own use or from favoring their directly owned outlets over independent marketers in the sale or distribution of refined petroleum products." The wording in this conference report make it quite clear that Congress was ready to fully accept its responsibilities to insure that the preservation of competition and equitable distribution of critically short supplies took place in the market.

In fact, Congress recognized that anticipated shortages of crude oil, home heating fuel, and gasoline would eventually "create severe economic dislocations and hardships, including loss of jobs, closing of factories and businesses, reduction of crop plantings and harvesting, and curtailment of vital public services, including the transportation of food and other essential goods * * *" 15 U.S.C. 751 (a) (2).

In order to minimize the multi-adverse impacts of shortages and price gouging on the American public and the economy, Congress specifically directed the President to make an "equitable distribution of crude oil, residual fuel oil, and refined petroleum products at equitable prices among all regions and areas of the United

States and sectors of the petroleum industry * * * and among all users." 15 U.S.C. 753 (b) (1) (F).

The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) was given the responsibility of carrying out this obligation. However, the regulations and allocations put forth by the ERA and DOE to do the job designated by Congress, have actually managed to cause more severe disruptions of gasoline supplies and even to encourage wasteful consumption of petroleum products. So although it is clear that the expressed national energy policy is to conserve energy resources while continuing to maintain the strength of the economy, it is not clear why the DOE has failed to carry out this mandate with regard to allocations of gas supplies.

Present policies make allocations solely a function of gas consumption, whether or not that consumption is consistent with the plan to conserve energy, and certainly irrespective of the effect that changes in supplies have on the economies of different areas. This has resulted in encouraging States to increase their gas consumption in order to obtain larger supplies of gas.

Although the long lines from the recent crisis at the pumps are fading away, it is obvious that the problem of allocation is still far from being solved. To fully understand how the DOE allocation regulations propelled a one State shortage into a national epidemic, let us examine how these regulations work. The fundamental principle underlying the allocation network is that every wholesale distributor of gasoline has an obligation to provide every business to which he sold gasoline during a certain period of time (the so-called base period) with the same of amount of gasoline each year thereafter. A simple example can illustrate this: If refinery A sold wholesale jobber B 1 million gallons during August of the base period year, then refinery A must sell 1 million gallons to jobber B in August 1979. Depending on the available supply of crude on the world market, if the refiner is unable to meet all of its obligations, it must add up the total of its obligations and supply on hand, and then provide each of its customers with the same proportion of their allotment. Therefore, if refiner A has 100 customers just like jobber B (1 million gallons per month per base period volume) but all of a sudden has only 95 million gallons available, it must sell each jobber 950,000 gallons, or 95 percent of their base period use.

It is obvious that this type of allocation system is riddled with inequities. The reason for this, of course, is that the base period is a false indicator of demand. New roads, changing weather conditions, different percentage of car sales and tourism, delayed planting or early planting by farmers, population shifts, even individual driving habits; all help change the volume of gasoline needed in any particular area at any given time.

The situation under this allocation system can only become worse, because

the further the base period from the present period, the greater the discrepancy between supply and demand. Until January of this year, the DOE was using 1972 as the base period. This is ludicrous. The country has changed so drastically since then, I find it a miracle that we did not experience this crisis any sooner. The DOE, recognizing the chaos created by their faulty allocation system, moved to give it a shot-in-the-arm by updating the base period to 1978. Yet, there have already been some major changes in driving patterns, population shifts, and other factors that determine the market situation. This has had its detrimental impact on my own district in a very bizarre manner. Those people living in larger cities, and commuting to New York City during the work week, could not obtain the gasoline they needed to get there. However, in the rural areas of my district, there was never a shortage of gasoline, in fact, some stations reported that incoming gas shipments had to be turned away on several occasions. Most recently, the commuters to New York City have been supplied with the gas needed, however, now the rural stations are being forced to close down. I am certain that this is only one example of what has been happening all across the country.

Since the allocation network and its accompanying regulations are doing little to conserve energy, we can safely assume that the past scenario is bound to be repeated, perhaps on a larger scale. Under the present rules, what is not pumped in 1 year is lost in one's allocation the following year. This "pump it-or lose it" philosophy compels the dealer to pump all he can in order to survive. So besides working against fuel conservation, the allocation system has created a quagmire of regulations that are working against the concept of free competition. The Small Business Administration's Office of Advocacy recently released a report (July 17, 1979) which concluded that the DOE regulations "are so complex they are incomprehensible" and that they most certainly discriminate against small gasoline retailers and, ultimately, the consumer. SBA spokesmen said in a cover letter to the Energy Secretary, that "major company marketing practices and DOE regulations appear to be functioning as two millstones grinding small business into a smaller and smaller share of the distribution market."

Yet despite this, New York State has done as much, if not more than any other States, to conserve fuel consumption. In a recent hearing held before the Department of Energy, Commissioner James Larocca of the New York State Energy Office commented that—

Of critical importance here is that among large States, New York has the smallest per capita use of gasoline. United States Department of Transportation data shows that New York only uses 349.5 gallons per person while Texas uses 690.9 gallons (New York Times, May 28, 1979, p. 1). The average national usage is 531.9 gallons per person.

Therefore, New York already being the most fuel efficient State in gasoline usage, should quite obviously not have to be

subjected to the same percentage cut-backs in allocations as that of those States which do not show any degree of energy conservation. Simply put, under the present regulations, it does not pay to be energy efficient. Accordingly, we should be looking toward legislation which will do more than add cosmetic changes to the conceptually failing allocation system.

It is imperative that the basic Federal allocation regulations be changed. The regulations have to be changed in such a manner that those States which display energy efficiency will be rewarded for their act of responsibility, while those States which have ignored the call for conservation, will ostensibly be allotted proportionately smaller allocations. The allocation fractions of wholesalers should be based on rolling averages, and not on a yearly fixed base period.

Further, priority users should not receive 100 percent of their base period usage, rather, receive 100 percent of their current "need." This will provide them with the needed gasoline from season to season, since it is arbitrary to assume that farmers and all other priority users will have the same needs at any given time of any given year. These two major changes will serve to, ultimately, encourage the principles of conservation, and, penultimately, keep the economy wealthy.

Mr. Speaker, at this point in the RECORD, so that we may share their views, I am inserting recent articles from the New York Times, Time magazine, and Human Events, which have analyzed both the general and specific problems mentioned above.

[From Time Magazine, July 9, 1979]

RED TAPE AND MORE RED TAPE—WHY ALLOCATIONS DON'T WORK

If a driver in New York City has to wait in line for hours to buy a few gallons of gas, why is there plenty available for a driver in, say, What Cheer, Iowa? The answer lies in some complicated federal regulations that were originally designed, oddly enough, to prevent such inequities.

Under the 1973 Emergency Petroleum Allocation Act, the Department of Energy has the power to direct the distribution of gasoline supplies to the nation's 12,000 wholesalers and 225,000 retailers whenever shortages occur.

The nation is divided into five areas known as Petroleum Administration for Defense Districts (PADDs). Late each month, the oil companies estimate just how much fuel they will have available for sale in each region in the coming month. From this total supply, they subtract 5% to be set aside and distributed at the discretion of state authorities to alleviate local crisis. They then subtract the amount they will require to supply all the needs of top priority customers like the military and farmers. The rest gets divided among retail gas stations.

It seems simple so far, but the rules require 400 pages of DOE instructions. Allocations are expressed not in gallons but as a percentage of what each individual customer, wholesaler and retailer, received in a given base period. What base period? Well, it can differ from customer to customer. The oil companies must work out not only how much they supplied each customer in the same month of last year but also how much they supplied, on average, in a five-month period from October 1978 to February 1979. If the

latter is at least 10% higher than the corresponding month last year, then it becomes the base period.

DOE names the priority customers, like farmers, but makes no attempt to change the list quickly or to check that the customers really need what they ask for. Farmers, long after spring planting has been completed, can simply say that they need so many gallons, and the local distributor must supply that amount. The result is oversupply and hoarding in agricultural areas.

The program has been altered since the shortages began to get bad—the state set-aside was boosted from 3% to 5% so that spot shortages could be eased, and the five-month-average base was introduced in an effort to deal with seasonal population shifts—but the problems have not been solved. Criticisms are now mounting; last week the state of Maryland filed a lawsuit against DOE, challenging the allocation system as unfair. Says Economist Walter Heller: "I've heard it said that if God wanted us to have gasoline, he would never have created the Department of Energy."

[From the New York Times, June 2, 1979]

ALLOCATION OF GAS UNDER ATTACK

(By Steven Rattner)

WASHINGTON, June 1.—Gasoline has become a prized commodity in some parts of the country, as evidenced by the long filling station lines that have occurred in California. But in Atlanta and other places gasoline remains plentiful and stations still stay open late into the night.

These discrepancies and others largely result from the Department of Energy's complex mandatory allocation requirements, which by almost every account tend to aggravate the impact of the shortage.

"As it is being operated, allocation adds to the problem rather than subtracting from it," said Jack Blum, general counsel of the Independent Gasoline Marketers Council, a group of large dealers. "The act of forcing people into allocation slows the distribution of supply and encourages hoarding."

While some customers gain by allocation, more almost certainly lose. Take, for example, the case of Texaco Inc., which plans to deliver this month only 70 percent of the gasoline it gave its stations last June.

Texaco says that its gasoline supplies will total 84 percent of year-earlier levels. But, under Department of Energy regulations, the company must put aside sufficient gasoline for what are called "priority uses"—for agriculture, the military and the like.

Then the company must provide 5 percent of the total to state governments to distribute as they wish. Until last week, these state "set-asides" totaled only 3 percent, and Texaco said that the increase may force it to reduce further its other sales.

Next the company must make an allowance for "high growth" stations, those that showed sales increases of more than 10 percent during a five-month period last year. But many of these stations are thought to be in resort areas and the like where a sharp rise for a period does not always mean sustained growth.

Finally, Texaco and the other companies divide up what's left among their customers who do not qualify for special treatment. The result, for a typical motorist at a typical station, is less gasoline than most companies' overall supply situation would suggest.

The average company will probably deliver only about 5 percent less gasoline this month than a year ago but the base allotment for most gasoline stations will be about 20 percent less than a year ago.

"Does the allocation program make the effects worse?" asked one New York oil executive. "Absolutely," he said.

For many motorists, the shortage is made

still worse by the rigidity of the formulas, which, with the exception of the provision for "high-growth" stations, ignore local circumstances. The result is widely varying gasoline availability.

Thus, according to Federal figures, a state like Massachusetts with low growth in gasoline use was probably short only about 4.5 percent of its needs in May. But Arizona, with more rapid growth, may have been short 16.4 percent of its needs.

The Department of Energy was expected to propose abolition of the allocation system as part of its plan to decontrol gasoline prices. But that proposal was shelved when the loss of Iranian supplies late last year promised the shortage that has now arrived.

Energy officials contend that it is necessary to prevent the large refiners that control much of the gasoline supply from taking advantage of the shortage. The department's authority to allocate gasoline stems from a law passed during the 1973 Arab oil embargo, when the major companies were accused of using the shortage then to halt sales to unbranded cut-rate dealers and to withdraw from less profitable areas of the country.

"Allocation says that every dealer has rights under the program and that the refiners must supply them," said Doris Dewton, a department official. "Allocation keeps a lot of people supplied who probably wouldn't see any gasoline."

Those people are quite pleased with the system. "We're in favor of agriculture receiving an allocation priority or whatever you want to call it," said a spokesman for the Farm Bureau, a trade organization in Illinois. "And not just the farmer, but the whole food chain."

The companies maintain that they have ample internal procedures to insure equitable distribution and cite the voluntary allocation programs now in effect on other fuels, such as heating oil.

"It makes it easier for companies to manage supplies and balances if we don't have to worry about allocation regulations," said Ron Hall, general manager of oil products at the Shell Oil Company. "I don't think the regulations help even out discontinuities in supplies."

In addition to gasoline allocation, the Energy Department has allocation regulations to govern crude oil. Critics see at least equally damaging effects from those provisions.

The oil regulations, of similar origins and purposes, require the large companies with large amounts of crude oil to sell some of it to independent refiners without crude oil supplies.

In principle, that sounds like a useful provision, aimed at keeping the little guy from being squeezed out of business. But many independent refiners are so small and inefficient that they cannot produce significant quantities of gasoline or home heating oil, let alone a still more complex product like unleaded gasoline.

[From Human Events, July 7, 1979]

ALLOCATIONS PROGRAM CAUSES GAS LINES (By M. Stanton Evans)

Americans fed up with sitting in gas lines—or doing without gasoline entirely—can thank the federal government for their frustrations.

The surest sign of federal responsibility in the matter is that certain parts of the country are groaning under shortage while others have more gasoline than they require. Absent government intervention, such a thing could never happen. In a free market, the upward push of prices in high-demand areas would immediately attract supplies from areas where demand is lower. There could never be a situation in which there is a

chronic shortage in one place, a chronic surplus in another.

This movement of supply to meet demand is something that happens every day in our economy, without anyone's giving it a second thought. It can't happen in the energy sector, though, because the government prevents it. The Department of Energy, in its wisdom, is administering a bureaucratic "allocation" program which decides who gets how much gas, and when. As a result, the normal operations of the market are totally fouled up.

Virtually everything about the allocation system is haywire, beginning with the fact that it is a classic case of federal intervention feeding on itself. The reason we have such a program is that government controls on petroleum have hindered our domestic production, which in recent months has been declining at a rate of four per cent a year. The usual response when government controls create a shortage is to impose still more controls, in the form of rationing. That is what the allocation program is—a federal effort to divide up a federally-created scarcity.

Such programs always give rise to trouble, but the allocations program has some special wrinkles of its own. Until March of this year, it was based on consumption patterns that prevailed in 1972, ignoring the fact that certain areas had experienced tremendous population growth in the interim, and that other changes had occurred in gas-consuming habits. And when the feds finally got around to changing the system—moving the base period up to 1977-78—they managed to compound the error even further.

Under the system now in effect, gas dealers are permitted to increase their allocations if they experienced a surge of demand last fall and winter compared to the preceding summer. This is supposed to take account of growth, but has the obvious consequence of discriminating in favor of warm-weather regions where there is considerable travel in winter months, and against the North and Middle West. On top of this, the system makes almost no allowance for changes in consumption created by the shortage itself.

Last summer, for example, there was heavy traffic from Washington to the resort areas on the Eastern shore of Maryland. This year, as noted by Rep. David Stockman (R.-Mich.), people are afraid of being stranded, and such travel has declined appreciably (by 20 per cent on one recent weekend). Yet because allocations reflect last year's usage, the Eastern shore and Washington have proportionately the same amount of gas as they had a year ago. Result: Plenty of gas on the Eastern shore, an agonizing shortage in D.C.

Again, given a free market, such a situation could never come about. Gas would move from the Eastern shore to Washington in response to the pressures of demand, as the pricing system emitted its constant flow of signals. But the energy planners not only refuse to let the pricing system work, they forbid the movement of gas supplies unless their seal of approval is stamped on the transaction. There is no way that they can make the proper decisions in thousands upon thousands of such cases, but in dogged bureaucratic fashion they keep trying.

The complexity of the task may be savored by examining the countless pages of energy regulations appearing in the Federal Register. These guidelines are full of verbiage about wholesalers, retailers, base periods, base period changes, end-use consumers purchasers-resellers reassignment of entitlements, adjusted supplies, purchasers without an allocation level, standing exceptions to the rules, temporary exceptions to the rules, and so on in dreary profusion. The

planners are trying to substitute their judgments for the automatic workings of the market—an enterprise that always fails.

Nor is this, bad as it is, the whole of the story: The allocation system also removes some 15 percent of the gas supply for special customers—state government set-asides, farmers, transportation companies, and other "high-priority" users.

As Stockman puts it: "Over-all, a substantial share of available supplies is being diverted out of the retail market to various categories of legally privileged and politically connected users who face absolutely no incentive to conserve, a wide-open opportunity to hoard, and an artificially low, controlled price, to boot."

In short, the colossal gas lines Americans have had to face are entirely the doing of the federal government, a typical product of controls. In the most obvious sense, this is bad—because it imposes a lot of unnecessary hardship on innocent people. But in another sense it is good, because it means the problem can be solved almost instantaneously.

All that is needed to end the gas lines, and ease the energy shortage generally, is to abolish the allocations program. Once it is gone, and the market is permitted to do its work, supply will flow to meet demand, and gas lines will be a thing of the past. Then we can get on with the real job at hand—abolishing the Department of Energy.

Mr. Speaker, I urge my colleagues to seriously consider supporting some fundamental changes in the allocation regulations, before it once again imposes further hardships on our constituents. ●

REV. HERBERT GUICE: 29 YEARS
WITH BETHEL MISSIONARY BAPTIST
CHURCH

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. STARK. Mr. Speaker, Sunday, August 12, some of my friends and constituents from the Bethel Missionary Baptist Church will honor their spiritual leader, Rev. Herbert Guice. The Reverend Guice will be marking 29 years with the church. Reverend Guice began 29 years ago as pastor with a flock that numbered less than 50 adults. Today, Bethel Missionary Baptist Church is a major institution in Oakland and a lot of the credit belongs to Reverend Guice.

Whether it is providing leadership to build and finance a new church building, spear-heading a scholarship program for deserving students, helping find jobs for those in need or organizing a society to lower funeral costs, Reverend Guice has not been found waiting. His leadership qualities have been a resource for the community outside his church as well for he has played an active leadership role in such diverse organizations as the NAACP, the Alameda Branch of the National Red Cross, the Oakland OIC, the Oakland Unified School District just to mention a few of the many organizations that have benefited from his counsel.

A native of Rentisville, Okla., and now a pillar of the Oakland community, Rev-

erend Guice is indeed a mighty oak on which many lean for support and others rely upon for shelter from the cares of our difficult world. Religious leaders such as Reverend Guice provide our communities with a stability and a wisdom that is the cement which holds us together and helps make progress possible. I regret that I will be unable to join the many admirers of Rev. Herbert Guice who join on August 12 in recognizing the very great service he has provided for almost three decades in Oakland.●

THE SOCIAL SERVICES AND CHILD WELFARE AMENDMENTS OF 1979

HON. JOSEPH L. FISHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. FISHER. Mr. Speaker, I wish to express my support for the Social Services and Child Welfare Amendments of 1979 just passed by the House. This bill raises the ceiling on funds for title XX social service programs from its temporary limit of \$2.9 billion to \$3.1 billion beginning in fiscal year 1980 and makes important improvements in child welfare, foster care, and adoption assistance programs. The major child welfare and related provisions are:

Eligibility and matching funds: To receive child welfare funds, a State would have to show it had set up foster care safeguards as set out in this bill, had reviewed all children already in foster care, and would be spending 40 percent of the new funds for services to keep children in their own homes.

States would have to put up a 25 percent matching share. Currently all States spend enough of their own funds on child welfare that this matching requirement should not require a new commitment of State money.

Limitation on spending: States will be limited to the fiscal year 1979 amounts of Federal funds for certain purposes—foster care maintenance, adoption assistance and job-related day care. In other words the increase in Federal funds is to be directed at other services such as those that will help children to stay in their homes.

Foster care protections, procedures, and services: In order to receive increased child welfare funds, a State must do the following with regard to foster care:

First, services to keep families together must be provided before a child can be removed from the home, except in emergencies;

Second, judicial determinations (court hearing) required for involuntary removal of child from his home;

Third, parents must sign an agreement before they voluntarily place a child in foster care;

Fourth, foster care homes must be family-like and near child's real home;

Fifth, reunification services must be available after child is removed;

Sixth, individual plan must be written for each foster care child, plan must be reviewed every 6 months, court must rule on a case after 18 months of foster care; and

Seventh, fair hearings must be provided for parents.

Federal matching funds for foster care placements: AFDC funds can be used to pay for foster care for children voluntarily placed in foster care and for children placed in institutions caring for 25 or fewer children.

Adoption assistance: Adoption assistance payments can be made on behalf of an AFDC-eligible child who has special needs.

Special needs are defined as specific conditions which make it difficult to place a child for adoption. The conditions are age, handicaps, member of a minority, or sibling group.

The amount of the adoption assistance will be agreed on by the State and the adopting parents, based on their economic situation and the needs of the child. The maximum would be the foster care payment. One time adoption costs could be included.

Medicaid eligibility would continue as if the child were in AFDC foster care.

Payments would continue until child reaches 18 (21 if handicapped).

The bill, as approved by the Ways and Means Committee, would have made the \$266 million annual authorization for child welfare services an entitlement, to be phased in over 2 years. The House has changed this provision so that the funds will be subject to the appropriations process. I hope that the necessary funds are made available to help the States implement these vital improvements in their child welfare services.

The emphasis in H.R. 3434 is on providing stable homes for children. When children must be removed from their homes, every effort must be made to help their families so that they can be reunited. When this is not possible, services and assistance will be provided to help these children find suitable foster or adoptive homes. Few goals can be more important in a caring, humane society.

One of the major controversies in the last few years has been over abortion. If this society is going to encourage pregnant women to give birth to their babies, then it must also stand ready to provide them with services to protect and care for their children. This legislation works toward that end.

The increased ceiling in social services funds serves related goals over a broader range of services. A wide variety of services are provided with title XX funds. Many of these services assist people so that they can stay in their own homes instead of going into nursing homes, have jobs instead of sitting idle, and benefit

in many other ways. Child care is one of the services assisted under title XX. To encourage the States to offer child care the bill sets aside \$200 million to be spent for this purpose without the usual 25 percent matching requirement. This is a crucial service for many parents who have to work.

I am pleased the House has approved this bill and hope that the Senate will act on it expeditiously.●

IN THESE TIMES REPORT ON PLANT SHUTDOWNS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. CONYERS. Mr. Speaker, the American economy is in deep trouble. Big companies like big cities are tottering on the brink of bankruptcy. Major industrial plants in the Northeast and Great Lakes regions are closing down, throwing workers out of their jobs, and creating economic chaos in many local communities. The remains of small businesses, that have gone under cover the landscape. Factories and equipment have deteriorated for lack of new capital. Productivity keeps sinking, adding to the cost of the goods and services we purchase. The inflation rate is the highest in nearly three decades, and unemployment once again is expected to reach crisis proportions.

A central question is who will assume the leadership in the major task of revitalizing the industrial and urban base of American society.

In recent issues of *In These Times*, the weekly independent socialist newspaper published in Chicago, a series of in-depth articles have appeared exploring the dimensions of industrial disinvestment—plant shutdowns and the horrendous effects these have had on the workers and communities involved. The series, "Shattered Factories, Shattered Communities," authored by Reporter David Moberg, is must reading for all Americans concerned about this issue, and I strongly recommend the following excerpts to my colleagues:

IN THESE TIMES REPORT ON—PLANT SHUTDOWNS

Len Balluck was discouraged, bitterly discouraged. A few months ago he had hopes that the old Campbell steel mill of Youngstown Sheet and Tube would reopen again under worker-community ownership. He and his fellow workers might have their jobs again.

From his own experience of 20 years in the mill and from the studies made by various experts, he was convinced they could make the mill an economic success and prove that their factory had been scuttled by the exploitative mismanagement of the Lykes conglomerate, not by inevitable forces of the market, nor by Japanese competitors, nor by environmental regulations.

Sitting in the Isaly's ice cream shop in Struthers, where he regularly shares the news of the community with other steelworkers and local leaders over his morning cup of Sanka, Balluck condemned the recent federal government rejection of the request by the Ecumenical Coalition of the Mahoning Valley for a \$27 million grant and guarantees of \$245 million in loans to reopen the mill.

"We had high hopes of getting 1,600 jobs back," he said, referring to the first phase of the reopening. "Then we get turned down by Washington. Jimmy Carter will have to bear the burden of that. The people at Isaly's say he hasn't done enough for this valley. Don't even come around here talking to me about Jimmy Carter."

Balluck had organized several hundred of the 4,100 laid-off steelworkers into Steelworkers United for Employment (SUE) after complaining last fall that the Ecumenical Coalition, which has led the fight to reopen the mill, failed to mobilize the steelworkers for the project. It hadn't been easy. Many of the former workers were skeptical about the plan and its clerical sponsors. Others were just listless and depressed. Nobody wanted to get his hopes up only to have them crushed again. Balluck knew how precarious many of their lives had been since the sudden September 19, 1977, shutdown.

"I can tell you about the drinking, the suicides, the psychiatric wards," he said. "I can tell you all these things."

One friend who was making \$24,000 a year as a skilled worker now works as a laborer for \$11,000 a year. He's comparatively lucky. While calling for support for SUE, Balluck heard the mother of one young worker explain that her son's benefits had run out last December. The pressure of still having no job got to him. Now he's in a mental hospital. Two people Balluck knew killed themselves. Nearly a quarter of those laid off had retired early with reduced benefits.

Few of them are willing to talk about their hardships. They're the sort of people, according to a survey taken by a team from the local university, who find it hard to ask other people for help. They're the sort of people who, despite their anger at the Lykes Corporation and at Jimmy Carter, still blame themselves somewhat for not having a job.

It's tough finding a job in the Mahoning Valley now. Over 9,000 people applied when the local General Motors assembly plant at Lordstown announced it would accept applications. As of late last summer, 80 to 90 percent of the laid-off workers were still in the Youngstown area and only 35 to 40 percent of them had found jobs. Some still have benefits coming, but by now nearly all of the financial cushion has vanished.

That financial aid—unemployment compensation, supplementary unemployment benefits and Trade Readjustment Assistance—"was a pacifier, welfare," Balluck says. Although it made life almost comfortable for a while, it also undermined the workers' sense of urgency and thus hurt the movement to reopen the mill.

But the shocks keep coming. By the end of this year, the Brier Hill steelworks, employing 1,100 people, will close, according to the directors of the LTV Corporation, the new owners. Soon the U.S. Steel Ohio and Macdonald Works may also be abandoned, throwing 4,000 more workers on what Balluck calls, "the industrial garbage pile."

Across town, in the union hall of Local 1462 of Brier Hill, William Vaughan, a 35-year-old black steelworker who had been in the mill for 15 years, talked about what he would do when his job ended. "I want to find a half-way decent job, maybe go to college and get a B.A. degree so I'll have something to fall back on. I know one thing, I'm not gonna get another job like the mill, work 15-20 years and lose my job again.

"I thought about leaving Youngstown three or four times," he said. "But I've lived here nearly all my life." In theory, Vaughan is supposed to be as mobile as capital, shifting with the opportunities. But like so many workers faced with shutdowns, Vaughan saw Youngstown as not only a place of employment but above all as a home and a community to live in.

Although his wife's part-time job will help out in supporting the three kids, Vaughan's impending loss of his job will hit his family in more than its pocketbook. "My father was just getting to the point where he could do something with his life," Kenny, a top student and athlete in high school, said. "He had some extra money to take trips, pay for college. Now it means I have to get a scholarship. I never thought things like this could happen, that management could say, 'You've got 15 years in the mill. Now we're shutting it down.'"

THE HIGH COST OF CLOSINGS

More people are discovering what Kenny Vaughan has now learned at an early age. Business shutdowns can wreak havoc with the lives of individuals and the well-being of communities. Of course, businesses have failed in the past. Or they have shifted from one region to another. Because of lack of appropriate statistics, it's hard to say definitely whether the frequency of shutdowns has increased or not.

The awareness of the consequences of factory and other business "terminations" is changing, however. The Youngstown closing and the fight to keep the mill open, unsuccessful as it now appears to be, have heightened the sense of public urgency and of the possibilities for action. Similarly, there has been a growing interest in legislation to provide advance notice of shutdowns and to compensate workers and communities for the loss, stimulated by the work of the Ohio Public Interest Campaign (OPIC).

Although "runaway shops" and "disinvestment" have been on the lips of activists in northern industrial cities for many years now, there is a greater sense of urgency now as the scope of the issue widens. Partly that is a result of the steadily worsening impact of conglomerate and major corporate investment decisions on the economic vitality of hundreds of communities. Partly it is a result of a drearier general economic prospect. No longer is there the same faith that new industries will arise to replace those that have closed up shop, since the entire economy faces a period of uncertainty and slow growth.

"The broadest, most fundamental starting point is the clear assessment that the post-war boom is really over," says Gar Alperovitz, director of the National Center for Economic Alternatives, which supervised the development of the Youngstown community-worker ownership plan. "Second, no one believes there will be a 'return to normalcy.' Therefore, you can't simply allow short-term dislocation. People begin to say, 'What can we do?' The context has changed."

With that changed context and changing perception comes the possibility of a new political thrust that could radically transform the U.S. economy. There is a growing awareness of the life-and-death power that capital has over communities and individuals, and of how there is no democratic accountability for the exercise of that power.

The new movement beginning demands greater public control over investment decisions, financial capital and choices of business location. It demands that public needs be considered alongside the private balance sheet. It points in the direction of decentralized planning in the interest of local economic vitality.

"It is very narrow to look at the issue only as plant closings," Alperovitz argues. "The issue is community economic health. It's a

much broader question. It's partly plant closings; it's partly new entrances; it's partly expansion.

"In order to give us a broad enough vision and a strong enough moral posture, the issue is the health of American communities, not just one plant closing. That's also the way people see it."

Yet it is usually a factory closing that jolts people into a new awareness, partly because manufacturing is often the center of community economic life, providing the "export" income that helps to stimulate other local businesses.

The community often feels diffusely that an implicit contract has been broken. Not only the suddenly jobless workers but other businesses, their employees, local government and other public institutions have relied on the bigger businesses. They pay dearly for the closings. Then some people realize that there was no need for the sudden shutdown. Even if the business died for "natural" reasons—such as inability to compete profitably—communities could plan for the death's effects with proper notice.

But often the community loss reflects a decision that is only rational from the viewpoint of a single corporation intent on expanding its profit, size and power, even if that means unnecessarily destroying factories and communities in the process. Especially with the growth of conglomerates and their special strategies there is an increasingly stark choice: win greater democratic control of capital or accept greater domination of society by capital.

When a factory dumps wastes in a nearby stream, other people pick up the tab: loss of clean water, destruction of fish and wildlife, decline of recreation areas, illness and even death, costs of cleaning up after the corporation. Thanks to the environmental movement, there is a growing recognition in the law and public opinion that the costs of maintaining a healthy environment should be assumed by the firm and not treated as an "externality."

When a factory closes down after years of operation, there are also many costs to the workers, other local businesses and their employees, urban institutions and local government, and taxpayers throughout the state and nation. Taking all those costs into account can lead to a much different view of the economic rationality of a plant closing. Yet those costs are regarded, as environmental costs were in the past, as external to the business balance sheet.

The most immediate costs are borne by the laid-off workers. Because of their unusually high unemployment benefits—in large part a public cost—the workers at Youngstown suffered less than many workers would have. Yet especially because they were in a highly-paid, unionized industry, their long-term earning prospects for the future are grim.

Economist Louis Jacobson, in research for the Labor Department, estimates that workers in those industries with low turnover—usually those with high earnings, unions and predominantly male workforces as well, such as steel and auto—suffer most from plant closings.

On the average, workers in such industries will lose the equivalent of about two years' earnings—roughly \$30-35,000—in the first five years after the shutdown. Over their working careers, they will lose 10 to 15 percent of what they might have earned. Although older workers may be severely hurt financially because they are forced to retire early, Jacobson finds that workers with three to eight years seniority lose most in the long run because their loss affects more working years.

CONGLOMERATE VERSUS COMMUNITY

When the shutdown occurs in a labor market with high unemployment, or in a small labor market—typical of Youngstown

and many other older industrial cities now facing repeated plant closings, the losses are even greater. If unemployment is one-third greater than the national average, the loss can double in a given year. Seeking jobs in a small labor market again boosts the loss. The figure worsens by half again if all the men who drop out of the labor market are included. So steelworkers in a small, depressed community might suffer earnings losses of 30 to 50 percent as a result of a shutdown if these effects are compounded, not counting loss of above average benefits.

After a factory closing, many women typically drop out of the labor force. If we count their loss of earnings along with the loss of women who return to other jobs after a lay-off, then women as a group suffer proportionately higher earnings losses than men. Men in high turnover industries are more likely to be out of work from time to time, to accumulate fewer seniority benefits and to work in less-skilled jobs than men in low-turnover industries. These men—in fields such as cotton weaving, television and electronic component manufacture, toys, clothes and shoemaking—lose proportionately less than men in autos, steel, meatpacking, aerospace or petroleum refining, Jacobson reports.

Workers can, of course, move at their own expense, often taking a loss on their investment in their home. Since young people are most likely to move, the community future is hurt also. But family and community ties hold many workers. A study of Youngstown Sheet and Tube workers by Policy Management Associates (PMA) indicated that only one-fifth were thinking of leaving. It's not surprising: 77 percent of them had lived in the area over 20 years and only 16 percent had been born more than 200 miles away.

When a factory shuts down, the effects quickly spread—to suppliers, to retail businesses, to wholesalers and transportation firms, and to various service agencies. The PMA study estimated that an additional 1,650 to 3,600 jobs would be lost in the Youngstown area as a result of the Campbell works shutdowns. Other studies have estimated the indirect job loss at 11,199 to 13,000. Using the PMA estimate, indirect job losses would cause a retail sales drop of \$12.2 to \$23 million each year, pushing the total sales lost to the range of \$66 to \$102 million a year.

These costs exact a collective public toll as well. The same PMA study estimated that in the first three-and-a-quarter years after the shutdown, local communities around Youngstown would lose up to \$7.8 million in taxes, the county would lose \$1.1 million, the state up to \$8 million and the federal government up to \$15.1 million—a grand total of between \$26.8 and \$32 million.

At the same time the cost of the various relief programs—mainly Trade Readjustment Assistance—would run between \$34.2 and \$37.9 million. By this accounting, the public loss from the shutdown could reach nearly \$70 million in slightly over three years.

But even these sums of direct public and private expenses due to a plant closing are inadequate measures. A massive shutdown or a series of smaller closings can disrupt the fabric of the community, upsetting the network of local business transactions and precipitating failures, threatening the quality of public services such as schools, and undermining civic institutions (corporate and payroll contributions to the Youngstown United Appeal, for example, dropped by nearly half in the first year after the shutdown). Especially in a small town, a factory closing can destroy the focus and meaning of community life as a whole.

But the most tragic part of plant closings shows up in the stories traded by workers in the Isaly's of industrial America—the stories of depression and despair, of broken spirits, of broken marriages. They show up, too, as statistics in scientific studies and social work

agencies. Yet even there they are understated. As Sidney Cobb and Stanislaw Kasl remarked in their conclusion of a study of physiological and psychological effects on two plant closings, "In the psychological sphere the personal anguish experienced by the men and their families does not seem adequately documented by the statistics of deprivation and change in affective state. . . . The numbers don't seem commensurate with the very real suffering that we observed."

Yet the statistics are bad enough. They found increased frequency of ulcers in the laid-off men and their wives, greater likelihood of future heart ailments and diabetes, greater hypertension and more swollen joints. Most of the men compared the experience of the factory closing with the stress of getting married (midway on a scale of life events where 10 equals a traffic ticket, 80 divorce and 100 death of a spouse), but over one-fourth found the experience as shattering as divorce or more so. It took most close to half a year to recover, but as time went on those who were still unemployed tended to blame themselves for their plight. Some became convinced that they couldn't hold a job. Others eventually turned to suicide—at a rate 30 times greater than the national norm.

Similar conclusions can be drawn by projecting the results of a study of the consequences of unemployment. Harvey Brenner, in a study for the Joint Economic Committee, concluded that a 1 percent increase in unemployment over six years has in recent decades been associated with an increase in 36,887 deaths, including 20,240 from heart ailments, 920 suicides, 648 homicides, 4,227 state mental hospital admissions and 3,340 state prison admissions. Counting only the workers in the Youngstown area directly dumped by the Lykes Corporation, Brenner's figures would suggest that the single plant closing will lead to over 130 additional deaths.

Plant shutdowns bring on more family quarrels and violence, mental health problems and alcoholism. In Youngstown, for example, the Help Hotline had twice as many calls the January after the Campbell shutdown as it had the January before, and the number continued to climb. Calls about battered women, child abuse and family or marital problems tripled in the year following the shutdown. The local Alcoholic Clinic * * * in the number of steelworkers seeking treatment. Referrals to the Eastern Mental Health Clinic doubled in the year after the shutdown.

Adding up all these costs provides one side of what economist David Smith has labeled "the public balance sheet." Benefits of any action taken should be weighed in the same balance. The results are often surprising, and quite at odds with the private accounting. For example, Smith assumes that the government should expect a 9 percent return on its money invested in an attempt to save the Youngstown economy. Even the conservative estimates of the PMA study suggest that reopening the Campbell works would bring in enough tax money to justify a \$75 million equity investment, far more than the Coalition's proposal for Community Steel would have required. If we figure in all of the other costs and benefits, an even larger public equity investment would be justified.

"What is at issue is the differing perspectives, and therefore cost-benefit calculations, that will be made by an analyst charged with investing on behalf of a public account," Smith writes in *The Public Balance Sheet*, soon to be released by the National Center for Economic Alternatives. "Arguments over 'justification' miss the point that the public has a legitimate right to be concerned about the differential imposition of costs and benefits between the public and private sectors." ●

FEDERAL AID FOR LOCAL COMMUNITIES

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. HAMILTON. Mr. Speaker, I insert in the CONGRESSIONAL RECORD a copy of a letter I recently sent to public officials in the Ninth District of Indiana. The letter suggests ways for public officials to increase their chances of obtaining Federal aid for their communities:

LETTER OF LEE HAMILTON

1. BECOME INFORMED

The federal aid system is complicated, but it is not impossible to understand. Take the time to read and research to find the information you must have.

Don't be afraid of the Federal Catalogue of Domestic Assistance. While it is sometimes as confusing as the system it purports to explain, take time to become familiar with it. It is a good first source of information. Follow up on any programs that seem good by contacting the administering agency for more data.

Subscribe to trade association publications. There is a publication for just about every interest, and it usually gives its readers valuable program information.

Put yourself on agency mailing lists. Most agencies have them, and those on the lists are sent announcements of new programs or new information on old programs.

Attend national conferences if you can afford it. Many good ideas are exchanged at these meetings. Applying for federal grants sometimes means "thinking big," and national conferences are part of that way of thinking.

2. ASK FOR HELP

Too many officials submit applications "blind", simply on the basis of a program announcement. While some of these applications are successful, most aren't. They fail to comply with technical requirements, miss the point of the program, or are ignored by reviewing officials.

Draw on your regional development commissions. You pay tax dollars for them to provide you with technical assistance. They can suggest programs to meet your needs, help you in drafting proposals, and represent you before state and federal agencies. They have had much practice with programs you may have dealt with only once or twice.

Contact the agencies themselves for technical assistance. Many agencies routinely work with applicants to prepare a successful proposal, but others will do so only if asked. The agencies can keep you from writing a bad proposal.

Get to know a contact person in an agency with which you deal frequently. Consult with that person whenever you think that he or she can assist you.

Request feedback if an application is turned down. Comments and criticisms make for a better application next time. They also draw attention to your proposal a second time.

3. FOLLOW DIRECTIONS

It is frightening to know how many applications fail for lack of a signature on a form. Program paperwork seems immense and the required procedures overwhelming, but small slip-ups can result in delays that push applicants over a deadline to await the next funding cycle.

If something is confusing, call and ask for clarification.

Follow up the call with a written confirmation of what you understood.

Be prompt in seeing to corrections or requests for additional information.

4. HAVE A STRATEGY

There are three basic strategies a community can use to get aid. The best strategy for a given community depends on a whole host of factors.

In the first case, local leaders assess the situation, rank their needs, and look for a program that would meet the most pressing needs. While this is the most logical strategy from the community's point of view, it is not necessarily the most successful in obtaining grants. Funding mechanisms may not exist to meet the community's highest priorities, at least as the community conceives them.

In the second case, the local leaders adapt their projects slightly to accommodate the existing funding mechanisms. For example, if a community needs a center but can't take on a loan from the Farmers Home Administration, the community needs to think about using historic preservation funds to restore an old building that could be used as a center. This strategy is often more successful because it is more flexible.

In the third case, local leaders start by finding out what money is available and work up proposals to get that money. At first glance, this strategy seems inefficient since the kinds of money available may not fit the community's purposes. However, grants generate other grants. As a community becomes better known to federal officials, acquires a reputation for carrying out projects effectively, and gets better at designing imaginative proposals, it may not be as hard as it first appeared to get money for the community's greatest needs.

5. UNDERSTAND EACH APPLICATION PROCESS

Just mailing the application in before the deadline is not enough. A community should know something about the steps of the review and the timing involved.

Don't ignore the date of the agency's yearly allotment. If the money comes in October, have your application ready beforehand, by July.

Don't leave the tracking of your application to the engineer. Know your review office and check to make sure that your application is not being held up.

Don't wait through months of silence. If you hear nothing and you suspect that there may be a problem, try to find out how things are going.

On the other hand, don't pester federal officials unnecessarily. If you are sure that your application is complete and the announcement says that awards will be made on a certain date, wait for that date before making contact.

6. MAKE YOURSELF KNOWN

A major problem small communities have in obtaining federal aid is their lack of visibility. A community often finds itself in the "big time," with much larger cities whose needs have been widely publicized. Even when applications are being handled by an Indianapolis office or by a state agency on behalf of the federal government, there is no guarantee that reviewing officials will have familiarity with small communities. Fortunately, there are ways to make a small community visible.

Attend your Congressman's conferences and take advantage of the opportunity to meet with state and federal officials there. Besides just making their acquaintance, you can get up-to-date program information from them.

Ask for a site visit if you have a serious difficulty in your community. Federal officials will be more impressed with its serious-

ness if they see it firsthand. Also, the visit gives them a chance to meet you. They will have a much clearer idea of your proposal's potential benefit.

Participate in the state planning process. Many federal grant programs are run principally by the state. The state is required to draw up a plan before it can spend the funds. If a community takes an active role in the formulation of the plan, it can help steer money toward certain sorts of projects and make its own needs better known.

7. BE AWARE OF YOUR LIMITATIONS

A generous grant can be a heady prospect for a small community. Forethought and attention to detail are essential if the grant is to be put to work in the most beneficial way.

Don't "bite off more than you can chew." Be able to administer the project once you get the money. Part of getting more grants is the fostering of a solid reputation for using funds efficiently. For example, community development money is denied to towns that have not spent a sufficient amount of the funds given in an earlier project year.

Don't expect to get something for nothing. Most federal programs give loans, matching grants, or seed money. Be able to make good your commitment by paying back the loan, coming up with your matching funds, or finding a way to continue service once the seed money has run out. Even with a full grant, it costs money and takes time to draw up the proposal.

Don't try to do everything yourself. Be able to get others to help you. In small communities where public officials are part-time and often unpaid, it is good to find a dedicated citizen who can be a "grantsperson". Send him or her to a training seminar, pay the out-of-pocket expenses, and get the reference materials required for an adequate job.●

THE ALL-VOLUNTEER FORCE

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. ASPIN. Mr. Speaker, the All-Volunteer Force has ended 5 of its 6 years within one-tenth of 1 percent of its manpower goals. These figures should dispel the popular notion that the services cannot recruit enough volunteers.

Each month when the recruiting goals are missed, the news gets a lot of attention. But no one notices all the months when the goals are met.

What is more, the services frequently miss a recruiting goal but end up making their total manpower goal because fewer people leave the service than anticipated. In other words, reenlistment rates outrun expectations.

The worst year for the All-Volunteer system was 1975 when the four services combined ended up the year 41/100ths of 1 percent short of the planned goal. That is still a batting average of 0.999 and is nothing to be sniffed at in any league.

The last man was drafted in December 1972. Since then, the services have ended three of the succeeding years with slight-

ly fewer men than desired and the other three years with slightly more men than desired. On average, the services have been short only 5/100ths of 1 percent of their year-end goals.

End of calendar year	End strength (thousands)		Goal missed by—	
	Goal	Actual	Number	Percentage
1973.....	2,199.5	2,200.7	+1,200	+0.05
1974.....	2,140.6	2,138.8	-1,800	-.08
1975.....	2,092.0	2,083.4	-8,600	-.41
1976.....	2,071.3	2,071.1	-200	-.01
1977.....	2,057.7	2,059.4	+1,700	+.08
1978.....	2,038.8	2,039.8	+1,000	+.05
Average.....	2,100.0	2,098.9	-1,100	-.05

Ironically, a lot of people said the all-volunteer system would only get enough volunteers when there was a recession. Yet the only year in which the services missed their goals by a measurable amount was 1975—and most of that year we were in a recession.

The services ended both of the last 2 years with slightly more personnel on board than they had budgeted for—hardly an indication that the all-volunteer system is falling.

Some people look at the numbers on the chart and notice that the totals are declining from one year to another. There is an immediate suspicion that the goals are reduced each year because of difficulty making them.

Two points should be made here.

First, the size of the services dropped by even greater amounts each year from the end of the Korean war until the Kennedy administration took office in 1961 and expanded the forces that year and the next. They then declined each year again until the Vietnam war began.

That does not indicate the draft was a failure any more than the modest drops of recent years indicate the all-volunteer system is a failure. It simply indicates that various economies are taking place. It is like flour settling in the flour bin.

For the record, the services declined on average by 156,000 men each year from 1954 to 1960, by 19,000 a year from 1962 to 1965 and by 32,000 a year from 1973 to 1978.

Second, many of these cuts have been imposed by economy-minded members of the Armed Services Committees, which are hardly hotbeds of love and support for the all-volunteer system.

The Congress first began authorizing manpower levels for each of the services in fiscal year 1974. Congress cut the President's request in the first 5 years since then by numbers ranging from 2,800 to 30,800. The end strength request was raised only in the budget for the current year, fiscal year 1979, when 6,750 slots were added.

These numbers do not definitively prove that the all-volunteer military is a great success. They do, however, definitively disprove the simplified allegations of some that the All-Volunteer Force is unable to recruit enough people to fill the assigned slots. ●

THE CYPRUS TRAGEDY
CONTINUES

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. BRADEMAS. Mr. Speaker, we observe this month the fifth anniversary of a tragedy. On August 14, 1974, Turkish military forces, armed with American-supplied weapons, invaded and occupied 40 percent of the sovereign nation of Cyprus.

This invasion was carried out in clear violation of American laws and bilateral agreements already in effect which prohibited the use of American weapons for offensive purposes.

Unlike Turkey's Cyprus action of the previous month, which was mounted in response to a coup instigated on the island by a Greek junta, this August invasion took place at a time when hostilities had ceased, the junta had fallen, a ceasefire was in effect, and the interested parties were engaged in peace talks at Geneva. In summary Mr. Speaker, there was no provocation, no justification whatever for the second invasion of Cyprus.

The sorry consequences of that action, in respect of American relations with the nations of the eastern Mediterranean, are too well known to bear repeating here. Suffice it to say that fundamental misjudgments within the American executive branch permitted the invasion of Cyprus to take place and further misjudgments have allowed the occupation of Cyprus to continue for these many years.

But, Mr. Speaker, beyond the political and strategic consequences of severely damaged relations with the governments of the nations involved, there are human consequences which cannot be ignored. In fact, as we observe this fifth anniversary, those consequences are the most distressing:

After 5 years, 200,000 Greek Cypriots—nearly one-third of the country's population—remain driven from their homes in the northern portion of the island;

After 5 years, there are more than 2,000 missing persons unaccounted for by the Turkish occupation forces;

After 5 years, those occupation forces still number more than 25,000 armed troops, and

After 5 years, Turkey has not withdrawn from a single acre of Cypriot land.

Mr. Speaker, when Congress was persuaded last year to remove the partial embargo it had imposed in accordance with American law, it did so in the expectation that such an action would lead to moderation of Turkish intransigence on Cyprus. This expectation, as we all recall, was fostered by the Carter administration, whose officials argued that continuation of the embargo was the most significant factor preventing Turkish action on Cyprus.

Mr. Speaker, the hollowness of that argument has become evident to all of us.

Turkey has taken no positive actions

whatever on Cyprus, nor is there any evidence that such actions will soon be forthcoming.

In the midst of this sorry record, Mr. Speaker, there is some small reason for optimism. The House of Representatives voted overwhelmingly this summer—303 to 107—against providing grant military assistance to Turkey. As the debate on that issue made clear, Turkey's failure to act on Cyprus was the key factor in the House's decision to put some limits on what was in other respects a most generous economic and military package for Turkey.

Although the final shape of this package is still to be worked out with the Senate, it should be clear to the Turkish Government—and to its supporters within the Carter administration—that Congress will not close its eyes to Turkey's record on Cyprus. Rather, as the sixth year of the Turkish occupation begins, we will do all we can to promote a swift and equitable end to the continuing tragedy of Cyprus.●

SAUDIS ASSAIL OIL COMPANIES

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. ROSENTHAL. Mr. Speaker, I wish to bring to my colleagues attention how the Saudis note the role of the multinational oil companies in the recent oil crisis. In a recent radio commentary on the Riyadh domestic radio following the ending of OPEC planning committee which was delegated the responsibility for drawing up a new strategy for OPEC, the Saudi stated:

While the conduct of the producing and consuming states is governed by the realities of this situation and the nature of current circumstances, there is a third party who is exploiting the extremely serious, tense and contradictory situation at the expense of the producing states. This party is represented by the oil companies, whose control of the means of distribution so greatly affects the international market as to create many problems.

How often we have warned that these companies are following parallel policies. They are amassing huge oil reserves, which they plan to keep in storage in order to put pressure on the market. And this is in the face of the growing urgency of the daily needs of private individuals, industries and the development of communities. And at the same time they are exerting pressure on the oil-rich regions to tempt them to increase their production with lies about growing demands and market needs for a greater quantity than that which is produced at present.

As evidence of this it may be pointed out that the American companies alone achieved in the second quarter of this year an average profit of 68.9 percent, while those participating in the oil industries secured a profit averaging 19.4 percent compared with 18.6 percent achieved by the largest 100 major oil companies.

This very briefly means:

1. World production of oil does not go directly for consumption, but passes through accounting processes determined by profit-and-loss conditions of the international companies that control the oil industry; and

2. The shortfall arising from the difference between average production and consumption is in fact kept in stockpiled reserves to insure the continuation of their ability to control world markets at the appropriate time and in the appropriate manner.

On the political side, the direct aim of this serious conduct is to insulate public opinion of the consumer states from the truth of the oil companies' blatant exploitation and to portray the oil states as arbitrarily using their wealth as a means of pressure by determining prices and controlling the world market in order to achieve strategic gains in favor of their own interests.

In some ways the Saudi viewpoint of the American multinational oil companies is not unlike the American public's. It certainly adds fuel to the fire that oil companies have had adequate crude oil stocks to refine, make unbelievable profits and blatantly exploited the existing market situation.●

FEDERAL EFFORTS TO IMPROVE
PRODUCTIVITY CITED

HON. TOM CORCORAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. CORCORAN. Mr. Speaker, the July issue of State Legislatures, published by the National Conference of State Legislatures, includes an article by Washington editor Andrea Kallo regarding the Federal role in productivity improvement at the State and local level. I introduced legislation on March 8 which would encourage productivity improvement in the public sector, H.R. 2735 the Intergovernmental Productivity Improvement Act of 1979—the companion bill, S. 1155, was introduced on May 15 by Senator CHARLES PERCY. I commend the article to my colleagues and insert it in the RECORD at this point:

PRODUCTIVITY: THE WASHINGTON
CONNECTION

(By Andrea Kallo)

The world according to GARPS would be a place in which the federal government provided a focal point for enhancing state and local productivity.

GARPS—the Grants Assessment, Research and Productivity Section—was recently established under the Office of Personnel Management's Intergovernmental Personnel Programs (OPM/IPP) to give both technical and financial assistance to states and localities to improve public management.

As interest grows in improving productivity in the federal government, more and more federal studies are concluding, as did an OPM task force report last year, that "improvement in state and local government productivity is essential to any national program."

Addressing nearly 100 state and local government representatives at a March Workshop on State and Local Government Productivity Improvement, U.S. Comptroller General Elmer Staats noted that, "with state and local government expenditures now comprising over 15 percent of the GNP, the fiscal status and productivity of this sector has become more important for a healthy national economy. . . . Federal concern for state and local productivity has been further stimulated by realization that successful implementation of many federal social and regulatory programs is critically dependent on effective state and local management of these programs."

In a December 1978 report to Congress, Staats summarized the General Accounting Office's (GAO) recommendations on the federal role in state and local government productivity improvement:

"We concluded (Staats wrote) that the Federal Government can best promote increased levels of State and local productivity by (1) developing from existing Federal programs a general management improvement program for the benefit of State and local managers, and (2) making changes in the Federal grants system to remove hindrances to State and local productivity and to incorporate positive performance incentives in grant programs, thereby encouraging improved productivity in federally assisted services."

Though the GAO report concludes that the most significant impact—and a primarily negative one—of the federal government on state and local productivity is the federal grants system, the National Productivity Council in December authorized a study "to determine the appropriate role of the federal government in supporting the productivity improvement efforts of State and local governments" which is not intended to "provide a review of the federal grants system to identify changes to provide incentives for productivity improvement."

The report is intended to identify the kind of assistance which would be most supportive of state and local efforts to improve productivity and then to determine if and how the federal government could provide this assistance. According to study co-leader Edward Chase of the Office of Management and Budget (OMB), the focus is on four major areas: management capacity building, information sharing, productivity measurement, and new methods and technologies.

Chase now expects that the final report, originally due on April 30, will not be presented to the National Productivity Council until at least the end of July. Both Chase and Lou Phillips, who heads the IPP/GARPS program, were reluctant to discuss the study's conclusions and recommendations until the draft is approved by an interagency study team. Chase did say, however, that "most of the recommendations we're talking about could be implemented by this fall."

JUMPING THE GUN

In fact, though one objective of the study is to determine "whether it is appropriate for the federal government to provide the assistance," GARPS already has been set up in anticipation of the report's findings. Despite its location in the Office of Personnel Management, GARPS will deal with more than just the personnel aspects of productivity improvement, Phillips says. He expects about \$5 million to be budgeted for the program which will concentrate on four basic areas:

Networking—IPP will coordinate the programs of public interest groups, private sector organizations, federal agencies and state and local governments to promote cooperative efforts in productivity improvement. Phillips and other IPP staff have begun meeting with public interest group representatives, including NCSL, to seek assistance in setting up the GARPS program.

Information exchange—A Productivity Resource Exchange and a bimonthly newsletter will be used to distribute information on significant productivity improvement projects in states and localities.

Training and technical assistance—Existing IPP training and technical assistance will be expanded to promote the development of productivity improvement activities. Though a number of federal programs currently provide technical and financial assistance for state and local management and productivity improvement, the GAO study found that these efforts are "varied and fragmented and are not well coordinated."

Grants—Productivity improvement projects will be supported through intergovernmental Personnel Act (IPA) grants based on a project's consistency with state and local priorities, the potential transferability of results and the degree to which management capacity will be strengthened. NCSL's Project TRAIN could be used to focus on the potential increases in productivity resulting from improved legislative procedures.

At present, Phillips said, IPA grants must be related to personnel management. Legislation introduced this session by Rep. Tom Corcoran (HR 2735) and Sen. Charles Percy (S 1155) would amend the Intergovernmental Personnel Act to permit OPM to make grants to state and local governments for up to 90 percent of the "costs of developing and carrying out programs or projects to strengthen the capability to improve productivity of state and local governments."

(In a letter to Corcoran supporting his bill, NCSL stressed that "efforts to perform the work of government more efficiently must be given a high priority." Noting the "increasing burden" placed on states in managing federal programs and responding to regulatory requirements, NCSL maintained that states "must be aided by federal assistance to efficiently and effectively carry out federal programs." It noted that the pending bill allows IPA grant funds to be directed "precisely at productivity improvement," not simply at personnel management.)

Although the current federal focus is on providing technical, financial and "clearing-house" assistance to improve state and local productivity, the GAO report concluded that "the role of Federal technical assistance is secondary or supportive at best. . . . Generally, we found that the impact of Federal funds for productivity improvement has been to support locally originated efforts, not to initiate new productivity efforts." In fact, the GAO study noted, "state and local officials seem to accord higher credibility and trust to information and assistance received through informal and formal networks of their own counterparts and private consultants of their own choosing."

Asked to set their own priorities from among the areas on which the National Productivity Council report will focus, state and local representatives at the OPM-sponsored workshop in March introduced grant reform and grant consolidation as a key priority for federal involvement in improving state and local government productivity.

Paul Posner, who worked on the GAO report, reasoned that the National Productivity Council decided to concentrate first on the technical aspects of assistance because this would be more likely to lead to early action. (Indeed, as noted above, GARPS has been established even before being officially recommended.)

On the other hand, Posner explained, the federal grants system is seen as "an undulating monster, difficult to get your hands on." With federal grants comprising over one-quarter of state and local spending for FY 1979, the OPM task force headed by Lou Phillips last September noted that "the efficiency and effectiveness of federal assistance programs is often compromised by the policies and procedures of the system designed to manage them."

What the GAO study cites as the negative impacts of the grant system comes as no surprise to those at the state and local level who deal with the administration of federal grant funds.

"Such factors as the paperwork burden, compliance with costly federal standards, excessive delays involved in launching programs, matching and maintenance of effort requirements, federal funding formulas, and the excessive categorization of federal assistance impose excessive costs on state and local governments. As such, the grants system retards state and local productivity levels and

poses additional barriers to public managers on launching productivity improvement efforts. (emphasis added)

In a chapter on "Federal Impacts on State and Local Productivity,"* Harold Hovey points out that federal grant requirements hinder state and local productivity to the extent that they "distort" the priorities which would otherwise have been set. Basing his conclusion on the fact that, in the absence of federal involvement, "public officials tend to select more effective instruments over less effective ones," Hovey notes that federal policies are designed to influence these decisions, shifting state and local priorities to attain national goals.

"The question is not whether grant requirements reduce productivity, which they generally do," Hovey says, "but whether the reductions in productivity are justified by whatever results the cross cutting requirements produce."

Posner views the grant problems as stemming from a lack of accountability. "States really have no incentive to be productive with federal grant monies," he said. "And you have to wonder whether the federal agencies are all that concerned."

Categorical grants "leave something to be desired" in terms of management control and resulting productivity, Posner commented. While noting that factors other than productivity levels must be taken into account, he acknowledged that "in terms of paperwork burden, General Revenue Sharing is the most productive program on the books." The greater state control encouraged by block grants and revenue sharing leads to greater state concern about program management and, Posner, concluded, likely results in improved productivity.

The GAO recommendations for major grant system changes reflect both Posner's views on accountability and Hovey's concern with excessive grant requirements. To "remove some of the negative impacts on state and local productivity," the report recommends:

Reduction of federal reporting and paperwork requests and requirements;

Standardization of "cross-cutting" requirements, such as nondiscrimination and environmental review, across all federal programs, with designation of an appropriate federal agency to certify compliance with each requirement;

Consolidation of categorical grant programs into block grants whenever feasible;

Elimination of many procedural requirements over grants administration "if accountability for program results based on quantitative performance standards is established;" and

Wider use of incentives and performance standards in the creation or reauthorization of federal grant programs.

These recommendations are similar to those which have been put forth by NCSL, calling for increased state administrative and legislative flexibility and responsibility in the management of federal grant programs. Both Chase and Posner indicated that the role of federal grant reform in improving state and local government productivity is next on the list for a National Productivity Council/OMB study. Perhaps, as with the establishment of GARPS, some of the reforms could precede completion of the final report.

FEDERAL PRODUCTIVITY

It must be remembered that the federal government's interest in state and local government productivity derives from concern about its own.

* In *Productivity Improvement Handbook for State and Local Government*, prepared by the National Academy of Public Administration; to be published by John Wiley & Sons, fall 1979.

The concern is relatively new and so are the available acts anyone embarking on a study of federal productivity and hoping to compare data from one decade to the next would run out of data after the first comparison. Though the Department of Labor's Bureau of Labor Statistics (BLS) has been measuring private-sector productivity since 1898, systematic data collection on federal productivity did not begin until FY 1972, at which time information was gathered retrospectively from FY 1967.

While public employee productivity has a significant impact on Federal expenditures, conceptual difficulties have hindered productivity measurement in the Federal Government. Much of the final output of Government is in the form of services, which cannot be measured as readily as the production and profit figures of private industry.

In 1962, however, a study by the U.S. Bureau of the Budget (now the Office of Management and Budget) concluded that valid productivity measures could be developed for many Government activities. But a shift in priorities left Federal productivity measurement on the back burner until 1970, when Senator William Proxmire, then vice chairman of the Joint Economic Committee, asked the Comptroller General to investigate the feasibility of measuring the productivity of the Federal Government.

Based on the recommendation of a joint interagency team (made up of the Civil Service Commission, the General Accounting Office and the Office of Management and Budget), a task force as established to collect the data needed to develop a Federal productivity index. In 1973, when continuation of the project was endorsed by OMB, the Bureau of Labor Statistics was given responsibility for collecting the necessary data and developing productivity measures.

Defining productivity as the ratio of the volume of goods and services produced to the staff years required to produce them, Federal productivity for the sample measured rose at an average annual rate of 1.3 percent from 1967 through 1977, about the same as the private sector productivity increase for the period. The Federal figures varied substantially from year to year, ranging from a drop of 0.6 percent from FY 1973 to FY 1974 to a gain of 2.9 percent from FY 1976 to FY 1977.

Federal productivity data for FY 1977 (FY 1978 data will be published this fall) covered 52 agencies, 64 percent of the Federal civilian work force, and measured over 1,900 output indicators in 28 functional groupings. These groupings include such items as communications, medical services and equipment maintenance.

Output indicators measure the final products of an agency activity, not the intermediate products along the way. The output indicator of a library, for example, would reflect its use (as in the number of books loaned or number of information requests), rather than its internal administrative functions (such as the number of books catalogued). Jim Urisko, director of the BLS Federal Productivity Measurement System, says that the number of indicators, which he expects to reach 3,000 for FY 1978, reflect the reliability of the data. The nature of the indicators varies substantially, including such diverse items as telegrams sent and deportable aliens located.

In a recent *Civil Service Journal* article (Jan/Mar 1979), Jerome Mark, Assistant Commissioner for Productivity and Technology at the Bureau of Labor Statistics, highlighted a number of problems encountered in determining final output indicators for the federal government. These include identifying specific units of service that "are countable, are fairly homogeneous over time, can be adjusted for quality changes, and reflect a significant proportion

of the agencies workload." Difficulties also arise in measuring work which is contracted out, done over a time period longer than the fiscal year, handled by someone who is not devoting full time to one output, or done within an agency which has been reorganized.

While noting the current emphasis on refining measurement techniques, it is important to remember that adequate productivity data—measurement for measurement's sake—is itself an intermediate, not final, output of the federal government's productivity efforts. The goal is productivity improvement, and the relationship between measurement and improvement was well explained in the 1977 Annual Report of the recently disbanded National Center for Productivity and Quality of Working Life:

"Measurement is a tool which, when used as a part of any productivity improvement effort, can serve many purposes. Productivity measurement in the Federal Government is a means for providing an objective yardstick for tracking progress over time of attempts of agencies to use their work force more effectively. Areas of lower or declining productivity can also be detected through measurement. In addition, measurement is a technique which can be used to motivate agencies to adopt productivity improvement programs."

Or, as Office of Personnel Management (OPM) Director Alan Campbell said in a recent speech, "you can't tell if you're winning if you can't keep score."

THE PLAYERS

When the Bureau of Labor Statistics in 1973 was assigned the role of collecting federal productivity data, the responsibility for other aspects of productivity improvement was divided among a number of federal agencies. Generally, the assignments specified that:

The Office of Management and Budget would provide general policy guidance;

The Civil Service Commission (CSC) would provide leadership, guidance and technical assistance in aspects of productivity involving personnel management;

The General Services Administration (GSA) would provide guidance and technical assistance regarding work measurement and productivity measurement systems development; and

The Joint Financial Management Improvement Program (JFMIP), an interagency group, would analyze the factors involved in productivity change and prepare an annual report to the President and Congress.

While these responsibilities were being sorted and carried out, the National Commission on Productivity, established in 1970 to emphasize the importance of productivity to the national economy, was undergoing a multiple metamorphosis. In 1974, it became the National Commission on Productivity and Work Quality, with a mandate to help "the morale and quality of work of the American worker." A year later, the National Center for Productivity and Quality of Working Life emerged, directed under Public Law 94-136 to "focus, coordinate, and promote efforts to improve the rate of productivity growth," to develop "a national policy for productivity growth in the public and private sectors," and to expire on September 30, 1978.

Most recently, President Carter has created the National Productivity Council (Executive Order 12089; October 23, 1978) "to provide for coordinated and effective Federal programs to improve productivity in the public and private sectors." The Council is composed of the heads of 10 federal agencies, with the Director of the Office of Management and Budget serving as chairman. Agencies are assigned specific leadership responsibilities in the federal productivity effort.

OPM has since established a Workforce Effectiveness and Development Directorate (WED) to improve the productivity of the federal workforce. Using the task force report as a base, an integrated federal productivity program has been organized within the directorate's Office of Productivity Programs.

Until initiation of this latest federal productivity improvement effort, productivity data had been reported to the Bureau of Labor Statistics on a voluntary basis. In a December 1978 memorandum, however, the Office of Management and Budget instructed the heads of all executive departments and agencies with over 200 full-time permanent employees to follow a detailed 17-page Agency Instruction Package in submitting productivity data, which will now form part of the budget process.

One area of emphasis in data collection will be measuring common services within different departments and agencies. OPM productivity analyst Allan Udler believes that the measurement of common administrative services holds a lot of promise for productivity improvement. There are a number of administrative areas, such as personnel management and procurement, which extend over most government agencies, Udler explained. By developing a method whereby all agencies can report on these common functions on the same basis, he said, comparisons can be made which will assist managers and supervisors in improving their output.

Such a measurement system was recently developed and applied in the area of federal government personnel management. After determining what activities of a personnel office could be quantified, a task force divided the office into five functional areas: staffing and employment, position classification, employee and labor relations, employee development, and general administration and support. Data is now being collected for each of these functions in 31 federal personnel offices across the country. The methodology used to develop this system will be applied in other common services, with OPM and BLS cooperating to design appropriate measurement techniques.

The personnel management component under OPP's Productivity Services Division rests in large part on recently enacted civil service reform measures, particularly the establishment of the Senior Executive Service. Experiments with positive incentives will be encouraged to improve lower-level management and motivate individual employees. Possible incentives include bonuses, shared cost-savings, job rotation, career development, reimbursement for unused sick leave and educational opportunities. In addition, the establishment of performance appraisal systems in all federal agencies will, as the task force report notes, "introduce an accountability mechanism that is crucial to productivity improvement."

The Research and Program Development Division of OPP was set up to develop and analyze techniques to improve organizational performance. Along with doing the basic research, the division will test and demonstrate productivity improvement approaches such as improved management systems and organizational change.

Finally, within the capital investment component of the program, OPM will work with other members of the Productivity Council to stimulate capital investment in the federal service. Task force findings show that 40 to 60 percent of the productivity increases in the private sector are related to capital investment which, they concluded, "could become the largest single force in increasing Federal productivity as well."

As the final report of the National Center for Productivity and Quality of Working Life pointed out, "the public sector needs spe-

cial encouragement to improve productivity."

"Without a clear-cut indicator of accomplishment, such as profits (the report continued), the incentives to improve productivity are not as strong as in the private sector; indeed, there are strong incentives to maintain the status quo. Professional pride has motivated many public managers to try to improve government productivity, but—especially at the local level—improvement requires the support and leadership of elected offices. There are few political incentives to improve productivity, however. The incentives are to use available public funds to satisfy immediate public demands, by which voters judge the performance of elected officials."

In this post-Prop 13 time of tax and spending limitations, the Administration has embarked on a productivity improvement program for both the public and private sectors in an effort to promote the more efficient use of our nation's resources. Recent surveys have shown, however, that taxpayers not only want reduced government spending, but also seek greater value for their tax dollars. They want effectiveness as well as efficiency in government.

OPM Director Campbell recently told a meeting of government accountants:

"... what we are looking for in all of these programs is a combination of efficiency and effectiveness. To achieve one without the other will leave us short of our goals. We can say we are efficient if we find ways to turn out more forms or process more applications in a shorter time or at less cost. To be able to claim that such efficiency is also effectiveness, we must be sure that the final product is improved service to the public."

While OPM analyst Allan Uder sees productivity data as "a surrogate measure of effectiveness" in that low productivity can be an indication of worker deficiencies, Jim Urisko of the Bureau of Labor Statistics believes that "any discussion of effectiveness right now is fanciful." Efficiency can be determined through statistics, Urisko said, but effectiveness—how well an agency is discharging its mission—is subjective. "We don't have effectiveness measures yet," he acknowledged. "That's down the road." ●

SALT TREATY NOT VERIFIABLE

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. KEMP. Mr. Speaker, Lt. Gen. Edward Rowny has made some excellent points concerning his assessment of the verifiability of the SALT Treaty. I believe his remarks, which follow, bear your careful consideration:

REMARKS BY LT. GEN. EDWARD ROWNY

THE TREATY IS NOT VERIFIABLE

The conclusion I reached in my assessment of 21 May 1979 to the JCS regarding verifiability was that the Treaty is not adequately verifiable. Problems in verification stem in large measure from the great advantages accruing to the closed society of the U.S.S.R. over the open society of the U.S. The U.S.S.R. playing its cards close to the chest whereas we play ours face up on the table, has little difficulty in verifying U.S. systems. The press, unclassified Congressional hearings, production reports and other U.S. publications provide the Soviet Union with all the information it needs to satisfy its verification needs. Practically no information of a similar nature is available to the U.S. I shall not discuss here in open session the recent difficul-

ties facing the U.S. in monitoring Soviet activities which already aggravate the problem of verifiability. My assessment of verifiability rests for the most part not on monitoring but on the unsatisfactory provisions of the agreement itself to which monitoring applies. The U.S.S.R. has consistently refused to agree to provisions necessary to assure adequate verification of mobile ICBMs, MIRVed ICBMs and SLBMs, new types of ICBMs, heavy bombers and cruise missiles. Many of the provisions to which we agreed involve ambiguities and contain loopholes.

Provisions pertaining to the verifiability of mobile ICBMs are loosely drawn. The Soviets have agreed not to deploy the SS-16 mobile ICBM during the period of the Treaty. However, the U.S. did not insist that the third stages of such missiles be destroyed. Hence the U.S.S.R. could, in a break-out scenario, employ these (or clandestinely produced third stages) on any of the SS-20s it has in its inventory.

As for the verifiability of numbers of M.RVed systems, the Soviets have agreed to the "look-alike/count-alike" rule. However, there are those who agree with the Soviets that they granted us a concession and that counting launchers as MIRVed are exceptions to—rather than compliance with—agreed counting rules. Thus we cannot be certain that the Soviets will accept our interpretation of this counting rule in the future.

The provisions for the verifiability of new types of ICBMs are so loosely drawn that it is extremely unlikely that the Treaty will restrict the Soviets to one new type of ICBM. Parameters which would make effective verification more likely were not agreed to by the Soviets and therefore are not a part of this agreement.

Provisions for verifying heavy bombers are practically nonexistent, largely because the Soviets insisted that no definition of a heavy bomber be included in the Treaty. Hence, under the Treaty, an aircraft is a heavy bomber if it is specified by a side that it is one. Under this arrangement the Backfire, clearly a heavy bomber based on estimates derived from data gathered by national technical means, is not included as a heavy bomber simply because the U.S.S.R. asserts that it is not a heavy bomber. What is often forgotten is that Vladivostok resulted in the U.S. counting its large number of bombers in the total aggregate while the U.S.S.R. has fewer to include in its total and subsequently succeeded in excluding not only its Backfires but its dual purpose bombers used for anti-submarine warfare and reconnaissance. Thus the basic objective of achieving equal aggregates of central systems turned out to be a net loss rather than a gain.

Whether or not a cruise missile is nuclear-armed can be verified with some degree of confidence since storage and handling techniques for nuclear warheads are much more elaborate and specialized than for conventional warheads. This confidence could be assured if cooperative or intrusive measures were adopted. However, the Soviets, using the pretext that the type of armament of cruise missiles is non-verifiable, succeeded in getting the U.S. to count conventionally-armed cruise missiles as though they were nuclear-armed.

The JCS have repeatedly stated that access to unencrypted telemetry is essential to verification. The United States does not encrypt telemetry. However, the U.S.S.R. has encrypted telemetry on a number of its ICBM tests. Encryption of telemetry can have only one purpose—to deny or conceal information. The Treaty provision finally agreed upon has three parts: (1) the freedom of a side to encrypt, (2) a ban on encryption which deliberately impedes verification, and (3) a requirement that such deliberate interference must relate to provisions of the agreement. The most satisfactory resolution

of the problem would have been an insistence on availability of information needed to verify the agreement. However, the Soviets have not agreed to provisions with respect to the new type ICBM which would establish a requirement for unencrypted telemetry. Left unclear is what is impeded or concealed, what is deliberate and not deliberate, and who is to be the judge? It begs the question to leave this critical issue to the Standing Consultative Commission. This issue should be resolved in the Treaty. Thus, the language on encryption of telemetry finally agreed upon is virtually meaningless.

Proponents of the current SALT agreement state that in the absence of a Treaty the Soviets could interfere with national technical means of verification. This is not so. Existing agreements—the ABM Treaty for example—prohibit such interference. Moreover, the absence of agreement on what constitutes national technical means makes verifiability of this Treaty tenuous. We have already heard Soviet statements that overflights of territory of our allies are not national technical means. Proponents of this Treaty also maintain that it is adequately verifiable because the United States could detect cheating which altered the strategic balance in time to take corrective action. I challenge this view. Surprises can come at any time and the lead-time for countering them is great. The history of SALT is a history replete with surprises. In 51 U.S. national intelligence estimates of predicted Soviet performance over the past ten years, 49 have underestimated the situation, some by a large margin. Early in 1979 U.S. officials publicly stated that the U.S. intelligence community had badly underestimated the speed with which the U.S.S.R. could develop and deploy its MIRVed missile systems. With this consistently poor record of predictability in the past, there is little assurance that in the future we can detect significant changes which would affect the strategic balance in time to take corrective action.

THE TREATY UNDERMINES DETERRENCE

An essential condition of the effectiveness of any SALT agreement is that the composition and size of the force of strategic arms possessed by one of the two sides is that the other side be deterred from taking actions which it might otherwise take which would lead—consciously or inadvertently, to a nuclear exchange. Measured against this standard, the Treaty signed in Vienna will undermine deterrence. The static and dynamic criteria by which strategic parity are generally measured demonstrate clearly that the U.S. will fall behind the Soviets strategically in the early 1980s. The fact that the U.S. will be strategically inferior to the U.S.S.R. from the early 1980s to at least the end of the Treaty is the primary factor undermining the potential of our strategic forces to fulfill their role of deterrence. Furthermore, our current plans call for our MX in a mobile basing mode to be deployed in 1986 and the system fully operational by 1989. Accordingly, our ICBM force will, under current plans, remain vulnerable for the next ten years. I am distressed over talk that we need not be overly concerned about our fixed ICBM vulnerability because we could launch from under attack. Adoption of the bankrupt policy which such action implies would mark the end of intelligent arms control. Aside from the technical difficulties and risks inherent in such a situation, we should simply not place the President of the United States in positions which result from an espousal of such a course of action. Indeed, we should take rigorous action to minimize chances that any U.S. President will be put in such a position.

Whether or not future Soviet leaders are deterred is a subjective judgment they will make. A situation in which the U.S. is stra-

telegically inferior and its ICBMs vulnerable can only cause future Soviet leaders to be less deterred than they would otherwise be if these two conditions did not exist. This is not to argue that Soviet leaders will deliberately risk a first-strike against the U.S.

It does argue, however, that Soviet leaders will be more adventuresome and far less inhibited from taking risks in some future crisis such as a Berlin crisis. Who knows where the next crisis could arise. It could, for example, be occasioned by Soviet interference in a possible Yugoslav leadership succession, or perhaps denial of Middle East oil. If the Soviets feel they are strategically superior to us in such crisis it could contribute to the Soviet's announced objective of spreading their hegemony and contribute to escalation to situations in which nuclear arms might be employed.

Thus, I agree with the Joint Chiefs of Staff that essential equivalence will be lost in the early 1980s and that we should first arrest and then reverse this strategic situation as a matter of the highest national priority. A SALT Treaty which required the U.S.S.R. to accept greater reductions and to eliminate the asymmetries in ICBM warheads and throw-weight would make the achievement of the U.S. task of regaining strategic parity more rapid and less expensive. It is for this reason that I believe we should decide to renegotiate the provisions of this Treaty. There are two ways to regain strategic equality—one by building up our forces and the other by having the Soviets reduce theirs. I believe the second course of action is more conducive to arms control, is sensible, and is possible. It should therefore not be ruled out.

I agree with the Joint Chiefs of Staff who expressed it as their most serious concern that SALT II could be allowed to become a tranquilizer to the American people and the adverse trends confronting us could be irreversible. I also applaud Senator Nunn's statement that if the Senate believes SALT II will prevent our nation from taking the necessary steps to reverse current trends it should be rejected. However, I have heard no official and authoritative voice call for urgent and major additions to the Defense budget. We are apparently prepared to live with strategic inferiority from the early '80s until the '90s when the long-range correctives will hopefully begin to have an impact. This appears to me to be a dangerous acquiescence to the threat of Soviet pressure which will be backed up by superior military might. What we need is immediate and concrete action—no promises but action—in the form of major supplements to our defense budget in both the strategic and conventional fields.

THE TREATY DOES NOT CONTRIBUTE TO STABILITY

The Treaty signed in Vienna does not contribute to stability. The fundamental fact is that the Treaty does not blunt the momentum of the massive Soviet buildup in strategic offensive arms. It has been stated that requiring the Soviets to reduce their number of strategic offensive arms and restricting them to one new ICBM will add to stability because it will enable us to know the size and composition of their strategic force structure. This hope has little chance of being realized. There is no evidence that the Soviets will reduce their current commitment of resources to strategic arms. I agree with Admiral Turner's judgment that "a SALT agreement along the lines currently being discussed is not likely to slow the growth of Soviet defense spending significantly." He estimated that "such an agreement would probably not reduce the rate of growth of (their) total defense spending by more than one-fifth of a percentage point per year." Since provisions in the Treaty limiting the qualitative improvement of systems are practically non-existent, Soviet

resources can be expected to be channeled into less predictable and less verifiable qualitative fields.

Moreover, since the Soviets will soon have sufficient warheads to cover all U.S. targets, to include a 2-on-1 attack on U.S. ICBMs, the route of qualitative improvements is clearly the one Soviet planners can be expected to pursue.

What concerns me most is the growing realization at home and abroad that the U.S.S.R. will soon have a decisive advantage in the strategic field. This will allow the Soviet Union to move against nations friendly to the U.S. with greater certainty that the U.S. will not respond.

THE TREATY COULD WEAKEN NATO

The Treaty signed in Vienna could weaken NATO. The Protocol constrains, for the most part, U.S. systems. While the deployment of mobile systems for the period of the Protocol is denied both sides, the remaining portions of the Protocol deal with ground and sea-based launched cruise missiles, systems that the U.S. and NATO—but not the Soviet Union—require. Soviet spokesmen have on numerous occasions stated that they expect the provisions of the Protocol to be extended and remain in force. Indeed, the Joint Statement of Principles states that protocol issues will be resolved in SALT III. Moreover, there would be no reason for the Soviets to insist that there be a Protocol if they did not consider it would serve as a precedent. In the absence of a Protocol the U.S. would have great incentive for entering into sorely needed accelerated programs for developing long range ground and sea launched cruise missiles for early deployment in Europe.

Article XII of the Treaty states that the parties undertake not to circumvent the provisions of the Treaty "through any other state or states, or in any other manner." However, this provision is so broad that it will certainly be interpreted by the U.S.S.R. in a manner which suits their best interests. Thus, the United States can fully expect Soviet challenges to arise when it attempts to transfer systems or technology to its NATO or other allies. Accordingly, the interest of our allies, and especially our NATO ones, can be expected to be damaged by our hesitancy, that is our conceivable unwillingness, to transfer systems and technology to NATO. Such challenges of U.S. actions by the Soviets will, under their interpretation, be permissible by the Treaty.

I am of course aware that the leaders of our NATO allies have expressed support of SALT II. I suggest that this Committee carefully study General Haig's comments which explain these Allied attitudes. His views conform to my own observations resulting from the close contacts I have maintained with military leaders in NATO. Like Secretary Kissinger and General Haig, I take little comfort in the mixed views one hears from Western Europe. NATO's leaders would be unquestionably in favor of an equitable and verifiable Treaty and one which did not raise serious questions about their own security interests. In the last analysis, what is their alternative but to support the official position of the United States?

THE BASIC PROBLEM: SOVIET MOMENTUM IS NOT CURBED

As I have mentioned above, the crucial problem facing the U.S. is the large and continuing buildup of Soviet strategic forces. This momentum continued unabated while SALT was being negotiated, and there is no evidence that this Soviet momentum will slacken. As early as 1965, Secretary McNamara decided to scrap 300 B-58 bombers, which were then only three years old. Further, he decided that the U.S. would not add to its force of heavier ICBMs and would limit itself to 1000 light MM ICBMs. He said that the U.S.S.R. had neither the in-

tion, nor the capability, of matching us strategically. He was clearly wrong. By the time the Interim Agreement was signed the Soviet Union had a greater than 50 percent lead over us in ICBMs and submarines. Thus, Secretary McNamara initiated a trend, which has continued throughout the SALT negotiating process, that puts faith in the belief that our examples of unilateral constraints will be followed by the Soviets. This helps explain the cancellation of the B-1, the shutdown of the MM production line, the delays in the Trident program, and the delays in the MX and cruise missile programs. Meanwhile, the Soviets have neither slowed down nor have they cancelled weapons programs which create a climate conducive to better bargaining in SALT negotiations. Their tactic is to develop and deploy systems and then negotiate from the higher levels achieved. Even if we were to spend 40 percent more per year for strategic forces to restore our position of strategic equality, we would be unable to regain parity before 1986 and probably not even before the end of the decade. Thus the Treaty signed at Vienna will sanction and codify U.S. strategic inferiority. This situation, in my judgment, could have been avoided if the SALT II Treaty had been so negotiated that it did not permit gross inequalities and large asymmetries to exist. This situation can still be corrected by reopening negotiations.

MY ASSESSMENT OF THIS TREATY

In making my assessments I have not been unmindful of the plus side of the ledger. The objectives sought by many proponents of the Treaty are goals which I share. Like the proponents of this Treaty I favor the continuation of the SALT negotiating process. I am convinced that this process will continue irrespective of whatever course of action the Senate decided upon. However, the shortcomings of this Treaty and its failure to meet the important objective criteria by which it should be measured in actual fact tilts the balance heavily against the United States. This Treaty is seriously flawed. This Treaty in its present form will, in objective terms, harm rather than enhance our security. Furthermore, rather than contribute to the continuation of the SALT process, the ratification of the Treaty signed at Vienna is bound to make it virtually impossible to negotiate a good SALT III agreement.

In my more than six years of negotiating with the Soviets I have met with them more than 350 times for a total of more than 1,000 hours. My six years at the negotiating table convinces me that a Treaty meeting the criteria of acceptability set down by the Joint Chiefs of Staff was—and still is—attainable. Like the JCS, I strongly favor arms control, provided it does not undermine our security.

Most of the discussion on this Treaty in the Senate so far has focused on arguing whether an unequal Treaty might or might not be preferable to no Treaty. We should instead compare this Treaty with a fair and equal one. I also reject the view that the challenge facing us in the long run will be greater if this Treaty is not ratified.

There have also been arguments before the Senate that this Treaty does not prohibit us from pursuing any U.S. programs we wish to build. I challenge these arguments. The Treaty will undoubtedly constrain—and the Soviets can be expected to press to prohibit altogether—our deployment of the MX missile in a mobile mode. Additionally, it will certainly constrain, if not prohibit, the deployment of long-range ground and sea launched cruise missiles. The Treaty will require us to give up ICBM or SLBM launchers if we wish to deploy more than one-third of our planned development of 170 carriers of air launched cruise missiles. It will constrain us from deploying long range conven-

tionally armed cruise missiles. And I could go on. The simple fact of the matter is that the Treaty places constraints on U.S. forces and far fewer meaningful constraints on Soviet forces which will soon be superior in capabilities, as they are now in numbers, to the United States.

One point needs to be thought through most clearly. It is clear that the Soviets have been building, and are continuing to build, their strategic forces at a near war-time level of effort which is at—or near—their capacity. The Soviets cannot greatly increase their defense spending further or continue their warlike footing indefinitely. At the same time, this Treaty will not serve to blunt or to reverse their momentum. Therefore the sooner we realize our precarious position and cause the Soviets to turn their momentum around the better. Now is the time to tell the Soviets clearly and firmly that we will only ratify a Treaty which is fair and equal and that we will not ratify a treaty which codifies U.S. acceptance of Soviet unilateral rights which make the Treaty unequal. The Soviets want and need a treaty and will, in view of their own economic constraints, not wish to arouse us to develop to the utmost our full economic/financial and technological resources. If they find us resolute on renegotiating the Treaty, we stand a good chance of arriving at one which will put us on the road to true arms control, one which will contribute to deterrence and stability and will save us—and them—money.

If the Soviets are unresponsive to renegotiation, I am convinced they will not be so for long but will soon return to the negotiating table. The Soviets know that a Treaty is in their long-term interest. What they do not yet know is that we will not ratify an unequal Treaty.

We can, if we need to do so, afford to spend what it takes to regain and to maintain our national security. We cannot afford not to do so. It is imperative that we decide now to act quickly and decisively to regain parity we will soon lose. Spending a single percentage point of our GNP will maintain our position of parity, once regained, for the indefinite future.

I have been asked why I believe we can get a better deal when others have said that this is the best deal we can get. My answer is simple—I was there—intimately involved with the Soviets at various negotiating levels. I know that the Soviets want and need a Treaty. I know that we, the United States, made reaching almost any SALT Treaty an over-riding policy objective. As a result our security has suffered. Unlike the Soviets who put their security first, we have tailored our military planning to optimistic expectations of the outcome of the SALT process. Like the Joint Chiefs of Staff I believe we should pursue two tracks: arms control and our security. I believe we have pursued the first track at the expense of the second. In my professional judgment the risks to our national security under this agreement are too great for the hoped-for gains in arms control. It is my considered view that approval of this Treaty as it now stands will undermine our security and will hinder and not further the process and the likely progress of arms control.

In summary, the Treaty signed in Vienna on 18 June 1979 does not meet minimally acceptable standards. It is my considered and professional military judgment that this Treaty is not equal and not adequately verifiable. It will neither enhance deterrence nor add to stability. It could well detract from NATO security and allied coherence. It could seriously damage the prospects for significant reductions in any future SALT negotiations. This particular SALT agreement is not in the interest of the United States and should be renegotiated. ●

STATE EFFORTS TO IMPROVE PRODUCTIVITY CITED

HON. TOM CORCORAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. CORCORAN. Mr. Speaker, the July issue of State Legislatures, published by the National Conference of State Legislatures, includes an article by Associate Editor Dan Pilcher regarding State efforts to improve productivity. I introduced legislation on March 8 which would encourage productivity improvement in the public sector, H.R. 2735, the Intergovernmental Productivity Improvement Act of 1979—the companion bill, S. 1155, was introduced on May 15 by Senator CHARLES PERCY. I commend the article to my colleagues and insert some excerpts from it in the RECORD at this point:

PRODUCTIVITY

It is said that somewhere, beyond the forests of government agencies and the mountains of budget documents, lies a golden land of efficient, effective government. During the past year, seekers of that land have often proceeded under the banner of "productivity"—spurred by Proposition 13, by efforts to limit government, and by analyses and polls documenting the full extent of voter dissatisfaction.

Few would question the worth of this crusade. But the states—which embarked on it well before the federal government did—have found the path lined with political pitfalls. With a few exceptions, they have found that formal productivity programs may not be the best of all remedies for the perceived ills of government.

One reason, of course, is that elected public officials stressed the new concept of limiting the size of state and local government and also reducing taxes, instead of focusing on productivity as such.

Many states, moreover, had already pursued innovative policies in recent years to increase the efficiency and effectiveness of state government without necessarily placing these efforts under the rubric of productivity.

The nature of productivity programs and the history of such efforts in various states is an additional reason that such programs have yet to become a visible political issue for most state governments, despite the imprint of Howard Jarvis on national and state politics.

The complex nature of productivity improvement, the length of time required, and the need for broad political support, are often all simply incompatible with a desire for highly visible executive and legislative action with quick, demonstrable results.

Nonetheless, two organized efforts to improve productivity are taking place in North Carolina and New York. Carol Ann Meares of the Productivity Information Center of the U.S. Department of Commerce's National Technical Information Service says that North Carolina is "having some real successes because they have commitment from the top (the governor). New York is still doing some very good things."

"But, so far as the other states are going," says Meares, who monitors state productivity efforts and federal actions which affect state and local government productivity, "you're really not seeing very much."

Elsewhere, however, the author of a chapter on state government productivity in a forthcoming book assents that the "pace of state productivity improvement efforts has

quicken" in the last five years, though "there is also great concern about the durability of these efforts."

"Most states that have experienced failure exhibit a deadly skepticism and cynicism," writes Edgar G. Crane, Jr., "an expectation that the next new-fangled fad will also be a dud and a conviction that new systems are strictly for public relations."*

Crane summarizes the current state of productivity efforts in four categories, each progressively requiring more effort and higher priorities:

Twelve states have selective efforts at the initiative of operating agencies.

Sixteen states have centralized management groups which identify priorities and offer technical assistance.

Seventeen states have or are developing measures of efficiency and effectiveness.

And five states have comprehensive programs seeking to muster public support and develop "total productivity monitoring information systems."

THE FIRST SURGE

The first major wave of interest in productivity improvement occurred in the early 1970s when the quantity and quality of government services were increasingly questioned. The 1973-75 recession placed the states squarely in the path of rising demands for services, increasing costs and (for some) dampened revenues.

Two states which launched highly visible productivity programs at that time were Wisconsin and Washington under the initiatives of then-Governors Patrick J. Lucey and Daniel Evans. Political dissension and subsequent changes in administrations, though, apparently took their toll of those productivity efforts.

IS IT WORTH DOING?

Today's debate over the roles of the private sector and government now provides an additional dimension to the productivity issue. Before productivity improvement is addressed, it is necessary to answer the question of whether or not a state should continue an existing program or initiate a new program.

The traditional legislative approach, when a state faces limited revenues and competing demands of constituents, is to assign priorities to programs and cut away the dead wood. But, as always, one person's dead wood is another person's redwood.

Legislators thus need more systematic ways to supplement traditional statehouse politics to determine the "need" for, and priority of, programs. Performance indicators, when included in legislative intent statements and the budget, provide the tool for legislative appraisal of the effectiveness and efficiency of programs.

Lawmakers, of course, have in the past promoted productivity in government without anyone necessarily labeling it as such. These traditional steps have included the influence of the legislature's leadership on a governor and the budget as well as budget reductions and tax cuts.

Increasingly more common now, as legislative staff has become more professional, are the use of audits and program and fiscal evaluations, along with performance budgeting, to encourage efficiency and effectiveness. If lawmakers include productivity as a normal part of legislative oversight, then political support may be forthcoming for productivity improvements.

* Crane's comments are in *Productivity Improvement Handbook for State and Local Government*, written under the auspices of the National Academy of Public Administration, due to be published this fall by John Wiley & Sons.

Whether or not productivity improvement can be sold on the state political market will depend to a large degree on the support of the governor and the legislature. But even if a formal productivity program is not politically feasible, the host of measures to improve government efficiency and effectiveness may still go forward without the productivity label.

PRODUCTIVITY PROGRAMS

After a decision is reached on continuing or beginning a program, the subsequent question can be raised: What is the most cost-effective way to deliver a quality service? This, of course, leads into the specifics of a productivity effort.

A state considering a productivity push faces the problem of how it is to be structured. North Carolina and Washington, for example, chose productivity advisory bodies. In New York the legislature recently replaced the three-year-old temporary productivity commission with a new Commission on Economy and Efficiency in Government, composed of both senators and assemblymen.

The support of the governor is seen as a major factor for a productivity plan. "I think it is fairly crucial for the reason that most productivity recommendations are addressed to the executive branch," said Marsh. Active lobbying by the governor will help pass the necessary changes in law, he said, and a governor will also need to issue executive orders for other changes.

Another consideration is how large and centralized should be the state unit responsible for the program. Susan Clark, a productivity consultant for the National League of Cities, sees a problem with large-scale efforts because they "... tend to be burdened with fairly heavy administrative costs at the beginning because you have to develop a measurement system, and the kind of professionals that you need to implement such a system are high level and expensive."

"And the difficulty for policymakers," adds Clark, "is that the payoffs (for large efforts) are often longrun, and that they're not easy to sell ... when you're talking about a big initial start-up cost."

Programs which are begun without grass-root support in state government "tend not to be successful—at least that's been my experience in the past," Clark notes. The opposite approach, then, is to concentrate on improving productivity in selected agencies where certain programs are such that favorable results are likely.

Meares, of the Productivity Information Center, points out that a state can begin "by identifying in the government the things that are already going on (which promote productivity) by other names."●

THE CONSUMER HONOR ROLL GROWS TO 236 MEMBERS

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. ST GERMAIN. Mr. Speaker, when the House returns in September, your Banking Committee will be taking up legislation which would authorize the establishment of interest-bearing checking accounts for consumers all over the Nation. The Consumer Checking Account Equity Act—H.R. 4986—was reported from the Financial Institutions Subcommittee on July 26 and when the House recessed on Thursday, August 2, the bill had 236 cosponsors in the House.

The bill would provide for nationwide NOW accounts; authorize share drafts at credit unions in all 50 States; authorize remote service units; and authorize automatic transfer accounts for commercial banks. The NOW account provision in the bill will go into effect on September 30, 1980, to allow all institutions more than adequate time to make sound business judgments and to adequately prepare for the offering of the new service and to insure competitive equality among the institutions. Data drawn from the records of the supervisory agencies show graphically the benefits to consumers from NOW accounts:

For the month of November, 1978 (one month):

Commercial banks in New England paid \$8,683,000 in interest on NOW accounts and imposed \$323,000 in service charges—a net to consumers of \$8,360,000;

Mutual savings banks paid \$4,056,000 in interest and imposed \$219,000 in service charges—a net to consumers of \$3,837,000;

Savings and loan associations paid \$1,755,000 in interest and imposed service charges of \$96,000—a net to consumers of \$1,659,000.

In addition, NOW accounts can be an important tool to a financial institution in attracting new depositors. The July 1979 issue of the Savings & Loan News carries an article on the New England NOW experience:

The lessons learned from the New England experience are that the costs of NOW account funds is not excessive, particularly if the service is priced properly to build average balances and generate service charge revenue. Furthermore, the service can be very effective in attracting new savings balances and generally providing new money at an attractive price.

With the clear success of the NOW's in the 6 New England States and more recently in New York State, it is a matter of simple equity to extend this privilege to the citizens of the other 43 States. The bill is backed by the Credit Union National Association, the National Association of Federal Credit Unions, the National Association of Mutual Savings Banks, the Public Interest Research Group, the Grey Panthers, the National League of Insured Savings Associations, the Consumer Federation of America, the AFL-CIO, and Congress Watch. The bill is also supported by the Federal Home Loan Bank Board, the Federal Deposit Insurance Corporation and strongly supported by the Treasury Department on behalf of the administration.

In addition to the thousands of letters the subcommittee has received from credit union members in support of the bill, we have received correspondence from small savings and loan associations and commercial banks pointing out the advantages of this new option to their efforts to compete and attract new accounts.

The legislation gives us a marvelous opportunity in these times of double-digit inflation to give our constituents a chance to earn interest on their idle checking account funds and to provide new flexibility to financial institutions. The legislation is based on freedom of

choice. It is not mandatory for either the financial institution or the customer. It is up to the individual institution to decide whether it wants to offer one of these interest-bearing accounts and it is up to each consumer to decide whether he or she wants to open one of the accounts or remain with the traditional checking or savings accounts currently available.

If you wish to join your colleagues in cosponsoring the bill, please call the subcommittee at 57141.●

DOES WEST GERMANY REALLY SUPPORT THE SALT II TREATY?

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. SYMMS. Mr. Speaker, all of us have been told that our West European allies strongly support the new SALT II Treaty. However, under close examination, I think that my colleagues will find that European support for SALT is highly qualified. On May 11, 1979, the West German publication *Die Welt* carried an interview with Manfred Wörner, chairman of the Armed Services Committee of the German Bundestag.

I would like to include the Wörner comments in my remarks for the benefit of my colleagues:

MAY 11, 1979.

TREATY IN NO WAY BRINGS MORE SECURITY TO EUROPE

An Interview with Manfred Wörner, Chairman, Armed Services Committee, of the German Bundestag.

DIE WELT

Welt. Does the SALT II bring more or less security for Western Europe and does this treaty influence the conventional components of defense?

Wörner. The SALT II Treaty in no way brings more security for Western Europe. European security depends on the balance of power at all levels. Of decisive importance is the credibility of the U.S. nuclear deterrent. The massive Soviet buildup in the area of intercontinental weapons will lead by the beginning of the 80s to the vulnerability of the land-based American intercontinental missiles and through it to a threatening imbalance in favor of the Soviet Union. The SALT agreements do not change anything here. It is indispensable for European security that the United States reestablish the invulnerability of its land-based strategic missiles and that the SALT provisions not prevent it from doing this.

In the area of medium-range weapons, the protocol of the SALT II Treaty creates an imbalance at the expense of Europe, which would be unbearable in the long run. The Soviet medium-range weapons (SS-20 missiles and the Backfire Bomber) are unrestricted towards Western Europe, whereas the cruise missiles, one of the possible counter weapons of the West, are subject to limitations. Europe can live under these provisions only if it is made clear that the protocol expires after three years and will not be made a basis for the SALT III negotiations.

It is also important to European security that the non-circumvention clause be so unequivocally defined and so understood that it does not hamper the defense efforts of NATO in the nuclear and conventional area.

The establishment of nuclear parity in the strategic area increases the necessity of reducing the superiority of the USSR at the other threshold levels, including the conventional one.

Welt. Is the NATO doctrine that rests on the total system of flexible deterrence not put in jeopardy?

Wörner. The NATO doctrine of flexible deterrence grows out of the linkage between conventional, tactical-nuclear and strategic nuclear levels, and thus imposes unacceptable risks for the potential attacker. A Soviet superiority in the strategic area, or in the field of theater nuclear weapons, would cut this connection and would practically detach Europe from the United States' nuclear protection, with all of its political and military consequences. The SALT Treaties should not sanction such a situation and they should not close the road to a balancing of power.

Welt. How can SALT II constitute the basis for the negotiations intended by the West on the so-called gray area weapons?

Wörner. This question cannot be answered definitively either without the knowledge of exact treaty texts. However, it is important that for the gray area weapons the principle of parity be established. The continuing expansion of the Soviet medium-range potential undermines the strategic equilibrium and makes Europe a hostage of the Soviet Union against the United States. Counter measures by NATO are urgently needed. ●

PEACE AT THE PRICE OF FREEDOM

HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. SYMMS. Mr. Speaker, I wish to call to the attention of my colleagues a recent article by Dr. Hans Rühle, the director of the Social Science Research Institute of the Konrad Adenauer Foundation, in the Federal Republic of Germany.

The article discusses in eloquent detail some of the major differences becoming increasingly evident on the political scene of the German Federal Republic. In particular, the article illustrates that an underlying sentiment in the Federal Republic of Germany exists that could lead to an erosion of that country's role in the NATO Alliance, and a shift in its relations with the Soviet Union.

As we face a major and ongoing Soviet buildup of military power, unimpeded by any arms control process, and a corresponding perception of a weakening United States, we are seeing the loss of U.S. prestige, a loss of Allied confidence, and we are witnessing an increasingly emboldened and adventurous Soviet foreign-military policy.

The following article, while discussing an internal political debate in the German Federal Republic, is of serious concern to me, and I recommend it to my colleagues:

[From the Deutsche Zeitung—Christ und Welt, Nov. 12, 1979]

PEACE AT THE PRICE OF FREEDOM

(By Hans Rühle*)

The Socialist-Liberal Federal Government has Turned the Priorities of Adenauer's Foreign Policy Upside Down.

Despite the many public pronouncements that come from Bonn these days, there can be little doubt, that the political consensus which existed in the German Federal Republic through most of the World War II period has eroded, and is now a thing of the past. In particular, increasing differences can be found, subtle as they might still be, concerning the future role of the Federal Republic, its position in NATO, and its relationship between East and West. Thus, Herbert Wehner's disarmament proposals, and the emergency of stale (German) reunification concepts, bear witness to a fundamental ongoing reassessment of the hierarchy of values and objectives in the Federal Republic's body politics.

In recent months, when the Socialist-Liberal coalition policy in general, or the political dimensions of German Ostpolitik³ in particular, were discussed, the name of Egon Bahr,⁴ and more recently that of Herbert Wehner, has been in the center of events.

Yet whatever has been brought forward—or is still about to be brought forward—against Bahr or Wehner, it will not basically change anything. Attacks on individuals are bound to miss the real target, the Socialist-Liberal coalition's foreign and security policies as such. Nor can concern with the personalities within the present Bonn Government free the CDU⁵ sufficiently from its original trauma about the Government's Ostpolitik so that the party can reveal the better foreign policy alternatives which the opposition has to offer.

Freedom, peace, and unity were not only the goals of Konrad Adenauer's⁶ foreign policy, formulated by the leading representatives of the CDU—and the Party Convention speech by Eugen Gerstenmaier⁷ in 1954 is the best example of this—but the faithful preservation of the sequence of this triad stood for a self-evident foreign policy concept.

First and above all, Adenauer was concerned with safeguarding freedom, the most essential value of all. Territorial integrity, freedom of action in foreign policy, and freedom of domestic self-determination were necessary conditions for the existence of the country and its people and therefore were an absolute priority, which had to be defended accordingly. The consequence was the early—for many too early—entry of the Federal Republic of Germany into NATO, whereby it was expressly stipulated that in case of aggression against the Federal Republic by foreign powers—that is a threat to its freedom—the Federal Republic was determined to respond with military means.

The goal of guaranteeing freedom was clearly placed before the goal of unconditionally maintaining it. Peace serves freedom: it was its highest goal. Had the sequence of fundamental political values been the reverse, this logically would have meant reacting with surrender to an enemy attack—which would have made pointless Adenauer's policy of alliance.

Adenauer saw this problem very clearly. For him peace was an important value, but only as a peace in freedom, as a deliberately qualified peace. Adenauer did not create an arbitrary scale of priorities of the fundamental political values of freedom and peace merely because of the specific circumstances of his day; he implemented the only possible basic political orientation in a democ-

racy facing a military superpower with pretensions of worldwide domination. Any other scale of political values would have meant and would always mean the abandonment of the essence of democracy.

With the coming of the Socialist-Liberal government this basic orientation of German foreign policy has slowly but surely changed. In the course of Ostpolitik, and an Inner-German policy which was advertised as a "peace policy", with completely demagogic intentions—anybody who was against it was characterized as a warmonger—peace was raised soon to the highest ranking fundamental political value. The pertinent quotations to this effect by responsible SPD-politicians have become legion. They stretch from Brandt⁸ and Bahr to Stobbe⁹ and Chancellor Helmut Schmidt, who stated on the occasion of the 30th anniversary of the end of the Second World War: "There is no higher goal in world policy than peace".

With this change in the list of priorities of fundamental political values German foreign policy was changed completely and basically. Because anyone who raised peace to the highest fundamental value could not mean peace in freedom—otherwise freedom would be higher-ranking—but must mean peace at any price. Within just a few years a policy of qualified peace had changed to a policy of unconditional peace.

Peace at any price cannot be maintained by military means, but in the last consequence and with absolute certainty only through self-disarmament, thereby depriving oneself of the possibility to act unpeacefully. In clear understanding of this context Clausewitz coined a phrase a long time ago that the guilty in war is only the defender. The attacker always prefers to make his conquest peacefully. For practical application it follows by necessity that a policy which characterizes peace as the highest fundamental value must regard armed forces as completely superfluous or has decided in advance to surrender in case of difficulties.

The explosive effect of these contexts is evident. The Socialist-Liberal coalition has, with the modification of the sequence of fundamental political priorities, not only altered the policies of Adenauer but also has adopted a concept that is irreconcilable—in principle and eventually in practice—with a democracy armed and ready to defend itself and with the active membership of the Federal Republic of Germany in the Atlantic Alliance. Here, in this fundamental analysis of possible policies for Germany the foreign policy alternative of the current opposition is clearly visible.

The bewildered or indignant objection will come at this point, claiming that all of this is pettifogging or, at best, logic which can be reduced to absurdity by the political reality. Because, after all, the Socialist-Liberal coalition emphasizes week after week its readiness for national defense, announces its loyalty to the Atlantic Alliance, and has not questioned the German contribution to NATO in terms of material and manpower since 1960. And this, in fact, is true.

This, however, does not refute the result of the preceding analysis. It would apply only if it could be said that these facts concerning security policy represent the entire policy and stand for a homogenous, accepted foreign and security policy concept. But this is not the case.

Beneath the official government level of deeds and proclamations the total peace policy shows clear effects, especially in the SPD. It is not true that acceptance and wide circulation at the highest levels of the SPD of the concept that peace is the first priority is in itself the beginning of the end of national military defense? Is not this thesis—

Footnotes at end of article.

in which war does not even exist for the defense of freedom—only a less suspicious definition of a policy of peace at any price with all its consequences?

What is the meaning of this politically guided disarmament campaign? For a long time now, it has ceased to include as a condition of disarmament the goal of undiminished or increased security but instead presents disarmament—without consideration to what the potential enemy is doing—as the self-sufficient aim. It is presented as the goal "without alternatives", the comfortable and cheap solution to the problem of German security, to make it palatable to a grateful public. How should a policy be evaluated which on the one hand accepts grim analyses of the security situation in Europe at NATO-meetings and signs corresponding communiques, but on the other hand discredits realistic discussion of the present threat on the domestic level and tries to prevent it by proclaiming any such consideration to be contrary to detente.

What political consequences are sought, when the SPD parliamentary floor leader can announce without official contradiction that the Soviet Union's military might is defensive? Such qualification not only is directed against NATO's *raison d'être* but, moreover, has never been claimed by the Soviet Union itself and can therefore be regarded as objectively wrong. What does it mean when, after an obscure campaign under the auspices of the highest authority, the introduction of a weapon into NATO's arsenal is being prevented, a weapon which undeniably would have reduced the decisive military deficit of NATO?

How credible and independent is a policy which, though severely—and justly—condemning human rights violations in South America, remains silent with respect to the same violations in East European countries? What use can self-determination have for a government that no longer dares to identify the enemies of freedom and prevent their influence in public affairs? Finally, what is to be thought of a political party which has never seriously endeavored to restrict the overt pacifism and anti-Americanism in its own youth-organizations?

There is no need to fear that a policy of peace at any price linked with the abolition of the Federal Armed Forces and the withdrawal from NATO will be decreed officially. The danger is that from the overall policy of the present government—independently from the development of threats—an unrealistic euphoria will arise in the course of time to which a policy of an armed defense of freedom would appear superfluous and thus possibly lose the majority of votes in its favor. What the consequences would be have been described by Kissinger in the introduction to his dissertation: "Whenever," Kissinger wrote, "the maintenance of peace—peace conceived as the avoidance of war—has been the primary goal of a state or a group of states, the fate of the international system was controlled by the most ruthless member of the international community."

To prevent the domination of the most ruthless member of the international system is our highest duty in the foreign and security policy areas. The monopolization of the peace concept by the SPD will not make this task easier in any way. The word "peace" will continue to be a club used to try to kill everything that is offered as an alternative to unconditional peace. But this and the unpopularity that is to be expected when one tries to alter the "peace policy" that endangers freedom and wants to criticize the apologists of this policy must be taken in stride. Such abuse must be tolerated at least until it is made clear to the public that there are two forms of peace policy: one which means relative peace in freedom, and another

that unavoidably leads to absolute peace in fear and terror.

However, it does not suffice to make this alternative evident. It must also be shown that peace rhetoric can be a means of war in the Soviet conception of policy and that caution is called for when lip service to peace is accompanied by an arms build-up which cannot be justified by the legitimate defense interests of the Soviet Union.

Not without reason, Lenin wrote a marginal note, calling "splendid" the previously mentioned remarks by Clausewitz. In 1931 Manuilskij gave a classic formulation for his strategy of peace for the fight against capitalism. "Until the attainment of complete military superiority" Manuilskij said, "we will start the most theatrical peace movement that has ever existed. There will be electrifying proposals and extraordinary concessions, the capitalist countries, stupid and decadent, will be working with pleasure at their own destruction. They will be lured by opportunities for new friendships and as soon as we see a weak point in their defense we will smash them into pieces with our clenched fist."

That there were times when even the SPD recognized this context and the essential problems of their own peace rhetoric was proved by Schumacher's¹⁰ statements at the SPD Party Convention of September 17, 1950. Without any "ifs" or "buts", Schumacher said not only that "the peace formula as a magic formula which removes all difficulties has its intellectual roots neither in the scientific nor humanitarian teachings of Socialism", but also pointed out that "there is a kind of guided pacifism in the service of war preparation" and—even more explicitly—that "the peace formula is an essential part of the Communist war preparation and aggression."

Meanwhile, times have changed. The SPD's "peace offensive" continues apparently unabated; or at any rate until the CDU begins to raise awareness for the background values of these problems and the medium and long term practical consequences of a policy of peace at any price—at least of the Federal elite.

The sequence of the "classical" post-war value-triad—freedom, peace, unity—is currently being rearranged by the German Social Democracy not only with regard to the first two values. Moreover, it is becoming increasingly evident that the collision of the basic values freedom and unity will be inevitable in connection with the renaissance of the ancient hopes for one Germany initiated by prominent Social Democrats.

The vehicle for this intentional collision is the current disarmament campaign which treats only superficially the question of the theory and practice of actual disarmament, but is essentially more interested in the redefinition of the security policy situation of the Federal Republic of Germany vis-a-vis the Soviet Union. For after all, in dealing with a Soviet Union whose "military armament is defensive", and for whom political use of military superiority is unthinkable, there is no need for military balance or a corresponding alliance—at least according to Herbert Wehner in his reply to a speech by Manfred Wörner in Santa Barbara.¹¹

But the reorientation of foreign policy in the Federal Republic of Germany cannot be reached by the shortest route—that much is clear even to the chief thinkers in the SPD. It calls for a circuitous route and has its price. Above all, it must be denied verbally until German policy has slackened old ties to such a degree that it is in fact without alternative. The ground for this is being prepared thoroughly at present.

On the one hand, through criticism of the leadership ability of the United States, the

latent anti-Americanism—traditionally existent in the SPD—is being revived and the first seeds of doubt planted in the minds of those Germans, who up to now were pro-American. On the other hand, the Soviet Union is depicted in such a way that its limitless love for peace and ideological tolerance not only makes it appear not dangerous, but on the contrary, makes it seem a downright requirement to invest one-sided trust in this relationship. The reward for the realization of this option: the reunification of Germany.

The promoters of this development are taking it in stride that this unity is possible only in Socialism. But with this, freedom would be sacrificed for unity subsequently and finally, making the classical triad of values—freedom, peace, and unity—completely obsolete.

This policy is still in its beginning phase, but this is exactly the time to resist it. The advocates of the primacy of freedom should not fool themselves: Coupling the longing for peace and German unity can create a demolition charge which may not be highly explosive, but still able to move something. And yet, there is a good chance to preserve the goal of a qualified German unity, the "unity in freedom" without compromises. The population of the Federal Republic is familiar with the realities of Socialism in the German Democratic Republic and abhors it almost unanimously. The prospect of having even half of these "Socialist achievements" might well be unbearable in the long run and therefore unattractive in the Federal Republic, even if this half constituted the price for German reunification.

Thus, the danger does not lie with the will of the people. On the one hand it lies in the fact that the German government is creating facts one by one which, though unimportant if taken individually, are presaging sinister developments; and on the other hand, that the Federal Republic, having stripped itself militarily vis-a-vis the Soviet Union, could be forced into accepting this unity under terms set by the Soviet Union.

The precondition for the successful continuation of political discussions about this entire problem complex is that the CDU itself once again comes to grips with its own foreign policy, i.e. the sequence of priorities of fundamental political values. The statements by some prominent CDU-politicians leave some doubts in this respect.

FOOTNOTES

*Dr. Rühle is director of the Social Science Research Institute of the Konrad Adenauer Foundation in St. Augustin, Federal Republic of Germany. He also serves as advisor to Dr. Manfred Wörner, chairman of the Armed Services Committee of the German Bundestag, and is a lieutenant colonel in the Bundeswehr (Federal Armed Forces).

¹ SPD floor leader in the Bundestag.

² Socialist-Liberal coalition: A coalition of the Social Democratic Party (SPD) and the Free Democrats (FDP), which has constituted the German Federal Government in Bonn since 1969.

³ Ostpolitik: The Federal Republic's policy toward the Soviet Union and the East European countries.

⁴ SPD executive secretary.

⁵ Christian Democratic Union, which with its Bavarian sister-party, the Christian Social Union (CSU), has constituted the parliamentary opposition in Bonn since 1969.

⁶ A principal founder of the CDU and, with the founding of the Federal Republic of Germany in 1949, its first chancellor.

⁷ Then a CDU member of the Bundestag; elected its president November 16, 1954.

⁸ Ex-chancellor Willy Brandt, chairman of the SPD.

⁹ Dietrich Stobbe, Lord Mayor of (West) Berlin.

¹⁰ Kurt Schumacher was a founder of the post-World War II Social Democratic Party in the Federal Republic of Germany.

¹¹ SPD Bundestag floor leader Herbert Wehner, replying to a speech in Santa Barbara, California, by Manfred Wörner. In the Bonn parliament, Dr. Wörner frequently speaks as a CDU expert on military and security matters. ●

WILLIAM MINTER DISCUSSES U.S. INVOLVEMENT IN SOUTHERN AFRICA IN CHRISTIANITY AND CRISIS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 2, 1979

● Mr. DRINAN. Mr. Speaker, the controversy over the new Muzorewa government in Zimbabwe-Rhodesia is being influenced by a host of factors taking place in the neighboring countries of South Africa and Namibia. Southern Africa is a region of complex and intertwined relationships that have a great effect on the issues that confront it. Some pertinent observations about the nature of these conflicts and of U.S. involvement in the region is the subject of an article by Mr. William Minter which appeared in the June 25 issue of *Christianity and Crisis*.

I commend this piece to my colleagues. Its clarity in examining the dynamics of the current struggles in southern Africa can aid in understanding the issues before this body and provide constructive insights for further action. As the latest events in Rhodesia unfold, Mr. Minter's piece can give us a clearer view of the underlying forces at play. Major portions of the article follow:

WANDERING INTO A NEW QUAGMIRE—THE UNITED STATES IN SOUTHERN AFRICA

(By William Minter)

If there is increasing internal violence in South Africa, a Carnegie Endowment poll asked Americans early this spring, should the US support the whites, support the blacks or not get involved? Although some one-fifth expressed no opinion, 66 percent of those who did answer were opposed to US involvement. Thirteen percent spoke of possible mediation, 11 percent called for supporting the whites and 3 percent for supporting the blacks. The majority for non-involvement held up even when the pollsters asked what people would think if there were Communist (Soviet bloc) support of black insurgents, or even direct involvement of Soviet bloc troops.

These poll results reflect a healthy post-Viet Nam skepticism about overseas military involvement. But the questions themselves are also indicative of assumptions, apparently dominant among pollsters and public alike, that obscure the steps which have already taken the US some distance into a quagmire every bit as treacherous as that in Indochina. Neither increasing violence nor US involvement is just a future contingency; both are present realities:

The years since 1976 have already seen an unprecedented escalation of the conflict in southern Africa—in Namibia, still under South African colonial control, and in white-settler-dominated Rhodesia, for which South Africa has served as model and patron. Raids on the independent "front-line" African states bordering the white-minority-ruled south have become a daily affair, accentuated

by occasional massive air and ground attacks. Even in the South African heartland, guerrilla infiltration is now pervasive and armed confrontation recurrent, if still on a small scale.

The United States, deeply involved on the side of southern African counterinsurgency since the independence wars began against Portugal in the early 1960's, is still a bulwark of practical support for South Africa and Rhodesia—in spite of diplomatic statements and initiatives that have projected sympathy for African aspirations. Through economic links of vital importance to the white-minority regimes, and through massive indirect and/or covert contributions to South Africa's impressive military strength, the weight of US influence has been thrown against the African liberation movements.

A strong right-wing offensive, portraying administration diplomatic efforts as biased in favor of African guerrilla movements, has built a strong momentum in Congress and is almost certain to lift US sanctions against Rhodesia this year. With the Rhodesian elections held in April being deceptively portrayed as the basis of a "free and fair" transition to "black majority rule," the groundwork is being laid for more open support for the settler regime's counterinsurgency campaign. The installation of a black prime minister in Rhodesia—and perhaps in Namibia as well before the end of the year—while making little or no change in the balance of privilege and power may provide a new pretext for Western intervention.

The war in southern Africa is not just a series of separate conflicts in Rhodesia, Namibia and South Africa. Nor is it a simplified apocalyptic vision with all whites lined up on one side and all blacks on the other, engaged in mutual slaughter. Rather it is much more complicated, a prolonged confrontation with ingrained structures of exploitation. These structures are sustained above all by the South African economic system and state, and by its more vulnerable sibling in Rhodesia, both closely linked to Western interests which share in the profits. When challenged, whether by peaceful protest or by military confrontation, southern Africa's rulers have replied with both repression and deceptive promises of reform.

RIGHT HAND, LEFT HAND

The guerrilla wars in Rhodesia and Namibia date from 1966, after it became clear that Britain would not force the Rhodesian settlers to give up power, and that United Nations resolutions would not oust South Africa from Namibia. But it was only after the final collapse of the Portuguese colonial empire (1974-1976), that the liberation forces began to pose a serious military challenge in these two countries. Simultaneously, a new political upsurge in South Africa, symbolized by Soweto, brought thousands of new recruits to the South African liberation movement.

The response has been twofold—on the one hand, expansion of military strength and harsh repression of dissent, and, at the same time, new political stratagems aimed at dividing and demobilizing opposition with promises of negotiations, reforms and eventual power sharing. Thus, in South Africa, the 1976-1977 mass Black Consciousness upheaval was met with police violence, the murder of Steve Biko, banning of the Christian Institute and other organizations. Meantime, two of South Africa's reserves ("homelands") were moved to the status of "independence," blacks were recruited into the South African military and the Government promised elimination of "discrimination." In Namibia and Rhodesia, the ruling white minority planned "internal settlements" granting nominal black rule, and persisted in negotiations over Western-initiated compromises while presiding over a dramatic expansion in the scale and brutality of counterinsurgency.

In Zimbabwe in particular the toll of war has mounted; in recent months as many as 100 to 200 deaths a day have been recorded. More than 90 percent of the country has been under martial law in 1979, and in martial law areas, according to a Rhodesian Government Ministry of Information pamphlet (December 1978), the "security forces can make their own laws to help them find and kill terrorists. They will not have to follow the ordinary laws because they take too much time . . . [Their] courts have the power to sentence people to gaol and death." During the year of a "transitional government," in which African leaders Muzorewa, Sithole and Chirau theoretically held equal power with Ian Smith, the security forces continued unrestrained, and secret hangings for political offenses continued. One church source told a British parliamentary delegation observing the elections that in March alone, 28 people were hanged in Salisbury for political offenses.

The states bordering Rhodesia and Namibia have been subject to ever more unrestrained attacks. In August 1976 a Rhodesian attack on a refugee camp at Nyazonia in Mozambique took more than 600 lives, attracting minimal attention in the Western press and a mild response from Western governments. In 1977 guerrilla and refugee camps near Chimoi, Mozambique, suffered a similar fate. In May 1978 South African troops killed over 700 Namibians, mostly civilians, at camps near Cassinga, Angola. Later that year Rhodesia began a series of attacks on Zimbabwean camps in Zambia, and in early 1979 South African and Rhodesian planes reportedly joined for an air raid on a Zimbabwean camp in eastern Angola. Botswana has suffered raids and border incursions, the kidnapping of political refugees from its capital and the destruction of the Zambezi ferry linking it to Zambia. And the Mozambican border area has become a regular combat zone, from which the government has had to withdraw UN and other foreign aid personnel.

The "internal settlements" are unlikely to result in a modernization of the conflict. Neither Bishop Muzorewa's team in Salisbury nor a prospective "independent" government in Namibia will have the power to modify the basic structures of injustice that are the cause of conflict, even if one assumes the best intentions on their part. A careful reading of the Rhodesian constitution reveals that the state apparatus (civil service, military, police, judiciary) remains under white control, and that modification of these arrangements, or of others concerning the all-important distribution of land in the country, requires 78 votes in the new parliament. But 28 of 100 seats are reserved for the white four percent population minority, and are controlled by Ian Smith's Rhodesian Front.

Since the admission of blacks to the transitional government in March, 1978, the Rhodesian military has been officially independent of civilian control, the authority resting with an all-white National Military Council. From that time on, Ian Smith and his black colleagues have consistently denied foreknowledge of or responsibility for the military's actions, including attacks on neighboring countries. Any realistic effort by Bishop Muzorewa to assume real power would involve gaining control over the military. He is reported to have a "private army" of some 10,000, and the Rev. Ndabaningi Sithole, whose party won 12 seats in parliament, is said to have some 2,000. But with the exception of some trained in Libya (for Muzorewa) and in Uganda (for Sithole), they have all been trained and armed by the Rhodesian security forces, and are being integrated into their command structure. If, in some improbable coup, these were able to win power from the Rhodesian army, they would be no match for the Patriotic Front guerrilla-

las without the mechanized ground and air capability of the present Rhodesian military.

DOCTRINAL ASSUMPTION

Since 1901, with the formation of the Union of South Africa, the dominant assumption in the West has been that Africa south of the Zambezi River, at least, is "White Man's Country," and that the best guarantee for Western interests is cooperation with the local states dominated by white minorities. This assumption attained notoriety in the Kissinger-Nixon formulation of National Security Study Memorandum (NSSM) 39, of 1969: "The whites are here to stay, and the only way that constructive change can come about is through them." But it also prevailed during the Kennedy-Johnson era, when scores of African states further north gained independence, and lies behind the failure of the successive diplomatic initiatives of the Ford and Carter Administrations.

That theme, combined with the need to caution white regimes against intransigence and to advise them on appropriate concessions, is pervasive in recently declassified State Department documents from 1962-1963. It can also be seen in the negotiating strategies followed by Kissinger in 1976, and subsequently by the Carter Administration. U.S. officials have argued to South Africa and Rhodesia that their essential interests would best be preserved by compromise arrangements including the Namibian and Zimbabwean liberation movements. If the movements come to power under carefully controlled and agreed-upon conditions, the argument continues, their radicalism can be tempered, while an escalation of war can only promote further radicalization. The Patriotic Front (Zimbabwe's insurgent forces) and Namibia's Southwest Africa People's Organization (SWAPO) must be included or the wars will not be stopped. But while South Africa and Rhodesia have been happy to drag out highly confusing negotiations, they have been unwilling to make meaningful compromises.

Significantly, the Western governments have not used available levers of pressure against the white-minority regimes, even when African liberation movements have been willing to take chances in accepting Western plans they feel stacked against them. Western vetoes have protected South Africa from UN Security Council sanctions over the Namibian issue, and the flow of oil to Rhodesia has continued unabated, while Western governments close their eyes to the open secret of the intermediary role played by oil firms—Caltex, Mobil, Shell, BP and Total.

In May 1977, when Vice President Mondale met with then South African Prime Minister Vorster in Vienna, he said that "without evident progress toward full political participation by all citizens of South Africa," relations with the US would certainly suffer. The State Department prepared a list of possible steps toward gradual disengagement. But with the exception of a US vote for a UN arms embargo against South Africa following the death of Steve Biko later that year, almost none of that projected leverage has been employed.

Instead the U.S. has replaced Britain as South Africa's leading trade partner (with a 70.8 percent increase in South African exports to this country from 1977 to 1978), and U.S. investment is growing at over 7 percent a year. Moreover, it has become increasingly apparent that even the arms embargoes on Rhodesia and South Africa have sprung massive leaks. Not only do U.S. investments in such fields as vehicle manufacture and the computer industry have direct military application, but also, according to U.S. reports, recent arms flows have dramatically increased the striking power of the Rhodesian air force and have provided South Africa an arms inventory far in excess

of that previously estimated by standard sources. Rhodesia, for example, was able to acquire recently 11 Agusta Bell 205 helicopters, and, since 1976, more than 20 Cessna Reims F 337 reconnaissance and light strike aircraft, and four Rockwell OV-10 Broncos, all containing U.S. components. South Africa has been able to acquire, since the voluntary arms embargo of 1963, and even since the mandatory embargo of 1977, vast quantities of arms, much of it U.S. manufacture, including tanks, and armored personnel carriers, fighter aircraft, helicopters, ammunition and strategic electronics and computer technology. According to Michael Klare, a leading researcher on U.S. arms sales, the scale of the arms flow at best "suggests an *indisposition* on the Government's part to establish the kind of enforcement measures needed to curb such shipments; at worst, it suggests an unofficial policy of covertly aiding the minority regimes by failing to stop the clandestine arms trade." (A memorandum with details is available from the Institute for Policy Studies, 1901 Q St., N.W., Washington, D.C. 20009, and a collection of articles on *U.S. Military Involvement in Southern Africa* has been published by South End Press, Box 68, Astor Sta., Boston, MA 02123.)

PRESSURES FOR APPEASEMENT

South Africa and Rhodesia, in dismissing Western diplomatic compromises, seem to have calculated correctly that the Western governments, instead of responding firmly, will continue with a policy of appeasement, adjusting their compromises rightwards step by step in response to the white regimes' intransigence. South African Foreign Minister Roelof (Pik) Botha, formerly ambassador in Washington, advised Vorster in 1976 that Pretoria could turn the tables on Carter and his Africa team by appealing directly to Congress and other influential constituencies in the U.S. So far, the strategy appears to be working well for both South Africa and Rhodesia.

The U.S. Senate vote of May 15, advising President Carter, by a margin of 75 to 19, to lift U.S. sanctions on Rhodesia, is indicative of that success. The resolution, which expressed the Senate's judgment that Rhodesia's elections had been "free and fair," was taken without the benefit of hearings by the Foreign Relations Africa Subcommittee, headed by Senator McGovern. And conspicuously absent was former Senator Dick Clark, a leading liberal spokesman on Africa. He had been defeated for reelection in 1978 by a powerful right-wing drive fueled by anti-abortion single-issue voting and financed, in part, by \$125,000 of laundered South African government funds.

The core of the pro-Rhodesian push has been the radical right, represented in the Senate by figures such as North Carolina Senator Jesse Helms and California Senator S. I. Hayakawa, who previously made no secret of their sympathy for Ian Smith's regime. But, most ominously, it has been joined by the heirs of cold war liberalism, many of whom seem to accept white South Africa's definition of the regional conflict as a struggle to contain "Soviet-backed Communist terrorists." The alliance is appropriately symbolized by the role of Freedom House, which sent a team of observers to the Rhodesian election and returned with a highly general report certifying it as "free and fair." Freedom House, whose board includes such figures as Senators Case, Javits and Moynihan, backed moderate civil rights efforts in the 1950's and 1960's, and even once chose South African Liberal Alan Paton for its annual Freedom Award. But it was also an enthusiastic backer of hawkish positions on U.S. involvement in Indochina, while, worldwide, right-wing regimes have usually benefited from more lenient Freedom House evaluations than their leftist counterparts receive.

Support for these positions has been expanded even further by Rhodesia's success in conveying its version of the war and of the elections to U.S. audiences. Massacres carried out by the security forces in neighboring countries have not penetrated public consciousness here, while killings of white missionaries in particular have received wide publicity, unaccompanied by the qualifying information that many independent observers believe most, if not all, such incidents to be the work of special Rhodesian army units, rather than of the guerrillas. Media coverage, especially on the TV networks and in the wire service accounts, which receive the widest distribution, has been blatantly partial, and has failed to note the limitations imposed by Rhodesian censorship.

US coverage of the elections, with the partial exception of Gary Thatcher in *The Christian Science Monitor*, consistently failed to penetrate the facade erected by the Rhodesian regime during the elections, although many British journalists and the British Parliamentary Human Rights Group documented such widespread intimidation and coercion "as to render the election results meaningless." The Freedom House report, which avoided the detail presented by Lord Chitnis' British Parliamentary team, boosted the credibility of the elections. Bayard Rustin, who lent his name to the Freedom House report, subsequently told *Africa News* and House subcommittee hearings that the elections "were not free and fair," but his prestige was nevertheless used in favor of the vote to lift sanctions. (Excerpts from the Freedom House and Chitnis reports are available in *Africa News*, June 1, 1979).

While UN Ambassador Andrew Young and other Africanists in the State Department have opposed the lifting of sanctions and endorsement of the new Rhodesian Government, well knowing that such moves would destroy whatever credibility the Administration has built up with independent Africa, they have failed to mount an effective campaign against the right wing's initiative. To do so would require leadership and significant involvement from the White House, with intensive efforts to explain to the Congress and the American people the realities of southern Africa, denouncing and exposing the intransigence of the white regimes. But just as the Administration has been unwilling to confront Rhodesia or South Africa with substantive pressures, so it has been unwilling to mount a full-scale challenge to their friends in this country.

LEADERSHIP LACKING

The Administration is so hobbled by self-imposed limitations that it is virtually reduced to appeasement as the only policy in the face of Rhodesia, South Africa or their US backers. Andrew Young has been outspoken on the moral bankruptcy of the South African system, to the point of embarrassing more staid diplomats, but publicly at least he has acquiesced in the fiction that the US is not massively involved on the side of the white regimes. The result: Diplomatic efforts that are biased, if anything, *against* the African liberation movements can be portrayed by the right wing as supportive of terrorism.

President Carter, responding to National Security Advisor Zbigniew Brzezinski's global preoccupations, raised the scare of Soviet and Cuban involvement in the second Shaba uprising in Zaire in May 1978. Through the Administration later admitted the absence of any evidence for such involvement, it had already reinforced the perception that the primary threat in Africa is Soviet intervention rather than the persistence of white-minority rule. As a result, the Administration barred itself from communicating the dominant African perception that in southern Africa, Soviet military aid to liberation movements and front-line states is still far

from adequate to counter South Africa's Western-supplied military arsenal.

The Administration now seems engaged in an elaborate dancing away from accepting responsibility for the Western rapprochement with the new Rhodesian regime, as both the Conservative British Government and the U.S. move closer and closer to recognition and the lifting of sanctions. The British wish to avoid a strong African reaction, particularly before the August Commonwealth conference in Lusaka, Zambia. And both countries want to minimize reprisals from Nigeria, a leading oil supplier. But delays, and calls for new negotiations between the Patriotic Front and the Muzorewa Government, are unlikely to be convincing to either side, or to the US Congress, which seems prepared to accept the onus of lifting sanctions if President Carter fails to do so.

The American public might well be ready for disengagement from support of the white-minority regimes in southern Africa. An overwhelming 86 percent of respondents told the Carnegie pollsters that South Africa's apartheid system is wrong, against only 2 percent saying it is right. Pluralities in 1977 and 1979 polls have supported restrictions on US trade and investment in South Africa, and even compliance with a UN resolution calling for a full cutoff of trade. Fifty-six percent in the Carnegie poll said that whites in South Africa are not justified in using force to preserve their position. Large majorities are also opposed to actions which might lead to US military support for either side. But if these sentiments are to be translated into policy, to provide an alternative to the right wing drift, the American people must have available a more accurate portrayal of southern African realities.

Robert McAfee Brown wrote last year in *C&C* (March 13) of the "Hitler exception," referring to the international response to South Africa's internal policies. The parallel applies at another level as well. Britain's appeasers of the 1930's again and again refused to accept the evidence of Hitler's intransigence, in part from willful ignorance and the hope for peaceful solutions, and in part from the convictions of many that Nazi policies were at least to be preferred to the Bolshevik alternative. The South African military machine, potentially nuclear-equipped with the aid of US and West European technology, assumes the right of military intervention in all of sub-Saharan Africa (in the terms of a 1975 law). And the wars continue to escalate.

Meanwhile, an ambivalent US Administration, far from disengaging from the multiple ties that strengthen that military machine, is being pushed step by step, under right wing pressure, into relinquishing even token opposition to the regimes of white-minority privilege in southern Africa. President Carter may have calculated that any political capital he has must be saved for SALT II, and not expended on "peripheral" African issues. Or he may be willing to write off black American opinion, judging that a pro-African policy excites little concern among other Americans. If he is to be proved wrong, and if the trend toward an ever more overt US tilt against African liberation is to be reversed, large numbers of Americans will have to be willing to speak out strongly for enforcing and extending sanctions rather than lifting them. ●

CZECHOSLOVAKIA'S SAD ANNIVERSARY

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. ZABLOCKI. Mr. Speaker, while the Congress was in recess this August,

an important but very sad anniversary took place. August 21 marked the 11th anniversary of the Soviet invasion of Czechoslovakia. That fateful day in 1968 followed a springtime and summer of careful plans and measured hopes for political and economic reforms. It marked the rejection of Czechoslovak aspirations and the beginning of 11 years of repression. The U.S. Congress condemned the invasion on several occasions and expressed its support for the end of Soviet domination of the Czechoslovak people.

Subsequently, the Final Act of Security and Cooperation in Europe, signed by the United States and 35 European States, including Czechoslovakia, brought fresh hopes that the principles of political, civil, economic, and social freedom would be observed. The gap between principle and practice, however, appears to have grown wider. It is encouraging to learn that nearly 1,000 Czechoslovak men and women signed Charter 77 in which they petitioned their Government to adhere to the Helsinki agreements. However, it is greatly distressing to learn that the authorities have responded to this courageous effort by harassing the signatories of Charter 77 and stepping up their arbitrary arrest. The picture is bleak. August 21 marks a sad anniversary. In commemorating it, we pay just tribute to the Czechoslovak people for their spirit in seeking the freedoms of an open society. ●

SAM K. SEYMOUR GENERATING PLANT

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. PICKLE. Mr. Speaker, it was a pleasure and honor to participate in the dedication of a new coal plant on July 27, operated jointly by the city of Austin and the Lower Colorado River Authority. The facility is located in Fayette County, near La Grange, some 60 miles southeast of Austin.

This ceremony was indeed special for two reasons. In the first place, the city of Austin and the LCRA are taking President Jimmy Carter's energy policies seriously. This new coal plant has reduced the two utilities' dependency remarkably on natural gas and oil.

In the second place, the plant was named in honor of one of central Texas' best known and most beloved humanitarians. Mr. Sam K. Seymour, Jr., is the longest serving member of the LCRA Board of Directors. He has served the LCRA community well for 34 outstanding years, an indication of Sam K.'s leadership and vigor.

Sam K. Seymour's activities belie the fact that he is well into his eighties. Besides heading the Colorado County Federal Savings & Loan Association in Columbus, Tex., he was also the owner of Sam K. Seymour Lumber & Hardware, a family institution in Columbus some 75 years. He has long been active in a variety of community affairs. Sam K. and his wife, "Muddie," are kind-hearted, gen-

erous people. Five different Texas Governors have appointed Sam K. to the LCRA Board. When Seymour was first appointed, the LCRA was generating just about 200 megawatts of electricity to serve surrounding rural communities and co-ops. Now, the LCRA generates 1,500 megawatts, much of it from the Sam K. Seymour Power Plant.

Sam K. Seymour has presided over, and has been a part of the LCRA's continuing task of providing electrical generating power to thousands of Texans. It is quite fitting that this newest facility, built by leaders in the goal of energy independence, should be named in honor of a man who has been a leader all his life. ●

TRIBUTE TO LEON SANDERS, JR., OF PLAIN DEALING, LA.

HON. CLAUDE (BUDDY) LEACH

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. LEACH of Louisiana. Mr. Speaker, it is traditional in the House of Representatives to recognize citizens who have made outstanding contributions to their country, and I wish to so honor Mr. Leon Sanders, Jr. of Plain Dealing, La.

The Honorable Mr. Sanders, who serves as the mayor of Plain Dealing, has just been presented the highly prized John Campanius Holm Award for outstanding accomplishments as a volunteer observer for the National Weather Service of the United States.

Mr. Sanders has taken daily readings of the high and low temperatures and has recorded the precipitation as it occurred in Plain Dealing for the past 29 years. The citation said Mr. Sanders was honored for his "years of outstanding public service in continuing a family tradition of meticulous and conscientious weather reporting that began in Plain Dealing in 1894. In addition to furnishing the information to the local news media, Mr. Sanders has kept all original climatological records and has made these available upon request."

His service is all the more remarkable because of the family tradition which began before the turn of the century. Mr. Sanders' grandfather, Mr. Leon T. Sanders, made the first weather observation on March 1, 1894 and continued until February 28, 1902. Then Mr. Sanders' father, Leon Sanders, took up the volunteer work which he continued through December 23, 1949. It was then that Mr. Leon Sanders, Jr. began his career as a third generation volunteer weather observer, a labor of love he continues to this day.

It is very appropriate that the award presented to Mr. Sanders, the John Campanius Holm Award, is named for another family that pioneered the work of the 12,000 volunteer weather observers who now take daily readings in all parts of the United States. The Reverend John Campanius, a Lutheran minister, recorded the climate in the American colonies in 1644 and 1645. This information was published by his grandson, Thomas Campanius Holm in 1702, and their names

were combined in the prestigious National Weather Service award.

I know all of you join me today in honoring Mr. Leon Sanders and his forebears of Plain Dealing, La., who have served their community and their Nation so unselfishly for more than 85 years. ●

BLACK OWNERSHIP

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. PAUL. Mr. Speaker, this Nation was founded upon the premise of the widest possible distribution of private property ownership. "Power follows property," said John Adams, and the Founding Fathers knew that the preservation of liberty required the dispersion of power—and this widely distributed property ownership.

Recently the National Association of Property Owners held a national conference on land use here in Washington. Among the speakers on the NAPO program was the distinguished black educator Dr. Nathan Wright, professor of urban life at the State University of New York at Albany. Dr. Wright reaffirmed the truth of the proposition that liberty can be maintained only when private property is widely owned by the people. He pointed out that over the years white America has, whether consciously or unconsciously, erected serious barriers to the extension of property ownership to black Americans and members of other minority groups. These barriers prevented black Americans from making the contribution they might have made, not only to their own well-being, but also to the strength of their country. Dr. Wright called for a renewed effort to protect private property ownership from Government invasion, and for a renewed dedication to the idea of extending property ownership to those Americans who can now dream of being owners of a share in America.

Mr. Speaker, I am honored to know Dr. Nathan Wright, Jr., and I am an admirer of his wise philosophy. I would like to bring a commentary on his NAPO address by Gov. Ronald Reagan to the attention of my colleagues by inserting it in the RECORD.

BLACK OWNERSHIP

(By Ronald Reagan)

In July, the National Association of Property Owners held its first conference on land use in Washington. It brought together many kinds of people, among them national park in-holders, farmers, ranchers, loggers, Indian chiefs from Minnesota's Boundary Waters, Alaskans fighting to keep control of their state's resources.

Conferees heard addresses from such congressional leaders as House Majority Leader Jim Wright of Texas, Senator Ted Stevens of Alaska and Senator Roger Jenson of Iowa.

But of all the addresses perhaps the most moving was that of a black educator, Dr. Nathan Wright, Jr.

Nathan Wright is now professor of urban life at the State University of New York. For

many years he has been quietly influential in the movement for civil rights and economic equity for black Americans. He was chosen to chair the landmark National Conference of Black Power in 1967, and is the author of 18 books on history, theology and civil rights.

Dr. Wright took his listeners back to the early days of the republic. He recounted how our founding fathers had believed that the essential ingredient for a republican form of government, and for the preservation of individual liberty itself, was a wide distribution of genuine private property ownership.

Property ownership symbolized an investment in the life of the nation, a stake in the well-being of society. Those who owned property, he said, viewed their public duties in quite a different light than the propertyless. They saw themselves as responsible for promoting the common weal, while the propertyless thought more about how the common weal could benefit and support them.

Dr. Wright told how, over two centuries of independence, black Americans were systematically denied the opportunity to become owners of property.

Instead of helping former slaves and their descendants to acquire ownership and contribute to the strength of their community and nation, all too often white people—whether deliberately or unconsciously—threw up barriers to black ownership.

This Dr. Wright labels "the law of conveniently lowered vision of human worth," as he says it is a "law" which robbed America of the contributions that millions of minority Americans could have made had they been given a reasonable opportunity.

Dr. Wright then offered his prescription for his country: constantly broaden the distribution of private property ownership; help all Americans to earn a tangible share in their nation's wealth; protect private property against the seemingly insatiable desires of government bureaucrats at all levels, who consider it a nuisance to be removed, rather than a source of the nation's economic and political strength.

He added: end low-rent public housing by selling the units to tenants and tenant cooperatives on generous terms (densely populated Singapore does this with success); help all Americans achieve the sense of dominion that goes with ownership, and which encourages free men and women to contribute to their country's good.

Bold proposals, and plenty of food for thought for all Americans, from a man who has spent a lifetime working for solutions to problems. ●

BALTIC DISSIDENTS IN SOVIET URGE FREEING OF THREE REPUBLICS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. DERWINSKI. Mr. Speaker, as sponsor of House Concurrent Resolution 147, expressing the sense of Congress with respect to the Baltic States, I am particularly interested in news from behind the Iron Curtain of demands for self-determination of the Baltic Republics. On August 23, according to the press, 45 citizens from Latvia, Lithuania, and Estonia demanded self-determination for their three Soviet republics. A copy of an article in the New

York Times on August 25, 1979, noting the event in Moscow, is of special interest.

The article follows:

BALTIC DISSIDENTS IN SOVIET URGE FREEING OF 3 REPUBLICS

Moscow, August 24.—A group of 45 citizens from Latvia, Lithuania and Estonia have demanded self-determination for the three Soviet republics on the ground that they were annexed illegally under the 1939 nonaggression pact between the Soviet Union and Nazi Germany.

The 45 persons issued a statement to Western reporters yesterday on the 40th anniversary of the treaty, which placed the then-independent Baltic states in Moscow's sphere of influence.

A dissident Soviet leader, Andrei D. Sakharov, along with members of the groups monitoring Soviet compliance with the 1975 East-West Helsinki accords and other prominent Moscow dissidents, issued a separate statement supporting the Baltic group, which includes four priests.

The appeal to the United Nations and the Governments of the Soviet Union and West and East Germany argued that the Soviet Army moved into the Baltic republics in 1940 as a result of secret protocols to the pact signed by the Soviet Foreign Minister, Vyacheslav M. Molotov, and the German Foreign Minister, Joachim von Ribbentrop. ●

CONGRESSIONAL SALUTE TO THE HONORABLE LOUIS INFALD OF NEW JERSEY, OUTSTANDING CITIZEN, COMMUNITY LEADER, AND GREAT AMERICAN

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. ROE. Mr. Speaker, on Friday, September 7 the residents of my congressional district and State of New Jersey will gather in testimony to the outstanding public service rendered by one of our most distinguished citizens, esteemed lawyer, community leader and good friend, the Honorable Louis Infald, whose standards of excellence on behalf of our people have truly enriched our community, State, and Nation.

Mr. Speaker, as Lou Infald retires as superintendent of recreation for the city of Paterson, I know you will want to join with me and his many, many friends in deep appreciation of all of his good works and share great pride in the success of his endeavors with his wife, Rose; their daughter, Mrs. Carol King whose husband is a member of the Paterson Fire Department; their son Kenneth, a member of the Paterson Fire Department who is married to the former Mary Weiss; and their grandchildren Michael and David King, Mark and Ann Michelle Infald.

His retirement testimonial dinner is being sponsored by longstanding friends and associates of Lou under the able direction of the following leaders of our community:

HONORARY CHAIRMAN

The Honorable:
Lawrence F. Kramer, Mayor of Paterson;
Sam Sibillo, Mayor of Haledon.

COMMITTEE

The Honorable:
 Fred Nachimson, Chairman; Mac Schulman, Co-Chairman; Claire Pagano; Nathan Cohen; Lou Cuccinello; George Dimond; Larry Worth; Jacob Moskow; Jerry Okin; Dom Trousse; John Currie; William Garner; Abe J. Greene; William Pascrell; Robert King; Oscar Brown; George Gero; Claire Saviano; Frank Napier; Jack McLaughlin; Jeff Mallory; Dr. A. Harry Hewitt; Fred Burgos; Chauncey Brown; Frank X. Graves.

Mr. Speaker, we are proud to boast that Lou Infald was born in our historic city of Paterson, N.J., which is located in my congressional district where he attended elementary and secondary schools and he is a graduate of the New Jersey Law School.

Over three decades ago, in 1948, Lou first commenced his public service career with the city of Paterson as a member of the recreation department. In 1956 he served as Secretary to the late Mayor Edward O'Byrne and in 1960 was appointed city prosecutor. He returned to the recreation department in 1962 as assistant superintendent and the following year was appointed as superintendent of recreation.

Lou Infald has, by his example and lifetime of dedication to our people in the vanguard of leadership in the recreational endeavors of the city of Paterson, attained the highest of respect and esteem of our people. His personal commitment to the development of our young people is applauded by all of us.

Throughout his lifetime he has excelled in everything he has set out to do. The quality of his leadership and sincerity of purpose have been extended unselfishly with dedication and devotion in meeting the needs of our people. He has been an active participant in the following professional, social, and civic organizations:

Veritans (served as past president).
 YM-YWHA of North Jersey (member, board of directors).
 Old Timers A.A. of Greater Paterson.
 Bergen-Passaic-Hudson Counties Parks & Recreation.
 New Jersey Park & Recreation Association.
 Passaic County Bar Association.
 Paterson Midget Baseball League.
 Temple Emanuel of Paterson.
 Roosevelt Club.

Mr. Speaker, it is indeed my privilege and honor to call Lou Infald's good works to your attention and seek this national recognition of his splendid efforts and lifetime record of achievement in public service to our people which have truly contributed to the quality of life and way of life in our community, State, and Nation. We do indeed salute a good friend and great American, the Honorable Louis Infald of Paterson, N.J.●

PERSONAL EXPLANATION

HON. ELIZABETH HOLTZMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Ms. HOLTZMAN. Mr. Speaker, I was unable to be present for the following

vote on July 24, 1979. If I had been present I would have voted the following:
 Rollcall No. 371, "yes."●

FREE ENTERPRISE: THE AMERICAN SUCCESS

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. ARCHER. Mr. Speaker, I would like to share with my colleagues an outstanding essay written by Chuck Watson, a senior at Spring Woods High School in Houston, Tex. Chuck's essay earned him a \$250 scholarship in an essay contest sponsored by the Memorial Exchange Club. It was my great pleasure to have Chuck visit Washington, D.C., last year as the Spring Woods High representative to my student intern program. I hope that you will enjoy his excellent work.

FREE ENTERPRISE: THE AMERICAN SUCCESS
(By Chuck Watson)

When the Mayflower sailed into Plymouth Bay in 1620, it came with a precious cargo of Pilgrims who had ventured to this new land in search of religious freedom. Over a hundred years later, our forefathers once again found themselves searching for freedom. Their quest was for political and economic freedom from their once "mother country." They wanted freedom from the tyrannical rule of Britain's King George III and won it, all because of their love and belief in this freedom and its advantages. Our progenitors wanted to secure these freedoms such as "Life, Liberty, and the Pursuit of Happiness" for their posterity and did so with the careful construction of one of the most important documents ever written, our Constitution. From the humble beginnings of our country to its rise as a world power, another type of freedom has played an equally important role in America's ascent, free enterprise. The question which must follow this statement is, "Why Free Enterprise?"

In an effort to answer this question "Why Free Enterprise?" we must consider the meaning of free enterprise. Webster's Dictionary defines free enterprise as, "the economic doctrine or practice of permitting private industry to operate with a minimum of control by the government." We must now realize the broad scope of free enterprise as an essential part of our heritage and its role in the preservation of freedom itself in America. We as free men have an obligation to defend our Constitution and free enterprise because in a sense they are the complements of each other, for only in a society of free men can an economic system of competitiveness and innovation thrive and produce national wealth in such a vast quantity, as it has in America. In allowing private industry to grow and expand within its own structure of competition, America has become the richest country in the world agriculturally, technologically, and in the way of monetary richness. Perhaps this is "Why Free Enterprise" has been successful in building a strong America, but free enterprise is not without its critics.

An argument for "Why Free Enterprise" should be maintained and advocated ardently in America, should now be formulated because of criticism of free enterprise. In recent years many have challenged free enterprise's ability to control its own abuses; however, when Cornell C. Hafer stated that free enterprise is not perfect for safeguarding

against greed, corruption, and exploitation, but that it provides freedom of opportunity and the bounty of the good things in life, he justified the latter half of free enterprise's definition. There is a need for government control, but a very minimal one. Government has been of late increasing its dominance and overstepping its boundaries into the free enterprise system in America, and it has threatened our American way of life and prosperity. If free enterprise is continually being comprised by government regulation, the only foreseen result can be disaster, a disaster which has now begun to plague the British because of their quest for a utopian-like society using strict government regulations and ownership with little or no free enterprise included. It has been stifled by the British government. This is a situation we as Americans should hope to avoid and can avoid if we check government control before "Nationalization" and other governmental evils begin to flourish. In light of all the criticism of free enterprise, we need to look at free enterprise with a sense of retrospect and understand that free enterprise has not failed. President Franklin Roosevelt once said the problem "is not that the" system of free enterprise has failed, but that it has not yet been tried." If government reenters their bounds of control and allows free enterprise to work, unobstructed, perhaps then our economy will reach new heights in prosperity. This is an excellent argument for "Why Free Enterprise?" should be maintained and advocated ardently in America.

The answer to the question "Why Free Enterprise?" should now be apparent. It is the system which promotes the greatest economic growth and opportunities and has done so since the beginning of America and has provided, for the majority of the residents of America, an income of such vastness with which no other countries can compare. Columnist Ed Roberts once said, "It is not necessary to argue that the [free] market mechanism is perfect or that capitalism doesn't cut some people with its rough edges. It is necessary only to state as fact that it is the economic system that works best for the most people." These are all important reasons "Why Free Enterprise" and why it should be allowed to continue to flourish in America.●

DOE STUDY CLEARING OIL FIRMS CALLED "PROPAGANDA EXERCISE"

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. ROSENTHAL. Mr. Speaker, during the recent inflation and FTC hearings of the Commerce, Consumer and Monetary Affairs Subcommittee, which I chair, it became quite obvious to the members of the subcommittee that the Department of Energy and the Justice Department have been blocking attempts to investigate the gasoline crisis. The Department of Energy regards the oil industry as a client—not as an industry to be regulated in an arm's length way. The Department of Energy is callous to the consumer and public interest. The Department of Justice has refused to clear an investigation into worldwide production of crude oil. Both Departments refuse to undertake a comprehensive investigation and to use their subpoena powers.

In this connection, I wish to bring to

my colleagues attention the following article which appeared in the Sunday, August 12, 1979, Washington Post, which further confirms the efforts of the Department of Energy and Justice in striving to fail in carrying out their duties in investigating the oil crisis:

ENERGY OFFICIALS IGNORED CARTER ORDER

(By Jonathan Neumann and Patrick Tyler)

On May 25, as the gasoline shortage continued to spread along the Eastern Seaboard, President Carter issued a strongly worded directive ordering the departments of Energy and Justice to begin a major investigation of the oil industry.

"You shall jointly conduct a comprehensive investigation of the apparent gas shortage situation, using all available and appropriate authority and resources at your disposal, to determine whether there is a reason to believe that the apparent shortfall is a result of concerted activity by firms at the refining and/or marketing level, or of excessive stockpiling or hoarding of supplies," the presidential order said.

Ten days later, in response to the presidential directive, Deputy Energy Secretary John O'Leary called a large group of DOE officials into his conference room in the Forrestal office building to discuss how to conduct the investigation.

But at that meeting in O'Leary's office and continuing at numerous other sessions at the department through June and July, energy officials ignored the specific orders in President Carter's directive. The Washington Post has found.

As a result, the 53-page DOE report released by the White House last week clearing the oil industry of charges of holding back fuel supplies was described by one official who worked on it as "a propaganda exercise."

"If the report was taken to be a conclusive finding that there was no conspiracy by the oil companies to jack up prices, then I would say it was misleading," said another official, William Lane, director of the DOE Office of Competition.

Interviews with the officials who prepared the study also revealed:

The report's central conclusion, that there was no holding back by oil refiners, deliberately sidestepped what the officials said were more relevant allegations that the industry manipulated amounts of domestic oil production, foreign imports and reserves, thus intentionally creating a shortage.

Twenty-two of the 27 information sources cited in the appendix of the special report were not used in the report, according to Al Linden of the DOE's energy information administration. He said he did not know why the unused sources were listed in the appendix.

One data source listed the appendix but not used in the report, for example, is a Bureau of Mines report containing "data on fuel oil stocks by sulfur content."

Five of the same 22 information sources cited in the appendix were considered as unverified by DOE officials and were stamped "not valid," Linden said.

The man who wrote the report, Carlyle Hystad of the DOE's policy branch, previously had written speeches, press statements and congressional testimony for then-energy secretary James R. Schlesinger Jr. and his assistants. In those statements, Hystad had drawn conclusions about the causes of the gasoline shortage.

Parts of Hystad's draft of the special presidential report were almost verbatim versions of those earlier statements, several officials said.

DOE general counsel Lynn R. Coleman, who supervised the study, rejected suggestions to pursue key issues, such as whether the oil companies deliberately cut back on crude oil production and failed to import

all of the foreign oil they could. Department officials also abandoned an early proposal to hold public hearings in which oil company executives would be subpoenaed.

The original draft of the report cleared the oil industry of all charges of wrongdoing. The wording of the report was changed after two officials argued that DOE had yet to investigate most of the serious allegations against the oil companies.

"This was not an investigation," Lane said. "It clearly has been a summary of what we already knew."

The special report was released by the White House last Monday. Coleman, who conceded that the Energy Department relied entirely on data supplied by the oil industry, strongly defended it. He called the report "an intensive effort to analyze and display facts that ordinarily show up as numbers on a computer printout."

The White House has had no comment on the report.

Interviews with Energy Department officials who prepared the report and an examination of DOE and White House records give this picture of how the special study developed:

On Friday, May 25, Carter signed a one-page memorandum to the attorney general and the secretary of energy ordering the "comprehensive investigation" of the oil industry.

He ordered that the probe should begin with an examination of the California gasoline shortage, and that an initial report of the findings should be sent to him within 30 days.

Although the directive was dated May 25, DOE officials said they did not receive the document until a week later.

"It went from the White House to the Justice Department, then back to the White House," one official said. "Then we finally got it. It was sort of kicking around the front office for a few days before anybody started focusing on it."

Ten days after the president ordered the probe, O'Leary called DOE officials into his conference room.

The session was short. Paul Bloom, the DOE's special counsel, told the group of the audits he had already begun of gasoline pricing and allocations.

Most of the remainder of the meeting was organizational, officials said. O'Leary said that DOE general counsel Coleman would supervise the investigation. Linden would supply the data from existing DOE files. Hystad would write the report.

"When we left the meeting there was a sort of feeling that what we were going to do was put together a systematic display of data which we already had, but which was never put together in any clear fashion," one official said.

Almost all meetings after that were held in Coleman's conference room. Although dozens of people were involved in the discussions, only six officials regularly attended most meetings.

And of those six, only two, Coleman and Hystad, were considered by the others as the architects of the report. The other four, Lane, Bloom, Linden and Barton House, were consulted and asked to read drafts of the report as it was being written.

Hystad wrote five drafts before the group agreed on a final version.

After he wrote each draft, copies were circulated among the six officials and others in the Energy Department.

The officials often joined in informal sessions at Coleman's office. They were usually called in the morning for an afternoon meeting. The meeting would last for 30 minutes to two hours, officials said.

Usually, four of the officials would be satisfied with the Hystad drafts, with Lane and Bloom raising most of the objections or suggestions for major changes.

Despite the urgency of Carter's May 25 directive, most of the president's specific requests were set aside. For one, the Energy Department and Justice Department decided not to conduct a joint investigation, but to conduct separate probes, with each department reviewing and commenting on the work of the other.

The Justice Department had no hand in writing the DOE report, according to Donald Kaplan, chief of the energy section of the Justice Department's Antitrust Division.

Regarding the president's order on how the probe should be conducted, "using all available and appropriate authority and resources at your disposal," both the Energy and Justice departments chose not to subpoena any oil industry data or witnesses. Both had the authority to do so.

Regarding the first area of inquiry ordered by the president, whether there was "concerted activity by firms at the refining and/or marketing level," DOE officials conducted no audits or field investigations.

Early in the probe, Lane suggested, and at one point Schlesinger reportedly agreed, that the DOE hold public hearings. Top oil officials would be subpoenaed and asked "hard questions," officials said.

"Schlesinger felt that public hearings, much like Senate hearings, would give the investigation more credibility," one official said. "But, by mid-July, as the lines began to fade, we felt the situation is cooling off. Why start things up again with hearings? So the idea just sort of faded out."

Energy officials also rejected suggestions to look into the question of whether oil companies bought all the foreign oil they could from countries with which they had contracts.

Officials said that Lane, who argued in favor of such a probe, was turned down by Coleman.

"Every time Lane raised the question, he was told, 'Well, we can't check it, we don't have any data on it,'" one official said.

Two officials, who asked not to be identified, said they felt they were engaged in an exercise that would lead to foregone conclusions already publicly stated by the department. They pointed to the original drafts by Hystad, which appeared to have been taken verbatim from the statements he had previously written for Schlesinger and O'Leary.

Two officials complained that as the study progressed it became clear the focus was on areas that would not provide answers to the most fundamental questions arising from the gasoline shortage.

One official likened the investigation to a man who dropped a dollar on a dark street "and instead of looking for it where he dropped it, he looked for it under a street light."

Officials also said that the original wording of the report, which had cleared the oil industry of any wrongdoing, was changed because Bloom was still conducting audits of the oil companies.

Bloom reportedly argued that the exoneration was "grossly premature," because his findings could lead to civil or criminal charges. In addition, he said, a blanket finding by the DOE that oil companies did nothing wrong could later be used in court as a defense by an oil firm.

Linden, who was responsible for supplying all of the data used in the report, said he was relying on the honesty of the oil companies, since his data was derived from their reports.

He also said he did not offer conclusions for the study. Coleman and Hystad took that role, he said.

In reviewing the 27 sources of data listed in the report's appendix, Linden said that only five of them were used in the report.

Five others that were not used, he said,

were considered unreliable because the information had not been verified. He said those reports were stamped with the words: "Not Valid," a label that did not appear in the appendix.

Asked why 22 sources of data that were not used in the report were included without written explanation in the report to the president, Linden said, "It's in the appendix, um . . . because the appendix was a document taken out of something else."

The content of the report was written, debated, rewritten and debated again over a period of about six weeks, energy department officials say. It was completed by mid-July.

On July 17, a summary of the findings of the report was leaked to The New York Times, which published an article on its financial page.

The report was delivered to the White House July 24, two months after Carter had ordered that he receive the report within 30 days.

On Aug. 5, the Los Angeles Times and The Washington Post published front-page articles reporting that a DOE investigation had cleared the oil industry of charges of hoarding. Both newspapers had been leaked copies of the report, which still had not been publicly released.

The following day, on Monday, at 4 p.m., the White House officially released the report. Carter made no statement that day, and he and his spokesmen refused to answer any questions about the report. ●

FLORIDA'S SILVER HAired LEGISLATURE

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. LEHMAN. Mr. Speaker, I would like to draw my colleagues' attention to the August 5, 1979, Miami Herald article discussing the fine work that is being done by Florida's Silver Haired Legislature.

The senior citizens of Florida, who make up the membership in the Silver Haired Legislature, are making sure that the issues of deep concern to our senior citizens are not being ignored.

The article follows:

"SILVER HAired" VOTES CARRY CLOUT
(By Eleanor Hart)

Irwin and Geneva Miller, who retired to North Miami Beach from Boston five years ago, have already completed two terms in Florida's Silver Haired Legislature in Tallahassee.

The Millers were among the 38 senators and 119 representatives in this year's senior citizens' legislative group, funded by a \$50,000 federal grant to give the elderly better access to state government.

Irwin, 73, formerly with the food retail industry, served as a member of the House of Representatives, and Geneva, 68, a former bank comptroller, was Senate president pro tempore. During the annual week-long session in July, Geneva Miller co-sponsored a bill requiring adequate notice for residents of apartment buildings being converted to condominiums.

Though she feels the group "accomplished more than last year," Irwin Miller regrets that his bill to encourage employment and retraining of the elderly didn't make it. "It was the last bill of the session. It passed the Senate, but . . . we ran out of time . . . had only half a minute," he says.

The Millers feel the condo bill is among the priority items the group will present when the Florida Legislature convenes next April.

Other lobbying issues include:
Prohibiting grocery stores from raising prices of food items already marked and on the shelf.

Requiring geriatric courses as part of basic medical school curricula.

Permitting trailer park residents to organize and discuss grievances.

Tuition-free admission to state universities on a space-available basis.

Labeling prescription drugs and medicine with expiration date and generic name.

Statewide volunteer escort system for the disadvantaged which would provide mileage reimbursement and insurance for volunteer escort drivers.

Establishment of public health-care clinics focusing on nutrition, physical fitness and health education under the Public Health Department.

Cutback on utility charges.

Property tax relief providing a freeze on assessments of homestead property, increasing homestead tax exemptions and providing exemption from ad valorem taxation by school districts.

Licensing denture clinics to make and sell false teeth.

Review of the state foster care program.

Granting retired state employees cost-of-living pension increases.

The outcome for these proposals is up to the Legislature. But Needham W. Smith Jr., Jacksonville, president of the Silver Haired Senate, and Tom Crofut, Shallmar, speaker of the House, will be there lobbying, the Millers say.

Will the Millers, also active in the National Council of Senior Citizens and the Florida Senior Citizen Council, return to Tallahassee for a third term?

"If we are able, and if the people elect us," they say. "We need leadership, but primarily we need people from the grass roots." ●

WINDFALL PROFITS FOR OPEC

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. WHITEHURST. Mr. Speaker, the people of the Greater Boston area of Massachusetts, in particular those who read the Boston Herald American, are truly fortunate in having the opportunity to read the regular column written by Warren Brookes. Regrettably, Mr. Brookes is not syndicated; his cogent and intelligent comments deserve a much wider audience.

I would like to take this opportunity to share with my colleagues the August 16, 1979, column entitled "Is the Windfall Tax a Windfall for the OPEC Nations?" He raises some excellent points, which should be given careful consideration by all of us before further action is taken on any sort of windfall profits tax.

Let me commend Mr. Brookes for his research and his perceptiveness. I only wish there were more like him:

IS THE WINDFALL TAX A WINDFALL FOR THE
OPEC NATIONS?

(By Warren Brookes)

The other night, ABC nightly news made a major point of telling the American people that Exxon's profits had risen by 20 percent in the second quarter (over the same quarter in 1978).

What they did not tell you is that ABC's own profits had risen a healthy 36 percent.

They also did not tell you that while Exxon's average profit as a percentage of sales was 4.7 percent, ABC's was a rather comfortable 11.4 percent.

But the most important thing ABC failed to tell you is that primary reason for Exxon's profit growth (and that of the industry) was not domestic sales and operations, but overseas.

While Exxon's first half overseas profits (See Table) rose by 76 percent, its domestic profits actually declined by 5 percent. Precisely the same thing happened to California Standard (Chevron), whose overseas profit soared 104 percent, but whose domestic profits declined 9 percent. Or take the case of Gulf Oil, whose overseas profits boomed 136 percent—but whose domestic profits barely kept pace with inflation at 12 percent.

Now, what does this mean? And, why is it happening?

The answer is simple: the combination of overseas tax-breaks, price controls in the U.S. and the entitlements program have steadily promoted the expansion of these companies, not in the U.S., but abroad. They can make much more money exploring, developing and refining abroad, than they can here—so they are doing it, thus helping OPEC, and hurting us.

And, they are being encouraged to do this, by the policies of your Congress, and your DOE.

For example, since 1974, the major refiners of this country have paid out some \$30 billion in "entitlement" taxes for refining domestic oil (price-controlled). This \$30 billion, in turn, has been paid to refiners for refining imported (OPEC) oil. In other words, we have been penalizing the production of domestic oil (to the tune of about \$2.50 per barrel), and subsidizing the import of OPEC oil (to the tune of \$2.50 per barrel).

It is no wonder that domestic oil production (which is being "taxed") is dropping by 3 percent per year, while OPEC oil imports (which are being subsidized) have been rising about 7 percent per year.

Why are we doing this? For the simple reason that the eastern states (particularly New England) which import all their oil, are being subsidized by the Western states which produce most of their own oil, by a process that "equalizes" the price differential between domestically-controlled oil (averaging about \$9.60 per barrel), and imported oil, which until this year averaged about \$13.60 per barrel.

In other words we have been forcing the domestic oil industry to transfer costs from OPEC to the domestic oil industry (from consumers to producers).

As a result of this incredible mess (invented by New England congressmen) the major refiners have naturally found it much less profitable to produce and refine domestic oil—and much more profitable to produce and refine oil overseas.

This is why, among the top 20 oil companies, and particularly among the top 10, you will find that 50-70 percent of their profits are now being made, not on domestic production, but on overseas operations.

Part of this, of course is the fact that, on overseas operations, they now enjoy a significant tax break, because they can deduct royalties, paid to OPEC, as taxes. Unfortunately, Carter's much vaunted "windfall profits" tax will merely make the whole situation worse.

Why? Because it will defeat the whole purpose of de-controlling domestic oil prices—namely to encourage increased U.S. production and exploration.

How so? Because it will tax some 75-80 percent of every increased sales dollar, gained from de-controlling the prices, thus making domestic operations continue to be far less profitable than overseas operations. This is

why the American Petroleum Institute's Charles DiBona correctly warned that Carter's windfall tax will actually reduce the potential benefits of price de-control, by more than one million barrels a day.

If Mr. Carter really wants to stimulate domestic oil and gas production—and discourage overseas development and imports by the major oil companies, he should simply apply the windfall profits tax concept to overseas earnings—while turning domestic price controls (and profits) loose.

In other words, make it more profitable for energy companies to produce and invest in domestic energy development than overseas. This could be done by two simple devices:

1. As part of the de-control program, eliminate all tax credits on royalties paid overseas.

2. To force all increased domestic profits to be re-invested in energy development, simply outlaw all further horizontal mergers by energy companies with sales over \$200 million, unless approved by the DOE.

The effect of these two moves would be to turn the domestic energy industry around, and focus attention on domestic production and profits. Since the government would still collect 50 cents of every dollar collected through de-control, the revenues generated (together with the elimination of the overseas tax break) would more than equal the "windfall tax."

More important the de-control process would so stimulate all forms of domestic energy production (natural and synthetic) that the government would not have to get involved in the whole "synfuels" boondoggle at all.

It is a sensible approach—but that may preclude its acceptance by Carter or Congress. Unfortunately, their plans, as presently conceived, will simply make OPEC richer, and the U.S. energy-poorer. ●

INVESTIGATION OF AUGUST BEEF PRICES

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. ROSENTHAL. Mr. Speaker, on Monday, August 27, 1979, telegrams were sent to six agencies requesting an immediate investigation into allegations of beef wholesale price and commodity futures manipulation during August 1979. Each of the agencies has responded and the Commerce, Consumer, and Monetary Affairs Subcommittee which I chair will monitor the progress of the agencies as they pursue the substantive issues and questions involved.

I now insert the press release and samples of telegrams in the RECORD:

ROSENTHAL ALLEGES BEEF PRICE MANIPULATION

Congressman Benjamin S. Rosenthal (D-NY), Chairman of the Commerce, Consumer and Monetary Affairs Subcommittee (House Government Operations Committee) today demanded an immediate investigation into charges that beef prices were manipulated at the wholesale level in mid-August by several major beef packers and commodity futures speculators and, as a result, will increase dramatically for the consumer within days. The New York legislator sent telegrams to the Federal Trade Commission, Commodity Futures Trading Commission, Depart-

ments of Justice and Agriculture, Council on Wage and Price Stability and the Securities and Exchange Commission outlining allegations that price-fixing and collusion influenced a wide market swing in wholesale beef price during the past few weeks and requesting immediate action to determine what criminal and civil laws may have been violated.

Consumer groups and sources inside the industry told Rosenthal that the "yellow sheet", a private wholesale price listing, was pushed to an artificial low in early August. This resulted in panic selling by farmers and promotion plans for beef sales by retailers (who schedule price specials in advance but contract to pay the future yellow sheet price). Then, during the next two weeks the wholesale prices climbed and the speculators who bought low could sell high. One source estimated that ten traders alone may have shared at least \$5 million in turn-around profits. Analysts who have already charged that the yellow sheet pricing mechanism is based on too small a sample of sales, may now find proof that it can easily be manipulated for personal gain.

In response to inquiries by the subcommittee, the Department of Agriculture confirmed that last week the cost of hamburger for its school lunch program jumped 12.04% (from \$1.0797 cents per pound to \$1.2097 cents for the 1,732,500 pounds purchased the week ending August 24). We were told the increase was "unexpected and unexplainable" and as big as the Department has ever seen.

"Only immediate action to roll back the artificial prices for beef reported the last week in August will stem retailers' losses and keep prices down for consumers already struggling with inflation," said Rosenthal, who chaired hearings in eight different cities this past May on the impact of inflation on consumers.

The regulatory agencies have been requested to look specifically at trading by employees and principals of Iowa Beef Processors, Inc. (Dakota City, Nebraska) and Spencer Packing Company (Spencer, Iowa), and related activities by a number of Chicago Mercantile Exchange firms which trade in the futures market.

"We are interested in whether the agencies which have jurisdiction over these practices have failed to prevent manipulation of the marketplace," Rosenthal said, "but my concern right now is for consumers who will pay for these profits in the days to come. The cost of food is an issue which affects us directly and daily." Rosenthal added that his subcommittee will continue to monitor the situation.

Copies of the telegrams are attached.

TELEGRAM

As Chairman of the Commerce, Consumer and Monetary Affairs Subcommittee (House Government Operations Committee), I am asking the Commodity Futures Trading Commission (CFTC), as the agency charged with the regulation of futures trading and agricultural and other commodities traded on commodity exchanges, to begin an immediate investigation into charges brought to my attention by consumer groups and industry sources, that beef prices were manipulated at the wholesale level in mid-August by several major beef packers and commodity futures speculators. My subcommittee has received complaints that price fixing and collusion influenced a wide market swing in wholesale beef prices during the past few weeks and that, as a result both retailers and consumers will be paying dramatically higher prices for beef within days.

In response to a subcommittee inquiry, the Department of Agriculture confirmed that last week the cost of hamburger for its school lunch program jumped 12.04% (from \$1.0797 cents per pound to \$1.2097 cents for the 1,732,500 pounds purchased the week

ending August 24). We were told the increase was "unexpected and unexplained" and as big as the Department has ever seen.

Consumer groups and sources inside the industry have told the subcommittee that the "yellow sheet", a private wholesale price listing, was pushed to an artificial low in early August. This resulted in panic selling by farmers and promotion plans for beef sales by retailers (who schedule price specials in advance but contract to pay the future yellow sheet price). Then, during two weeks the wholesale prices climbed and the speculators who bought low could sell high. One source estimated that ten traders alone may have shared at least \$5 million in turn-around profits. Analysts from the Department of Agriculture have already charged that the yellow sheet pricing mechanism is based on too small a sample of sales and your agency may now find proof that it can easily be manipulated for personal gain by price-fixing, dissemination of false and misleading market information and other unfair and illegal market practices.

The CFTC was established as an independent agency in 1974 in order to more effectively regulate commodity futures trading yet it would seem from these allegations that the market has indeed been manipulated and prices distorted. Market users are to be protected against cheating, fraud, and abusive practices in commodity transactions yet it appears retailers and consumers have been caught by a costly scheme.

Specifically, the market may have been interfered with as follows:

1. Present and former officers and employees of certain major beef packing companies pressed the beef wholesale market down sharply on the yellow sheet with artificial packer-to-packer sales;

2. Farmers then sold cheaply to protect themselves, cattle futures were depressed, and retailers were induced to schedule beef price specials;

3. These same present and former officers and employees purchased cattle futures contracts at these depressed prices through certain commodity brokerage firms;

4. They then had their companies purchase large quantities of cattle, driving up prices on the futures exchange;

5. They sold their futures contracts for a quick and substantial profit through these same commodity brokerage firms;

6. The beef was sold by the packing companies "on a market basis", that is, at the yellow sheet price on a certain future agreed-upon dates;

7. To avoid a loss for their companies, these present and former employees manipulated the yellow sheet upward, again with artificial packer-to-packer sales;

8. The now sharply higher yellow sheet wholesale prices are causing huge losses to retailers who had scheduled price specials and contracted for future purchases;

9. Retailers must now increase their margins to recoup these losses and the combination of higher wholesale prices plus increased retailer margins will dramatically increase costs for the consumer.

Your investigation of possible civil violations and other illegal activities should begin with present and former officers and employees of Iowa Beef Processors, Inc. (Dakota City, Nebraska) and Spencer Packing Company (Spencer, Iowa) and the brokerage firms of Rufenacht, Bramagen & Hertz, Inc.; O'Connor Grain Company; Ray E. Friedman & Company; Paine, Webber, Jackson & Curtis; and Saul Stone & Company, all members of Chicago Mercantile Exchange.

Only immediate action by your agency and the other agencies which have jurisdiction over these practices to roll back the artificial prices for beef reported the last week in August will stem retailers' losses and keep prices down for consumers already struggling.

gling with the rising cost of food. My immediate concern is for consumers who may have to pay the price for this manipulation in the days to come.

The results and conclusions of your investigation should be made available to the subcommittee as soon as possible. Whatever action you can take now to protect the consumer from these cost increases will aid our overall fight against inflation. ●

QUESTIONNAIRE RESULTS

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. MICHEL. Mr. Speaker, having just returned from the August recess, we all should have a fresh perspective on what our constituents expect their Government to be doing. It is refreshing, and sometimes reassuring, to listen to what the people have to say. We probably did our country more good talking to our constituents than we would have done by remaining in Washington. While I was back in my district, I not only received the personal opinions of those I met, but I also received the results of our annual questionnaire sent to some 189,000 households. I found the survey results of great interest and would like to share them with my colleagues.

The following is a tabulation of the results:

Question	Percent		
	Yes	No	No answer
Would you vote for standby gas rationing?	47.2	49.3	3.5
Would you drive less if gas rises to \$1.25 per gallon?	52.6	46.5	.9
Do you favor continued development of nuclear power for energy?	72.7	24.7	2.6
Did the Three Mile Island nuclear plant accident in Pennsylvania alter your thinking?	22.7	74.6	2.7
Would you favor relaxing the environmental protection laws to enable industries to use coal?	85.3	12.7	2.0
Do you favor mandatory wage and price controls to combat inflation?	46.6	49.8	3.6
Should the Federal Government institute a program of national health insurance?	28.0	68.2	3.8
Should the Senate ratify the SALT II treaty with the Soviet Union?	39.8	47.7	12.5
Do you think we ought to reinstitute the draft?	56.4	39.1	4.4
Do you favor registration all 18- or 19-year-olds for possible military service?	70.5	26.2	3.4

PEACE CORPS RESPONDS TO CONCERNS OF A VOLUNTEER

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. HAMILTON. Mr. Speaker, I would like to bring to the attention of my colleagues some correspondence I had recently with Richard Celeste, the Director of the Peace Corps. This correspondence was prompted by a very thoughtful and detailed letter from a Peace Corps volunteer.

This volunteer described some serious problems and concerns regarding Peace Corps recruitment and placement, compartment of volunteers in-country, policies on medical evacuations, wasteful activities, and poor supervision of volunteers. The criticisms were presented in a constructive way and I attempted to relay them to the Peace Corps for consideration.

I am pleased with the response from the Director of the Peace Corps because he took the criticisms seriously, was aware of most of the problems, and claims some corrective actions have been undertaken. Some of Mr. Celeste's statements on Peace Corps policy regarding certain matters will be helpful in clarifying the disposition of the Peace Corps when volunteers in foreign countries find themselves in difficult situations.

I have always believed that part of the vitality of the Peace Corps depends on volunteers feeling free to share their evaluations and criticisms of their experiences and on a positive receptiveness and responsiveness by Peace Corps administrators to such feedback from volunteers.

The correspondence with the Director of the Peace Corps follows:

PEACE CORPS,

Washington, D.C., July 30, 1979.

HON. LEE H. HAMILTON,
Chairman, Subcommittee on Europe and the Middle East, Committee on Foreign Affairs, U.S. House of Representatives, Washington, D.C.

DEAR MR. HAMILTON: Thank you for your inquiry of July 9 concerning issues raised in a letter to you from a Peace Corps Volunteer. I will address these issues within the same format as you presented them in your letter.

1. *Recruitment and placement.*—All Volunteer assignments are agreed upon by the in-country Peace Corps staff and officials of the appropriate host agency. Agency officials specify the qualifications they desire for each position and only those individuals with appropriate backgrounds are recruited. I do not believe that cases of Volunteers being "mismatched" to their assignment are as frequent as your letter would imply.

However, the question of Volunteer success or failure is frequently not one of whether the Volunteer is qualified for the work she or he is assigned to do, but rather whether the Volunteer is able to meet the unique challenges presented to Peace Corps Volunteers who must live as a part of the host community at approximately the same level as the people with whom they work.

It is my firm belief that the majority of Volunteers are successful in meeting this challenge. We, however, are concerned that every Volunteer sent overseas have the greatest possible chance for successful serv-

ice and we have made and continue to make significant progress toward this goal.

During the past two years, several initiatives have been implemented to improve the quality and suitability of the Volunteers which the Peace Corps attracts. Recruitment materials have been redesigned to emphasize commitment to Volunteer service and to provide more precise and complete information concerning the Volunteer experience. Careful attention is now being given to the screening of applicants through personal interviews with recruiters. We are increasing pretraining programs and providing more in-depth country and assignment specific information. A major focus of these screening procedures is motivation. A variety of administrative improvements also have been initiated within both the recruitment and placement operations, all of which are aimed at freeing recruiters and placement officers from time consuming paperwork so that they can give more time and personal attention to getting the right Volunteer into the right assignment.

An important factor in providing qualified and effective Volunteers is the training they receive. We have made significant progress in upgrading Peace Corps training during the past year and this will continue to be a priority during the coming months. The average length of training programs will increase substantially from about 8 weeks to more than 12 weeks in FY 1980.

As the Peace Corps moves to recruit from a broader spectrum of educational backgrounds, increased emphasis will be placed on technical skill training. As we place more Volunteers in rural areas, where the poorest citizens of a country are usually located, we are giving increased attention to local language training and cross-cultural orientation. In general, the amount of time devoted to language training will increase significantly.

Volunteers will also receive training in secondary skills, personal health skills and perspectives on women in development. And, once a Volunteer is placed in the field, we are providing more in-service training to ensure his or her ongoing effectiveness. We will continue to seek new ways of improving training so that all of our Volunteers will arrive at their assignments with the insights and skills necessary to their success.

I am convinced that these efforts will have a major impact in reducing the level of Volunteer attrition. In addition, I think it is important to note that Peace Corps Country Directors are reporting significant improvements in the quality of Volunteers they are receiving, especially in the areas of commitment and flexibility.

2. *Compartment of volunteers in-country.*—It has been and will continue to be the Peace Corps' policy that any Volunteer found to be involved with the use of illegal drugs will be immediately terminated from the Peace Corps and returned to the United States. Volunteers are repeatedly made aware of this policy during both recruitment and training. Overseas staff members are aware that enforcement of this policy is an important responsibility. Realistically, I am sure that there are some Volunteers who do use drugs just as many other Americans do despite all public and private efforts to discourage such activity. However, in my opinion, the vast majority of our Volunteers are aware of the potentially serious social, political and legal impact of illegal drug use and, therefore, avoid such activity.

All Peace Corps Volunteers are subject to the laws of the country in which they are serving. If a Volunteer is arrested for any reason, including on drug-related charges, the Peace Corps does not interfere with established legal procedures but does continue to provide the Volunteer with every appropriate form of support, including the provision of legal representation if necessary.

We have a professional staff in each of the

countries in which Volunteers serve whose primary responsibility is to provide support to the Volunteers. This includes counseling them should difficulties arise between Volunteer and host country nationals, either on-the-job or socially, and working with the Volunteer and other individuals involved in an attempt to find a mutually agreeable solution.

From time to time, we do find it necessary to terminate a Volunteer's service due to his or her inability or unwillingness to live up to the commitments made when entering the Peace Corps. The decision to terminate a Volunteer is made by the Country Director. Following this termination, a Volunteer has the option of appealing this decision to Washington, with the final decision being made by the Director of the Peace Corps.

The appeal procedure is carefully structured to protect the rights of the Volunteer and includes reviews by our Office of Special Services, our General Counsel and various Regional staff members. If a Volunteer wishes to appeal his or her termination in person, he or she has the option of returning directly to Washington following the termination at Peace Corps expense.

3. Policy on medical evacuation.—Husbands and wives do not automatically accompany their spouses during medical evacuations. If it is decided by the Peace Corps Medical Officer and the Country Director that the medical situation is of a serious nature, or that the support of the spouse would be of assistance, they can authorize the spouse to travel at Peace Corps expense. In fact, in most cases the spouse does accompany the husband or wife, especially when a lengthy recuperative period may be involved.

The Peace Corps tries to provide quality medical care to its Volunteers, frequently under very difficult circumstances. In each country where Peace Corps Volunteers serve, we assign either a Peace Corps doctor or nurse, or contract with a local doctor, to serve as a Medical Officer who is responsible for the health care of the Volunteers. In addition, each training program now includes health instruction designed to familiarize Volunteers with the various health hazards which they might encounter and to better equip them to meet their own routine health and medical needs while serving in remote areas.

During service, the Peace Corps is responsible for providing its Volunteers with all necessary medical care. Following service, Peace Corps Volunteers are eligible for medical coverage under the Federal Employees Compensation Act (FECA) administered by the Office of Workmen's Compensation with the Department of Labor. Under the FECA, Volunteers are eligible for coverage for any service-related injury or illness. Peace Corps staff members are available in Washington to assist returned Volunteers with the processing of claims and are willing to provide follow-up services should problems develop with a claim which has been filed with the OWCP.

4. Wasteful activities and poor supervision of volunteers.—The Peace Corps operates under a limited budget and, in an effort to limit costs wherever possible, it is our policy to authorize travel, workshops and conferences only in those instances when they clearly contribute to the effectiveness of our program.

We do utilize staff and Volunteer workshops as a means of both program development and in-service training. We feel it is important to allow Volunteers the occasional opportunity to get together with other Volunteers and staff members so that they can share their experience and seek solutions to mutual problems. This allows staff members the opportunity to obtain group feedback concerning the quality of assignments, the effectiveness of programming, and the adequacy of pre-service training from Volunteers who have been in the

field and working for a period of time. I do not know to which "workshops and conferences" the Volunteer refers in the letter to you and, therefore, cannot be more specific in my response to this question.

Each Volunteer is assigned to a project administered by a host country agency and they work under the direct supervision of the personnel of that agency. Peace Corps in-country staff have the responsibility of providing support to the Volunteers. Again, given the budget constraints, these staffs tend to be "lean." Still they make every effort to visit Volunteers in the field on a regular basis. Our staff members are also always available to assist a Volunteer should he or she be experiencing any particular problem.

During the past two years, the Peace Corps has been moving to place Volunteers in assignments which address the basic human needs of the poorest citizens of the nations in which they serve. This has included a substantial increase in the number of Volunteers assigned to rural areas and a movement away from assignments, such as university education programs, which would place Volunteers in capital or other large cities.

Volunteers are expected to live as part of their host communities and are not expected to be in the capital city, or away from their sites at all, unless they are using their annual leave time, seeking necessary medical attention, or on assignment-related business. I do not think it is accurate to state as a generalization that Volunteers "have a tendency to lay around capital cities." Once again, without knowing to which specific country this Volunteer is referring, it is difficult for me to respond more completely.

5. Appeal and complaint process.—Volunteers can "surface" their complaints to their Country Directors and to Washington and they can get results. This is one of the primary functions of our country staffs and to a certain extent every Peace Corps office in Washington is directly responsible for meeting the needs of our Volunteers.

A Peace Corps Volunteer has complete confidentiality, if he or she so desires, when voicing criticism of Peace Corps operations. We welcome, and indeed seek, the advice of our Volunteers. In fact, I have recently instituted the practice of personally meeting for an hour once each week with any returned Volunteer who might be in Washington and has something he or she would like to talk over with me.

I can assure you that no Volunteer is going to suffer in any way because he or she criticizes the way we do things. Frankly, with 6,000 very individualistic Peace Corps Volunteers, I receive a wide range of advice—some sound, some constructive though critical, and some just not feasible.

We are also recruiting an increased number of former Volunteers to serve as overseas staff members. One recent initiative in this area has been the re-establishment of the "Peace Corps Fellows Program." Through this program, outstanding returning Volunteers are selected for an extended training program here at our Washington headquarters and are then returned overseas as Associate Country Directors. This ensures that our in-country staffs will have an in-depth understanding of the problems with which Volunteers must deal and, therefore, will be more effective in helping them to overcome these.

No office handles Volunteers problems, complaints and suggestions exclusively. As I stated above, every office—especially our Country Desk Officers and our Office of Special Services—is meant to be as responsive as possible. A Volunteer is encouraged to contact the appropriate office in an effort to resolve any problem he or she might be experiencing.

However, it is usually more effective if they deal directly with the country staff members,

including the Country Director, who are more familiar with our Washington operations and can usually expedite the resolution of a Volunteer's problem unless, of course, it involves a problem with the country staff itself.

Each year the Peace Corps conducts a "Volunteer Survey" through which Volunteers comment on many facets of Peace Corps operations. The data compiled from this survey is an essential evaluation tool for those of us with senior management responsibilities, since it allows us to secure a better perspective on what our Volunteers generally think about a variety of issues, including those which you have raised.

I hope the Volunteer who has written to you will not hesitate to contact his or her country staff concerning any specific problems he or she may be experiencing. And I would welcome any advice he or she might have for me.

I greatly appreciate your having taken such an in-depth interest in the Peace Corps on behalf of your constituent. If I can provide you with additional information concerning these or any other issues, please do not hesitate to contact me.

With best regards,

RICHARD F. CELESTE,

Director. ●

OUR COUNTRY IS ALIVE AND WELL

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. BRINKLEY. Mr. Speaker, most of us during the August district work period had an opportunity to touch home base and to feel the pulse of grassroots America. I am happy to report from my own perspective, that is, Georgia's Third District, that our country is alive and well.

As an example of the positive, upbeat activities which are the healthy heartbeat of a strong and progressive nation, I should like to share with you now a letter written by my constituent, Dr. M. S. Silberman, and published in the Taylor County press.

The letter follows:

EMORY UNIVERSITY SCHOOL OF MEDICINE,
Atlanta, Ga., August 15, 1979.

EDITOR,
Taylor County News/Butler Herald,
Butler, Ga.

DEAR EDITOR: This is an open letter to the people of Taylor County. During these times when uncertainty and confusion appear to be becoming a way of life, some very positive things have happened in Taylor County and after a little reflection it is obvious that they spell out a bright future for our citizens.

Just this past week Mr. Bobby Gene Swain, representing the Taylor County Shriners Club, presented a check for over \$2,000.00 to the Board of Education. This money was collected by the Shriners over a period of time through various events sponsored by the club. Here is just one example of that bright future—generous, civic-minded men donating their time, money and energy to help insure a better future for the youth of the community. Their faith in our young people is obvious.

This past June Mrs. Edith Guy once again took her Debating Team to a national competition. They bested teams from all over this nation to become the national Debating Team champions. Mrs. Guy certainly didn't allow a despair to enter her life and, with her students, brought national recognition to

Taylor County and introduced many to young people, who certainly don't meet the stereotyped, myopic image portrayed by much of the media.

Most recently Mr. Shan Young, a 1979 honor graduate of Taylor County High School showed the "mettle" of our youth. He mesmerized a graduation audience with the eloquence of his presentation during a speech at graduation. Now he has placed third in the national Mr. U.S.A. Team Competition held in Minneapolis, Minnesota. To achieve this status he had to show scholastic excellence, athletic participation, maturity in personality, a record of service and achievement both in school and in the community and a team "image". His parents, teachers, relatives and friends certainly have every right to be proud of Shan. Shan has shown he has what it takes and with the support of family and friends and his personal perseverance will go all the way in whatever venture he chooses.

So: Thanks Bobby Gene Swain and the Shriners for your faith and love of the youth of this community. You have shown me that there is reason for optimism and, with civic groups such as your supporting us, education will progress in our county.

Mrs. Guy, thanks for reminding us once again of the excellent teachers we have in this county. Your dedication and love of our youth and community is infectious and as long as we have educators like you our future is insured. The young people who worked so hard have also reminded us that we need not "bemoan" the sorry state of today's youth. These young adults will straighten out the obvious problems we are leaving them as an inheritance if we give them half a chance.

To Shan Young, a very special thanks for showing this country what our youth are made of. You have given me a great pride in our school system and an assurance that the future of our county, state and country need not be questioned. You remind us all that the great majority of our young people are moral, honest human beings. Your own actions and behavior are examples to all of us and give us a goal to pursue.

So things are pretty good in Taylor County. We have the greatest civic clubs, our teachers are as good as anywhere in this nation and our greatest asset, the youth of this community, are an example to the whole country.

Sincerely,

M. S. SILBERMAN, D.V.M.,
University Veterinarian/Assistant Professor of Pathology, Chairman, Taylor County Board of Education. ●

MASSACHUSETTS GROUPS DEMONSTRATE AUTO SAFETY TECHNOLOGY

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. CONTE. Mr. Speaker, last week in Boston, a group of Massachusetts-based medical, insurance, consumer, highway safety and disabled persons' organizations met to emphasize the need for automatic crash protection in cars. I wish to draw to my colleagues' attention a news article about that event and a statement in support of airbags by my friend John Volpe, the distinguished former Governor of Massachusetts who also was an outstanding Secretary of Transportation.

This information will be useful to the Members as we prepare to vote next

week on the Dingell amendment which would forbid the NHTSA from implementing the passive restraint standards as it pertains to airbags. I intend to oppose this amendment and I am heartened by this support from former Secretary Volpe and this disparate group of organizations concerned about highway safety.

The article and statement follow:

MASSACHUSETTS GROUPS DEMONSTRATE AUTO SAFETY TECHNOLOGY

A large group of Massachusetts-based medical, insurance, consumer, highway safety and disabled persons' organizations met today in Boston at Prudential Tower to emphasize the pressing need—and vigorous support—for automatic crash protection in automobiles.

Joan B. Claybrook, Administrator of the U.S. Department of Transportation's National Highway Traffic Safety Administration, a special guest and keynote speaker, said she was "pleased to announce that Commercial Union Assurance Companies, Liberty Mutual Insurance Company and Prudential Insurance Company will purchase fuel efficient automobiles equipped with automatic restraint systems for their corporate fleets when such vehicles are available. The three companies have over 4,000 vehicles in their fleets.

"Such a commitment is a sound business and social undertaking as air bags and automatic seat belts can prevent many deaths and serious injuries. Until such time as the systems are available, the three insurance companies will continue to promote use of the present manual seat belt equipment," she said.

The U.S. Department of Transportation has required that, beginning in 1982, automobiles start being equipped with some form of automatic crash protection. Automobile manufacturers, while considering automatic safety belts and air cushion restraint systems as ways of meeting the federal performance requirements, have already delayed introduction of these proven lifesaving devices for almost 10 years.

The diverse groups explained their individual reasons for supporting automatic crash protection in automobiles:

MEDICAL GROUPS

Head impacts in automobiles are the single largest cause of epilepsy, producing approximately 20,000 new cases of epilepsy in the U.S. each year;

Automobile crashes are the single largest killer andcrippler of children, killing approximately 4,500 children between the ages of 1 and 14 each year, and seriously injuring 240,000 children from birth to age 14 each year;

Automobile crashes are the single largest cause of paraplegia and quadriplegia.

INSURANCE COMPANIES

Industry data show that policyholders will save approximately \$1.9 billion annually once automatic crash protection is available in every car.

CONSUMER GROUPS

The U.S. Department of Transportation's requirement, as it now stands, will for the first time give consumers a choice of restraint systems. This freedom of choice will allow them to buy cars which use modern technology to protect people from death and serious injury in most crashes.

HIGHWAY SAFETY GROUPS

While continuing to encourage use of currently available seat belts, many years of past experience have shown that such efforts have failed to raise belt use above 14 percent. Devices that protect people automatically

have proven their lifesaving and injury reducing capability.

The groups demonstrated that air cushions are capable of saving lives by showing an air cushion equipped car that several years ago was involved in a serious crash in Florida. A Florida woman and her two grandchildren walked away from the crash with only minor injuries. Christopher Burns, a 20-year-old resident of Scarsdale, New York, talked to reporters about his air-bag crash experience. These cars were among the few air bag equipped cars manufactured by General Motors between 1974 and 1976. Liberty Mutual, a Boston-based insurance company, used a specially equipped car to demonstrate how air cushions deploy from the hub of the steering wheel and from under the dash panel to protect front seat occupants in a serious crash. Until a serious crash occurs, the cushions remain stowed out of sight. The groups also demonstrated automatic safety belts, already available as options on a limited number of small cars, and a display of child protection devices.

Organizations sponsoring the event include:

American Academy of Pediatrics, Massachusetts Chapter.

Association of Massachusetts Consumers. Commercial Union Assurance Companies.

Epilepsy Foundation of America, Massachusetts Chapter.

Liberty Mutual Insurance Company. Massachusetts Association of Emergency Medical Technicians.

Massachusetts Association of Paraplegics. Massachusetts Department of Public Health, Division of Preventive Medicine.

Massachusetts Safety Council. National Spinal Cord Injury Foundation.

Prudential Life Insurance Company of America.

STATEMENT OF HONORABLE JOHN A. VOLPE

I'm very sorry that I will be out of state on August 30th when you will be sponsoring the demonstration and press conference at Prudential Tower, to emphasize the need for, and effectiveness of, automotive crash protection in automobiles. Inasmuch as I cannot be present, I would like to state my views with regard to this very important subject.

It was almost 10 years ago when I instigated efforts to try to improve safety in our automobiles. It is too bad that a passive restraint system is not yet mandatory in the automobiles being manufactured today. It was our estimate then, and apparently not too different today, that passive restraint systems could save approximately 10,000 lives per year. Some people do not feel that air bags are completely safe. The regulations that Secretary Adams proposed, as well as those I proposed, do not require the air bags—it can be a passive belt restraint system such as has been used in VW's for the past three years. The regulation would provide for the utilization of either of these two systems.

Thousands of cars during the last few years have been equipped with both the air bag system and the passive belt system and in no case has there been any record of cases of the air bags not working properly (as some people have claimed).

I believe in a proper time frame, which it seems has been allowed, for the utilization of these systems to be incorporated in the cars manufactured in accordance with the law, which now provides that they will go into automobiles starting with the model year 1982, and be mandatory in all cars by 1985.

I want to add my voice to those who feel that the cost/benefit ratio involved in the use of these systems is certainly worth every dollar invested and I trust that there will be no further delay in their utilization. ●

THE "DISAPPEARED" IN ARGENTINA

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

• Mr. GILMAN. Mr. Speaker, tomorrow marks an important occasion for Argentina. It is the beginning of a 2-week visit by the Inter-American Human Rights Commission of the Organization of American States. This important visit signals, at long last, a change in attitude by the ruling junta to regain international respectability and remove some of the barriers of secrecy surrounding the tragic situation in that nation.

One of the truly motivating forces within Argentina working for just such an opening has been the Mothers of the Plaza de Mayo. This group of women consists of mothers whose children or relatives have disappeared. Their activities began as a completely spontaneous movement and continue to operate without political ties.

Having jointly endured the long vigils in various government offices seeking information on their relatives, they joined forces in 1977. After individually exhausting all legal remedies they took their case to the streets in silent vigils every Thursday afternoon in the Plaza de Mayo. Although the government has blocked their access to the plaza since the beginning of this year, they have continued their efforts in behalf of the thousands of Argentine citizens who have disappeared.

On a recent trip abroad that included a stop in Washington, the mothers expressed their hope and concern about the OAS Commission's visit. They are hopeful that this action will shed some light on the fate of the disappeared and begin the long process of healing the nation's wounds.

On the other hand, however, they are concerned about the many disappeared who are still alive in detention centers. There is alarm that these witnesses to Argentina's excesses may be eliminated in the wake of the Commission's visit. A May 29 statement by General Viola, the commander-in-chief of the army and a member of the ruling junta, acknowledged for the first time that there are "disappeared" whom he called the "absent forever."

During my most recent meeting with several of the mothers they provided me with testimony from a woman, Ms. Estrella Iglesias, who had disappeared and been held at a secret detention camp. Ms. Iglesias, who now resides in Europe, identified 18 people who are on the lists of the disappeared and who were with her in secret detention. Her testimony provides documented proof of the existence of secret detention centers and their disappeared inhabitants.

In an effort to share this important story of the efforts of the mothers of the Plaza de Mayo with my colleagues and to call attention to the visit of the OAS Commission, I am inserting Ms. Iglesias' entire testimony in the RECORD at this point:

TESTIMONY

Name: Estrella Iglesias.
Age: 31.
Date of birth: March 29, 1948.
Nationality: Spanish.
Domicile: Buenos Aires (Argentina) since May 24, 1949.
Profession: Skilled worker at Squibb laboratory in Argentina.

On August 11, 1978, I was detained by personnel of the police and joint forces at my home, 311 Malpu Street, 10th floor, Apartment 3, Partido de Vicente Lopez, in Buenos Aires province.

The search of the premises was carried out, without a warrant, by twelve persons in civilian dress and a dog. The motive for the detention was the accusation of my active participation in the Communist Party (Marxist-Leninist) of Argentina, formerly the Communist Vanguard.

After I was taken from my house and just as the above persons put me inside a Peugeot 504, a patrol squad of the Buenos Aires province police passed by and waved to those involved in the detention operation. From here I was taken to General Paz Avenue, where I was blindfolded. The vehicle went along General Paz Avenue to its intersection with Ricchieri Avenue, then followed this road for about ten minutes. Upon arriving at Cintura Road, we went along a small road and entered a building to which a very strong floodlight was attached. Given my prior knowledge of the area through which they drove and the changes in light that I could capture through the blindfold, I was able to observe those details despite my being blindfolded.

The place where we stopped is in a military zone, the La Tablada Infantry Regiment. I was taken to a construction consisting of three separate houses, a patio, garage and swimming pool. The houses were similar to chalets, with red roofs.

During the entire trip from my house to this building, they socked me in the face and on my body. They also told me that I wasn't detained, nor had I disappeared, nothing like that; now I'd just been absorbed, kidnapped, "sucked up."

When they took me from the car, they led me through a series of rooms until we reached one where, hitting and pushing me, they removed my clothes and tied me to a table. At this point, they began to torture me. The torture consisted of applications of electric current to the genitals, breasts, toenails, mouth and gums; stretching my arms, mostly my right arm until they dislocated it; putting rats on my face and between my legs. All this was accompanied by questions as to my political activity, people with whom I had contact, and knowledge of other political groups and activists.

The person leading the interrogation responded to the nickname, "the Frenchman." He was about 40 years old, with black wavy hair, a moustache, approximately 1.80 meters tall, and of stout build. This torturer at one point lifted my hood and asked me to look at him since he said he wasn't afraid to have me know him. They call me the Frenchman, he said.

I don't know the actual length of time they tortured me because for three days I lost consciousness of the passage of time. The first time they tortured me, it lasted all night. When they took me from that place, they left me at another house. There they threw me onto the floor and shackled me to the wall. Several days later they gave me a blanket, because it was incredibly cold and I was half naked.

On August 17, 1978, the anniversary of the death of General San Martin, a national holiday in Argentina, I heard the sounds of a military marching band. The march was that of the Infantry Regiment. The persons who guarded us followed the orders of an

officer named Chavez. The guards inside the house wore blue overalls with laced shoes. The guards outside the house were in civilian dress, working 24 hours with 48 hours rest. There were eight guards outside the house and two inside. There was also the officer in charge and the intelligence service personnel who carried out the torture. On August 22, 1978, the number of guards was increased, and that day, while being taken to the toilet, I saw a uniformed Army lieutenant entering the room.

In the house where I was, there were other people who to this day continue on the list of the disappeared. The majority were men although there were also some women. Among the women were:

Beatriz Perosio: President of the Buenos Aires Psychologists Association and member of the National Federation of Psychologists. This 31 year old woman was shackled to the wall, thrown on the floor in a hut without a roof. It should be added that we were all held in those conditions.

Norma Falcone: Lawyer for Political Prisoners. 29 years old.

Ester Gerber: Metallurgical worker, 24 years old, lost a child while six months pregnant, due to torture. She had a miscarriage at a military hospital. Then they returned her to where we all were.

Alicia de la Rubia: Homemaker, 53 years old. She was held as a hostage because they were looking for her daughters.

Among the men, hooded and shackled to the wall, were:

Roberto Cristina: Teacher, 38 years old.
Jorge Montero: Mechanic, 33 years old.
Ruben Kritzkautsky: Dentist, 42 years old.
Ernesto Scerszewisz: Technician, 39 years old.

Victor Volloch: Metallurgist, 33 years old.
Elias Seman: Lawyer, 42 years old.
Abraham Hochman: Lawyer, 40 years old.
Saul Miclic: Smeltery worker, 39 years old.

Oswaldo Balbi: Writer, 33 years old.
Mauricio Poltarak: Electronics technician, 36 years old.

Martin Vazquez: Worker, 19 years old.
Luis Diaz Salazar: Worker, 26 years old, Spanish.

Hugo Waisman: Technician, 30 years old.
Guillermo Moralli: Employee, 30 years old.
Juan Miguel Tanhauser: Student, 19 years old.

Also Luis Perez, a bank employee who died under torture at 42 years old.

They stopped calling us by our respective names and gave us a code which we weren't to forget. The code used was "Empresa Vesubio," which was the name used among the intelligence services for the place at which they held us. V.25 came to replace my name in the list that was made daily before the change of guard.

The men there who'd been tortured and had disappeared as was my case had had their clothes taken away. They had been given brown jackets and slacks, as well as the traditional hood which covered the head.

In talking with various people there, I learned of the presence of Cristina Moralejo, leader of the Health Workers Union, Quilmes Sector, Buenos Aires province, and of her husband Hugo Sanchez, both of whom had been transferred from this location in May.

On several occasions I was asked if I knew her. They questioned me during the torture sessions since I too was a member of the Health Workers Union of Buenos Aires.

Cristina Moralejo and her husband Hugo Sanchez are still among the disappeared persons.

In this house the guards said that our situation was resolved and that we'd be transferred to another concentration camp.

After my 15th day as a disappeared person, I was approached by someone whom everyone

called "Sir." The guards called him by the nickname "Teco," a contraction of Lieutenant Colonel. "The Frenchman" asked me, in the presence of this other man, if I had relatives in Spain. When I replied negatively, I heard them talking between themselves and the "Frenchman" said, "Yes, this is Estrella." This person who accompanied "the Frenchman" is the same person who took Ester Gerber to the hospital when she had her miscarriage.

Two days after this questioning session, they changed me to another house. I crossed a patio and they took me to a room where there were more women. On the way, a guard said to me, "You're saved, shorty." While I was in this house, they took down my personal data, the names of my parents and other family members.

On September 14th they divided us into groups of seven each one of which I was in. They put us into a vehicle, hooded and with our hands tied from behind with plastic cord. After a short distance the small truck carrying us stopped. They told us not to scream that they could deliver seven people or seven cadavers. The people who'd been driving walked away. We heard voices and then silence. Fifteen minutes passed and someone outside said: "I think someone was calling." "Is there someone there?" "They said yes." This whole farce took place outside the truck; no one inside the truck was speaking. They opened the door and took off my hood. The first thing I saw was an Army Lieutenant who asked me my name and who I was; then he asked if I was a prostitute and what I was doing there.

Another uniformed person, also of the armed forces, came over with an envelope marked with my name and said: "It says here that she's a Communist." They took us all out of the truck, without hoods and with hands tied behind. I heard them yelling insults while they had us get into an Army truck. There was an officer and another person in civilian dress who now had the envelopes marked with our names. I found that I was in a neighborhood street. We went some 300 meters and were taken into the Third Infantry Regiment barracks. They again asked our names. We were there for 30 minutes without leaving the truck. Then they took us to the Third Commissariat of Valentin Alsina, West Lanus, Buenos Aires province. There another lieutenant and a sergeant again took down my personal data, and then they put me together with three other women from the same truck in a cell one meter wide. It was completely dark, with an iron grate in front of a wall. It was very cold and had no ventilation. It was lacking the most minimal hygiene conditions: we had to urinate and defecate while up against the door, since most of the time they wouldn't take us to the bathroom. Once a day they fed us, from the leftovers of the Commissariat staff. Most often the meal consisted of soup with some potatoes and bits of meat and vegetables. While I was there, one night a Lieutenant Colonel approached me during the guard duty of officer Rodriguez and the captain Velazquez. In their presence I was informed that I was under the jurisdiction of a Court Martial.

Several days later they opened the door of our cell and allowed me to be in the hallway between the cell and the bathroom. Three boys who came in with us in the same truck were held 45 days without leaving the cell at all, with no air or light.

Until October 31, 1978, I was held incommunicado and as a disappeared person. That day my family received authorization from Colonel Basllis, President of the Special Permanent Court Martial, based in Palermo, Buenos Aires, to visit me once a week, for an hour. They were permitted to bring me clothing and food.

On November 6, 1978, I was visited by the legal counsel of the Spanish Embassy in Buenos Aires, Mr. José Luis Dicenta. This man told me that the Spanish government through the King of Spain during his next visit to Argentina on November 26, 1978, would bring a list with names of Spanish citizens imprisoned for political reasons. My name was on that list. On November 12, 1978, at the Commissariat, I signed an authorization for the Spanish Consulate in Buenos Aires to process my expatriation, or my expulsion from Argentina.

On December 22, 1978, I was transferred from this Commissariat to Prison Unit No. 2 of Villa Devoto, Buenos Aires. They put me in Cell Division No. 4 of Section 5, Cell No. 120, together with three other women.

Until January 19, 1979 I was once more held incommunicado, only then was I again allowed to see my family. That day I saw my mother through a glass pane and talked to her using a microphone. From then on, it was like that; I never had any kind of physical contact.

While in the penitentiary, I asked the legal division to state my legal status and why I was being held. They replied that I was under jurisdiction of the military, the Special Permanent Court Martial 1/1.

On the morning of March 6, 1979, they took me before this Court Martial. There, four Air Force officers interrogated me. They asked questions and I signed a statement in which for the first time after seven months detention an accusation was brought against me through a Court Martial. The accusation was presumed illegal and active participation in the Communist Party (Marxist-Leninist).

On April 7, 1979, they again took me to Palermo where I was told that the Court Martial did not have jurisdiction over my case. I continued in detention without any defense and without being able to see a lawyer. In the Penitentiary I was visited three times by the Embassy Counsellor, Mr. Dicenta. On April 24, 1979, my family received a letter from the Ministry of the Interior in which they were told that I was not being held at any State facility, that there were no charges against me, and that they would continue looking for me. The Spanish Consulate in Buenos Aires has this letter. On May 15, 1979, they took me to the Justice Department. I appeared before the court of justice presided over by Dr. Rivarola, the office of Dr. Curuchet, where they told me that I must agree to make a statement in response to the accusation of having transgressed Law 21,325 which prohibits all political, union, student, professional, etc. activity, as well as National Security Law 20,840. For the first time, they permitted me to select a defense lawyer. On May 17, 1979, they again took me to the Justice Department where, in the Office of Dr. Curuchet, they told me that I was to be released for lack of evidence, i.e., there was no proof, but that I could not leave the country because the case remained open. They took me back to the Penitentiary, Unit 2, and at 10 p.m. they again came to get me. They transferred me to the offices of the Superintendent of Federal Security.

At 5 p.m. on May 18, 1979, after again having been interrogated as to the reason for my detention, the name of my family, photographs, and fingerprints, I was released.

At the door was waiting my family, as well as the families of twelve others who were also under the same conditions as me.

On June 13, 1979, I left Argentina on a flight to Rio de Janeiro from Ezeiza International Airport, Buenos Aires, with my documents. In Rio de Janeiro, I was met by members of the United Nations Committee on Political Refugees and the Spanish Consul of that city.

On June 15, 1979, I arrived in Madrid, Spain, on Iberia flight No. 994. There, my

husband Carlos Perez Gresia was waiting for me.

ESTRELLA IGLESIAS ESPASANDIN,
Argentine Federal Police Identity Card
No. 5.575.221.

JULY 4, 1979.

(NOTE: The names listed in my handwriting on pages 2 and 3 belong to the list of disappeared persons; these persons were with me while I was in the situation of disappeared.)

ESTRELLA IGLESIAS ESPASANDIN.●

COLLECTIVE FARMING IN AMERICA?

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. PAUL. Mr. Speaker, I would like to call the attention of my colleagues to a news report that appeared in the Houston Post on August 3, 1979. Congress should know that this administration is setting up collective farms in the south. Apparently mass farming, like mass transit and mass shortages, is the wave of the future. I find it incredible that the taxpayers' money is being used in this operation to collectivize farms, and I hope that the leadership of this Congress will act to stop this attempt to destroy individual enterprise in America. The article follows:

ISRAELI EXPERTS TO HELP START U.S. KIBBUTZIM

WASHINGTON.—The Carter administration is planning to import Israeli agricultural experts to set up kibbutz-like farms in the rural South, Agriculture Department sources said Thursday.

It is an effort to stop the growth of large corporate farms and retain land for the rural poor, the sources said. The chief beneficiaries of the experimental program would be black sharecroppers and tenant farmers in Florida, Louisiana and Alabama.

Agriculture Secretary Bob Bergland soon will call together officials from four federal agencies and two private foundations to sign the necessary contracts to launch the program, sources said. That ceremony is expected within the next few days.

Known as a "Family Farm Cooperative," the program would establish an unspecified number of farm collectives similar to the Israeli kibbutz. The Israeli government and a farm trade association plan to send experts to train the farmers in cooperative management practices, the sources said.

In addition to the federal agencies, the Ford Foundation, the Israeli Center for International Agricultural Cooperation, the Israeli Association of International Cooperation and the Southern (U.S.) Development Foundation will participate in the experimental project.

About 40 farmers will be selected to raise fruit and vegetable crops on these cooperative farms. Each farm will include about 1,200 acres of land.

A new federal corporation, the Small Farm Development Corporation, will use federal money to purchase the land in Macon and Bullock counties in Alabama, Manatee County in Florida and in St. Landry and Evangeline parishes in Louisiana.

The Farmers Home Administration will create the new corporation. It also will provide money to launch the program and offer low-interest loans to help the cooperative farmers buy their land from the corporation.●

VOLUNTEER DEVELOPMENT CORPS
A FOREIGN AID SUCCESS**HON. TONY COELHO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. COELHO. Mr. Speaker, this Nation unquestionably has a responsibility to the people of less developed countries. No one, I think, will shrink from our responsibility to aid the victims of disaster—the victims of flood, drought, hurricane, earthquake, or pestilence. Beyond that we have a responsibility to do what we can to help the people of these countries improve their agriculture, develop their commercial institutions, raise their incomes, improve their health, better their housing, increase their fund of information, and develop their communities.

Some of us, however, have been less than satisfied that our annual appropriations for foreign assistance are achieving these desired results. Therefore, I was very pleased to have a constituent of mine, Karl L. Falk of Fresno, report to me recently on his work in the Philippines—work financed in large part by the Agency for International Development.

One of AID's grantees is a small, private organization formed by U.S. cooperatives 9 years ago to provide short term, technical help to cooperatives in developing countries at their request—Volunteer Development Corps. VDC has its headquarters here in Washington.

In the Philippines, a private organization, the Cooperatives Consultative and Coordinating Committee, and a government agency, the Bureau of Cooperative Development, Ministry of Local Government and Community Development, jointly asked VDC's help in planning the development of housing cooperatives.

Filipinos have had only scattered experience with housing cooperatives. Specifically, they asked VDC to advise them on, (1) the type or types of cooperative housing most appropriate at this time; (2) housing co-op bylaws to protect and promote the interests of both present and future members; (3) general feasibility of various types of construction; (4) potential sources of financing; and (5) a federation of housing co-ops to serve both as a technical service organization for new co-ops and as spokesman for Philippine housing co-ops.

VDC invited Dr. Falk to handle this work. Of all the persons who might have been chosen, VDC felt he was best qualified. I certainly can understand why.

Dr. Falk is vice chairman of the board of trustees of Foundation for Cooperative Housing. He has served as chairman of the international development committee of U.S. Savings & Loan League, as president of National Association of Housing and Redevelopment Officials, as chairman of the Housing Authority of the city of Fresno, and as a member of California's Commission on Housing and Community Development.

Dr. Falk led in organizing First Federal

Savings & Loan Association of Fresno in 1957, served 19 years as its president, and is now chairman of its directors. This association has an enviable record of pioneering new financial and construction techniques to bring decent housing within the reach of farmworkers, low-income families, and elderly persons living on fixed incomes. He taught economics at Fresno State College for 29 years, served as chairman of its social science division, and was interim president in 1969-70.

Dr. Falk had handled two previous VDC assignments—one in Malaysia in 1977, where he advised National Land Finance Cooperative Society on self-help housing for its 80,000 members throughout the country who operate the society's plantations, and one in Jordan earlier this year, where he advised Jordan Cooperative Organization on a national cooperative housing effort.

The Filipinos believe cooperative housing can serve those families with incomes of \$1,000 to \$5,000 a year. Forty-nine percent of the urban families are in this group. Forty-eight percent are below this level. Three percent are above.

Dr. Falk was somewhat surprised to find that opportunities for cooperative housing also exist in rural areas of the Philippines, thanks largely to an 8-year cooperative education effort among former agricultural workers who are buying their 6 or 8 acres of land from the government. Here, he advised his hosts, self-help cooperative housing is a real possibility, especially since building materials are more available than in Greater Manila.

The 30 members of one village rice growers marketing cooperative north of Manila are also making building blocks without cement, Dr. Falk explained, using locally available limestone, silica with iron and alumina, and wood for charcoal. The blocks cost half what cement blocks do and they are much more durable.

Their first decision, Dr. Falk advised his hosts, is: Who will lead? Will it be a government agency that understands cooperatives but not housing? Or a government agency that understands housing but not cooperatives? Or a half-private, half-public apex organization established for the sole purpose of promoting cooperative housing?

Their second move, he said, must be to establish a secondary market for home mortgages. This does not now exist. Generally speaking, only those who can afford to pay 18 percent to 20 percent interest can get a mortgage. Officials of Federal National Mortgage Association and Federal Home Loan Bank Board have indicated to Dr. Falk their willingness to help.

Dr. Falk was pleasantly surprised that Philippine officials were not interested in borrowing additional funds from the United States to get a cooperative housing movement underway. They are concerned about their ability to repay past borrowings, now that petroleum imports are such a drain on the islands payments balance, and they prefer to mobilize the savings of their own people. Only 5 per-

cent of the Philippines' gross national product finds its way into savings accounts.

Through the experience of my constituent, I have become interested in the organization that sent him. Volunteer Development Corps has five professionals on its staff. This year VDC expects to complete nearly 40 projects similar to Dr. Falk's. VDC has \$9,163 and 54 days of Dr. Falk's time invested in this project.

The principal ingredient in VDC's success, I am convinced, is the volunteered services of experienced, highly qualified men and women. Each is selected for particular skills that match the specific request VDC receives.

Another reason VDC seems to succeed is that nothing happens until a group of persons overseas or a government agency there asks VDC for help. No one else decides that they should receive help—not their government, not the U.S. Government, not someone trying to be helpful. They alone can initiate a VDC project.

Four national organizations of U.S. cooperatives provide leadership for VDC. These are Agricultural Cooperative Development International, American Institute of Cooperation, National Council of Farmer Cooperatives, and National Rural Electric Cooperative Association. AID provides most of VDC's funds—a \$550,000 grant this year.

I like this emphasis on technical help as the basis of foreign assistance. I like the use of volunteered U.S. skills and experience. I like the emphasis on self-help. I would feel more comfortable about our foreign assistance appropriations, Mr. Speaker, if I heard more like this. ●

TRIBUTE TO JULIUS F. CASTELAN,
DALY CITY COMMUNITY ACTIVIST**HON. BILL ROYER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. ROYER. Mr. Speaker, on the evening of September 7, 1979, many friends will join together to recognize a resident of Daly City, Calif., who has given of himself to the community for over 40 years—Julius F. Castelan.

Julius F. Castelan was born on August 19, 1898, in Guaymas, Mexico, and came to the United States of America at the age of 2. He married Carmen in 1922, and his daughter Gloria has given him three fine grandsons.

In 1936, he became the first city engineer of Daly City. He later started his own civil engineering firm in Daly City, and remains active in the profession today.

He has a long and distinguished record of successful political involvement which reaches back to three campaigns for President Franklin D. Roosevelt. He has served as chairman of the San Mateo County Democratic Central Committee, president of the Daly City Democratic Club, and treasurer of the statewide Mexican-American Political Association in California.

What makes Julius F. Castelan a truly remarkable human being deserving of the honors bestowed upon him is his long and tireless advocacy on behalf of human needs. He continues to raise his voice for those who often do not or cannot speak for themselves—the elderly, the poor, and the Spanish-speaking residents of Daly City. In fulfillment of this role in his life, he served as the first director of the Daly City Senior Citizen Nutrition Project, and is credited with salvaging and breathing new life into the Daly City Community for Children's Services program. He also directed a Comprehensive Employment and Training Act program which enabled over 100 low-income Daly City families to have their homes painted. In addition to many other organizations, he has served as a commissioner on both the San Mateo County Economic Opportunities Commission and the Commission on Aging.

Julius F. Castelan is truly an outstanding member of the Daly City community and deserves the recognition he will gain on the 7th of September. I am proud to join his many friends in paying him tribute.●

NEW RESPONSIBILITIES FOR CAPT. JOSEPH V. WIELERT, USCGR, RETIRED

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. LENT. Mr. Speaker, I would like to bring to the attention of my colleagues an important advancement for a very good friend of mine, Capt. Joseph V. Wielert, USCGR, retired, of Long Island City, N.Y. Joe has just been elected to a 2-year term as the Coast Guard Representative on the National Executive Committee of the Reserve Officers Association of the United States (ROA). He succeeds Capt. Bennett Sparks, USCGR, of Hollywood, Calif.

Mr. Speaker, this is a position of no small responsibility. As we are aware, the Congress has chartered the ROA with the mission of working for a military policy that will provide adequate national security. There is no doubt in my mind that in his influential position on the ROA's National Executive Committee, Captain Wielert will make a substantial contribution toward achieving that policy so vital to our future as a nation.

Joe Wielert has dedicated his life to the defense of our country with military service during World War II and the Korean conflict, and in work with Coast Guard Reserve organized and volunteer training unit programs. His service has won him the Coast Guard Commendation Medal.

Since his retirement from active duty in June 1977, Captain Wielert has continued to devote much of his time to Coast Guard and ROA activities, having served as president of the Department of New York, and on several national committees of the ROA. Currently Joe is vice president, public relations for De-

velopment Direction, Inc., of New York City.

Mr. Speaker, I congratulate Captain Wielert on his election to the National Executive Committee of the ROA, and I know that with his able assistance, the ROA will continue to provide the leadership our Nation needs to insure its security. Like the minutemen of two centuries ago, the ROA stands on the alert to any threat to our national security.●

CHICAGO AND SCHOOL BUSING

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. DERWINSKI. Mr. Speaker, columnist Mike Royko of the Chicago Sun-Times has gained a well-deserved reputation for meeting tough issues head on. In his column of September 4, he discusses the confrontation between Chicago and HEW bureaucrats on the issue of busing students to achieve racial goals in school attendance.

I concur with Mr. Royko's basic viewpoint that Federal bureaucrats will perform a disservice to the individual students and to the Chicago school system, and therefore, I wish to insert his article at this point:

INTEGRATION, WITH A VENGEANCE—A BIT OF BUSING BALONEY

(By Mike Royko)

David Tatel is a name not known to most Chicagoans. Maybe Tatel prefers it that way. He's a Washington bureaucrat, and most bureaucrats prefer to hide behind their agencies. In Tatel's case, he is head of the civil-rights office of the Department of Health, Education, and Welfare.

Yet, as little as Tatel is known, he could have almost as powerful an impact upon this city as Mrs. O'Leary's cow. The difference is that the cow didn't know what it was doing; Tatel should know, but doesn't seem to care.

He is the bureaucrat who is possessed by the idea of trying to integrate Chicago's schools, regardless of cost and chaos, and despite only 19 per cent of the students being white.

He seems determined to bus black and white students across the city until there will not be even one school that has a white majority.

Even if Tatel should achieve this goal, we will not really have an integrated school system, since there aren't enough white students to go around. And with Tatel's office unleashing proposals that look like the creation of a mad scientist, there probably will be even fewer white students available to him in the future.

It's difficult to grasp Tatel's purpose. Better education for black students? Broader education for white students? The easing of overcrowding in classrooms? Providing of special programs for troubled students?

Those used to be the arguments given for busing. And in some cases, limited busing achieved those results.

But they aren't the reasons for Tatel zeroing in on Chicago.

All he and his office seem to care about are statistics—integration purely for the sake of having neat columns of figures showing that a certain percentage of stu-

dents in a school are white and a larger percentage are black.

This is what his latest proposal consists of: Let's see, if we take 62 per cent of the students from this white school, and drive them only 10 miles to this black school, and if we take 47 per cent of the students in the black school, and take them only 10 miles to the white school—ahah! We will have a 51 per cent black majority in each school. Give the HEW computer a kiss.

The computers and Washington zombies who created Tatel's plan have even worked out the travel time. They say that no bus trip will take more than 35 minutes. That's right: It never will take more than 35 minutes for a bus to go from the Far Northwest Side to the Near West Side during rush hours.

I wish Tatel's traffic experts could work that out for the rest of us, who often spend an hour—longer when it snows—inching from the Northwest Side to the Loop.

If you ask Tatel what effect his social juggling will have on the quality of education and on the lives of the children who are being shoved around to satisfy his computer, he answers: "That isn't my concern."

Just what is his concern? Your guess is as good as anybody's.

Tatel came in one day to try to sell me on his goals. He's an intense young man who obviously believes that what he's doing is good. He used to be a Chicago lawyer—idealistic and involved in civil rights issues.

But as he talked, I had the uneasy feeling that revenge could be part of his motive.

He dwelt on Chicago history, specifically the way Chicago's schools had been systematically kept segregated in the 1930s, '40s, '50s and '60s.

He was right, of course. During those decades, Chicago's racist political and real-estate power structure used timid school administrators to isolate Chicago's black. It shifted school boundaries and crammed black students into mobile classrooms.

That's when we could really have used an aggressive approach by Washington, but nothing was done.

Now comes Tatel, either trying to punish Chicago for its past or vainly trying to undo the past.

But if Tatel wants to punish Chicago, he's got the wrong defendants. The children—white and black—who will be bused aren't the villains. So why should they spend up to two hours a day in Chicago's congested traffic to receive the same education available a few blocks from their homes? Their parents aren't at fault, either. Many of them were children themselves when those past sins were being committed.

I'm not sure who deserves punishment today. The people who set Chicago on its segregated course are gone. The current population has more pressing problems to deal with than the question of whether there is a white face in an otherwise black classroom.

But Tatel doesn't seem to recognize that. He's a man fighting battles of the 1960s, when the 1980s are almost here.

Idealistic as he may be, Tatel is a dangerous character. If the school administration doesn't offer a plan that is to his liking, he will take the city to a federal court. And he'll probably win because if there is anyone with less sense of reality than a Washington bureaucrat, it is a federal judge.

And if that happens, the main results will be tens of thousands of confused children, thousands of angry parents, a huge real-estate turnover, a shrinking city population and a multimillion-dollar busing bill.

One thing you can say for Mrs. O'Leary and her cow: We didn't have to pay them for creating a mess.●

FEDERAL EMPLOYEES RIGHT TO
A JURY TRIAL UNDER ADEA

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. PEPPER. Mr. Speaker, again this year the Committee on Aging is studying, and investigating, the effectiveness of enforcement mechanisms in the Age Discrimination in Employment Act. We want to make sure that the age discrimination in employment law is not a toothless lion that only places violators in danger of being gummed into compliance. Generally, we have been impressed with enforcement mechanisms of the ADEA. There is, however, a note of discord.

You may recall that the 1978 amendments added language to section 7(c) of the act (dealing generally with enforcement) that clarified the right to a jury trial. As chairman of the Select Committee on Aging, I learned recently that the courts are struggling with a question of whether Congress' election not to include this same clarifying language on a jury trial in section 15c (dealing with a Federal employee's right to bring a civil action) evidenced an intention to deny a jury trial to Federal employees.

Following is the chronology that led to the development of this controversy:

Even prior to the 1978 amendments, there was language in section 7(c) of the act (dealing generally with enforcement) that said an aggrieved person—

May bring a civil action in any court of competent jurisdiction for such legal or equitable relief as will effectuate the purposes of this act.

This provision is still a part of the Age Discrimination in Employment Act, and the language was not changed by the 1978 amendments. In 1974 Federal employees were brought under the act. Included in the enforcement mechanisms for Federal employees was language almost identical to the previously quoted language of section 7(c). More specifically the pertinent section (15c) says that an aggrieved Federal employee,

May bring a civil action in any Federal district court of competent jurisdiction for such legal or equitable relief as will effectuate the purposes of this Act.

In *Lorillard against Pons*, a case decided in 1978 (98 S. Ct. 866) the Supreme Court was asked whether the right to a jury trial is assured under language of section 7c of the act that says an aggrieved person may bring an action for "legal or equitable" relief. The Court held that plaintiffs have the right to demand a jury trial in ADEA suits brought against private employers. The Court reasoned that the word "legal" in the act's authorization to pursue "legal or equitable relief" has a well defined meaning in judicial circles, and carries with it the right to a jury trial. More specifically, the Court said:

The word "legal" is a term of art: In cases in which legal relief is available and legal rights are determined, the Seventh Amendment provides a right to a jury trial.

Whether a jury trial is also authorized under section 15c of the act, dealing with a Federal employee's right to bring an action for "legal or equitable relief" was not before the Court, or considered by the Court. However, the identical entitlement to "legal or equitable relief" under the language of sections 7c and 15c leads to a very compelling conclusion that if the Court had considered whether a Federal employee's entitlement to "legal or equitable relief" included a right to a jury trial, the Court would have held that the term "legal relief" under section 15c carries with it a right to a constitutionally guaranteed jury trial.

In 1978 a paragraph was added to section 7c of the act. This paragraph says a person is

Entitled to a trial by jury of any issue of fact in any such action for recovery of amounts owing as a result of a violation of this Act, regardless of whether equitable relief is sought by any party in such action.

The language of section 15c that talked about a Federal employee's action for legal or equitable relief was not amended to include the amplifying language of section 7c.

When the Kennedy amendment which added the amplifying language of section 7c was being considered in the Senate, Senator KENNEDY justified the amendment by saying:

Mr. President, I would point out that three out of the four circuits which have ruled on the availability of a jury trial under this act have held that it is the right of the individual to seek a jury solution.

It seems to me to be wise to insure that particular protection to those who are subject to age discrimination. (Congressional Record, Oct. 19, 1977, p. 34318.)

Since the unamended language of section 7c(1), dealing with civil actions generally for aggrieved employees, and the language of section 15c, providing a civil action for Federal employees, are virtually the same, and the Kennedy amendment was enacted to clarify the intention of Congress to authorize a jury trial under that language, it would be reasonable to suppose that the spillover from section 7c would be in the direction of assuring a jury trial under section 15c. Despite appellate decisions that hold a jury trial is authorized, and a legislative history that says the jury trial language added to section 7c is intended to clarify an already existing right, there are still those who contend that the act does not authorize a jury trial on the grievances of Federal employees.

There is nothing in the House or Senate debate that indicates there was any thought that Federal employees should be denied a jury trial. When the Kennedy amendment was discussed on the floor of the House, Mr. Quie told us:

The third Senate amendment made explicit provisions for trial by jury in actions for monetary relief under the Act. Subsequent to passage of the Senate amendment the Supreme Court in *Lorillard against Pons* held

that the act as originally enacted did afford a right to trial by jury for claims for recovery of lost wages under the act. However, the court expressed no view on whether the act implicitly authorized a jury trial for claims for liquidated damages under the act. In adopting a revision of the Senate amendment, the conferees make it clear that a jury trial is available for deciding those factual issues underlying claims for amounts owing as a result of a violation of the act. Liquidated damages are explicitly authorized as an amount owing under section 7(b) of the act.

Those who participated in the House and Senate debates would be surprised to learn that legislative efforts to confirm the right to a jury trial have been construed as a denial of that right. It would be indefensible to deny Federal employees the right to a jury trial. Under any legislative enactment in the field of civil rights, the Federal Government should be the leader not a grudging participant. At this juncture we do not know whether further legislative action will be needed to dispel any notion that Federal employees are entitled to a jury trial. As chairman of the Committee on Aging, I will continue to watch developments in this area, and will ask for further delineation of the right of Federal employees to a jury trial if conflicting judicial interpretations are not resolved in favor of a jury trial.●

TRIBUTE TO LOU BROCK,

HON. ROBERT A. YOUNG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. YOUNG of Missouri. Mr. Speaker, I would like to take a moment to pay tribute to one of the great athletes in St. Louis history; a man who has stolen more bases than any other player in baseball, and a man who on August 13, 1979 became the 14th player in baseball history to achieve 3,000 hits.

Lou Brock, who plans to retire at the end of this baseball season, has shown the people of St. Louis and the baseball world that a player can develop the skills of speed and finesse to the level of greatness. He has become a hero since his arrival in St. Louis in 1964, when his batting and base-stealing led the Cardinals to victory in the World Series.

In recognition of Lou Brock's achievements, I am inserting several editorials about his 3,000th hit. The first is from KMOX-Radio in St. Louis:

EDITORIAL FROM KMOX-RADIO

The magic number was 3,000. And the Cardinal's Lou Brock performed that special magic last night at Busch Stadium. He made baseball history by getting his 3,000th hit.

The baseball record books and sports commentators will analyze the special significance of Brock's achievement to the game of baseball. They will give all the facts on how only 13 other players have achieved this milestone. They will talk about the other Brock record in base stealing. These are major achievements in the special world of baseball.

However, we believe Lou Brock's 3,000th hit has even more significance. We think it is an example of how sports can unify and

electrify an entire city. It is an example of how sports can be far more than a mere game to a metropolitan area.

In the past few days, thousands of residents and visitors alike have crowded into downtown St. Louis to see the Cardinals-Cubs series and to see Lou Brock reach his 3,000th hit. Their interest and enthusiasm affected the entire atmosphere of our city. The positive impact was found in all segments of the community, from the oldest city neighborhood to the newest suburb. We are all proud of Lou and proud to be St. Louisans.

This burst of civic pride and solidarity will have constructive effects for months and years to come as our citizens work together to confront and surround civic problems.

Another sports milestone went into the record books last night with Lou Brock's 3,000th hit, but it was a very special civic milestone, too.

Next, an editorial from the St. Louis Globe-Democrat:

TRUE LOU

What else can be said of Lou Brock?

The front pages and the sports pages have had first crack at doing right by the classy Cardinal who has brought glory to himself, to St. Louis and to the uniform he wears so proudly.

Still, old editorial writers feel a need to join in the love fest saluting Lou.

Everyone may have a favorite recollection of Lou's superb performance on the diamond as he set all-time stolen base records and hit safely 3,000 times. Others admire him for being the gentleman that he is.

An editor recalls meeting Lou for the first time under unusual circumstances.

Some years ago, in the off season, Lou wanted to make a good case for himself in negotiating his next contract. So he came into The Globe-Democrat offices and borrowed the figures lovingly compiled by Harry Mitauer, famous staff statistician.

Then Lou sat down on the rim of the sports copydesk, like one of the boys, and took notes. Throughout his visit Lou was congenial, as he almost always is except when pitchers are dusting him. But more than that, he was thoroughly businesslike and every bit a professional in his approach.

Anyone who imagines Lou Brock's greatness is the product of chance or good luck doesn't know the man. Lou knows how to get facts as well as hits.

Like Stan the Man, Lou is one of a kind. And only the two of them have achieved their distinctive superiority wearing St. Louis Cardinal uniforms.

Congratulations, Lou, on joining Stan in the hearts of St. Louis fans. You're True Lou.

And an editorial in the St. Louis Post-Dispatch:

LOU'S LESSON

On Sept. 10, 1961, in Hyannis Port, Mass., President Kennedy deplored Soviet Russia's refusal to halt nuclear testing in the atmosphere; in Washington, the U.S. announced it would enlarge its forces in Europe by 40,000, to 250,000; in St. Louis, the city began considering the merger of Homer G. Phillips and City hospitals because of rising costs, and in Chicago, Lou Brock stepped to the plate for his first major league at-bat. He singled.

On Aug. 13, 1979—17 years and 11 months later—some things seemed not to have changed at all. The U.S. was still quarreling with Russia, NATO forces were still being strengthened and the two city hospitals were still being merged. Lou Brock, on the other hand, had made considerable progress. He got his 2,999th and 3,000th base hits, an achievement that may not rank with an end to the Cold War or even cost cutting at City Hall, but nevertheless provides a wholesome, en-

tertaining and, yes, inspiring diversion pending nirvana in either municipal finance or arms control.

His achievement is testimony to more than a keen batting eye, for there are, after all, better hitters who will never join the elite 3,000-hit club. What truly sets him apart is the self-discipline and fidelity to purpose that made possible the consistency and stamina demanded by such a sports milestone. The same attributes, of course, were the sine qua non of his standing as a base stealer. Though microscopically few of us will ever possess Lou Brock's baseball skills, all of us can aspire to the qualities that have made him such a singular player—for they are attributes that are valuable in any endeavor.

And an editorial from the St. Louis Labor Tribune:

Lou! Lou! Lou! Lou!

In an age of the anti-hero or no heroes at all, it is nice to know that Lou Brock exists. It is even nicer to know that we in the metropolitan St. Louis area are his neighbors, so to speak.

When Lou smashed that line drive last Monday night for his 3,000th hit, he did it not only for Lou Brock but for everything this nation stands for: decency, honesty, courage and just plain old-fashioned goodness. Lou Brock is all that and more.

Last Monday Lou Brock guaranteed his immortality. Thanks Lou. We don't have a heck of a lot to cheer about anymore, but you are one of them.

Thanks for the memories.

Finally, an editorial from the Washington Post:

GOING OUT ON TOP

Louis Clark Brock got two singles in a baseball game in St. Louis Monday night. There is nothing unusual about that—he has been doing it for years. But these were hits No. 2,999 and 3,000 of his major league career. That, as every sports fan knows, puts Mr. Brock in one of baseball's special categories. As important as those 3,000 hits are to the keepers of records, however, they are not what makes Mr. Brock special. There are other things.

One of them is that Lou Brock and a tiny handful of other players restored to baseball in the 1960s something it seemed to have lost. Unlike the strong men whose bats propel balls over shortened fences, he was a player whose success depended upon speed, skill and finesse. He was a terror on the base paths and reminded fans there is as much joy (and anguish) in stealing a base as there is in hitting a home run.

The other thing about Mr. Brock is this: When he got those two hits the other night, he was almost two months beyond his 40th birthday. Some of us find that one of baseball's more gratifying statistics. Folklore has it that men of his age, are, as they say, over the hill. But this year, Mr. Brock at age 40 has been tearing up the league, hitting more frequently than ever before and outplaying men 10 and 15 years his junior.

It is the last year he will do so. He announced last winter, and has stuck with it ever since, that this summer will be his last on the playing fields. That announcement, if the reports from St. Louis are correct, brought grimaces from those who pay his salary. He has had a disastrous season in 1978 and they wanted him to quit. No man, the pundits said, could come back at 40 from so bad a performance and play well in a sport demanding such good eyes and quick reflexes.

But Lou Brock said he didn't want to go out as a flop. One more year, even at 40, and perhaps, just perhaps, he could go out on top. He got the year, he is having the season he longed for, and he is going out where

he wanted to be. That's class and that, more than the 3,000-plus hits and the 900-plus stolen bases, is what makes Lou Brock special. ●

SEVENTY-FIFTH ANNIVERSARY OF LODGE 661, POLISH NATIONAL ALLIANCE, PITTSFIELD, MASS.

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. CONTE. Mr. Speaker, on Saturday, September 8, 1979, Lodge 661 of the Polish National Alliance of Pittsfield, Mass., will celebrate its 75th anniversary. I would like to take this time to share with my colleagues my remarks prepared to honor this occasion.

It is not often that I am afforded the opportunity to congratulate the members of a group that has such a history of dedicated service to the community, the church, and the Polish people of the Berkshire area. It is all too rare to find an organization that serves one of these purposes; but perhaps the longevity of the Pittsfield Lodge of the Polish National Alliance is due in large part to its dedication to many causes, and the spirit in which its members fully devote themselves to each.

If we go back in time to when the Polish National Alliance in Pittsfield was founded, back to the turn of the century, we will see the beautiful Berkshires, those green rolling hills, the home of many farms for raising vegetables and cattle. Already, however, communities had cropped up around centers of learning and manufacturing.

The first Polish immigrants arrived in this area at about that time. Many families came over together, or sent one family member ahead to find work. But because most of them could not speak English, employment was not easy to find. Many of the Poles who worked on farms when they first arrived saved their money to buy their own land to farm. Others took jobs in the mills, where, because of the lack of English proficiency, they were often overworked and taken advantage of.

At this point in time, the family served as the nucleus for all activity—social, religious, and economic. Those whose families remained in Poland sent what money they could to relatives still in Poland, with the hope that in the future those loved ones left behind could eventually join them in the new country.

These first emigres were solitary people—they spoke a different language, dressed a little differently, ate different foods, and did not always understand the ways of those who lived around them. As separate families became established and grew in number, they became less afraid of being "different" and found more strength in the other Polish families in the area. Because they shared the same Roman Catholic religion, it was not difficult to worship together, and in time they could help support their church, the Holy Family Church in Pittsfield.

As time went on, however, many of the Poles decided it was not enough to center their lives around only those who shared the same religious and ethnic background. Their own community had flourished from within; it was time to reach out.

When the Pittsfield Lodge of the Polish National Alliance was first founded in 1904, the group's main purpose was to bring together people of Polish descent in order to provide everyone with a sense of belonging in a new country. Soon afterward, when members of the Polish community had firmly established themselves in local businesses and government, the Polish National Alliance began to address itself to the community at large. Their reasons for involvement in community affairs can be seen in the same light as anyone else's—in trying to make the world a better place in which to live. Yet, this commitment is intensified when one considers that the Polish people also wanted to thank their community for harboring them and their families at a time when they were being turned out in other places around the world.

I am sure that we all feel a sense of obligation to our children to make life somehow easier for them. The first members of the lodge were faced with that feeling, yet the difficulties they had all endured in coming to America were difficulties they perhaps would not wish on their children, but would want their children to understand. In introducing Polish culture into the mainstream of their small area, they were educating their children, but, more importantly, educating all of those around them.

As I understand, to this day the Polish National Alliance devotes many of its activities to the church and members of the community. By visiting the elderly and shut-ins, and by sponsoring a scholarship program for the youth of the community, the lodge has been more than fulfilling its commitment to the quality of life in the Berkshires. This type of activity on the surface may seem small, but in judging achievement of any magnitude, it is necessary to search for the root—and that root usually lies in the community.

Throughout my years in public service, I have always taken pride in the people of the First Congressional District and in the communities they have established. Through the years each small city and town has welcomed new ethnic groups to their population and has incorporated their cultures into those values already standing in the community. Needless to say, this same process is the root of our American civilization—to respect the beliefs of others and to welcome those with different ideas to share in how we feel and what we think.

Unfortunately, this is not the case in all parts of the globe. I need not remind you that as I speak and congratulate 75 years of dedication to church and service to community, there are millions of people in Eastern Europe who are holding clandestine church meetings because those who control the government will not accept a difference of opinion or even a belief in God.

The hope of much of the Western World for religious freedom in Eastern Europe has now been placed in one man—Pope John Paul II. An able and educated man, the Pope has already made great strides in showing that he is taking a strong but well-reasoned stand in his desires to release the churches of Eastern Europe, Catholic and non-Catholic, from the bondage of the Soviets.

When the Pope visits this country in the fall, I am sure he will stir the hearts of all Polish-Americans and cause us all to reflect on the plight of our Catholic counterparts in Eastern Europe.

In closing, I would like to congratulate all the members of the Pittsfield Lodge of the Polish National Alliance—its officers and its founders. I hope that God will continue to guide its members in the pursuit of excellence in community service, church service, and everyday life. ●

STOP ENCOURAGING PLO TERRORISM

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. LENT. Mr. Speaker, I have viewed with the gravest concern a sudden swell of public support for the Palestine Liberation Organization (PLO) since the resignation of Andrew Young as U.S. Ambassador to the United Nations. I have been appalled that some of my colleagues in the Congress have joined in misguided efforts to push the United States into negotiations with the PLO.

Whatever one's feelings may be about Mr. Young's resignation—I personally believe it was necessary to maintain the principle of Presidential responsibility—it is a most dangerous error to use Young's departure as an excuse for advocating that the United States deal with the terrorist PLO in any official way.

The proponents of such a course are asking the United States to break a firm, written commitment to Israel not to negotiate with the PLO until the PLO accepted both the existence of Israel as a nation, and the terms of the United Nations Security Council Resolutions 242 and 338.

Furthermore, there is a moral issue of the utmost importance involved. By recognizing the PLO in any official way, the United States would be endorsing the use of terrorism, the principal tool of the PLO since its founding in 1964.

Mr. Speaker, no one recognizes this important fact more than Mr. Bayard Rustin, one of this Nation's outstanding black leaders, and a key figure in the civil rights struggle. In the New York Times of August 30, Mr. Rustin wrote a most eloquent and learned exposition of the moral issue involved in official dealings with the PLO. The clarity and force of his reasoning is most impressive. I commend Mr. Rustin's article to each of my colleagues and to the President and all members of the executive branch who

deal with U.S. policies in the Middle East. As Mr. Rustin states so precisely:

Any links with the PLO, no matter how limited, would give legitimacy and tacit approval to the rule of the gun.

Exactly so.

Mr. Speaker, I insert the full text of Mr. Rustin's article at this point in the RECORD:

TO BLACKS: CONDEMN PLO TERRORISM

(By Bayard Rustin)

Amid the heated controversy following Andrew Young's resignation as the United States delegate to the United Nations, some black people have suddenly embraced the Palestine Liberation Organization.

As I see it, some black leaders have turned to the PLO in an effort to act as conciliators between Israel and the Palestinians.

Other blacks, I believe, met the P.L.O. representatives in New York to demonstrate their independence from official United States policy.

And still others viewed such meetings as a way of striking back against Israel and the American Jewish community for their supposed involvement in engineering Mr. Young's ouster.

But regardless of motivation, I think black people must clearly understand the moral—yes, moral—issue involved here.

For in seriously considering links with a group like the P.L.O., the black community is moving beyond the realm of mundane "politics as usual."

We are moving into an area where we face three enormous risks.

First, we risk causing serious divisions within our own ranks; second, we risk the forfeiture of our own moral prestige, which is based on a long and noble tradition of nonviolence; and third, we risk becoming the unwitting accomplices of an organization committed to the bloody destruction of Israel—indeed of the Jewish people.

Some people have pointed to a few superficial parallels between the P.L.O. and American civil rights movement. Naturally, this talk about the P.L.O. as a "civil rights" group or a minority movement within Israel has generated sympathy for the Palestinians among black people. But this identification and even solidarity with the P.L.O. is based on a terrible perversion of the truth, not only the truth about the P.L.O. but the truth about our own movement as well.

Looking back on the history of the P.L.O., one thing has become abundantly clear: The P.L.O., from the day of its creation in 1964, has never once uttered a word in support of any form of nonviolent resistance, peaceful relations between Israelis and Palestinians, or a political solution to the complex problems in the Middle East.

By contrast, black leaders in America, especially central figures like Dr. Martin Luther King Jr. and A. Philip Randolph, never once in the long history of the civil rights struggle countenanced violence or terrorism.

American civil rights leaders, of course, chose nonviolence for many political and tactical reasons, but Dr. King once identified the key source of the movement's strategy when he noted that the black American rejected physical force "because he believed that through physical force he could lose his soul." In short, the choice of nonviolence was based on deeply-held moral principles. It was based on a desire to build community, to unleash the creative force of love, and to protect and enhance the God-given human dignity of all people, be they friend or foe.

The P.L.O., however, espouses the opposites of all these principles.

In word but more importantly in deed it espouses violence, hatred and racism. It repeatedly scorns reconciliation. While Dr. King frequently spoke of nonviolence as "the

sword that heals," the P.L.O. exalts the sword that kills.

My description of the P.L.O. here is no exaggeration. Its tactics, values and goals are candidly set forth in its national Covenant and other official documents. Its legacy of terrorism is written in innocent blood across Israel and Western Europe, and even across the Arab lands of Jordan and Lebanon.

Between 1967 and 1977, for example, the P.L.O. was directly responsible for killing over 1,100 unarmed men, women and children; its terrorists activities maimed nearly 2,500 people; and it held over 2,700 hostages. Moreover, this organization has trained and armed other terrorist groups such as the Baader-Meinhof gang in West Germany and the Red Brigades in Italy.

Considering this record, I fear that individuals who see similarities between our struggle and the terror campaign of the P.L.O. are ignoring or twisting the facts.

By harshly criticizing the P.L.O., I do not mean to suggest that black leaders have no business concerning themselves with Middle Eastern problems. Nor am I arguing that blacks should shun the P.L.O. so as to ingratiate themselves with American Jews. Rather, I am saying that if black Americans are to pay any constructive or conciliatory role in shaping American policy in the Middle East, we must do so in a manner totally consistent with the moral and spiritual tradition of nonviolence.

We must therefore reject hasty and expedient moves; we must reject any formal or organizational relationship with the P.L.O. Any links with the P.L.O., no matter how limited, would give legitimacy and tacit approval to the rule of the gun.

Dr. King, in his letter from the Birmingham jail, included a story to illustrate the rewards of perseverance in the nonviolent tradition. He wrote about a 72-year-old black woman who walked a long distance every day during the bus boycott. Frequently she was jeered by hostile whites; she was tired and physically weak, but she refused to use the buses. Someone asked her why she continued to support the nonviolent protest. Her response, I believe, will always be precious; "My feet is tired," she said, "but my soul is at rest."

By shunning and condemning the terrorism of the P.L.O. we too can be assured that our souls will be at rest, as we preserve our tradition of nonviolence. ●

THE CASE AGAINST THE OIL COMPANIES

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. LaFALCE. Mr. Speaker, there has been a great deal of confusion and controversy about the profits of the oil companies. On the one hand, Mobil Oil repeatedly and rather sanctimoniously insists that oil companies' profits are very moderate, although that moderation did not prevent Mobil from acquiring Montgomery Ward. On the other hand, consumer groups charge the oil companies with highway robbery in broad daylight.

I do not believe that there ever will be a definitive resolution of this uncertainty, but there is a related issue which is amenable to a simple solution. The oil companies' spending on research and development, in comparison to other high technology industries, has been so

minuscule that it is ludicrous or unparadonable, depending on your point of view. Faced with dwindling supplies of domestic oil and unreliable supplies from abroad, one would have expected the oil companies, which are really energy oligopolies, to try to emulate the efforts of the computer industry or aerospace community and develop new technologies. That expectation has for some inexplicable reason not been met.

The oil companies cannot legitimately argue that the field lacks sufficient opportunities, but their miserable record in research and development is one of the most powerful arguments for a stiff windfall profits tax which would fund research, development and marketing for synthetic fuels and solar energy.

Ms. Jessica Tuchman Mathews in an article in the August 7 edition of the Washington Post has explored this question in solid detail. I want to commend this insightful article to my colleagues' attention.

The article follows:

WHERE HAVE ALL THE DOLLARS GONE?

(By Jessica Tuchman Mathews)

The argument over oil company profits shows no sign of ending. Are they outrageously high, about average for all industries or (as Mobil claims) not high enough? Without getting mired in the debate, there is cause for suspicion that something's not quite right about an industry whose principal asset has recently quintupled in value and which can still claim that without every penny of the resulting revenue there will not be enough to finance further exploration and production.

What does the oil industry do with all that money? In particular, why has it spent so small a fraction of its wealth on research and development? The answers bear directly on the government's energy plans, and on the potential for adequate energy supplies in the years ahead.

	Sales (billions)	R. & D. as percent of—		Profits (billions)
		Sales	Profits	
Aerospace.....	30.8	3.7	93.0	1.2
Automotive.....	132.2	2.8	70.2	5.2
Chemicals.....	68.6	2.5	41.3	4.1
Conglomerates.....	44.8	1.7	44.1	1.7
Drugs.....	32.7	4.7	48.4	3.2
Electrical.....	36.9	2.5	41.7	2.2
Electronics.....	20.9	2.6	56.1	.9
Information processing.....	42.3	6.0	54.8	4.6
Instruments.....	9.9	3.9	69.9	.5
Semiconductors.....	7.2	5.8	102.3	.4
Oil.....	228.9	.4	8.6	11.3

The accompanying table summarizes information from a recent Business Week survey of all industrial spending on R&D. It shows that spending as both a percent of sales and a percent of profits. The 10 industries covered all involve high technology and are among the country's largest. Their average R&D spending in 1978, before the recent wave of oil price increases, was 3.5 percent of sales and 62.1 percent of profits. The comparable figures of the oil industry are .4 percent and 8.6 percent—about 800 percent lower. The full survey covered 30 industrial sectors—including tires, appliances, farm machinery, building materials, leisure time, paper, apparel and tobacco. Business Week's composite for all 30 shows R&D to be 1.9 percent of sales and 34.4 percent of profits. Whether counterparts, or the entire spectrum of U.S. industry, oil company spending on R&D is so low that it practically falls off-scale.

Why? Part of the reason is that the oil industry spends vast amounts on exploration, most of which is not counted in this measure of R&D. Another part is that the oil companies are so rich that these small percentages hide large numbers of dollars. But neither explanation accounts for the huge discrepancy in a field literally bursting with vitally important research opportunities: tertiary oil recovery methods, procedures for the production of the country's huge unconventional gas resources (including geopressurized methane, gas in tight sands and deep gas), techniques for burning or recycling used lubricant and motor oil, solar technologies, magnetohydrodynamics for the clean burning of coal, synthetic fuel technologies (those now available are pre-World War II vintage), energy-efficiency improvements for furnaces and engines, etc. These are only a few examples arbitrarily chosen from a long list of possibilities.

Yet the record of the past 13 years reveals few important discoveries made by the energy conglomerates. There have been modest improvements in production and refinery techniques, and advances in seismic prospecting and offshore drilling processes. There has been progress in other areas as well, but only the invention of the zeolite catalyst (which vastly increases the yield of gasoline when crude oil is cracked or broken down), stands out as a truly fundamental advance. Other major sectors—electronics, computers, aerospace, for example—are virtually unrecognizable when compared with the state of the art 15 years ago.

Economic survival or competitive advantage is the primary motive for most R&D spending. Judging from their record, the oil companies don't feel the pressure. This is true despite the fact that domestic oil and gas reserves have fallen steeply and steadily since 1970, even though there was an even sharper increase in the number of wells drilled in the same period. The hitch is that, like it or not, the oil companies are not just oil companies: They are this country's energy companies. They own and can control the production of large portions of the country's coal, gas and uranium resources. Except for the federal government, which will spend about \$3.5 billion on energy R&D this year, only they have the steady economic and technical base to undertake the large-scale and long-range research programs that are needed.

Scientific and technical excellence have long been this country's strong suit, and the energy field offers an almost unparalleled opportunity to get the good of it. The problem is how to bring the oil giants into the effort. ●

WELCOMING A TORTURER

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. DERWINSKI. Mr. Speaker, from time to time, observers of our foreign affairs, myself included, have been disturbed at the erratic conduct of the administration's human rights policy. Although the major newspapers barely covered the event, in early August Washington was visited by Sekou Toure, President of Guinea. He was received by, among others, President Carter and Secretary of State Vance. Having one of the worst human rights records in the world, President Toure's treatment here should confuse everyone concerned

about America's position on human rights in the world. The following column by Michael Novak, appearing in the Washington Star, August 22, 1979, is an interesting commentary on President Toure's visit:

WELCOMING A TORTURER
(By Michael Novak)

Mayor Marion Barry presented a key of Washington, D.C., the city of Jefferson and Lincoln and Franklin Delano Roosevelt, to Guinea's President Sekou Toure, the world's most accomplished extinguisher of human rights. This was Barry's first venture into international politics. It does not speak well for his judgment or his moral values.

Barry has met Toure before, and should know his record well. At the beginning of his Marxist days, back in 1964, Toure invited Barry and other leaders of the Student Non-Violent Coordinating Committee to Guinea. Stokely Carmichael, the leader of SNCC, now lives in Guinea. In July of this year, Toure and Barry met again in Africa. So Barry is in a strong position to know Toure drove at least one million of his little nation's 5.5 million people from the country in the 1960s.

In 1972, Newsweek described one massive purge: "Getting confessions has proved easy. As one Guinean recently told a reporter for The New York Times. 'They put you in a little kennel where there's no room to stand, and nobody pays any attention to you for five or six days. No water, no food, nothing. Then, they take you to the interrogation room, where there's a glass of water you can have if you say what they want to hear. It's not too long before you start saving, yes, I was spying for the French, and for the Germans and for the Americans, and here's a list of the others who were doing it, too.'"

A book by Jean Paul Alata, African Prisons, reports on systematic torture and death among Toure's political prisoners. In 1977, the International League for Human Rights in a 300-page report based on eyewitness accounts, accused Toure of conducting a reign of terror. Freedom House gave Guinea a "seven" rating on political rights and liberties in 1978, as low as it is possible to score. Only 14 other nations are thoroughly repressive enough to hit "seven," but Toure did it.

Toure is only 56 years old. He was 40 when he turned his nation in Moscow's direction, and made war on the most talented individuals among his people. Although Guinea has almost one-third of the world's bauxite (necessary for aluminum), uranium deposits, potential oil fields, and rich agricultural lands, Toure's socialism has kept his population one of the poorest in the world, with an average income of \$140 a year.

This great exponent of human rights was put up for the night in Blair House in early August, had a meeting with President Carter "that went beyond the usual courtesies accorded a foreign leader on a private visit" according to news reports, and also met with Secretary of State Vance. The meaning of the Carter campaign for human rights was thereby, no doubt, clarified for all the world.

One hopes Carter assured Toure, just as he assured the Shah of Iran in 1978, that all his people love him. One hopes Carter also promised to support Toure just as loyally as he supported President Somoza of Nicaragua, even though his human rights ratings fall below those of Nicaragua under Somoza. One hopes Carter practiced "evenhanded diplomacy."

To be sure, Toure has thrown out the Soviets, and desperately wants U.S. businessmen to come mine his bauxite and his uranium, find oil for him, and help his agriculture. The U.S., he believes, needs new anti-Soviet friends in Africa. Toure expressed the

hope South Africa would accept "majority black rule" just as peacefully as the city of Washington has, where "we see black leaders who welcome us and a city council that reflects the will of the majority."

Perhaps out of embarrassment, the city's major papers ignored the news of Toure's visit, except in Section B of The Post and the Portfolio section of The Star. Thus, the style of the visit was covered, but not its political significance: A rhythm and blues band played on one side of the door, and the U.S. honor guard and the 3rd U.S. Infantry's Old Guard Fife and Drum Corps, in red and white Colonial army uniforms, played on the other.

A key to the city of Washington flashed gold in his blood-stained hand, and the President of Guinea smiled as he received it. ●

EDUCATION RIGOR MORTIS: POLITICIZING EDUCATION, PART II

HON. JOHN N. ERLBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. ERLBORN. Mr. Speaker, a paralysis has befallen Federal education policymaking. As Fred Hechinger reports in a New York Times article below, there is literally no one running HEW's education shop—the Office of Education, the National Institute of Education, and the Bureau of Student Financial Assistance.

This has jeopardized implementation of the Elementary and Secondary Education Act Amendments of 1978 and prevented OE from reaching decisions relative to reauthorization of the Higher Education Act.

The administration has been unwilling to fill these top education slots in the wake of departures by our Government's chief educators. The administration, sobered by its near-defeat in the House of its misguided attempt to create a Cabinet Department of Education, has not wanted to appoint replacements and thereby chance alienating any additional segment of the education community, thereby endangering the bill's chances of final passage.

As Mr. Hechinger points out, it is ironic, indeed, that legislation trumpeted as sure to increase education's strength in the Federal bureaucracy has already led to a policymaking paralysis which has weakened its position. This is yet another manifestation of the unfortunate consequences attendant to a further politicizing of education.

Making education political has been a hallmark of the current administration's approach to the subject, beginning in 1976 with Candidate Carter's promise to exchange his support of a separate Department for the National Education Association's endorsement of him. Earlier this year, as I pointed out in my extension of remarks on June 29 ("Politicizing Education"), the administration floated at least five names of possible Secretaries of Education prior to the House vote in hope of picking up a vote here or there.

We read now that the administration has apparently settled on former New Mexico Governor Jerry Apodaca, who, it

hopes, will cement Chicano support for the President's 1980 reelection drive. As an article reprinted with my June 29 remarks made clear, even in the selection of HEW's Assistant Secretary for Education, Mary Berry, as Acting Commissioner of OE (for a 30-day term which ended July 31) wreckage was strewn across OE's landscape, injuring the professional reputation of the individual the administration has chosen initially to head OE on an interim basis. Members of the Black Caucus, it was reported, had threatened to oppose the Department bill if the name of the administration's initial choice had not been withdrawn.

These earlier examples, reinforced by OE's inability today to formulate education policy, should convince skeptics not only that a Department of Education would further politicize education, but also that the bill in Congress has already had this effect. Worse still, establishing this Department would reward an administration which has created the present paralysis in the education bureaucracy, and has thus shown itself to be richly undeserving of any reward.

The article follows:

DISARRAY IN WASHINGTON

(By Fred M. Hechinger)

The Federal education bureaucracy is in disarray. Its top position of United States Commissioner of Education has been vacant since July 1, and there has been no Acting Commissioner since Aug. 1. The director of the National Institute of Education, the establishment's research arm, resigned two months ago. The head of the Bureau of Student Aid has just left for a job in private industry, and his deputy a week ago told his staff of his impending departure.

The Office of Education, with a staff of some 3,000, administers a \$12 billion budget. Among the more than 130 programs under its supervision is the vital Elementary and Secondary Education Act, all student aid, and the new and growing support for handicapped children and youths.

Insiders who keep the wheels turning, despite the top leadership's departure, are loath to speak for quotation, but privately they express their frustration. Outsiders, such as state education officials, who depend on close cooperation with the Federal Government, are equally concerned about the uncertainties of personnel and direction.

Most observers of the Washington education scene attribute the present hiatus at least in part to President Carter's determination to make good on his campaign pledge to give education greater visibility and clout by taking it out of the Department of Health, Education and Welfare and creating a separate department of education.

The bill to accomplish this has been approved overwhelmingly by the Senate but, to everybody's surprise, squeaked through the House by only four votes. It remains in the Senate-House conference committee, encumbered by a number of controversial amendments. Its supporters, who are led by the National Education Association and coordinated by Vice President Mondale, say they are confident that the measure will be approved soon after Congress gets back to work, but opponents, including the American Federation of Teachers and much of the higher education establishment, say that there is a good chance that the bill will be rejected.

Meanwhile, there is reluctance all around to fill vacancies in the Office of Education while the department's future remains un-

certain. Thus, ironically, the move that is intended to boost education's strength has had the effect, at least for the moment, of weakening its position in Washington.

In summary, this is what has led to the present leadership impasse.

Ernest L. Boyer and Patricia A. Graham resigned, respectively, as United States Commissioner and Director of the national institute before the new conflict-of-interest legislation went into effect on July 1. Under its regulations, persons who leave Federal posts are barred for a period of two years from dealing with Federal agencies. (The rules have been softened somewhat, exempting certain academic positions, but they would still apply to Mr. Boyer, who is president-elect of the Carnegie Foundation.)

Dr. Mary F. Berry, H.E.W.'s Assistant Secretary for Education, was named Acting Commissioner July 1, but another relatively new regulation limits "acting" in top posts to 30 days, a restriction imposed in reaction to President Nixon's tendency thus to avoid confirmation showdowns in the case of controversial appointees.

The absence now of even an Acting Commissioner creates problems. For example, state plans that must be submitted for funding approval can only be signed by the Commissioner or an Acting Commissioner. John Ellis, the highest-ranking deputy, says that as many plans as possible were rushed through in time for Dr. Berry's signature, but not all plans had been received in time.

Leo L. Kornfeld, who recently left his post as Deputy Commissioner for Student Financial Assistance, has been replaced by Acting Commissioner Tom Butts, on leave from the University of Michigan. The bureau's second-in-command, Peter Voight, has resigned and will depart at the end of this month.

Meanwhile, observers point out, a political comedy of errors in H.E.W. itself, the Office of Education's parent body, has done little to shore up stability. In June, Joseph A. Califano Jr., then Secretary of Health, Education and Welfare, persuaded Barbara Newell, president of Wellesley College, to ask her trustees for a leave of absence in order to become his second-in-command as Under Secretary. According to insiders, Mr. Califano stressed at the time that he expected to do a good deal of campaigning for the President's reelection in 1980 and wanted a strong deputy to mind the store. (Mr. Califano, though discreet about the matter, was lukewarm about a separate department of education and may have turned to a noted educator as his aide as a means of underscoring H.E.W.'s interest in education.)

Within weeks after Mrs. Newell accepted the invitation, however, Mr. Califano became the first victim of Mr. Carter's Cabinet shake-up, and Mrs. Newell's invitation was rescinded. According to sources close to the original negotiations, the possibility still remains that Mrs. Newell will be asked to join the Federal education establishment, but for the moment this is merely one of the many uncertainties of education's representation in Washington.

Patricia R. Harris, who succeeded Mr. Califano, has indicated to associates that she plans, at least for the moment, to act as her own Under Secretary until other uncertainties, such as the future of H.E.W.'s education component, are resolved.

How do all these shifts and the present headless state of the education office affect education itself? Insiders say that they can readily handle routine, procedural business but admit their concern over a lack of a sense of momentum and direction.

They point out that a number of key policy decisions ought to be faced now, such as details surrounding reauthorization of the Higher Education Act of 1972, which represents most of the Federal Government's aid to colleges, universities and students and has only one more year to go.

"Higher education moves into an enormously difficult decade," said one official, underscoring that planning for it ought not to be in limbo. Others make the same point about the uncertain future of the public schools.

Yet, there are few observers who see a chance for more than a holding action until the fate of the department of education is decided. Even then, it is estimated that the leadership pieces will not be fully in place for at least six months from now, a long hiatus for education planning that is, in the view of most Washington experts, compounded by uncertainties about the Carter Administration's own future. ●

TO RETHINK OUR VALUES

HON. THOMAS J. TAUKE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. TAUKE. Mr. Speaker, recently I had the opportunity to review an exceptional address presented by Dr. George Nash at the 105th anniversary celebration of the birth of President Herbert Hoover.

Dr. Nash's remarks not only highlight the career of this distinguished public servant who was born in my home State of Iowa, but also inspire me to rethink the values which have made our country great: Equality of opportunity, hard work and initiative, and a commitment to humanitarian goals.

The values Herbert Hoover cherished are just as relevant today as they were in his time. For the review of my colleagues, I include Dr. Nash's speech in the RECORD as follows:

THE SOCIAL PHILOSOPHY OF HERBERT HOOVER

Fifty years ago last March a man born only a few hundred yards from where I stand became President of the United States. What do you think about when you hear his name, Herbert Hoover? All of you, no doubt, automatically associate Mr. Hoover with the Great Depression of the 1930's. Most of you are doubtless aware of his Quaker upbringing and of his enormous humanitarian relief work in Europe during and after World War I. Four years ago, Aleksandr Solzhenitsyn remarked that the American Relief Administration under Herbert Hoover's direction saved the lives of literally millions of Russians during the great famine of 1921-1923. Many of you know that he was the first President born west of the Mississippi River and that he was the man who appeared in the first public demonstration of television in 1927.

Just down the hill, in sight of his grave, you can see another of his important benefactions: the Herbert Hoover Presidential Library. When Mr. Hoover died only fifteen years ago, he had lived ninety extraordinarily productive years—including a full fifty in public service. I can think of few other Americans whose careers were as multifaceted and remarkable as his.

What is significant for us today about the life of this man? In the case of Herbert Hoover, our concern transcends, I think, the transient particularities of "human interest." For Hoover did not simply lead a career rich in accomplishment; he reflected on the circumstances which made such a career possible. He developed and in his time came to personify a perception of America, a version of America, a political and social

philosophy which could explain the greatness of the country he loved. It is in this vision and this philosophy that we can discover some of the enduring significance of Herbert Hoover.

He was born in West Branch, Iowa in 1874—the son of the village blacksmith. Before he was seven his father had died. His mother, a recorded minister in the Society of Friends, passed away a little over three years later, so that in early 1884, before he was ten, young Herbert was an orphan.

Despite these traumas, Hoover's later reminiscences of his Iowa childhood were gentle, almost idyllic. In the most famous of these recollections he began:

"I prefer to think of Iowa as I saw it through the eyes of a ten-year-old boy—and the eyes of all ten-year-old Iowa boys are or should be filled with the wonders of Iowa's streams and woods, of the mystery of growing crops."

Of his native state he declared: "The good Lord originally made it the richest stretch of agricultural land that ever blessed any one sovereign government. It was populated by the more adventurous and the more courageous, who fought their way along the ever-extending frontier."

From Iowa in 1885 young Herbert Hoover was sent west to Oregon to live with the family of an uncle. In 1891 he traveled down to California to become a member of the entering class at newly-founded Stanford University. After graduating in 1895, Hoover spent some time working in California and the southwest until, in early 1897, opportunity beckoned half a world away, in the gold mines of Western Australia.

Hoover's journey to Australia in 1897 via Europe, the Suez Canal, and India, must have been an intensely stimulating one to a young man of twenty-two. Years later, reflecting on this voyage, he remarked significantly, "History became a reality and America a contrast." It was Hoover's first exposure to the world outside the United States, and in his responses to that world we find one of the sources of his later social philosophy.

When Hoover disembarked on the coast of Australia that year, he headed inland nearly 400 miles to the mining towns of Coolgardie and Kalgoorlie, deep in the inhospitable "outback" (the region, incidentally, where, a few weeks ago, Skylab fell to earth). Hoover's description of life in this desolate land were vivid. "It's a country of red dust, black flies, and white heat," he wrote to an American friend. "I could not portray the misery of any one of them on paper. The country is an endless desert, no water, no nothing but mines." It was a land to make one think of home. Writing to a friend in 1897, Hoover declared: "Am on my way back to Coolgardie. Am glad to get back within the borders of civilization. . . . Anybody who envies me my salary can just take my next trip with me, and he will then be contented to be a bank clerk at \$3 a week for the rest of his life, just to live in the United States."

In late 1898 Hoover left Australia for a new and more responsible mining position in China. Once more Herbert Hoover, not yet twenty-five years old, found himself living among strangers and encountering a foreign civilization.

At this point we can detect one of the threads of Herbert Hoover's early life. From the cornfields here in Iowa to the orchards of Oregon, to the spacious acres of Stanford University, to the rugged Sierra Nevadas, to the dusty goldfields of Australia, even to the coal mines of northern China, we discern a repeated pattern: Herbert Hoover's early days were spent on or near frontiers. His was largely an outdoor life, lived in environments which rewarded initiative, industry, resourcefulness, and merit. Since the day when Hoover's ancestor, Andreas Huber, landed in

Philadelphia from the Old World in 1738, the Hoover clan had moved gradually westward, until, with Herbert, the trek circled the globe. Benjamin Franklin is supposed to have said that America is a country where we ask of a man not "Who is he?" but "What can he do?". Hoover's was a society populated substantially by people who held this attitude and who had moved away from a constricted and stratified civilization.

In late 1901 Hoover left China for England and a partnership in an eminent firm of mining engineers. Until World War I London, England was his base of operations while he traveled continually, inspecting, financing, and developing mines from Burma to Australia, from South Africa to Siberia. For some Americans with similar careers the temptation might have been irresistible to become an expatriate. For Herbert Hoover, if anything the opposite was true. Throughout these years abroad, his thoughts turned often toward his native land. As early as 1907 he expressed to the President of Stanford University his longings to retire from his profession and to turn to a life of service in the United States.

And all the while, Hoover was observing, analyzing, and evaluating the social systems of the Old World and the New. Long voyages at sea gave him an opportunity to read about the politics, economics, and culture of countries all over the earth. On one of these ocean trips, a British lady asked him what his profession was. An engineer, he said. "Why," she exclaimed, "I thought you were a gentleman!" This anecdote, which Hoover recounts in his *Memoirs*, epitomizes, I think, his distaste for the class consciousness and social rigidities of Europe. From all of this he turned. In a revealing letter written to an American friend in 1912 Hoover observed:

"The American is always an alien abroad. He never can assimilate, nor do other peoples ever accept him otherwise than as a foreigner."

"His own heart is in his own country, and yet there is less and less of a niche for him when he returns. . . . I am disgusted with myself when I think how much better off you people are who stuck by your own country and place. When you walk down the street you meet a hundred men who have a genuine pleasure in greeting you. I am an alien who gets a grin once in nine months."

Two years later, the conflagration of World War I changed the course of Herbert Hoover's life. While huge European armies bogged down in the trenches, Herbert Hoover, working without pay, directed the Commission for Relief in Belgium, a neutral organization which procured and distributed food to the civilian population of Belgium, caught between the German army of occupation and the British naval blockade. It was a noble undertaking which ultimately brought food to 10,000,000 people a day and which catapulted Hoover to worldwide fame as a humanitarian.

But behind the uplifting routine of providing daily food to needy Belgians lay a depressing world of conspiracy, national rivalry, and festering intrigue. Many times, weary from incessant conflicts with one or another belligerent power, Hoover contemplated and even threatened resignation. Hoover, of course, did not quit, but his prolonged exposure to the emotions of war and the ancient antagonisms of Europe was a disillusioning encounter.

In 1917 Hoover sailed back to America to direct our wartime Food Administration. But within two years he returned once more, this time to feed Europe while President Woodrow Wilson strove to draft a peace treaty at Versailles. From November 1918 to September 1919 Herbert Hoover crisscrossed Europe as Director-General of the American Relief Administration, organizing the supply of food for starving millions and facilitating the emergence of stable econ-

omies. The grim alternative was chaos, famine, a new generation of embittered Europeans, and the possibility of Communist revolution over much of the continent.

But if Hoover could take comfort from his outstanding humanitarian accomplishment in postwar Europe, there was much that he saw which profoundly alarmed him and helped to determine his future political thought. The New World, he came to believe, was remote from the imperialism, fanatic ideologies, racial antipathies, dictatorships, power politics, and class stratification of Europe. As he later expressed it in his *Memoirs*, "the forces which lay behind the rejection of American ideas at Paris in 1919 were far deeper than the intrigues of diplomacy or the foibles of European statesmen. Here was the collision of civilizations that had grown three hundred years apart."

In 1921 Hoover became Secretary of Commerce of the United States; in 1929 he became President. Of the thirty-eight men who have occupied the Oval Office, Herbert Hoover undoubtedly enjoyed more extensive acquaintance with foreign peoples and their social systems than any of his predecessors or successors. In another respect, too, he was unusual: he attempted to distill from his unique experiences a coherent understanding of the American experiment that he cherished.

According to Hoover, the revolutionary upheavals of World War I and its aftermath had produced a world in ferment. In this cauldron, several ideologies (he called them "social philosophies") were competing for the minds of men—among them Communism, Socialism, Nazism, Syndicalism. To Hoover, who had seen the vicious results that emanate from a blending of "bestial instincts" with idealistic humanitarian jargon, the need for a definition of the American system was urgent. He called this system "American Individualism."

By this he did not mean unfettered, old-fashioned laissez-faire. Hoover was anxious that individual initiative always be stimulated and rewarded, but it must, he said, be "tempered" by "that firm and fixed ideal of American individualism—an equality of opportunity." Equality of opportunity—this, in Hoover's words, was "our most precious social ideal." Hoover insisted that equal opportunity and a "fair chance" for individuals to develop their abilities were "the sole source of progress" and the principal impulse behind American civilization.

Hoover did not believe that equality of opportunity was automatically self-sustaining in a modern, technological economy. A certain measure of governmental regulation and guidance, some governmental legislation, were necessary, he felt, to prevent inequality of opportunity and the throttling of individual initiative. But the nature and extent of this government involvement must be carefully defined and, above all, kept consistent with the broad American traditions of voluntary cooperation, local self-government, and individual initiative. While not unmindful of the faults of unchecked capitalism, Hoover was an uncompromising foe of socialism and the totalitarian state.

For the rest of his life Hoover expounded, often with eloquence, the philosophy he forged in the aftermath of World War I. Speaking before a Boy's Club in 1940, for example, he said:

"A classless America our forefathers meant far more than a sociological expression. There were to be stratifications in life that handicapped the rise of any boy from the bottom to the top. . . . The human particles should move freely in the social solution. This idea of a fluid classless society was unique in the world. It was the point at which our social structure departed from all others."

And always he drew the contrast between

the America he loved and the Old World with its pestilential ideologies. Listen to his words here in West Branch in 1948:

"I have seen the squalor of Asia, the frozen class barriers of Europe. And I was not a tourist. . . ."

"My every frequent homecoming has been a reaffirmation of the glory of America. Each time my soul was washed by the relief from grinding poverty of other nations, by the greater kindness and frankness which comes from the acceptance of equality and a belief in wide-open opportunity to all who want a chance."

How, though, could equality of opportunity be preserved? For Hoover there were many answers. One, perhaps the most crucial, was our educational system. Another mechanism, in Hoover's eyes, was the Boys Club movement; in it, he claimed, "there is a restoration of equal opportunity with all the other boys." Indeed, many of Hoover's governmental policies and charitable activities over the years, including his long concern with child welfare, acquire a kind of thematic unity if we perceive them as attempts to promote equality of opportunity for all Americans, especially the young.

It was part of Herbert Hoover's ordeal in his later years that the vision of America that he expressed came to seem abstract and anachronistic for many Americans. It was all right for Hoover to extol the social system that had produced him, many people seemed to think, but were his tributes to America's traditional values truly relevant any longer, now that the continent was settled and we lived in an industrialized society? Wasn't America's pioneer past over now, and with it the supposedly outmoded values of individualism, neighborly cooperation, and private initiative?

Herbert Hoover responded forcefully to such criticisms. It was not the mere accidental availability of abundant land and natural resources that had blessed America, he insisted. It was our social system, animated by the ideal of human freedom. To Hoover the principles of American Individualism were not anemic platitudes, to be uttered, perhaps, on the Fourth of July. And he warned against the notion, increasingly fashionable today, that America has become a closed, stagnant society in which progress has irrevocably halted. This, he said, is the concept of a static nation. It is necessarily the philosophy of decadence. No society can become static, it must go forward or back. . . . No society will function without confidence in its future opportunities.

Now some of you may believe that Hoover's viewpoint is irretrievably outmoded. Certainly it is true that America—and the very nature of our government—have altered in the half century since he was President. A half century is a very long time.

And yet I suggest that there is today an increasingly resonance to Herbert Hoover's philosophy, more than a decade after his death. The challenges we confront raise philosophical questions to which Hoover's answers deserve our attention. Consider, for instance, the increasingly pervasive, and legally countenanced, use of quotas in the hiring of men and women for jobs in business, universities, and government. In our commendable desire to eliminate past discrimination, are we not perhaps invoking an antithetical creed, which measures us by the crude and irrelevant categories of race, gender, and ethnic origin? Herbert Hoover's philosophy has much to say on this point.

Or consider the much-discussed "energy crisis." If Herbert Hoover were living today, I suspect that as a life-long champion of efficiency and the elimination of waste he would vigorously encourage efforts towards conservation of our resources. But he would also stress that a far more precious resource than oil must not be allowed to atrophy.

This is our social energy. And the source of this liberating social energy is not an overweening, coercive, stultifying, bureaucratic government but free men and women, uncommon men and women, competing and cooperating voluntarily in an open, fluid society. It is a proper function of government, I think he would say, to stimulate initiative and to foster its harmonious use. It is not the proper function of government to try to monopolize social energy like a giant parasitic sponge.

Finally, I have emphasized today the roots of Herbert Hoover's philosophy in the contrast he perceived between the Old World and the New. I ask you, in closing, to ponder anew the ghastly practical consequences of some of the alternative social philosophies which have motivated men and women in this often bloody century. Consider the tens of millions who have perished in the Gulag Archipelago. Consider the death camps at Auschwitz. Consider, today, the agony of the Vietnamese boat people who would literally rather run the risk of drowning at sea than live under the "social philosophy" called Communism.

Free societies, such as the one we today enjoy, are a rarity in human history, and they are not self-sustaining. To survive they require a cogent understanding of their fundamental, undergirding values. This Herbert Hoover realized. He spent much of his life attempting to apply these values and to teach us what he learned. If you examine the record of what he did and what he said, you will find that he speaks to us still. ●

THE DRAFT AND ADDITIONAL SERVICE

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. PAUL. Mr. Speaker, when H.R. 4040 is taken up by this House, much of the debate will center on registration for the draft and national service. I would like all of my colleagues to read this article that Prof. Charles Fried of the Harvard Law School published in the Washington Post on March 15, 1977. What right do we have to deprive innocent persons of their liberty for 1 year, or 2 years, or any length of time? What crime have all 18-year-olds committed that requires them to be registered and to serve at hard labor? We ought to take these questions seriously, if we are not simply hypocritical when we speak of human rights. Or does one have to be 21 before one becomes a human being?

COMPULSORY PUBLIC SERVICE: A BAD PRECEDENT

(By Charles Fried)

Proposals for a program of compulsory public service for all young people have been making the rounds in congressional and editorial circles. One major network news commentator hailed such a program as an idea "whose time has come."

I disagree. In this, the beginning of our third century of liberty, it is shocking that so many should be ready to impose in so drastic and total a way on the liberties of a whole generational slice of the American population. And it is particularly disheartening that the liberties of our young people should be casually disposed of on such ill-conceived and essentially self-serving grounds.

The proposal, which has attracted so much favorable comment, is this: All youths—say at high school-leaving age—would be re-

quired to spend a year in some form of public service activity, but his obligation could be discharged by enlistment in one of the military services. The proposal is thought to be good in principle and good in practice. In principle, it is thought to affirm the notion of an obligation of public service. And practically it would help alleviate a problem which is showing up in the volunteer army. It appears that the volunteer army is turning out to be very expensive while still failing to attract recruits of a desirable quality. It is thought that by instituting a general obligation of service, many more will find it worth their while to discharge that obligation in the military, thereby improving the quality of the army and lessening the burden on the taxpayers.

The idea is wrong in principle and would surely be a nightmare in practice.

The idea is wrong in principle because the liberty of young people is worth no less than the liberty of middle-aged politicians and editorializers who would take from them the right to determine how to live their lives during a substantial period of time. I would not wish to denigrate the principle that we all have an obligation to serve our community, but the notion that we may be compelled to do so absent manifest necessity and some clear national emergency, is foreign to our traditions. The shoddiness of the proposal, indeed, reveals itself when we see that it really boils down to a desire on the part of the middle-aged to get something—a high quality defense manpower pool—without paying for it. If the nation needs a military establishment of a particular quality, then the nation as a whole should pay for it, and not force a small segment of the population to contribute its services unwillingly for nothing.

But if the argument of principle doesn't convince, the practicalities should. All one has to do is consider the difficulties of tens of thousands of local school boards in enforcing useful activities on high school students during some five or six weekday hours, to see how unlikely we would be to be able to provide and supervise a meaningful, compulsory year-long, 24-hour-a-day experience for every 18-year-old in the nation. (And make no mistake about it, anything less total would not have the desired effect of driving large numbers of youths into the military as a preferred alternative.)

I ask those who would casually deprive their fellow citizens of their liberty for a year of their lives, who would administer these programs? Who would determine what constituted appropriate public service alternatives? Who would enforce attendance, and discipline participants who snuck away for an hour, or a day, or a week? Who would keep order in the dormitories? Or would there be dormitories? What about drinking and drugs? Would there be exemptions for students? For persons engaged in essential activities? And so on.

I would have thought the loathing the American people have displayed for multiplication of Bureaucracies and regulations would indicate that the last thing in the world the public would want at this point would be a program that turned over every 18-year-old in the nation (man and woman) to a wholly undefined, non-extent set of total institutions. ●

CONGRESS SHOULD SUPPORT BICYCLING

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. ANDERSON of California. Mr. Speaker, while I always like to take the

time to read Roll Call, the fine weekly newspaper that is distributed up here on Capitol Hill, I was particularly pleased to note one article in the August 2 edition. That article, entitled "Bicycling," spotlighted what one of our colleagues is doing to save our Nation's energy, while gaining healthful exercise for himself.

Congressman BOB WHITTAKER, Republican of Kansas, bicycles from his home to the Capitol, 10.2 miles, at least once a week. That is quite a trip for him to make, but I think it demonstrates his personal concern for the energy crisis this Nation has found itself in.

This body will have the opportunity soon to demonstrate its collective concern. I will be offering an amendment to H.R. 4440, the Department of Transportation Appropriations bill, which will bring to \$10 million the total appropriations level for the Nation's bicycle program. I am pleased to say that our Appropriations Committee has seen fit to recommend funding for this program for the first time, at a level of \$4 million. The statutory authorization is \$20 million, so my amendment would modestly fund the program at half of what it could—and I personally believe should—be.

Mr. Speaker, our colleague from Kansas bicycles over 10 miles into work. If just 1 percent of all trips of only half that distance, that is 5 miles or less, which are currently being made in an automobile, were made by bicycle, this Nation would save about 131 million gallons of gasoline per year.

This Government and this Congress ought to be in the business of encouraging gasoline conservation through the increased use of bicycles.

So, I hope our colleagues will take a minute to read the article which I am submitting for the RECORD, and then think about what they are doing to help save energy. If they do, I am confident that the Anderson amendment will be added to H.R. 4440.

The following is from the August 2, 1979, Capitol Hill—Roll Call:

BICYCLING

(By Myron Struck)

It was hot on the floor of the House of Representatives and Bob Whittaker could feel the sweat breaking out beneath his suit-coat. The week was nearly over and all he wanted to do was relax. No more talk about President Carter's Energy Conservation policies, SALT II or the balancing of the Federal budget . . . just a relaxing couple of days.

The freshman Republican headed back to 516 Cannon where the humidity and temperatures were stifling. He bade the staff goodbye and—glancing out the window—saw the bright white cumulous clouds softly hovering above. He headed to the garage and a bicycle rack.

Rep. Bob Whittaker (R-Kans.) had adopted a new policy—he would bicycle the 10.2 miles from his Arlington, Virginia, home to the Capitol at least once a week. More, he said, if his schedule permitted.

But alas, the ominous portent of a Friday the 13th hit the ambitious 39-year-old solon. As he headed across The Mall the clouds began to close in. By the time he reached the Kennedy Center, doubt began to replace the perspiration. The air chilled a bit. The clouds overhead were leaden. At the Whitehurst Freeway—well, the way Whittaker tells it—"It was like the great flood."

The deluge "covered the streetcar tracks with water and I kept getting the wheel stuck. It was awful."

Rep. Whittaker waited out the storm, sheltered from the pelting rain but not from the relieving breeze that it blew under the Freeway.

Undaunted, he says he'll continue wheeling to work.

"I feel that Congressmen need to set an example of conserving energy," he said. "I honestly believe that we have an energy shortage, and that it is not going to go away in the near future."

During his 1978 primary election campaign in Kansas' 5th District—an open seat—Rep. Whittaker decided he'd renew an old interest in bicycling.

"I could hit up to 300 homes a day using a bike, going door-to-door," he guessed at the time. "I never got to 300, but I easily doubled the number I could reach on foot."

Since Kansas forbids cross over voting in its primary elections, Whittaker sought only to reach Republican voters during the outings. He didn't have to go from one door to another, but from one Republican home to another.

"It wasn't meant as a campaign gimmick and I never used it that way," he says. "But I knew I had to stay in shape, physically, while I got involved in campaigning. It's easy to exhaust yourself on the campaign trail or physically while bicycling or jogging; but one helps your body and the other one wears you out."

Since he revived his bicycling interest about six weeks ago he's managed about a dozen trips aboard his two wheeler.

"Some other Representatives are talking about a conservation plan that would have everyone leave their cars at home one day a week," Rep. Whittaker said. "Congressmen might be able to do a lot more to encourage conservation if they would set an example by conserving in their own energy use."

Whittaker would like to see better security for those who bicycle to and from Capitol Hill. Currently there are racks in the Cannon garage and the Rayburn garage as well as beside the Longworth Building, on the House side, but the fear of having an expensive bicycle stolen "hasn't subsided" enough to encourage more people to take up the hobby.

"If somebody proposes it, I'd support it," he said, hedging on whether or not he should personally lead an effort to "spend just a few taxpayer dollars, not too many," to promote his cause.

In a press statement, Whittaker said: "Last year, we paid \$43 billion to foreign countries for oil, and that figure may be closer to \$70 billion this year. We need to conserve not only because of the energy shortage, but also to help shore up the dollar and improve our trade balance."

He says he is serious about trying to deal effectively with the nation's energy crisis in Congress, hence taking the opportunity to use a press statement about his bicycling adventures to push across a philosophical point.

"But I'm having the time of my life," he adds. "It's a relaxing 45 minutes and the tow-path along the (William O. Douglas) Canal is beautiful." Currently, only two other Congressmen have taken to the cycle as a regular means of transportation. One is Rep. Bob Eckhardt (D-Tex)—a man nearly twice Whittaker's age. The other is Rep. Bob Edgar (D-Pa.).

"Eckhardt's the only one I've seen on a bike," said Whittaker. "I've seen him take one from the office buildings to the Capitol for a vote."

Maybe they should get together and start a group—perhaps a Bicycling Caucus?●

THE ASIAN HOLOCAUST

HON. DANIEL B. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. DANIEL B. CRANE. Mr. Speaker, today I want to bring to the attention of my colleagues an article from the editorial page of the Chicago Tribune of Sunday, June 17, 1979. This article compares the present situation in Southeast Asia with the holocaust during World War II. It points out that the Vietnamese regime is stripping its victims of their wealth exactly as the Nazis stripped their victims. The article asks a very important question, are we breaking the promise we made at the conclusion of World War II when we vowed that these atrocities would never be allowed to happen again? This editorial is worth consideration by my colleagues.

The editorial follows:

THE ASIAN HOLOCAUST

There is a grim familiarity about the events now transpiring in Southeast Asia. An entire ethnic group—the Chinese of Viet Nam—is being singled out for racist persecution. Their property is being confiscated, and they are being driven out of the country or imprisoned in concentration camps. The international community is ignoring their plight even as they suffer and die by the tens of thousands. Their crime is simply being of Chinese extraction, a vigorously industrious people who are despised for their success.

The historical parallel is obvious. The Vietnamese communists are carrying out a policy that differs from Hitler's "Final Solution" only in scale and detail.

In scale it does not match the six million victims of the holocaust, but an estimated 200,000 have died from drowning, exposure, or thirst upon the high seas, another quarter million or more scattered around the world as refugees, and perhaps 1.2 million are in Viet Nam waiting to be cast adrift at sea or to undergo whatever further "solution" the Vietnamese authorities may devise.

In detail, the Vietnamese regime is stripping its victims of their wealth exactly as the Nazis did [this monstrous expulsion program is Viet Nam's most lucrative export activity]. The victims are not, to our knowledge, being murdered outright, but they are being sent to sea in boats that are both overloaded and unfit for the open ocean. Western officials have estimated that about half perish, a proportion that is expected to rise soon to 70 per cent because ever smaller and less seaworthy craft are being used as the expulsions continue. Those who refuse to be driven out or who lack the reported \$3,000 in gold required for exit permission are being sent to concentration camps. Their fates there are not known.

A few countries are trying to help [the U.S. is the leading one, having accepted more than 200,000 refugees on our shores, but even that is too little]. Most of the rest of the world is behaving with a venality that ranges from mere indifference to an outright refusal to rescue distressed boats or to let them land.

We would not like to live with the consciences of those [including some Americans] who opposed U.S. involvement in Viet Nam yet refuse to condemn the new horrors there.

China, the victims' cultural motherland, refuses to absorb these few hundred thousand souls into the vastness of its land and

population. The Soviet Union, the most self-righteous castigator of Germany's wartime atrocities, is Viet Nam's chief international sponsor and the supplier of its arms. But not only have the Russians failed to halt this madness, they are actually accepting payment for weapons in the very gold that was taken from the doomed Chinese.

After World War II, when the full enormity of the holocaust began to sink in, virtually the entire civilized world vowed that it would never be allowed to happen again.

We are breaking that promise.●

WESTERN NEW YORK CITIZENS COMMITTEE OBSERVES CAPTIVE NATIONS WEEK

HON. HENRY J. NOWAK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. NOWAK. Mr. Speaker, the Western New York Citizens Committee to observe Captive Nations Week held their 20th anniversary commemoration dinner dance on Saturday, July 21, 1979, in Buffalo, N.Y. The following resolution, proposed by Mrs. Dasha Procyk, was adopted by the committee. Mrs. Procyk has asked me to bring the resolution to the attention of my colleagues in Congress to remind us of our Nation's role as an example of independence and freedom to all captive nations throughout the world throughout the year.

The resolution follows:

CAPTIVE NATIONS COMMITTEE OF WESTERN NEW YORK

Whereas, two decades ago, the legislators of our land passed Public Law 86-90 whereby requesting the President to proclaim the third week of July of each year as Captive Nations Week; and

Whereas, the intent of this law is to render moral support to all captive nations craving to regain their lost freedom and independence; and

Whereas, the past twenty years have seen a steady and disturbing erosion of national and human rights in different parts of our shrinking world; and

Whereas, political prosperity can only be guaranteed when supported by morality in all endeavours of public life; and

Whereas, true freedom and liberty cannot be established without adherence to the fundamental tenets that national and human right is a basic pre-requisite to world peace; and

Whereas, universal freedom is still not attained and the quest for same is daily challenged by subversive forces that flagrantly abuse basic national and human rights; and

Whereas, only a strong United States can be a deterrent to further encroachments of Communist Russian expansionist designs and a bipartisan alliance of our political leaders is most urgently needed to adopt a national strategy of peace through strength; and

Whereas, a viable society is achieved by not those who talk but by those who do—the achievers and individual excellence paves the road to national prominence; and

Whereas, America has demonstrated a traditional regard for excellence and has shown in times of national crises that it can draw on this fountain for sustenance; and

Whereas, by recognizing that we are now being challenged by multiple problems at

home and abroad exacerbated by the same worldwide conspiracy that toppled the once free nations;

Now, therefore, be it resolved, that we, gathered here tonight to observe the twentieth anniversary of the Captive Nations Week will individually exercise our utmost efforts to work toward the realization of the ideals of freedom and sovereignty for all nations and shall endeavour to urge our elected officials on all levels of public office to re-dedicate their efforts to the ideals that made our country great and by doing so give a new dimension to efforts of other nations to attain freedom and sovereignty.

THE CARIBBEAN: A NEW IMPERATIVE

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. LaFALCE. Mr. Speaker, the overthrow of the Somoza dynasty in Nicaragua has focused long overdue attention on the volatile situation in the whole Caribbean area. Although this area contains the Panama Canal and is in close geographic proximity to the United States, it has generally been ignored by the media and the administration.

The downfall of the unlamented Somoza regime and the chronic instability of a substantial number of other Central American and Caribbean governments illustrate why the United States should be more active in this area. Since gunboat diplomacy has been consigned to its proper oblivion, this country is faced with only two options. First, it could ignore the area, which would be foolhardiness of the first order. Second, it can significantly increase its economic and technical assistance to these poor and underdeveloped countries, through either bilateral assistance or multilateral assistance funneled through the Inter-American Development Bank.

In a compelling editorial in its August 4 edition, the Niagara Gazette states the case for the second alternative in a very persuasive manner; and I would like to share its arguments with my colleagues.

The editorial follows:

NEW RED SCARE

The fall of Nicaragua's Somoza dictatorship has spurred a number of reports that Nicaragua and other small Central American and Caribbean countries are in danger of being taken over by communists, in the fashion of Cuba.

It's not clear where these reports are coming from, but it seems reasonable to assume that many come from the people and organizations who see Red under every bed, and who believe that only dictatorships can prevent the spread of communism. Disappointment does not deter them. Though neither Portugal nor Spain, India nor Iran went communist after their dictators were overthrown, they still hope in a morbid sort of way that their predictions of catastrophe will be vindicated. In a slightly more positive vein, they hope their predictions will spur American intervention, preferably military but covert CIA action would do, to make sure the "right" people are put in control of the countries they believe are in danger.

American intervention in Central America and the Caribbean is certainly needed.

But not the kind of intervention the fear-mongers have in mind.

Many of the governments of the region are unstable. A number of countries harbor active revolutionary movements. Coups and revolts are certainly to be feared, especially after the success of the Sandinista revolt in Nicaragua. And doubtless many of the revolutionaries are Marxists of one kind or another.

But the way to combat the discontent that flowers into revolution is to combat the conditions that cause unrest. These countries are mostly poor. In most of them, what wealth there is is mostly in the hands of a few powerful families, a few dominant businesses, and a few corrupt government officials. In such conditions, ordinary people have little hope of improving their desperate lot in any ordinary way, so they are ripe for the promises of revolutionaries.

The kind of U.S. intervention that is the kind that will give some hope to these people—hope for more food, better homes, some control of their own destinies. And the tools of that intervention are not military forces or spies, but well-tested programs that have worked in other countries—programs to improve food production, to improve agricultural marketing, to organize producer and consumer cooperatives, to improve human and animal health, and so on.

It would help a great deal if the U.S. government put some discreet pressure on the governments of the region to undertake land reform and other measures of economic justice. But even without that kind of reform, effective people-to-people aid programs can do much to improve people's lives and give them hope of making their economic and political systems more responsive to their needs.

Next year, the U.S. is scheduled to give \$155 million in aid to the countries in the Caribbean basin. That may seem like a lot, but it is not: the local governments of Niagara County, where 235,000 people live on 500 square miles of land, spend more than that in a year. The Caribbean basin includes millions of people and hundreds of thousands of square miles. \$155 million can be spread pretty thin by inventive programming and administration, but after a certain amount of spreading it gets too thin to do much good.

The president and Congress should make a new assessment of Caribbean needs—an assessment, if they like, based as much on fear of communism as on a desire to help poverty-stricken people, for poverty begets communism when poverty becomes desperate enough, and it would certainly be damaging to the U.S. if other Caribbean countries besides Cuba become communist satellites.

Then the U.S. should decide to spend enough money to make Central America and the Caribbean hostile territory to communism—that is, territory where there are a quality of life and of social justice sufficient to make democracy and free enterprise more attractive than communism.

MARINE SANCTUARIES: A PROGRAM WE DO NOT NEED

HON. JOHN B. BREAU

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. BREAU. Mr. Speaker, on July 31, 1979, I introduced H.R. 5018, a bill to repeal the marine sanctuaries title (Title III) of the Marine Protection, Re-

search, and Sanctuaries Act of 1972. I believe that the marine sanctuaries program, administered by the Department of Commerce, is wholly unnecessary to provide for the protection of the marine environment. The Clean Water Act, the Outer Continental Shelf Lands Act Amendments of 1978, Title I of the Ocean Dumping Act, the National Environmental Policy Act and numerous other authorities which are being very successfully implemented, render the marine sanctuaries program redundant. The way in which that program has been administered has shown very little regard to the existence and efficient implementation of other relevant programs. This has led to unnecessary and unduly expensive bureaucratic effort. Illustrative of the poor performance of the marine sanctuaries program is a critical commentary by the Interior Department on a particular sanctuary proposal.

This commentary follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 12, 1979.

Ms. JOANN CHANDLER,
Director, Sanctuary Programs Office, Office
of Coastal Zone Management, Washing-
ton, D.C.

DEAR Ms. CHANDLER: We have reviewed the Draft Environmental Impact Statement (EIS) for the Proposed East and West Flower Gardens Marine Sanctuary. The Department of the Interior (DOI) supports this proposed sanctuary but believes that the regulatory scheme described in the Draft Environmental Impact Statement (EIS) is unsatisfactory. It is our position that the existing regulatory program administered by the Department of the Interior is adequate to protect the Flower Garden Banks from damage caused by oil and gas exploration and development activities. Additional restrictions that would be imposed on OCS lessees under the proposed designation are unnecessary, inappropriate, and inconsistent with the President's policy to eliminate unnecessary Federal regulations. The failure of the EIS to justify additional regulation of OCS oil and gas operations in the vicinity of the Flower Garden Banks is discussed in detail below.

We also find the EIS to be poorly organized and difficult to follow. Alternatives to the "Preferred" alternative are inadequately addressed. Interpretation of the scientific evidence is tenuous at best. In places the EIS seems to be more of an attack on DOI's policies and procedures than an analysis of the environmental impact of the proposed action.

Our general comments on the proposed designation described in the EIS are presented below. Immediately following this discussion is a section containing our specific page-by-page comments.

GENERAL COMMENTS

1. Necessity for further regulation of oil and gas operations within the proposed sanctuary boundary.

The Department of the Interior is statutorily mandated to regulate all OCS oil and gas development activities in such a way that the environment is protected. For years the Department has recognized the unique and fragile nature of the Flower Garden Banks and has administered the OCS leasing program in the vicinity of the Banks so that the coral reefs and associated communities are not injured by oil and gas development. All lease agreements between the Department and the lessees of tracts in the Flower Garden Banks vicinity contain stipulations which are specifically designed to protect the reefs. These stipulations are described in the EIS. They include such restrictions as a "no

activity zone" where all exploration or development operations are prohibited, a shunting requirement, a monitoring requirement, and certain prohibitions against bulk discharges of muds or use of toxic bactericides. These restrictions are included in the contractual agreement between the government and the lessee as lease stipulations. They were established after intense scientific investigation by independent scientific personnel and are continuously scrutinized.

There is a lack of justification for altering the existing regulatory scheme involving the "no activity zone" which DOI has established.¹ A justification presented in the EIS for the proposed modification of the existing zone is that the extension is necessary to avoid discharges directly into the crinoid zone on the Banks (F-33). The discussion does not acknowledge, however, that under the terms of the existing lease stipulations, BLM already has the authority to prevent discharges directly into the crinoid zone. The lease stipulation (on OCS-G-3316 for example) provides that if the shunting method is not adequate to protect the unique character of the area outside the DOI "no activity zone" (out to 3 miles from the 85 meter isobath), the Supervisor has the authority to require barging of the material. Another EIS justification for the extension of the "no activity zone" states that "Well established hard bank communities, namely crinoids, do however extend below the 85 meter isobath to 100 meters (328 ft.) or more and represent a transition zone of significance which could be impacted by a platform" (E-29). Well established hard bank communities exist wherever there is a hard bank, regardless of depth; the communities differ depending on depth and other factors. Crinoids are found throughout the Gulf of Mexico, and neither as a community nor as a species do they require special protection. Hermatypic coral communities which are unique and productive do require such protection; DOI has been affording them continued protection for over five years. Numerous studies by both BLM, industry, and independent scientific organizations have shown that oil and gas operations under DOI's current restrictions have had no adverse impact on the reefal communities.²

Under the proposed regulatory scheme, lessees within the sanctuary boundaries would be required to shunt drilling discharges to within 6 meters of the bottom instead of the 10 meters now required by Interior. The only justification for this change is that "shunting to 6 meters offers greater probability that the material will actually be deposited in the nepheloid layer than does the present BLM requirement of shunting to 10 meters" (F-27). However, the discussion then adds that the "Bureau of Land Management reef monitoring studies have not indicated any effects on the reefs from shunting activities that have occurred to date" (F-38). Apparently there is no evidence whatsoever that the 10 meter restric-

tion is inadequate, yet the proposal would alter this restriction. Additionally, there is no mention of the fact that shunting to less than 10 meters may cause mechanical problems; cuttings may accumulate causing the shunt pipe to become blocked and result in surface discharges.

The regulations would also prohibit the discharge of "... drilling muds in bulk" (C-12). With this prohibition is tied the questionable alternative of barging these materials away from the drilling sites, which involves the need to moor large surface craft to the drilling facility over long periods of time even in adverse weather conditions. Barging could be an extremely dangerous requirement to those conducting the activity and, in the case of spills, would be more hazardous to the environment from surface disposal than shunting these materials to the bottom. In addition, the term "bulk" should be defined.

Under the proposed regulations, shunting would be required within a larger area than is now required by DOI. The four nautical miles (nmi) from the 100 m isobath for the sanctuary boundary appears arbitrary. The EIS contains no discussion of why it is necessary to extend the shunting requirement out an additional mile. BLM studies have shown repeatedly that the Banks are not being harmed under current regulations, at least with regard to oil and gas operations. The extension will not truly afford "... a higher level of protection to the Banks' ecosystems than currently exists under Federal authorities" (C-13). As there is no detectable damage to the Banks, an extended boundary will not afford a higher level of protection because there is no higher level than one which results in no detectable harm. Unless there is some compelling evidence that the present regulatory scheme is inadequate, there is no justification for imposing this costly requirement on the lessees within the area.

The proposal does not reflect the extensive scientific effort that has been conducted at the Flower Gardens. Statements such as "There presently is no program for long-term assessment at the Banks" (D-3) simply have no basis in reality. BLM's monitoring program over the last five years has had the objectives to map the banks, assess and monitor the health of the reefs (qualitatively and quantitatively using active and passive, in-water, visual methods), monitor drilling activities when they occur, and measure seasonal changes in hydrographic conditions, including currents. The program is given short mention in the EIS; we question how much of the information was utilized in the EIS formulation. The discussion of drilling muds and cuttings (E-17 through E-26) dwells on isolated laboratory studies in which unrealistic conditions and concentrations are encountered; these same discussions barely mention those in-situ studies conducted by and for DOI. Evidence to date clearly shows that no study yet held under conditions prevailing in the field has shown any adverse impact on reefal communities.

The proposed regulations require monitoring in the entire sanctuary, whether it be within 4 nmi of the 100 m isobath or 3 nmi of the 85 m isobath. The EIS gives no justification whatsoever for this requirement. Several monitoring studies within 1 nmi of the 85 m isobath have shown no adverse impacts from drilling. To require monitoring out to 4 nmi from the 100 m isobath (or even to 3 nmi of the 85 m isobath) is excessive. We agree that monitoring near the Banks is necessary; the evidence indicates that monitoring is necessary to no more than 1 nmi from the 85 m isobath.

Despite the consistent efforts of the Department to protect the coral banks and the lack of evidence that ongoing oil and gas operations in the area have caused any dam-

age to the resource, the proposed regulations would alter the conditions and restrictions originally imposed on lessees at the time they contracted for oil and gas development rights in the area. This might be justifiable if a showing were made that the lease stipulation restrictions were inadequate to protect the coral or that Interior was not properly enforcing its regulatory scheme on oil and gas leases. This, however, has not been done. The reasons given in the EIS for the proposed changes in the regulation of oil and gas operations are highly speculative and totally unsubstantiated.

The Department of the Interior presently regulates each and every phase of OCS exploration and development activities, remaining consciously aware of biological requirements and environmental precautions. DOI may suspend operations if threats to the environment arise. Under the 1978 Amendments to the Outer Continental Shelf Lands Act, the Secretary has the authority to cancel leases for environmental reasons, and to compensate the lessees. In light of the strong Interior regulatory program currently being implemented and in the absence of any evidence that the reefs are being implemented and in the absence of any evidence that the reefs are being damaged by oil and gas operations, the Department of the Interior requests that NOAA reconsider the entire proposed regulatory scheme for oil and gas operations within the Sanctuary, and adopt the controls currently established by the Department of the Interior.

2. A Five-Year Moratorium on OCS oil and gas activities.

DOI believes that a moratorium is unnecessary. In view of all the studies the Department has already funded, as well as studies by others, we believe that we can confidently proceed with oil and gas operations near these Banks provided that the restrictions as currently applied by DOI are continued.

The EIS justification for a five-year moratorium is to provide time to research the effects of oil and gas activities on the Flower Garden Banks. Even if a moratorium were warranted, there is a lack of specificity on the type and extent of the research program to be carried out during the moratorium. The research efforts that will be pursued and completed during the moratorium should be identified and adequately addressed in the EIS and designation. Who would design the research? Conduct it? With what money? What would be monitored? Is there any guarantee that five years is enough time? What findings would allow a decision to resume oil and gas development? Research difficulties could extend the moratorium indefinitely. This void of research objectives is unacceptable.

This is not to say that we do not support stepped up coordinated studies at the Banks. We urge OCZM and EPA to consult with us in developing such a program. We feel the proposal by EPA and NOAA (received by letter of April 12, 1979), to set up an inter-agency committee which would supervise and evaluate monitoring studies on the Flower Garden Banks, is a good one.

3. Modification of Lease Terms.

Certain restrictions have been imposed by stipulation on leased tracts within the proposed sanctuary boundary. These stipulations specifically describe areas where exploration and development activities will not be allowed and impose certain conditions and restrictions on activities that are allowed. The lease agreements containing these stipulations are contractual in nature and generally define the relationship between the government-lessor and lessee. While the EIS recognizes this contractual relationship

¹ It is difficult to determine the degree of size difference in these zones because the EIS is not clear on this point and the diagrams depicting the zones are not drawn to scale (F-25 and F-36). However, it appears that in some areas there is very little difference in the DOI boundary and the proposed boundary, while in other locations it may be significant.

² "... On the basis of information gathered during 1977-78 we have found no evidence that drilling activities in the vicinity of the East Flower Garden (sic) have had deleterious effects on the reef communities through the Spring of 1978." (*Northwestern Gulf of Mexico Topographic Features Study*, Final Report, Contract No. AA550-OT7-15, Texas A&M Research Foundation and Texas A&M Department of Oceanography, December 1978; p. VII-36.)

(F-3), only cursory treatment is given to the associated issues.

If an extension of the "no activity zone" on a lease results in the lessees inability to develop the resources that could have been developed under the terms of the lease (contract), the lessee may have an action for breach. The success of such an action would depend on whether some other provision of the contract provides that additional restrictions on drilling and development may be imposed. It is clear that the Department of the Interior may, through regulation, impose additional restrictions on the lessees if necessary to protect the natural resources.³ Thus an expansion of the "no activity zone" could probably be accomplished by Department of the Interior regulation. However, to the extent that the lessee's ability to recover resources is diminished, compensation may be necessary.

The EIS does not discuss this legal issue, does not address in any detail the issue of whether resource recovery may be affected, and does not even identify the possibility that cancellation and compensation could be involved. We suggest that these matters cannot be ignored. Even if the difference in the boundaries between the 100 m isobath and the 85 m isobath is minor, the possibility of loss of recovery must be considered since very small adjustments in platform placement can sometimes result in resource loss.

4. Use of the NPDES Permit System.

The EIS explains that EPA's authority to issue National Pollution Discharge Elimination System (NPDES) permits will be used to enforce several aspects of the proposed regulatory program including the Five-Year drilling moratorium the expanded "no activity zone", the monitoring requirements, and other requirements such as no-discharge contingency plans, spill contingency plans, and miscellaneous discharges. Concerning the Five-Year moratorium and the "no activity zone", the EIS indicates that EPA will simply refuse to grant NPDES permits for oil and gas operations in those areas.

The extent and limits of EPA's authority to condition NPDES permits should be explained in the EIS if it is, in fact, to be used as an enforcement mechanism. We do not understand why you propose that the NPDES permit system be used as the mechanism to promulgate the regulatory scheme. The Department of the Interior is the agency with the proven regulatory program in the Gulf of Mexico. EPA, on the other hand, has never controlled discharges in the Gulf, even after we terminated our controls at its request. Because EPA has not chosen to regulate discharges in the Gulf, by letter of September 22, 1978, we offered to use the Department's existing capability to reassert environmentally safe operations in the Gulf. A copy of the letter is attached for your information. In short, we question the wisdom of turning the proposed regulatory activity over to the agency which has not performed in precisely this type of effort and in this region.

We believe that the EIS should contain a better explanation of how this EPA regula-

tory program would be used. The EIS does not identify how present or potential lessees would be able to obtain a permit. While the EIS identifies attainment criteria, it does not identify how these criteria were obtained or how a lessee could comply. It is our understanding that NPDES permits must be considered on the merits of the application on a case-by-case basis. Thus we question how NOAA can state, in such absolute terms, that "EPA will issue no NPDES permits for discharges from operations in any lease awarded after the effective date of the marine sanctuary regulations" (C-16).

EPA has promulgated interim final effluent limitations and guidelines defining best practical control technology currently available (BPT) for oil and gas extraction point sources. (44 Fed. Reg. 22069, April 13, 1979). In addition to the authority to set these technology-based standards, EPA also has authority under Section 403 of the Clean Water Act (33 U.S.C. Section 1343) to protect the quality of receiving waters. The use of this authority as a basis for imposing conditions on NPDES permits for offshore oil and gas operations has been challenged by the industry on the grounds that no regulations which establish ocean discharge criteria under Section 403 have been promulgated and that the ocean dumping criteria cannot be used to condition ocean discharge permits. See *Tenneco Oil Co. v. EPA*, Nos. 78-1684, 78-1687, and 78-1688, 5th Cir., 1978. This case is important because it involves precisely the kind of NPDES conditions that would be imposed on lessees under the proposed marine sanctuary program.

Similarly, much emphasis is put on future actions and responsibilities of the Fisheries Management Council (FMC). The FMC to date has not addressed corals and coral reef management; some indication of what activities or directions the FMC will be pursuing in the Gulf of Mexico in the next year or two would be enlightening.

5. The development and analysis of the proposed sanctuary's management and enforcement plan.

A detailed management plan should be developed as part of the proposal and addressed in the EIS, rather than deferred until later. Management is the salient feature of a sanctuary designation proposal and must be spelled out in detail. Since the management scheme may have significant environmental implications of its own, it certainly should be subjected to the EIS analysis, review and comments, and public hearing procedures required by NEPA. We regard the failure to develop and analyze a management plan for the proposed sanctuary serious enough to render the EIS inadequate.

Much the same can be said about the lack of a detailed analysis of the means for enforcing the sanctuary regulations. The means for enforcing regulations for managing the Flower Garden Bank biota will be extremely difficult since the distance from shore is so great. Both management and enforcement procedures should be described in detail in the designation documents.

In summary, we consider the protection of the biota of the Flower Garden Banks to be achievable and of great importance. As far as oil and gas activities are concerned, we are providing such protection. There is a need for a change in management practices only to the extent that it would afford protection to the Banks from other uncontrolled activities, such as anchoring, tankers flushing bilges, damage from careless sport divers, etc. There is no indication in this EIS that sanctuary designation as presently presented would provide such protection. We therefore feel that the Final Environmental Impact Statement needs considerable revision especially in the areas of a management plan, enforcement scheme, research proposals, and regulations. We would be happy to work with

NOAA on the preparation of the final document.

Sincerely yours,

Assistant Secretary. ●

H.R. 3434—MOVING IN THE RIGHT DIRECTION

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. BIAGGI. Mr. Speaker, before this body recessed for the August district work period, an important and admirable piece of legislation was passed on August 1. This legislation, H.R. 3434, the Social Services and Child Welfare Amendments of 1979 was passed by a vote of 401 to 2 and addresses most directly the issue of reducing this Nation's undue reliance upon our foster care system.

Much of the credit for this bill goes to the Ways and Means Committee for their insight and timely attention to helping to make the social service programs in this country more directly attuned to the needs of our children who find themselves without permanent homes and families.

I would like to make note of a major study, released this year by the blue-ribbon commission appointed to study foster care in America, the National Commission on Children in Need of Parents. The findings of this Commission are most relevant to a discussion of this bill. More importantly, they show that we have only just begun to bind the wounds which the foster care system in this country has made upon our children.

I would like to highlight what this group has determined to be the major problems with the foster care system in America today:

First. Of the 500,000 children presently in foster care, many do not belong there by virtue of the fact that they could be adopted.

Second. The courts are often the major cause for children remaining in foster care by refusing to terminate the rights of the biological parents when there remains a mere "flicker of interest" in the child by the natural parents.

Third. Federal aid is another disincentive to placing children in permanent homes. Federal funds will support a child in foster care but will be terminated upon adoption. Many families want to adopt their foster child, but financially cannot afford another child without subsidy payments. In turn, inadequate support payments to families result in frequent turnover of homes.

Fourth. This problem of financial disincentives also adversely affects the children in foster care who are left with the stigma of being a "foster child" rather than an "adopted family member."

Fifth. The foster care system is overburdened, understaffed, and often unprepared professionally to handle many of the complex family and personal problems of children and their families.

³Section 5(a) of the OCSLA gives the Secretary the authority to promulgate regulations which apply to leases already issued. It provides in part:

"The Secretary may at any time prescribe and amend such rules and regulations as he determines necessary and proper in order to provide for the prevention of waste and conservation of the natural resources of the Outer Continental Shelf . . . and such rules and regulations shall, as of their effective date, apply to all operations conducted under a lease issued or maintained under the provisions of this Act."

The lease agreements also contain provisions which specifically subject the lessee to all existing and future conservation regulations of the Department of the Interior.

Sixth. Taxpayers and contributors to charity are not getting their money's worth when it comes to foster care.

Seventh. Children become lost in foster care—the most tragic of the findings of this Commission. The Federal Government's mandate that data be collected and maintained is often ignored by States and local agencies. This lends credence to the conclusion that there is no "foster care" system in this country worthy of the name.

Our Nation's most precious natural resource, our children, have been squandered, ignored, and abused by this so-called foster care system. Since a procession of homes is highly destructive and often fatal to the welfare of the child, it would seem logical that some incentives are needed, in order to promote the placement of children into permanent, adoptive homes. As the study noted, "Logical, perhaps, but a far cry from reality."

Of the \$2 billion spent annually on foster care in this country, 97 percent of this amount goes to support foster care services, while the remaining 3 percent is left for adoptive services. In New York City, institutions can receive up to \$2,000 per month to maintain a child. If the child is adopted and leaves, the institution suffers a substantial loss until it receives another child. Interestingly enough, under AFDC/FC in 1976, this Government paid out \$176.7 million to support children in foster care. Not 1 penny of this money would have been available to support any of these children if they were adopted.

The goal of permanence is the forgotten objective in our entire foster care system. This entire monolithic structure is a monument to the insensitivity of a system which we have allowed to perpetuate. Not only have we been unresponsive to this problem as it relates to the children, but we have also allowed a financial monster of a program, lacking in direction and cost-effective incentives to perpetuate unchecked for years.

This bill, H.R. 3434, establishes a comprehensive set of reforms with regard to foster care protections, procedures, and services which will guard both children and families against "unwarranted removal of children from their homes and inappropriate and unnecessary prolonged foster care placement." More specifically, these safeguards include: First, no child be placed in foster care, except in emergency situations when the parents have refused assistance and counseling; second, no child will be involuntarily removed from his or her home unless ruled by a judicial authority as such; third, no child will be placed in foster care unless the parents voluntarily agree; fourth, increase the attempt to place a child with relatives or in the "least restrictive family-type setting in which any special needs may be met"; fifth, reunification services are available to the child; sixth, each child will be individualized by case which must be reviewed at least every 6 months; seventh, there will be a disposition hearing by the court within 18 months of the child's placement in foster care; and eighth, a fair hearing will be given to any parent, child or guardian who feels that they

have been aggrieved by any Federal action taken under this new law.

These procedures were some of the direct results of hearings which I held as a member of the Select Education Subcommittee in 1975 in the New York metropolitan area. The hearing examined 77 voluntary child care agencies which were responsible for over 25,000 children each and were receiving Federal moneys to support these children.

The findings were astounding. Over 26 percent of the children in these homes were there for their entire lives. For each of these children, the home received \$36.90 per child per day. It was discovered that only 5 to 10 percent of this allotment was used and that the homes were investing the remaining 90 to 95 percent and making millions of dollars in profits—all at the expense of the children they were being paid to support. Estimates were that the profits of these homes ran somewhere between \$300 and \$500 million. These abuses by these homes were enumerated in a series of articles in the New York Daily News written by Bill Heffernan and Stuart Ain and their insights into this problem were an invaluable asset to the subcommittee's hearings and subsequent findings.

The Child Welfare and Social Service Amendments of 1979 take important initiatives to help eliminate the fiscal abuse that have become a major problem in the foster care and child care system. Title IV-B Child Welfare Services would make \$226 million per year available to States on an entitlement basis for IV-B child welfare services, replacing the present IV-B authorization of \$226 million which was funded at \$56.5 million in fiscal year 1979. Additionally, the definition of "child welfare services" will be changed to shift the emphasis on services directed at preventing the continual removal of children from their families and to encourage, if necessary their placement in suitable adoptive homes.

I have long been aware of the problems and pitfalls of our child welfare system. We have unearthed many of them, brought them into the public eye, and have been able to correct some of them. In the passage of H.R. 3434, we have gone even further. We have reaffirmed the commitment of this Nation to the betterment of the lives of our children. We have taken a step in the right direction, and in this International Year of the Child, I am confident that we will be able to go even further to insure that each child in foster care is first and foremost, respected as a human being and treated with both dignity as well as compassion. ●

WORK HABITS OF FEDERAL EMPLOYEES

HON. HERBERT E. HARRIS II

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. HARRIS. Mr. Speaker, today I would like to direct the attention of my colleagues to a report which was recently

released by the General Accounting Office concerning the work habits of Federal employees. As a result of their study, GAO investigators discovered that "the vast majority of the Nation's 2.1 million Federal employees work at least the required 40 hours a week." Moreover, it was discovered that a significant number of workers actually work more than the required 40-hour workweek, and often they are not compensated for these extra hours.

Currently a wave of anti-Federal employee sentiment is sweeping the country. It has become politically popular to fault the bureaucracy for vague transgressions such as "poor productivity" and "lack of responsiveness." Morale at the Federal worksite has suffered many adverse effects as a result of these attacks.

Certainly we should work to improve the quality and delivery of necessary services to the public. However, I feel that this report indicates that shortcomings in these areas for the most part lie with the system, and not with the dedicated work force which the Federal Government employs.

The passage which follows is the digest which accompanies the recently issued GAO report. I urge all of my colleagues to review this material, for I feel it will aid us all in appreciating the demonstrated dedication of the vast majority of Federal workers:

COMPTROLLER GENERAL'S REPORT TO THE CONGRESS: MOST FEDERAL EMPLOYEES ON THE JOB 40 HOURS OR MORE WEEKLY; TIGHTER CONTROLS AMONG PROPOSALS FOR THOSE WHO WORK LESS

Contrary to widespread public perception, the vast majority of the Nation's 2.1 million Federal employees work at least the required 40 hours a week and adhere to lunch and coffeebreak rules. When time lost due to a small number of abusers is taken into account, taxpayers appear to be getting hundreds of millions of dollars of "free" labor each year from the many Federal employees who regularly work extra time without compensation. (See ch. 2.)

GAO reached this conclusion after analyzing questionnaire responses from about 3,000 randomly selected employees at the 7 largest Federal agencies (collectively employing 70 percent of all civilian workers). GAO also observed employee work-hour practices and interviewed 238 personnel officers, supervisors, and union representatives in the 7 agencies in various locations across the country. GAO studied time spent at the workplace, not the productive use of that time. (See p. 3.)

Of the questionnaire respondents: 75 to 83 percent worked at least the 40 hours per week,

18 to 27 percent worked 41 to 70 hours, and 17 to 26 percent worked 33.5 to 39.9 hours.

That some employees' extra hours are not compensated may violate the Fair Labor Standards Act. Projected to the universe of employees in these seven agencies, all uncompensated hours are worth between \$660 million and \$800 million per year at regular pay rates. Time lost due to work-hour abuses costs between \$85 million and \$120 million a year. The net gain to taxpayers may be between \$500 million and \$700 million. (See pp. 28 to 33.)

Work-hour and lunch/coffeebreak rules are violated for several different reasons. Some tardiness results from factors beyond the individual's control, i.e., traffic congestion and bad weather. Early departure is a

less serious problem than tardiness because most of those who leave early charge the unworked time to leave.

Extended lunchbreaks appear to be the most frequent abuse, particularly in urban locations where eating facilities are often congested. Many who reported taking extended lunches said this was permitted by unofficial agency policy or was undetected by management or that they had made up the lost time by extending their workdays. Others said they had taken long lunches because they had not taken coffeebreaks.

Coffee/restbreak abuses were not extensive. In fact, many employees did not even take authorized breaks, although, as noted, some added unused coffeebreak time to extend their lunch periods. Even though this appears common, it is contrary to existing laws that distinguish between lunch periods and coffeebreaks. (See ch. 2.)

Supervisors generally do not place high priority on monitoring work hours, because they trust employees to follow policy, believe most employees work 40 hours a week and make up any lost time, and believe deadlines are met. Supervisors give even lower priority to monitoring breaks and lunches because they are more difficult to control and because eating and break facilities are inadequate or inconvenient in many buildings. (See p. 6.)

Unofficial absences are costly to taxpayers and unfair to the vast majority of employees who follow the rules. Workplace absences can be reduced in several ways.

For example, greater use of flexible work schedules would reduce tardiness by permitting employees to vary starting times. Similarly permitting lunch periods to vary in length could also help reduce lost time if employees who took more than the prescribed time had to extend the length of their workdays accordingly. Providing employees longer breaks in their daily routines is a practice that some believe reduces the effects of today's stressful environment.

Even with existing work-hour policies, management could reduce abuses by (1) arranging more convenient eating and break facilities, where possible, (2) ensuring that employees were aware of agency workhour policies, and (3) ensuring that policies were fair and were enforced consistently and equitably. (See ch. 3.)

Work-hour policies vary depending on agency, work unit, and supervisor. On the one hand, varied policies are necessary in some cases because of different functions and work environments. For example, offices serving the public may require employees to take lunch at the same time each day to ensure continuous office coverage. Not all work environments may be conducive to flexible work and lunch schedules. And it seems prudent to vary coffee/restbreaks by the physical or mental demands of a job.

On the other hand, it is inequitable to the majority of Federal workers who abide by agency work-hour policies to allow some paid extended lunches. And it seems only fair that employees in similar positions working in similar environments have similar coffee/restbreaks.

Agencies could develop more equitable work-hour policies if they had more guidance. For example, agencies currently lack adequate information on the optimum number and length of breaks which should be given, types of employees that would most benefit, and circumstances in which breaks should be granted. GAO believes that the Office of Personnel Management should develop and provide managers such guidance and monitor and evaluate agency work-hour policies and practices. (See p. 40.)

LONG-TERM POLICY ISSUES

This report raises major long-term policy issues that should be considered by the

Congress and the Office of Personnel Management as they work to hold down personnel costs and increase worker output.

One issue is the length of the workweek and its effect on employment and productivity. Legislation proposed in the 95th Congress would reduce the standard private sector and Federal workweek to 35 hours by 1982 and require double pay for overtime. Some private sector employers already schedule less than 40-hour weeks; in effect, Federal employees who take extended lunches without making up the time work less than 40 hours. Proponents believe shortening the workweek would decrease unemployment or at least prevent some employees from losing their jobs.

At the Federal level, the Office of Management and Budget believes a shorter workweek might require more Federal employees. In considering reductions in the Federal workweek, attention should be given to relating the shorter workweek to equal or greater levels of output or fringe benefit tradeoffs. (See p. 48.)

Another issue is the focus of Government control. The Government's control of work hours is based on 5 U.S.C. 6101, which requires agency heads to schedule 40 hours of work per week, normally in 8-hour days, for each full-time employee. In addition, the Comptroller General, as authorized by statute, requires supervisor-approved daily records of time and attendance. To comply with these requirements, agencies use timekeepers and other means, such as timeclocks, sign-in and sign-out sheets, or most often supervisory observation. Because of the Government's unique characteristics, including the obligation to be accountable to the public, agencies will always need some controls.

As Federal programs and technology have become more complex, the Government has employed more professionals and highly trained technicians and fewer clerical and lower skilled personnel. For these higher skilled jobs the private sector typically puts greater emphasis on performance and output than on hours spent at the workplace. And the limited research available suggests that focusing control on worker output rather than on hours spent at the workplace may be desirable. More research is needed, however, before making such a change for Federal employees. (See p. 45.)

RECOMMENDATIONS

GAO recommends that the Director, Office of Personnel Management:

1. To better establish, monitor, and manage work-hour policies for the Federal work force, obtain Government-wide information on all agencies' official and unofficial policies and practices on scheduled work hours, lunch, and breaks; compare and evaluate those policies and practices; identify the need for additional guidance; and issue necessary guidance and require necessary changes. This guidance should, as a minimum, provide agencies sufficient information to determine increments for leave charges, protect against Fair Labor Standards Act overtime violations, and highlight the benefits of assessing work-hour practices through internal audits or personnel management evaluations.

With the information obtained above, assess whether the Federal Personnel Manual Bulletin 610-30 has been effective, that is, whether each agency has reviewed its lunch period practices and made necessary modifications. Where changes are needed, agencies should evaluate the alternatives discussed in this report. If flexible schedules or improved facilities are not feasible, agencies should lengthen lunch periods, for example, to 45 minutes or 1 hour, and correspondingly the workday to reflect the convenience and adequacy of existing facilities.

Provide agencies more information and guidance on coffee/restbreak policies cover-

ing the appropriate number and length of breaks and types of Federal jobs that would most benefit. Developing such guidance would require research and study.

Revise work-hour regulations to require that agencies communicate to employees, at least annually, agency work-hour policies.

While actively encouraging agencies to participate in the 3-year experiment with flexible work schedules (under the Federal Employees Flexible and Compressed Work Schedules Act of 1978), promote the use of flexible and variable lunch bands and emphasize such potential benefits as fewer unofficial absences.

2. As one of the research and demonstration projects authorized in the Civil Service Reform Act, design an experiment to test the use of performance measures rather than hours at the workplace as the basis on which personnel are paid. This experiment should also test the effects of tight versus lenient controls.

Efforts to emphasize performance rather than time at work would be in keeping with the intent of the Civil Service Reform Act of 1978. A major difficulty in implementing the act, which provides for employee incentives on the basis of performance, is lack of reliable data on performance.

GAO recommends that the Congress, in considering any bill to reduce the workweek, relate Federal work-hour decreases to changes in overall productivity or other measures of performance or fringe benefit tradeoffs. To do this, better data from work measurement, productivity, and cost systems would be needed. In addition, a total compensation comparability policy would need to be established by the Congress.

Although the past three decades have seen many changes in the work environment and the work force, the work-hour policies of title 5 of the United States Code have seen little change. The Federal Employees Flexible and Compressed Work Schedules Act of 1978 was one effort to temporarily suspend some of the rigidities in title 5. Although additional changes may not be warranted at this time, the results of the research and demonstration project recommended above should be used to evaluate the need for changes in the legislation.

The Office of Personnel Management agreed that it should become more actively involved in work-hour policies but not to the extent GAO recommends. In addition, the National Federation of Federal Employees and the Public Employee Department of the American Federation of Labor-Congress of Industrial Organizations believed that collective bargaining would best settle many work-hour issues. GAO continues to believe that information, guidance, feedback, and evaluation are necessary. The Office of Personnel Management is also considering the recommended research project and a study of work-scheduling issues. ●

U.S. CAMBODIA POLICY QUESTIONS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 5, 1979

● Mr. DRINAN. Mr. Speaker, in a recent book by William Shawcross, "Sideshow: Kissinger, Nixon, and the Destruction of Cambodia," revelations about U.S. involvement in Cambodia in the early 1970's is extremely well documented. This new volume is a devastating indictment of the executive branch's efforts to withhold information from the Congress and the American people about this country's

bombing of Cambodia in 1970. The release of this book has rekindled interest in the not-so-distant events of the past, as indicated by a recent exchange of letters to the editor of the New York Times. Prof. William M. Goldsmith of Brandeis University and Martin Herz, formerly with the American Embassy in Saigon, have called for a congressional investigation into U.S. Cambodian policy—each from a decidedly different viewpoint. They claim an investigation would provide for a necessary public accounting.

There may be lessons to learn from a full disclosure of our Cambodia policy that will help us understand the difficult situation that Kampuchea faces today. We shall not be certain until this country takes the time to explore further. The texts of the letters to the editor of the New York Times follows:

[From the New York Times, July 15, 1979]
NEED FOR A CONGRESSIONAL INVESTIGATION OF
U.S. CAMBODIA POLICY

To the Editor:

William Shawcross's exposé in "Sideshow: Kissinger, Nixon and the Destruction of Cambodia" clearly identifies President Nixon and his National Security Affairs adviser in a complex labyrinth of deceitful and unconstitutional actions. What is striking about this new book is not the argument, which has been heard before, but the wealth of documentation from official sources. It is not surprising that Henry Kissinger is reportedly revising the Cambodian section of his memoirs in the light of these disclosures.

But a debate between one of the chief protagonists of this country's Cambodian policy and his principal accuser is one thing. A public accounting is quite another.

What is needed in view of this evidence is a full-scale investigation of this dreadful human tragedy. Such an inquiry was under way during the impeachment of President Nixon, but was stifled by the failure of the House Judiciary Committee to support the Fourth Article of Impeachment, which dealt with Nixon's constitutional violations in Cambodia.

The tragic consequences of the role of the United States in Cambodia is currently reflected in the daily newspaper accounts of the wretched condition of that nation and the even worse plight of its former citizens. These lost souls are men, women and children without a country, bullied and persecuted, first by their own nationals and then by their Thai neighbors, whipsawed back and forth across their own border. Their countryside and rural cities and towns have been decimated, their economy destroyed, their social and political institutions dismembered. Surely in all justice, they are more than entitled to a full explanation for their difficulties, and compassion and assistance in their present situation.

The impact upon our own political institutions is equally serious. The continued status of the Cambodian question as an unexamined public issue serves as an ominous threat to the constitutional limits of Presidential power. It is no coincidence that President Ford, inspired by Nixon's example, violated newly imposed Congressional restrictions in the Mayagüez incident. As the House Judiciary Committee minority report argued: "... it is difficult to imagine Presidential misconduct more dangerously in violation of our constitutional form of government than Mr. Nixon's decision secretly and unilaterally to order the use of American military power against another nation, and to deceive and mislead the Congress about this action. . . . The Constitution does not permit the President to nullify

the warming powers given to the Congress. Secrecy and deception which deny to the Congress its lawful role are destructive to the basic rights of the American people to participate in their Government's life and death decision."

The appropriate action at this time would be the appointment of a joint Senate-House committee to conduct an investigation and to prepare a full report on United States policy in Cambodia. Failing to achieve support for such an official inquiry, a public commission made up of outstanding Americans of unquestionable integrity and without consideration of party affiliation should be formed immediately to undertake this responsibility. President Nixon's resignation muted public concern over this question, but the higher court of historical record and the preservation of our constitutional system of checks and balances require nothing short of such an inquiry.

WILLIAM M. GOLDSMITH,
Associate Professor, American Studies,
Brandeis University.
WALTHAM, MASS., July 10, 1979.

(The writer is the author of "The Growth of Presidential Power.")

[From the New York Times, July 23, 1979]
ANOTHER VIEW OF UNITED STATES POLICY ON
CAMBODIA

TO THE EDITOR:

I support Professor Goldsmith's proposal for a Congressional investigation of U.S. Cambodia policy [Letters July 15], but for reasons very different from those that he adduces. He cites approvingly the book, "Sideshow" by William Shawcross, which he believes to contain proof that the U.S. caused the Communist attack on Cambodia.

This is the equivalent of saying that elephant tusks are made out of piano keys. The truth, which a Congressional hearing would surely bring out, is that Mr. Shawcross' book, and letters like that of Professor Goldsmith's, constitute a gigantic mystification of the public about the sequence of events in Cambodia in 1970.

Mr. Shawcross in his book makes much of the alleged "neutrality" of the Cambodia of Prince Sihanouk. However, the book itself contains evidence that the Prince had an agreement with the Democratic Republic of Vietnam (then North Vietnam) to run a supply line to them from the port of Sihanoukville to their sanctuaries along the South Vietnamese border. How neutral is a country that actively cooperates with a foreign belligerent on its own territory?

Mr. Shawcross tries to prove that the United States "pushed" the Communists into Cambodia by its invasion of 1970. He ignores that the North Vietnamese and Vietcong commenced hostilities against the Cambodian army in late March, 1970. The Times itself reported on the rapid advance of Vietnamese Communist troops in the direction of Phnom Penh. The U.S. "invasion," which took advantage of the preoccupation of the Communists with Cambodia, and offered limited relief to the defenders of Phnom Penh, came one month after hostilities had begun between the Vietnamese Communists and the Cambodians.

Mr. Shawcross also tries to establish that the United States was behind the coup that overthrew Prince Sihanouk in March, 1970. He fails to offer anything else than insinuations and hints about dark mysteries. In particular, he slanders Prince Sirik Matak, a Cambodian patriot, by making him out to be a tool of the Americans. Sirik Matak, like many other self-respecting Cambodians, had become tired of the hypocritical game played by Prince Sihanouk who had supported the Vietnamese Communists and complained against American "aggression" when the U.S. had taken counteraction on the ground across the border.

But the most extraordinary mystification perpetrated by Mr. Shawcross is the web he tries to weave about Prince Sihanouk's acquiescence in American B-52 bombing of the Cambodian sanctuaries. True, Mr. Nixon and Mr. Kissinger didn't trumpet to the world or to the Congress that we were bombing those sanctuaries after May, 1969. But the fact that Prince Sihanouk didn't protest those bombings is not immaterial. We were taking him at his word that he would not complain if we took counter-action against North Vietnamese Communist encroachments on his territory that he claimed to "know nothing about."

In short, while there is a major question whether Congress should have been informed or consulted about the bombing of the sanctuaries, the other major points made by Mr. Shawcross should be subjected to complete and public examination in Congressional hearings. The book reviewers, almost without exception, were either taken in by his propaganda or gleefully joined in his mystifications.

It is extraordinary how many liberals, instead of coming to the aid of Cambodians whose sufferings they deplore, seem intent on proving that the plight of those unfortunate people is the fault of those who tried to help Cambodia defend itself against Communist aggression—not the fault of those who prevented the United States from giving it effective assistance in its struggle.

Could it have something to do with some lingering feelings of doubt whether Lon Nol wasn't a lot better than Pol Pot, and whether such critics of Nixon and Kissinger saw the situation right?

MARTIN HERZ.

WASHINGTON, July 15, 1979.

(The writer was Minister-Counselor for Political Affairs, American Embassy Saigon, 1968-70.)

[From the New York Times, Aug. 5, 1979]

ONE ADMINISTRATION'S CAMBODIAN BURDEN

To the Editor:

I am pleased that in his July 23 letter the former Minister-Counselor for Political Affairs in the American Embassy in Vietnam, Mr. Herz, approves of my proposal for a Congressional investigation of U.S. Cambodian policy, even if the reasons for his agreement are very different from those I outlined in my July 15 letter to The Times.

His tortured defense of the Nixon-Kissinger policies in Cambodia is quite another matter, as is his misrepresentation of my argument.

Neither William Shawcross nor I ever suggested that American policy in Cambodia was responsible for Communist aggression in that country. It is an absurd notion. What Mr. Shawcross does charge and brilliantly documents is that Nixon and Kissinger's deceptive and unconstitutional bombing and invasion of that neutral country contributed substantially to its ultimate downfall. It widened the war and inflicted irreparable destruction upon the people of Cambodia, their economy, their social and religious institutions and ultimately their elected government. It encouraged the growth of the local Communist movement, the Khmer Rouge, and did very little to weaken the North Vietnamese and Vietcong efforts in Vietnam.

Moreover, Mr. Shawcross also quite effectively argues that the clumsy efforts of the Nixon Administration to aid the Lon Nol Government added to the woes of that ill-fated regime and hastened its defeat rather than protected it from Khmer Rouge takeover.

If former President Richard M. Nixon, his National Security Affairs Adviser, Henry Kissinger, or even the Minister-Counselor for Political Affairs in Saigon (who writes as if he had a vested interest in the defense of

these policies) can disprove Mr. Shawcross's well-documented case, then we will all be in debt to them for such enlightenment. It could help us regain some of the respect and integrity this country lost as a result of their policies.

If, on the other hand, they fail to make a successful and convincing defense before the public tribunal I am proposing, they will stand indicted before the entire world as being responsible for the crimes against humanity with which Mr. Shawcross charges them.

The country can only benefit and regain some of the lost respect of the rest of the world by such an impartial and objective investigation.

WILLIAM M. GOLDSMITH,
Associate Professor, American
Studies, Brandeis University.

WALTHAM, MASS., July 26, 1979. ●

PSYCHOLOGY DAY 1979

HON. JOHN WILLIAM WARNER OF VIRGINIA

IN THE SENATE OF THE UNITED STATES
Wednesday, September 5, 1979

● Mr. WARNER. Mr. President, April 6 of this year marked what I believe to be two firsts of national significance for Virginia and Virginia psychologists that I would like to share with my colleagues. On that date the Honorable John Dalton, Governor of Virginia, issued the following proclamation:

Certificate of Recognition:

By virtue of the authority vested by the Constitution in the Governor of the Commonwealth of Virginia there is hereby officially recognized "Psychology Day 1979".

A century ago in Leipzig, Germany, Wilhelm Wundt opened the first laboratory for the study of psychology, initiating professional status for the men and women who observe and try to understand human behavioral problems.

In recognition of this milestone and the profession it began, the Virginia Psychological Association has set aside April as Psychology Day in Virginia, and I call the message it carries to the attention of all Virginians.

I believe this is the first such proclamation ever issued by a Governor in the United States. It was made on the same day the Virginia Psychological Association held its annual spring meeting with its program theme "Psychology in Virginia: Prospect and Retrospect." I further believe this made VPA the first body of organized psychology in the United States to officially celebrate the 100th anniversary of the founding of psychology as a science.

There follows a brief history of the association:

VIRGINIA PSYCHOLOGICAL ASSOCIATION, 1956-1973—PART I

(By Frank W. Finger, VPA Historian)

The history of the Virginia Psychological Association is meaningful only to the extent that it is reconstructed within the broad context of Psychology in the Commonwealth. Hence, this account begins with VPA's predecessor organization and intertwines with the development of legal controls of psychological practice.

PSYCHOLOGY SECTION, VIRGINIA ACADEMY OF SCIENCE

In one sense, the history of VPA passed its half-century mark in 1973, the golden an-

ni-versary of the Virginia Academy of Science. The Academy's organizing committee was informed by the American Association for the Advancement of Science that about fifty scientists with an interest in psychology or sociology resided in Virginia. Therefore the Section of Psychology and Education was established as one of the four original components of the Academy in 1923, with 18 charter members. This union of the two disciplines foreshadowed later cooperation between VPA and the Virginia Association of School Psychologists. Over the next twelve years, eight meetings of the Section were held, with a total of 64 scientific papers reported. In 1934-35 the Section of Psychology was differentiated as a separate entity within the Academy. This act of separation, it may be speculated, reflected the strivings within the psychology of that decade for independent and respected status in the scientific community; it may be noted that it was in 1934 that the first Ph.D. in psychology was awarded in Virginia. (The first several dozen doctorates were limited to the experimental and physiological areas).

The scientific tradition has continued in the Psychology Section in the years since, with more than 700 papers being presented in the four decades prior to 1975. Among the topics of roundtables and invited addresses in the early years were "The Concept of Personality" (Professor J. F. Dashiell), "Psychotechnology" (Dr. John Jenkins), "The Future of Social Psychology" (Dr. S. H. Britt), and "Motivation" (Professor Clark Hull). The Section was accepted into affiliation with the American Psychological Association in 1948.

LEGAL CONTROL OF THE PRACTICE OF PSYCHOLOGY: EARLY YEARS

Prior to and during the 1944 meeting of the Section there had been considerable discussion of the general problem of improving training of psychologists working in the applied areas. One consequence was an aborted effort to establish a masters degree in clinical psychology at the University of Virginia. The principal outcome, however was the establishment of a special committee on training and standards.

For some years prior to this time, the statutes of Virginia had recognized "Approved Mental Examiners," who were authorized to serve on commissions for the determination of feeble-mindedness. The only stated qualification was the ability to administer "the Binet Simon Test or other approved mental tests." The Superintendent of Mental Hygiene and Hospitals, feeling that he was unable to judge such competence, had made overtures to the psychologists of the State for their help in such evaluation. At the same time, in view of the increasing demand for mental health services both in the military and on the home front, it seemed appropriate that some basis for additional recognition and utilization of the profession be established by law. After some informal conversations, the committee on July 9, 1945 met at the University of Virginia with several other psychologists, for a discussion of standards to be proposed and of legislative strategies to be followed. Within a month the proposals were approved by the membership of the Section and discussions were under way with the Virginia Neuropsychiatric Society and the Mental Hygiene Association. The few clinicians working in state agencies fortunately had established favorable working relations with the psychiatrists, and as a result the medical profession provided far more help than hindrance in the legislative effort. For example, the new Commissioner was the principal spokesman at the hearings before the legislative committees. Senate Bill 237 was signed by Governor Tuck on March 26, 1946, the first legislation in the United States certifying clinical psychologists. The statute provided that the five-person Examining Board be appointed by the Executive Com-

mittee of the Section of Psychology of the Virginia Academy of Science—and that point alone made the establishment of an independent psychological organization inevitable.

The first meeting of the Board (unofficial, since it preceded the effective date of the legislation by six weeks) was held on May 9, 1948 at the John Marshall Hotel in Richmond. There being until 1948 no agency in the state government to support the machinery of certification, the Board established its own operating procedures, including a \$10 examination fee (later ruled by the Attorney General to be illegal, necessitating the first amendment, in 1950). The initial examinations were conducted in January 1937, and by 1950 a total of five certificates by examination, in addition to those given by grandfathering the Approved Mental Examiners, had been awarded. Against the Total income of \$50, operating expenses in the amount of \$22.67 were charged.

THE NEED FOR A NEW ORGANIZATION

The principal force leading to the establishment of an autonomous organization of psychologists was the restriction placed upon the Psychology Section by virtue of its position within the Virginia Academy of Science. It is true that the Section for several years was able to ignore the restrictions theoretically placed on it by the parent body. At the time of its affiliation with APA, a constitution providing restricted membership and an independent dues structure was adopted. A number of professional activities were undertaken. The Section Newsletter and Directory dated from 1943. Legislation for the licensing of clinical psychologists was prepared in 1949, and a sponsor was obtained for its presentation to the House of Delegates. While lack of coordination with the Medical Society and Neuropsychiatric Society might be blamed for this bill's withdrawal from the 1950 Legislature, it was not so much political impotence but the Legislative Committee's judgment that licensure at that time would hamper the development of psychology, which led to the legislative quiescence in the years immediately following. And yet an ultimate showdown between the Academy and the Section seemed inescapable. The complete absence of qualifications for voting membership, imposed by the Academy, seemed to be incompatible with APA affiliation and posed at least a theoretical danger to the proper choice of Examining Board members. As a last attempt at compromise, a draft constitution prepared during the winter of 1955-56 by a special committee, referring to a "Virginia Psychological Association," for consideration to the Academy officers (specifically to a committee of one, Sidney Negus), it was rejected unequivocally as contrary to the Academy's principle of open membership. Dr. Negus advised forming a completely independent organization, although he expressed the hope that the Section, by now about one hundred strong, would continue as a vigorous component of the Academy.

PART II

INCEPTION OF VPA, AND THE FIRST DECADE

Under these circumstances, those present at the May 11, 1956 business meeting of the Section could only adjourn and reconvene as individuals to found the Virginia Psychological Association and to elect the first slate of officers. Recognizing the desirability of interaction between research-oriented academicians and practitioners, reflected in the statutory emphasis on experimental and physiological psychology and statistics as basic in the training of clinicians, it was agreed that the annual meeting would be held conjointly with VAS Psychology Section's.

Appropriately enough, at the May 1957 meeting a symposium on the functions of state organizations attempted to suggest ways of dividing the scientific, educational,

and professional responsibilities between the two bodies. One decision, amicably made, transferred the affiliation with APA's Council of State Psychological Associations to VPA. A fall meeting of VPA was added, to facilitate catching-up on the backlog of professional concerns. The process of incorporation was begun, and an expanded series of Newsletters was launched. The proposals for licensing legislation were resuscitated, with the principal uncertainty relating to the desirability of two-level control.

The new organization learned, however, that independence and a changed name did not guarantee prompt success in the halls of the Capitol. While as early as the spring of 1957 the Legislative Committee agreed that general licensing was desirable, they believed that there was too little time prior to the 1958 biennial General Assembly to mount a successful campaign. Therefore postponement to 1960 was agreed upon. Through an unlucky combination of circumstances, the chairmanship of the committee changed three times in as many years, and the impetus seemed to be lost. Finally, in January 1962, Senate Bill 82 was introduced. Opposition from psychiatry, sociology, and psychology submasters—some expected and some unexpected—was sufficient to kill it in committee. Assurances were given that the constructive action of referral to the Virginia Advisory Legislative Council for study would be forthcoming, but in the last-day rush in the House the bill was overlooked, reportedly through clerical error. Hence another two-year delay.

In September 1963, a proposal which had been prepared by the Department of Professional and Occupational Regulation at the request of the Virginia Examining Board for Clinical Psychologists was discussed with the VPA Legislative Committee, and the services of the Department were offered for the final drafting. In response to queries concerning the possible reaction by the Virginia Neuropsychiatric Society, it was learned by the president of VPA in October that the Society had, six months before, resolved to ask the Virginia Board of Medical Examiners to develop methods for licensing clinical psychologists. By now the Medical Board had framed such legislation, and its Secretary notified the VPA Legislative Committee that the Medical Board could not support the VPA legislation. As might have been expected, a stand-off resulted in the 1964 General Assembly, and the issue was assigned to the VALC for examination during 1965.

The bill reported to the 1966 General Assembly as the result of the VALC study was a compromise. A clinical psychologist was to be added to the Medical Board, the license as psychologist was to be issued by the Virginia Board of Psychologists Examiners, and the license as clinical psychologist was to be issued by the Medical Board upon recommendation by the Board of Psychologists Examiners. The last provision aroused initial VPA opposition, but with deletion of the proposed prerogative of the Medical Board to define clinical psychology, it was felt that on balance the whole package could be supported. Title 54, Chapter 5.1 of the Code of Virginia became effective July 1, 1966, the culmination of seventeen years of effort by the psychologists of the State.

Politics was not the sole preoccupation of the fledgling association, however. Stimulating meeting programs were arranged, with the emphasis upon topics of mutual interest to research psychologists and practitioners. A sampling from the early years includes "Psychological Research in Virginia, Recent and Projected" and "The Improvement of Teaching" (1958); "The Graduate Training of Psychologists" and "The Implications of the National Defense Education Act for Psychologists" (1959); "Recent Research on

Gradients of Generalization" (1960); "Experimental Analysis of Behavior of Chronic Psychotics" and "Recent Developments in Physiological Psychology with Implications for Control of Behavior" (1961); "The Concept of Drive", "Implications of the Joint Commission Report for Psychology", and "Applying Psychology to Space" (1962). Financial support was given the Careers Committee of the Virginia Council on Health and Medical Care, as it had been by the VAS. The Committee on Education and Training sought ways of upgrading psychological training, especially at the graduate level. The Committee on Ethics and Welfare cooperated with APA and with the Board of Psychologists Examiners in maintaining high ethical standards in the State. And the Membership Committee engaged in the perennial task of making the Association more broadly representative of psychology in the State.

LEGISLATION IN THE SEVENTIES

The first odd-year session of the General Assembly, 1973, was marked by three pieces of legislation affecting psychology in Virginia. The first, freedom-of-choice for health insurance policy-holders, was instigated by VPA. As more and more policies were written to include mental health coverage, it is not surprising that psychologists (as well as enlightened members of the public) felt that the profession should be granted independent status in this matter. The national move was reflected in Virginia. While some insurance carriers recognized the autonomy of properly qualified psychological practitioners, the Blue Cross-Blue Shield group was resistant.

The American Psychological Association, through its Committee on Health Insurance, and the offshoot Council for the Advancement of the Psychological Professions and Sciences, led the push at the national level. In Virginia, there was briefly in 1972 reason to believe that the Blues would grant payment for the rendering of psychological services without the prescription and supervision of a physician—at least by licensed clinical psychologists and perhaps also by licensed psychologists processing the equivalent internship experience. The Examining Board, in cooperation with the VPA's ad hoc Insurance Committee collected a self-listing of various psychological specialties among the licensees, emphasizing adherence to the profession's Code of Ethics as the basic criterion and suggesting the one-year internship or equivalent as an objective criterion to guide the would-be practitioner. The cooperation of the State Blues, however, broke down at the physician-dominated governance level. It was deemed appropriate, then, to accomplish the same end by legislation. After a whirlwind campaign of lobbying (in cooperation with the opticians and optometrists), House Bill 1412 was approved on March 19, 1973, presumably giving properly licensed psychologists the independence sought.

A second piece of legislation approved, the brain-child of psychiatrists, gives to the physician the prerogative of delegating to his technical helpers the performance of those services which he is not qualified to supply. This was in response to the Examining Board's insistence that the administration of certain psychological tests required either the license or the supervision by a psychologist licensee, and that nothing in the Code of Virginia permitted a psychiatrist to void this requirement.

The third legislative effort directed at psychology, failed, but had far-reaching consequences. Its background extended to the first months of the 1966 legislation, revolving around the Examining Board's difficulty in judging degrees in education, guidance, and-or personnel counseling to fulfill the requirement for "psychological" training. A

1966 applicant for licensure, holding a Masters degree with emphasis on guidance and personnel work, was denied a grand-fathered license. He most vigorously and persistently protested this action with at least one informal and two formal hearings before the Board, and petitions to the Courts for relief. Failing in those efforts, he was able in the succeeding sessions of the Legislature to have bills introduced that would in effect exempt him and those of like qualifications from the restrictions in practice.

The bill introduced in 1973 (Senate Bill 804) would have, in the view of the Examining Board and many other psychologists, greatly reduced the protection of the public from unqualified practitioners. In spite of vehement protestations by the Board and VPA, the bill passed the Senate, and failed in the lower chamber only by virtue of a tie vote in Committee. The legislators made it abundantly clear that unless a bill was forthcoming in the next session, which would increase the number of persons permitted to render regulated service to the public, such an alternative as the rejected proposal would undoubtedly be adopted. For the first time, it appeared, the burden of formulating legislation was placed on the Examining Board, in addition to its responsibility of interpreting existing legislation.

The Examining Board expressed its desire to VPA that input from the broadest segment of psychologists in the State be received. In response, an ad hoc committee was formed, including representatives of the Virginia Association of School Psychologists. The committee members met with the Board, among themselves, and with the two associations during their May 1973 meeting. Simultaneously, VPA constituted an ad hoc committee on generic licensing, in an effort to eliminate the involvement of the Medical Board in the licensing procedure. The Examining Board received the consensus of these committees during May 1973. It was made clear at all times, however, that since it was upon the Board that the Legislature had placed the responsibility, the final decision as to the details of the amendments to be forwarded to the Capitol in the Board's name would necessarily be the Board's. The Board met on July 24, 1973 with representatives of the two associations, for discussion of the various proposals. ●

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of all meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an interim procedure until the computerization of this information becomes operational, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Thursday, September 6, 1979, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED
SEPTEMBER 7

9:30 a.m.
Commerce, Science, and Transportation
To continue hearings to examine the economic regulation of the trucking industry focusing on the effects of State and Federal regulations on fuel consumption.
235 Russell Building
Environment and Public Works
Environmental Pollution and Resource Protection Subcommittees
To continue joint hearings on S. 1325, to provide for adequate and safe treatment of hazardous substances being released into the environment.
4200 Dirksen Building

10:00 a.m.
Banking, Housing, and Urban Affairs
Business meeting, to resume mark up of S. 932 (as passed the House), to extend through September 30, 1981, provisions of the Defense Production Act, and to begin consideration of pending nominations for the Board of Directors of the National Consumer Cooperative Bank.
5302 Dirksen Building
Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings on S. 1492, 1286 and 839, to provide for the maintenance through financial assistance of the Milwaukee Railroad's freight-carrying capacity.
5110 Dirksen Building
Conferees
On S. 1030, to grant authority to the President to create an emergency program to conserve energy.
S-207, Capitol
Foreign Relations
To continue hearings on the SALT II Treaty (Exec. Y, 96th Cong., 1st sess.).
318 Russell Building
Joint Economic Committee
To hold hearings on the employment-unemployment situation for August.
1202 Dirksen Building

2:00 p.m.
Foreign Relations
To continue hearings on the SALT II Treaty (Exec. Y, 96th Cong., 1st sess.).
318 Russell Building

SEPTEMBER 10

9:30 a.m.
Judiciary
Improvements in Judicial Machinery Subcommittee
To hold hearings on S. 1654, to improve the Federal judicial machinery relating to international trade in the United States.
6226 Dirksen Building
Labor and Human Resources
Health and Scientific Research Subcommittee
To hold hearings to examine the alleged use and misuse of the drug benzodiazepine by the medical profession.
4232 Dirksen Building

10:00 a.m.
*Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings on S. 1581 and 1648, bills authorizing funds through fiscal year 1985 for airport development aid programs under the Airport Airway Act, 1970.
235 Russell Building
Energy and Natural Resources
Business meeting on pending calendar business.
3110 Dirksen Building
Finance
To resume consideration of H.R. 3919, to impose a windfall profit tax on domestic crude oil.
2221 Dirksen Building

Foreign Relations
To resume hearings on the SALT II Treaty (Exec. Y, 96th Cong., 1st sess.).
318 Russell Building

2:00 p.m.
Foreign Relations
To continue hearings on the SALT II Treaty (Exec. Y, 96th Cong., 1st sess.).
318 Russell Building

Select Committee on Ethics
To hold an open business meeting.
5226 Dirksen Building

SEPTEMBER 11

9:30 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To continue hearings on S. 1581 and 1648, bills authorizing funds through fiscal year 1985 for airport development aid programs under the Airport Airway Act, 1970.
235 Russell Building

Energy and Natural Resources
Energy Regulation Subcommittee
To hold hearings on S. 1684, to provide for the development, improvement, and operation of domestic refinery capabilities.
3110 Dirksen Building

Judiciary
Business meeting, to consider pending nominations and legislation.
2228 Dirksen Building

10:00 a.m.
Finance
To continue consideration of H.R. 3919, to impose a windfall profit tax on domestic crude oil.
2221 Dirksen Building

Foreign Relations
To continue hearings, in closed session, on the SALT II Treaty (Exec. Y, 96th Cong., 1st sess.).
S-116, Capitol

Judiciary
Criminal Justice Subcommittee
To hold oversight hearings on the scope of narcotics' use and abuse in the U.S. and abroad, and the adequacy of programs of the Drug Enforcement Administration to cope with the illegal drug traffic.
5110 Dirksen Building

11:00 a.m.
Judiciary
To hold hearings on proposed revisions to the Criminal Code.
2228 Dirksen Building

2:00 p.m.
Energy and Natural Resources
Business meeting on pending calendar business.
3110 Dirksen Building

Foreign Relations
To continue hearings on the SALT II Treaty (Exec. Y, 96th Cong., 1st sess.).
318 Russell Building

SEPTEMBER 12

8:00 a.m.
Agriculture, Nutrition, and Forestry
Rural Development Subcommittee
To hold oversight hearings on rural health care programs.
322 Russell Building

9:30 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To continue hearings on S. 1581 and 1648, bills authorizing funds through fiscal year 1985 for airport development aid programs under the Airport Airway Act, 1970.
235 Russell Building

10:00 a.m.
Banking, Housing, and Urban Affairs
Business meeting, to begin mark up of S. 1347, to provide for the improvement of consumer services and to strengthen the ability of financial

institutions to adjust to changing economic conditions.
5302 Dirksen Building

Energy and Natural Resources
Energy Resources and Materials Production Subcommittee
To hold hearings to inquire into the circumstances surrounding the issuance of noncompetitive oil and gas exploration leases by the Department of the Interior on lands belonging to the Fort Chaffee, Ark., military reservation.
5110 Dirksen Building

Environment and Public Works
Business meeting on pending calendar business.
4200 Dirksen Building

Finance
To continue consideration of H.R. 3919, to impose a windfall profit tax on domestic crude oil.
2221 Dirksen Building

Foreign Relations
To continue hearings, in closed session, on the SALT II Treaty (Exec. Y, 96th Cong., 1st sess.).
S-116, Capitol

Judiciary
To resume hearings on S. 1612, to create a statutory charter which defines the policy and intent of the investigative authority and responsibilities in matters under the jurisdiction of the FBI.
2228 Dirksen Building

Special on Aging
To hold hearings to review plans for an adequate program of assistance to meet the particular needs of elderly persons to be included in the development of a national energy plan.
6226 Dirksen Building

2:00 p.m.
Judiciary
To hold hearings on pending nominations.
2228 Dirksen Building

SEPTEMBER 13

9:30 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To continue hearings on S. 1581 and 1648, bills authorizing funds through fiscal year 1985 for airport development aid programs under the Airport Airway Act, 1970.
235 Russell Building

10:00 a.m.
Foreign Relations
To continue hearings on the SALT II Treaty (Exec. Y, 96th Cong., 1st sess.).
318 Russell Building

Judiciary
To resume hearings on proposed revisions to the Criminal Code.
2228 Dirksen Building

Judiciary
Criminal Justice Subcommittee
To resume oversight hearings on the scope of narcotics' use and abuse in the U.S. and abroad, and the adequacy of programs of the Drug Enforcement Administration to cope with the illegal drug traffic.
5110 Dirksen Building

Special on Aging
To continue hearings to review plans for an adequate program of assistance to meet the particular needs of elderly persons to be included in the development of a national energy plan.
6226 Dirksen Building

2:00 p.m.
To continue hearings, in closed session, on the SALT II Treaty (Exec. Y., 96th Cong., 1st sess.).
S-116, Capitol

SEPTEMBER 14

- 9:00 a.m.
Foreign Relations
To continue hearings on the SALT II Treaty (Exec. Y, 96th Cong., 1st sess.).
318 Russell Building
- 10:00 a.m.
Foreign Relations
To receive testimony from Members of Congress on the SALT II Treaty (Exec. Y, 96th Cong., 1st sess.).
318 Russell Building
- Judiciary
To resume hearings on S. 1612, to create a statutory charter which defines the policy and intent of the investigative authority and responsibilities in matters under the jurisdiction of the FBI.
2223 Dirksen Building

SEPTEMBER 18

- 9:00 a.m.
Commerce, Science, and Transportation
Consumer Subcommittee
To hold oversight hearings to examine the enforcement and administrative authority of the Federal Trade Commission.
1202 Dirksen Building
- 9:30 a.m.
Labor and Human Resources
To hold hearings on S. 1486, to exempt family farms and nonhazardous small business from the Occupational Safety and Health Act of 1970.
4232 Dirksen Building
- 10:00 a.m.
Commerce, Science, and Transportation
Merchant Marine and Tourism Subcommittee
To hold hearings on S. 1460, 1462, and 1463, bills to facilitate and streamline the implementation of the regulatory part of U.S. maritime policy.
235 Russell Building
- Finance
To resume consideration of H.R. 3919, to impose a windfall profit tax on domestic crude oil.
2221 Dirksen Building
- 2:00 p.m.
Finance
Health Subcommittee
To hold hearings to review the administration and operation of the professional standards review program.
2221 Dirksen Building

SEPTEMBER 19

- 9:00 a.m.
Veterans' Affairs
To hold hearings on S. 759, to provide for the right of the United States to recover the costs of hospital nursing home or outpatient medical care furnished by the Veterans' Administration to veterans for non-service-connected disabilities to the extent that they have health insurance or similar contracts.
5110 Dirksen Building
- 9:30 a.m.
Commerce, Science, and Transportation
Consumer Subcommittee
To continue oversight hearings to examine the enforcement and administrative authority of the Federal Trade Commission.
6226 Dirksen Building
- Labor and Human Resources
To continue hearings on S. 1486, to exempt family farms and nonhazardous small businesses from the Occupational Safety and Health Act of 1970.
4232 Dirksen Building

- 10:00 a.m.
Agriculture, Nutrition, and Forestry
Business meeting on pending calendar business.
322 Russell Building
- Commerce, Science, and Transportation
Merchant Marine and Tourism Subcommittee
To continue hearings on S. 1480, 1462, and 1463, bill to facilitate and streamline the implementation of the regulatory part of U.S. maritime policy.
235 Russell Building
- Finance
To continue consideration of H.R. 3919, to impose a windfall profit tax on domestic crude oil.
2221 Dirksen Building
- 2:00 p.m.
Finance
Health Subcommittee
To continue hearings to review the administration and operation of the professional standards review program.
2221 Dirksen Building

SEPTEMBER 20

- 9:30 a.m.
Governmental Affairs
Intergovernmental Relations
To resume oversight hearings on the scope of general revenue sharing programs.
3302 Dirksen Building
- 10:00 a.m.
Commerce, Science, and Transportation
Merchant Marine and Tourism Subcommittee
To continue hearings on S. 1460, 1462, and 1463, bills to facilitate and streamline the implementation of the regulatory part of U.S. maritime policy.
235 Russell Building
- Finance
To continue consideration of H.R. 3919, to impose a windfall profit tax on domestic crude oil.
2221 Dirksen Building

SEPTEMBER 21

- 10:00 a.m.
Finance
To continue consideration of H.R. 3919, to impose a windfall profit tax on domestic crude oil.
2221 Dirksen Building
- 10:00 a.m.
Finance
To resume consideration of H.R. 3919, to impose a windfall profit tax on domestic crude oil.
2221 Dirksen Building

SEPTEMBER 25

- 10:00 a.m.
Finance
To resume consideration of H.R. 3919, to impose a windfall profit tax on domestic crude oil.
2221 Dirksen Building
- 11:00 a.m.
Veterans' Affairs
To resume hearings on fiscal year 1980 legislative recommendations for veterans' programs.
5110 Dirksen Building

SEPTEMBER 26

- 10:00 a.m.
Finance
To continue consideration of H.R. 3919, to impose a windfall profit tax on domestic crude oil.
2221 Dirksen Building

SEPTEMBER 27

- 9:00 a.m.
Commerce, Science, and Transportation
Consumer Subcommittee
To resume oversight hearings to examine the enforcement and administrative authority of the Federal Trade Commission.
235 Russell Building
- 10:00 a.m.
Finance
To continue consideration of H.R. 3919, to impose a windfall profit tax on domestic crude oil.
2221 Dirksen Building

SEPTEMBER 28

- 9:00 a.m.
Commerce, Science, and Transportation
Consumer Subcommittee
To continue oversight hearings to examine the enforcement and administrative authority of the Federal Trade Commission.
235 Russell Building
- 10:00 a.m.
Finance
To continue consideration of H.R. 3919, to impose a windfall profit tax on domestic crude oil.
2221 Dirksen Building

OCTOBER 1

- 9:30 a.m.
Labor and Human Resources
Handicapped Subcommittee
To resume oversight hearings on the implementation of the Education for All Handicapped Children Act of 1975 (P.L. 94-142).
4232 Dirksen Building

OCTOBER 2

- 9:30 a.m.
*Veterans' Affairs
To hold hearings on S. 1523 and H.R. 4015, bills to provide the capability of maintaining health care and medical services for the elderly under the Veterans' Administration.
457 Russell Building

OCTOBER 3

- 9:30 a.m.
Labor and Human Resources
Handicapped Subcommittee
To resume oversight hearings on the implementation of the Education for All Handicapped Children Act of 1975 (P.L. 94-142).
4232 Dirksen Building

OCTOBER 4

- 9:00 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Credit and Rural Electrification Subcommittee
To hold hearings on S. 1465, proposed Farm Credit Act Amendments.
322 Russell Building

OCTOBER 5

- 9:00 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Credit and Rural Electrification Subcommittee
To continue hearings on S. 1465, proposed Farm Credit Act Amendments.
322 Russell Building

OCTOBER 9

- 9:00 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Credit and Rural Electrification Subcommittee
To resume hearings on S. 1465, proposed Farm Credit Act Amendments.
322 Russell Building

OCTOBER 10

- 9:30 a.m.
Labor and Human Resources
Handicapped Subcommittee
To resume oversight hearings on the implementation of the Education for All Handicapped Children Act of 1975 (P.L. 94-142).
4232 Dirksen Building

OCTOBER 17

- 8:00 a.m.
Labor and Human Resources
Child and Human Development Subcommittee
To hold oversight hearings on the implementation of older American volunteer programs by ACTION agencies.
4232 Dirksen Building