

EXTENSIONS OF REMARKS

TRIBUTE TO ALLARD  
LOWENSTEIN

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. BIAGGI. Mr. Speaker, it was a sad day for America yesterday when Allard Lowenstein was laid to rest. His violent murder was a shock to us all but especially sad to his colleagues in Congress and his friends.

Al Lowenstein was the epitome of an activist. He never shunned controversy in the pursuit of what he felt was right. He was a man of principle and commitment. To him public service was an honor and no one worked harder or more effectively at it than Al Lowenstein.

Eulogies for Al Lowenstein were many and they were made by those whose lives he touched. He was an advocate for civil rights for all in this Nation and human rights for those around the world. President Carter appointed Al Lowenstein to be our Nation's representative to the United Nations Commission on Human Rights. He distinguished himself and our Nation through his work in this area and helped to make human rights the cornerstone of our foreign policy.

I began my congressional career as Al Lowenstein was ending his. Al Lowenstein as the Representative of the Fifth Congressional District made notable contributions in a very short time in Congress.

An important voice in America has been stilled. Another man of principle has fallen to an assassin's bullet. It is truly sad.

At this point in the RECORD I insert a tribute to Al Lowenstein by the highly respected political correspondent of the Washington Post, David Broder. Broder's tribute captures those elements of Al Lowenstein which endeared him to so many throughout his life.

The tribute follows:

VINTAGE LOWENSTEIN

In what proved to be his last battle, as in so many of his earlier fights, Allard K. Lowenstein came up with a line that was so right, so funny and so barbed that you just savored it.

Representing Sen. Edward Kennedy in a surrogates' debate in Bangor, Maine, just before the February caucuses, he was talking about the folly in the war fever the Carter administration was whipping up about the Persian Gulf, about the ridiculous spectacle of national security adviser Zbigniew Brzezinski rushing over to the Pakistan-Afghan border and waving an automatic rifle melodramatically toward the Soviet invaders.

"I expected any minute," Lowenstein jibed, "to hear him shout, 'Ich bin ein Khyber Passer.'"

I complimented him on the line when I saw him a few days later at a similar debate in New Hampshire and, looking a bit pleased with it himself, he introduced his young son, who was out campaigning with him that evening.

I saw him again, for the last time, on television in Florida, talking to the Jews in Miami, telling them they should reject Carter, not on the narrow grounds of the snafu on the U.N. resolution, but because his social and economic policies contradicted the values for which they had stood for years.

That, too, was vintage Lowenstein, motivating people to act, but insisting that they base their action on the broadest context of principle and, yes, morality—not on narrow self-interest.

That is how I first remember him, more than 30 years ago, the strange, intense youth from the University of North Carolina who came to the University of Chicago to drum up interest in a National Student Association, whose purpose, he insisted, would not be merely the protection of student rights, but the struggle for racial and economic justice in the nation and the world.

Ours was a campus full of activists, but none of us had seen quite the demonic intensity, the 24-hour-a-day purposefulness of this visitor. The girl I then dated and later married succumbed, and went off with Lowenstein to a convention in Ann Arbor, convinced she was about to save the world.

Up in Maine, six weeks ago, I met another young woman who, quite starry-eyed, disclosed that she had spent the previous weekend driving Lowenstein on his ceaseless round of meetings. I thought—but did not say—"He's bewitched you, just as surely as he bewitched a woman old enough to be your mother."

That quality in Lowenstein was a bit vexatious to those of us contemporaries who lacked his capacity for perpetual rejuvenation. To a greater extent than any public man I have ever known, Lowenstein was constantly and inseparably linked to the young people of this society, drawing his energy from them and giving them back inspiration and direction. From his NSA days, to the civil rights and anti-war movements, to the dump-Johnson campaign, and until the moment of his death, it is beyond dispute that he brought more young people into American politics than any other individual of our times.

His opinions and attitudes were often as outrageous as his habit of scheduling a midnight appointment—then arriving four hours late and pounding indignantly on your door if you had fallen asleep.

His enthusiasms often led him to wildly inconsistent positions. As his devoted friend, Sam Brown, pointed out in a New Hampshire debate, Lowenstein may have been unique as a Democrat who had campaigned with passionate conviction, but at different times, for all three of this year's Democratic candidates—Jimmy Carter, Jerry Brown and Ted Kennedy.

But he was more eclectic than that. Encountering George Bush in New Hampshire, he told his former House colleague that he was "anxious to get together" with him.

Lowenstein would try to convert anyone to his cause.

Strange as it is to say of a man with such a legion of devoted friends, individuals were less important to him than causes. That may explain why his friendships ranged so broadly. Don Rumsfeld, the hawkish former secretary of defense, was a House gym-wrestling buddy of Lowenstein's and a friend. Conservative Bill Buckley was another friend, and wrote a courageous column defending Lowenstein against the Red smears that were invariably used against him in his many losing House campaigns.

They responded, as did almost anyone who ever met Lowenstein, to the irresistible appeal of a man who shared with everyone his own intense enjoyment of the political arena and his unquenchable faith that in this nation, politics might bring defeat, but never despair.

The passion for the good cause, well-fought, that Al Lowenstein brought to every battle, will live on, despite the bullets that stopped his strong heart.

It is his legacy to the uncounted thousands he enticed, cajoled, badgered and bulldozed into the political life of America. As long as they fight for their causes, his spirit will live on.●

SKELTON COSPONSORS PROLIFE  
MEASURE

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. SKELTON. Mr. Speaker, recently, the constitutionality of a congressional prohibition against the use of Federal funds for abortions was challenged by a Federal judge in New York. Since that time, millions of tax dollars have once again become available for abortions, and thousands of defenseless unborn children will lose their lives in the next 12 months alone.

As I have stated before, I am now, and have always been, personally opposed to abortion. It is my sincere belief that life begins at the moment of conception. I do not believe that Government, either at the State or Federal level, should do anything to promote or encourage abortions, particularly elective or nontherapeutic abortions. In my view, indiscriminate abortion cheapens the value of each individual life and degrades society. As a member of the Missouri State Senate and now as a Member of the U.S. Congress, my votes have consistently reflected these views.

Inasmuch as congressional efforts to prohibit the use of Federal funds for abortions may prove to be ineffective, and because of my own objections to abortion, I feel that the right to life for the unborn must now be addressed as a constitutional issue. For this reason, I have cosponsored House

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

Joint Resolution 139, a bill to amend the Constitution of the United States to assure that "no unborn person shall be deprived of life". I believe that this constitutional amendment is essential for the protection of countless unborn infants, and I will work for the success of this measure. ●

### NO WOMEN, NO DRAFT REGISTRATION?

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mrs. SCHROEDER. Mr. Speaker, the Library of Congress American Law Division released a study on the constitutional considerations of a males-only draft registration.

Would the exclusion of women from draft registration "constitute unconstitutional sex discrimination against either women or men? The answer to that question, unfortunately, is not at all clear cut."

We could look forward to years of spirited litigation.

The study follows:

#### INCLUDING WOMEN IN REGISTRATION PROCEDURES UNDER THE SELECTIVE SERVICE ACT?

##### CONSTITUTIONAL CONSIDERATIONS

(By Karen J. Lewis)

On February 9, 1980, when President Carter proposed that both young men and women be required to register for possible military service, he said, "My decision to register women is a recognition of the reality that both women and men are working members of our society. . . . It confirms what is already obvious—that women are now providing all types of skills in every profession. The military should be no exception." It should be noted, however, that President Carter said when, and if, a draft should actually become necessary, women would be drafted for noncombat duty only.

The President already has the statutory authority to reinstate registration for males between the ages of 18 and 26. He has only to go to the Congress for the appropriations needed to begin the male registration procedure. The registration section of the Military Selective Service Act, suspended for the past few years, is the source of the President's authority. (See 50 U.S.C. App. 453.)

Registration of women, however, is a new legal question. They have never been required by law to register for induction, or to serve involuntarily in the armed forces. In November, 1942, the War Department considered drafting women because it foresaw a need to relieve the manpower shortage, especially in the army, during World War II. The War Department proposed to the Congress this inclusion of women in the draft. The proposal was rejected. Therefore, if Congress approves Carter's plan, it will be the first time in American history for women to be subject to draft registration.

Almost certainly, debate will arise in Congress over whether to change past policy and amend the existing law to include women in registration procedures under the Selective Service Act. A central question before Congress, and the topic of this paper, is whether, in the reinstatement of the standby draft registration, the continued exclusion of women would constitute unconstitutional sex discrimination against either

women or men. The answer to that question, unfortunately, is not at all clear-cut.

The key to determining whether the exclusion of women from the registration requirements for the draft would constitute unconstitutional sex discrimination appears to lie in the standard of review a court would apply to the gender-based classification in its analysis of a case involving an equal protection challenge brought under the Fifth Amendment.

"Classification" in this context refers to the fact that in the past, only men as a "class" were subject to registration for the draft. The question remains whether women as a "class" should also be subject to draft registration.

In the process of hearing and deciding cases involving equal protection challenges, the Supreme Court has developed three standards of review. There is the 1) traditional standard, which mandates restrained or passive review. There is a second standard that has evolved requiring 2) active review, or strict scrutiny, and the application of a more stringent test. And, in the case of gender-based discrimination, 3) an intermediate standard has also been articulated by the Court.

Each standard of review, when applied to legislative classifications (i.e., all men, all women, all taxpayers, all farmers being subject to disparate treatment under the law), has a different result. For example, when passive review is used, it is fairly likely that the legislative classification will be upheld. However, when the more stringent test of active review is used, there is a greater burden of proof on the Government to justify the classification adopted. Then, unless the Government can show compelling state interest at stake in the use of the classification, the legislation involved will not pass constitutional muster.

When the third test is used—the intermediate standard applicable in gender-based cases such as the registration of women for the draft—the Government must meet a standard of proof higher than that for passive review, but not as rigorous as that needed for active review. In this instance, then, for the Government's classification to be deemed constitutional, all that must be demonstrated is that the governmental objectives served by the classification are important and that use of the classification is "substantially related" to the achievement of recognized Government goals.

In December, 1976, the Supreme Court formulated the intermediate standard of review in *Craig v. Boren*, 429 U.S. 190. *Craig* is the Court's most definitive statement on sex discrimination with respect to the standard of review to be applied in equal protection cases. *Craig* clearly establishes that legislative distinctions based on sex fall just short of demanding application of the active review standard.

The earlier draft cases had upheld the exclusion of women because the classification met a rational basis justification under the passive review analysis. The exclusion did not violate the Fifth Amendment's equal protection guarantee because military necessity, national defense and security, maximizing efficiency and minimizing costs were all reasonable objectives. In another draft case, a court applied the stronger judicial standard, i.e. strict scrutiny, and upheld the gender-based classification in the draft law and dismissed the defendant's argument that it was "invidiously discriminatory." The court found that such classifications are justified by the compelling government interest to provide for the common defense. (See *U.S. v. Dorris*, 319 F. Supp. 1306 [W.D. Pa. 1970].) These earlier cases illustrate courts' inconsistency in review prior to the

establishment of the intermediate standard in *Craig*.

A recent case relating to women and the military in which the intermediate standard of review was applied is *Owens v. Brown*, 455 F. Supp. 291 (D. D.C. 1978). This case involved a challenge to the statutory ban on assignment of female personnel to duty on navy ships other than hospital ships and transports. Judge Sirica held that an absolute ban on the assignment of female personnel to sea duty, except certain ships, abridged the equal protection guarantee embodied in the due process clause of the Fifth Amendment. In addition, the classification was found not to be substantially related to the achievement of important governmental objectives. In striking down as unconstitutional 10 U.S.C. 6015, Judge Sirica did not, however, order an immediate equality of men and women at sea, but left it to the Navy to decide "with measured steps" how and when to begin deploying women aboard ships. Up to now, cases in which the Supreme Court has struck down gender classifications have largely, but not wholly concerned secondary issues of public importance.

Can the exclusion of women from draft registration meet the intermediate standard of review test? In any legal analysis regarding the constitutionality of excluding women from registration procedures under the Selective Service Act, one must consider the implications not with respect just to registration but also with regard to the draft, i.e. actual induction, and then ultimately to combat activity. In this scale of progression, registration is at the lower end, with induction in the middle and combat at the top. In assessing the constitutionality of excluding women at each level, the intermediate standard of review would be applied to ascertain if the equal protection guarantee of the Fifth Amendment has been violated. The Government, for its part, must show that it has "substantial" interests at stake. The two most frequently used governmental justifications for the exclusion of women from the draft and from combat advanced in the past generally include: (1) national security, linked to military necessity and military preparedness contentions and (2) maximizing military efficiency and minimizing disorder, discipline problems and decline in morale. These governmental objectives would be accorded different weight at each level of consideration, from registration, to induction, to combat.

It is worth noting that discrimination against women in a military context has been upheld by the U.S. Supreme Court for varied reasons. (See *Schlesinger v. Ballard*, 419 U.S. 498 [1975] and *Personnel Administrator of Massachusetts v. Feeney*, 47 U.S.L.W. 4650 [June 5, 1979].) The interesting point about *Feeney* is that the Court was upholding a veteran's preference system in Massachusetts which clearly impacted on women in a negative way, i.e. exclusion of a very high percentage of women from civil service positions in the State Government, because most veterans are men. Excluding women from registration would tend to exacerbate the current impact of veteran's preference systems on women.

In summary, in order to analyze the problem of whether the exclusion of women from the registration system would constitute unconstitutional sex discrimination, one could well begin with the broad proposition that any gender-based classification must meet the intermediate standard of review as articulated by the Supreme Court in *Craig v. Boren*. This standard is easier to meet than is the strict scrutiny—compelling state interest standard applied in race discrimination cases. Then, since the question regarding women's exclusion from draft reg-

istration involves the military, the concept of military necessity must be considered and weighed in the application of the intermediate standard of review. If there is a challenge to the exclusion, it will probably be brought by a male claiming that his Fifth Amendment guarantees for equal protection and due process have been violated. He will assert he has been burdened by the exclusion of women from the registration system because his individual chance of being drafted has thereby been increased via the smaller selection pool. One can conceive, however, of cases being brought by excluded women.

A court hearing the male challenge will probably apply the *Craig* standard of review and decide whether the Government's objectives of assuring military necessity, maximizing military efficiency, and minimizing the costs of maintaining an expert military force are sufficiently substantial government interests to warrant the exclusion of women from registration requirements for the draft.

Another point is that as one moves up the scale from registration, to the actual induction, and ultimately to combat, the Government may have an increasingly easier time in meeting the intermediate standard in defense of the exclusion of women. This is true, in part, because simultaneously as one moves up the scale, the military necessity and administrative military efficiency justifications appear stronger. It is arguable, however, that one can view registration as part of the entire process rather than as a separate isolated stage, i.e. necessary in preparation for rapid mobilization. If that is the approach taken, then the Government's justification would be accorded greater weight even at the registration stage.

Still, the question as to whether the exclusion of women for the purposes of registering for the draft constitutes unconstitutional sex discrimination is an issue which does not lend itself to easy determination. On the basis of recent precedent, it would seem to depend on how the Court weighs the Government's justifications in light of the present intermediate standard of review applicable in sex discrimination cases where an equal protection challenge can be made. ●

#### AMERICA'S NATIONAL DEFENSE: TIME TO TURN THE TIDE

HON. LARRY J. HOPKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. HOPKINS. Mr. Speaker, on March 10 I was privileged to succeed our former colleague, Dave Treen, on the House Armed Services Committee.

To be sure, in such a short period of time I certainly have not become an instant expert on national security matters. But, Mr. Speaker, you do not have to be an expert to realize that this country is in serious trouble militarily.

As I have looked more closely at our national defense situation in recent weeks, I have been alarmed by the number of glaring deficiencies to be found in both military personnel and equipment. I would not take the time of my colleagues to review all of those problems today, but let me share just a few:

You do not have to be an expert to realize that, with respect to new re-

cruits, numbers alone cannot guarantee the military preparedness of our standing forces.

As weapons systems grow more complex, we hear reports that the mental aptitude test scores of new recruits are dropping. If that is not a serious problem already, simple logic suggests that it soon will be.

You do not have to be an expert to realize that a car in the shop is about as useful as no car at all. And yet, in the Air Force at least, we have got as many planes in the shop as we have ready to fly. The reason: Not enough spare parts.

At least in this nonexpert's view, it seems reasonable to suggest that the Air Force spend some money maintaining the planes it already has before coming back to Congress to request more money for new ones.

You do not have to be an expert to realize that a chain is only as strong as its weakest link. Some of the most vital links in America's national defense chain, its Reserve and National Guard units, are seriously under-strength and, in my opinion, represent key links waiting to be broken.

I am especially concerned by reports that current shortfalls in our individual Ready Reserve range from 200,000 to 500,000 depending on whether your source is the Department of the Army or the Secretary of Defense.

You do not have to be an expert to know that if you are retiring warships faster than you are building new ones, your Navy is not growing, it is shrinking.

In our case, the numbers add up to a formula for potential disaster; in just 12 years America's seagoing fleet has been cut in half; during the Carter administration alone, the number of U.S. naval vessels has declined by more than 200. All this while the Soviet Navy has been growing at an unprecedented rate.

How did we get into such sad shape? To start with, you have to go back to the early 1970's when America was recovering from its involvement in Vietnam. At that time, Congress began diverting funds previously spent on defense to newly enacted social programs. This continued throughout the decade until in 1979 U.S. defense spending, after inflation, had fallen to its lowest level in 15 years.

Defense spending, as a proportion of our gross national product, has now dropped to such a low point that a 100-percent increase would be necessary just to return to the 1960 level, in "real" terms. On the other hand, the Soviet Union has outspent us on defense by \$100 billion during the last decade.

CIA analysts estimate the Soviet Union now spends approximately 50 percent more than the United States annually on defense. To counter this growing Soviet military threat President Carter proposed in his state of the Union message what he termed a "strong defense" budget for 1981

which included a real—after adjustment for inflation—increase of just 5.3 percent. Many of my colleagues on the House Armed Services Committee and throughout this Chamber have described the President's proposed defense budget as woefully inadequate to counter the Soviets sustained military buildup. Some have countered with proposals for as much as 20 percent in real spending increases for defense. Still others are demanding a quick fix for our defense ills, no matter what the cost.

The temptation in any crisis is to make overambitious commitments. This Congress, for instance, is famous for biting off more than it can chew.

There is no doubt in my mind that getting our national defense up to par and keeping it that way is going to require increased funding. However, before we go off trying to solve this problem in traditional Washington fashion, that is by simply throwing a lot of money in the hope it will go away, I believe Congress should first assess calmly what is really needed to protect our national interest and then decide how to spend scarce defense dollars in the most effective way. Our goal should be nothing less than to support the strongest, most capable military force possible, within the financial limits of an already overburdened Federal budget. Yes; we need to spend more; but we also need to spend more carefully.

As my colleagues and constituents well know, I am one Member of Congress who truly believes the best way to fight the inflation which is strangling America's economy is to drastically reduce Federal spending and balance the Federal budget immediately.

Inflation can be fueled just as much by excessive Government spending on defense as by excessive Government spending on social programs.

Clearly, there is waste and inefficiency to be found in defense programs. Therefore, one of my highest priorities as a member of the Armed Services Committee will be to cut out this fat, while leaving the muscle.

Care should be used when evaluating glamorous and expensive new weapons systems, which typically fascinate certain Members of Congress as much as overeager military planners. We must avoid what has become a habit here in Congress: An overemphasis on these glamorous items at the expense of important but more mundane items, without which even the most sophisticated weapons would be useless. The danger, of course, is that unless we start taking care of such things as spare parts, adequate pay, routine maintenance, and ammunition, we will find ourselves the proud owners of ships without crews, planes without fuel, and tanks without ammunition.

For example, 5 years and an estimated \$1 million is required to train an Air Force pilot to fly a highly sophisticated F-15 aircraft worth nearly \$30

million. Yet, salaries for military pilots are so inferior to their civilian counterparts that we are losing our military pilots at an alarming rate.

And this is not just true of pilots. Across the board we are losing competent personnel for lack of career incentives, including sufficient pay.

Perhaps voting military personnel a much-needed pay raise might not be as sexy as funding the latest nuclear aircraft carrier, but in the long run it may prove to be a far better investment.

Mr. Speaker, these certainly are not all the problems the House Armed Services Committee will face in the weeks and months ahead. But I hope this short summary has helped to demonstrate the magnitude of the challenge before us.

I have great confidence in my colleagues on the committee, and I pledge my willingness to play an active role in this important effort. I am hopeful that together we can fulfill our responsibility to the American people. Together we must fashion for our country the strongest possible national defense. Together we must turn the tide. ●

#### DONALD P. MILLER: A DRIVING FORCE IN THE LEHIGH VALLEY

#### HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. RITTER. Mr. Speaker, on March 27, the Minsi Trail Boy Scout Council will honor Donald P. Miller of Allentown with its Distinguished Citizen Award for his economic and cultural contributions to the Lehigh Valley, the Commonwealth of Pennsylvania, and to the Nation, and for his contributions to the scouting program.

Mr. Miller has been a giant force not only in his community, but also far beyond, for several decades. His counsel has been sought and will continue to be sought for the betterment of his community and his fellow man.

His energy belies his 74 years. His strength and vitality present an awesome challenge to others who join with him in seeking to better their community.

He has built his career on the highest ideals. As a young boy, he carried newspapers to get his first exposure to business and the publishing industry. He became a Boy Scout on his 12th birthday, and became the first Eagle Scout in Lehigh County.

That interest in Scouting has never diminished. He has seen the Scouting program mold young men, and today he continues as an active member of the Minsi Trail Advisory Committee.

This remarkable man completed 45 years in the newspaper industry when he retired last September 30 as publisher of the Call-Chronicle Newspa-

pers, Inc., of Allentown, one of Pennsylvania's major newspapers. His father, the late David A. Miller, had founded the Morning Call in 1894.

Today, Donald P. Miller continues in an active role as publisher emeritus, having turned the helm of the newspapers over to his son, Edward D. Miller, the third-generation member of the family to serve as published.

Donald P. Miller was instrumental in making the Call-Chronicle a pioneer in production techniques, especially with electronic equipment, and his management skills helped create a business operation studied by newspapermen around the world.

And his efforts knew no bounds when it came to his community service. As an example, 30 years ago he pioneered park and shop, a program to establish parking lot spaces within easy walking distance of any downtown store. Today, there are 8,000 parking spaces in the center city area, and the network of lots and parking decks handles more than 1 million cars a year. He has also actively pushed plans for a hotel conference center in the business district.

His interest in the community's cultural well-being is reflected in his contributions to the Allentown Public Library, the Allentown Art Museum, Muhlenberg and Cedar Crest Colleges, Allentown Symphony Hall, United Way, and the Miller Blood Bank, to name but a few. Despite his demanding schedule, he always finds time to work quietly and diligently for deserving projects. Satisfaction of a job well done is the only reward he seeks.

Donald P. Miller has been successful in motivating people to work together. When asked how he brings diverse interests together, he modestly answers:

I never gave much thought to it. Go out and ask people to help. That's all. We have a lot of very strong people in the Lehigh Valley who work hard. It's amazing how much time people commit to community efforts.

Mr. Speaker, Donald P. Miller is a man from whom we can all learn. He is an unselfish citizen, giving of himself for the betterment of his fellow man. I am honored to join his salute. ●

#### SHOULD THE WEST TAKE THE OFFENSIVE?

#### HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. DORNAN. Mr. Speaker, I would like to submit for the Record an aide-memoire authored by Dr. Stefan Posony of the American Council for World Freedom concerning Communist aggression.

There is no reason why the United States and the rest of the free world need be on the defensive in the struggle against Communist totalitarianism. All we need is the will to exert our influence. The West has on its side

the unquenchable human desire for freedom. The ACWF has suggested we take the offensive. I ask my fellow colleagues to seriously consider these recommendations.

#### INTERIM STRATEGIC ACTIONS BY THE UNITED STATES; AN AIDE-MEMOIRE PREPARED BY AMERICAN COUNCIL FOR WORLD FREEDOM

Now that the U.S. has a new doctrine to deter Soviet aggression against the Middle East and South Asia, it is imperative that we know how to make the USSR "pay a concrete price for their aggression", to quote President Carter's State of the Union Address. We must realize that deterrence cannot be revitalized unless (a) U.S. military might is restored to power levels superior to Soviet strengths, and (b) the U.S. puts an end to the Soviet practice (which we condoned) of using proxies to conquer foreign territories and pursue the step-by-step encirclement of the U.S.

The following interim strategy can be initiated fairly promptly:

1. Blockade Aden and South Yemen until Soviet, East German, Cuban and other Communist bloc elements are removed.

2. If Soviet use of poison gas in Afghanistan is confirmed, retaliation is mandatory; verbal protest will remain ineffective. Retaliatory measures should be directed against Soviet targets in proxy areas, e.g. airbase and port facilities in South Yemen and Ethiopia, plus radar and radio.

We should not at this time increase risks by taking on the Soviets themselves. The approach suggested here will drive a wedge between the USSR and its satellites, and will take away from the Soviets some of their ill-gotten gains.

3. Tell Cuba that it must withdraw its troops from positions in foreign countries, especially in the Middle East, or initiate a quarantine of the island and the disrupting and stopping of Cuban air and sea movements. (In this context: stop commercial air traffic between USSR and U.S.)

4. Step up the U.S. naval presence in Central America, disrupt ship movements to local communist or pro-communist governments, and destabilize those.

5. Reorient U.S. psychological warfare efforts, with the following initial steps:

a. Inform Moslems in the USSR about the Kremlin's continuing attitude against religion;

b. Disclose the latest data on Gulag;

c. Publish a map on current concentration camps in the USSR utilizing satellite photography;

d. Make major psychological efforts to prevent a take-over of the government by the Stalinists. The real meaning of the Soviet Afghanistan operation is to settle Brezhnev's succession and get Stalinist elements of the military and the KGB into power. The stopping of this attempt must be regarded as the top priority mission of the U.S.

6. Lose not one more day in the establishment of a strong U.S. capability with neutron weapons. ●

#### MORE READINESS PROBLEMS

#### HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mrs. SCHROEDER. Mr. Speaker, the other day we were warned of the readiness problems facing our fleet in the Indian Ocean; today we are warned of similar problems facing our

aircraft, both in the Air Force and the Navy. How often do we have to be told that our defense dollars are being mis-spent before we wake up and take action?

The material follows:

[From the Washington Post, Mar. 17, 1980]  
SHORTAGES OF PARTS HAMSTRING WARPLANES  
(By George C. Wilson)

About half the nation's first-line warplanes cannot fly because over the years the Pentagon has concentrated on buying new ones rather than fixing up the old ones.

This policy has forced mechanics to take the parts off one plane and put them on another, a constant process of cannibalization that the Navy figures takes up the equivalent of 610 men doing nothing else for one year.

Besides not being ready to go to war, the high percentage of broken planes means that Air Force and Navy pilots must fly fewer hours, prompting many of them to quit in disgust.

These are the findings of Rep. Jack Edwards (R-Ala.) ranking minority member of the House Defense Appropriations subcommittee, who has personally investigated the problems of aging equipment and inoperative planes.

"This is unacceptable," Edwards said. "People are lulled into the feeling that we've got an Air Force hot to go. But what we've really got are hanger queens all over the country."

There are, Edwards found, scores of warplanes in the shop waiting to be repaired.

He cited two examples he said are typical. Only 53 percent of the Air Force's hottest fighter, the F15 Eagle, were ready for combat at any one time last year, and only 53 percent of the Navy's F14 Tomcat fighter. The percentages for forward-deployed aircraft, such as F15s based in Europe, were not much better, he added.

At least 70 percent of the planes should be ready to go at any given time, the congressman contends.

Defense Secretary Harold Brown, under questioning by the House Defense Appropriations subcommittee this year, acknowledged that the problem is serious, but neither Brown nor his predecessors has taken the problem seriously enough to spend more money on spare parts and less on new planes, Edwards complained.

Edwards displays a chart of Pentagon figures to make his point. The Air Force plans to spend twice as much money to buy new tactical aircraft in fiscal 1983 than in fiscal 1975, from \$4.2 billion to \$8.4 billion in comparable fiscal 1980 dollars. But no extra money is budgeted to keep the planes flying. The operating account for repairs remains at \$7.4 billion in 1983, as it was in 1975. The budget plan for Navy fighter planes shows a similar trend.

"The combat readiness of our firstline fighters like the F14 and F15 is poor," Edwards wrote. "The underlying cause for this problem is quite simple: inadequate provisions of spare parts."

Half the time, Edwards continued, mechanics are forced to rip a part of one plane to fix another or else must use parts supposedly reserved for wartime. To keep one F14 flying 100 hours, he said, the maintenance crews have to take parts off another F14 from 40 to 50 times.

"It makes no sense whatsoever," Edwards wrote, "to buy all these very costly aircraft without also buying all the other necessary parts and weapons that make these aircraft an effective combat system."

Operation and maintenance funds, which include money for spare parts, have tradi-

tionally lost out to new airplanes. Defense contractors lobby the Pentagon and Congress to buy new planes, not to fix up the ones already purchased, Edwards noted.

Air Force Gen. David C. Jones, chairman of the Joint Chiefs of Staff, has accused Congress of cutting the funds the military has requested in the past for operating and maintaining planes and other weaponry. That is a "bad rap," Edwards said.

"What I found out for the first time this year," he said, "is that the careful cuts our committee had directed the Pentagon to make in those accounts were not made."

Instead, he continued, Pentagon leaders notified field commanders, including the head of the Strategic Air Command, that they were getting less money for operation and maintenance. It would be up to the commanders to make the cuts where they saw fit.

Edwards has written letters to the chairmen of the House and Senate Armed Services committees urging them to join the Appropriations subcommittee in forcing the Pentagon to shape up.

"It's easier for a member of Congress to go back home and say I got you another 10 planes than say I spent money to make them ready," Edwards added.

It will not be easy to reorder the priorities, Edwards conceded, "but I would rather build half as many planes if I could turn the money saved into readiness. The situation we find ourselves in now is totally unacceptable." ●

FRANK P. FITZPATRICK

HON. WILLIAM R. RATCHFORD

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. RATCHFORD. Mr. Speaker, I rise today to express my deep sense of sadness and loss as a result of the recent death of former Ansonia, Conn., Mayor Frank P. Fitzpatrick.

Mr. Fitzpatrick served ably as mayor of Ansonia from 1948 to 1952. Under his administration, the city experienced remarkable growth and prosperity, and many important new programs were developed.

Prior to his first mayoral election, he served as the city's police commissioner. Mayor Fitzpatrick's other civic duties included: membership on the Ansonia Democratic Town Committee; membership on the board of directors of both the Cheshire Reformatory and the Griffin Hospital; an incorporator of the Union New Haven Trust Co.; a member of the State Constitutional Convention; past president of the Ansonia Rotary Club and the Connecticut Automobile Trade Association; and a member of the Valley Council of the Knights of Columbus.

The depth and value of his active commitment to the community cannot be understated. Mayor Fitzpatrick has for so long been a major force in the steady development of the city of Ansonia, and will surely be missed. I join so many other members of the community in extending my heartfelt condolences to his family, and am certain that his deep sensitiv-

ity to the problems of the community and their solutions will serve as a model for others to follow. Thank you, Mr. Speaker. ●

NEW YORK CITY OFFICE OF SCHOOL FOOD SERVICES—SETTING AN EXAMPLE FOR THE NATION

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. BIAGGI. Mr. Speaker, I wish to bring to the attention of my colleagues testimony presented today before our House Education and Labor Committee from the director of the New York City Office of School Food Services, Elizabeth Cagan. As you may know, our Subcommittee on Elementary, Secondary and Vocational Education has been holding hearings on the reauthorization of many of our child nutrition programs, and today we received testimony on the Commodity Distribution program.

While there are proposals before this body to drastically reduced funding levels for our school feeding programs, I strongly feel that my own State of New York provides a vivid example of the necessity and the effectiveness of these programs which have brought millions of nutritious, low-cost meals to school children across this country. In light of our current budgetary situation, I feel that we can provide State and local educational agencies with examples of programs which work, like the New York City program, so that we insure that all our child feeding programs are as cost-effective as possible.

New York State has worked closely together with the U.S. Department of Agriculture to develop and promote child feeding programs which deserve the attention of all who are interested in maintaining the integrity of these programs. New York City has formed a working partnership with its State distribution agency and the USDA—a blend of urban and rural interests—to create a school food service community. Our Federal Commodity Distribution program can work. New York is living proof.

Testimony of Elizabeth Cagan follows:

TESTIMONY OF ELIZABETH CAGAN

Mr. Chairman; Honorable members of the Subcommittee on Elementary, Secondary, and Vocational Education: My name is Elizabeth Cagan. I am the Chief Administrator of the Office of School Food Services for the New York City Board of Education. My function and responsibility encompasses the overall administration and supervision of more than 1,200 feeding sites, a budget that totals more than \$100,000,000, and a food service program that provides approximately 100,000 breakfasts and 550,000 lunches on any given school day to eligible children.

I want to take this opportunity to thank you Mr. Chairman and the Honorable Mem-

bers of the Subcommittee for affording me the time to speak on what I feel is one of the most important school feeding issues that this Congress or any Congress has ever addressed. This is the survival of the USDA Commodity Food Program and vis-a-vis our School Lunch Program.

Let me make it perfectly clear that I fully support the current commodities food program as it is administered in New York State. The program provides the New York City program with all of the foods we desire. It does not force upon me any foods which we do not have a need for, and affords me the opportunity to provide varied and rich menus to the children of New York.

When I was initially introduced to the commodity letter of credit plan as sponsored by the National Frozen Food Association, I was told of tremendous cost savings and increased product quality and variety. This I confess, found me most receptive, as would be all other responsible school food service directors. The day in and day out business of school food service is to control costs while offering quality foods and increased menu variety.

Well, that was my first impression! After reading the printed National Frozen Food Association rationale, and bill, we began to analyze its real effect on costs and quality. My initial impression was dramatically reversed and it is not obvious to me that if the commodity letter of credit plan is made law, it will bankrupt the school lunch program, do financial harm to the smaller distributor, and open the door for wholesale cheating on such a broad level that there would be extreme difficulty in program monitoring and overall accountability. The commodity letter of credit system would open up a Pandora's Box of corruption that would make summer lunch problems seem minor. Specifically, the proposed program subdelegates USDA's responsibility for specification adherence, timely bidding processes and specific accountability to a broad local base.

Before I go further into the specific reasons for my position, I pose that it seems impossible for the commodity letter of credit system, as defined, to meet the objectives of price support and removal of agricultural surpluses. By definition, removal of surplus must occur before the commodity enters the market. As it is, when the commodity enters the market, the effect of a glut depresses prices and reduces returns to the farmer. It is basic economics that if these products are permitted to enter the market no support will take place. Additionally, by attempting to support prices by pulling commodities through the supply system using letters of credit, prices will be inflated at the local level to the advantage of the distributor with no benefit to the farmer or the school system.

The statement by the National Frozen Food Association that the commodity letter of credit system will result in considerable savings is just not so. In their analysis of U.S.D.A. purchases of ground beef and frozen french fried potatoes, NFFA, used the example of commodities distributed in California. California is atypical. Their state warehouse and handling charges are vastly higher than those of New York and all other States. In the example of ground beef, California charges \$14.75 per 55 pound case. New York charges \$.55 per case. Refer to "Appendix A" for an analysis of New York State costs vs those offered as typical by NFFA.

NFFA states that local schools can and do purchase better than USDA. This is the rare exception rather than the rule. NFFA adds that excessive storage and transportation charges are incurred in commodity handling. This may be a valid point in states

where the program is inadequately administered. In New York State the commodity program runs as it was intended to. This accrues to our benefit. Our State Distribution Agent, Mr. Ernest Berger is a professional, interested in improving the program to better meet the school systems needs. New York State has entered into many further processing contracts where the commodity is shipped directly from the point of pack to the contract processor, then to the local distributors who service the schools. I defy NFFA to find any waste in that. Refer to "Appendix B" for a comparative analysis of transportation and warehouse flow.

A consideration this committee may wish to take is to use the example of a well run state program, of which there are many. Using these examples, U.S.D.A. should then set overall guidelines and training programs for state distribution agencies not yet performing at the optimum. To scrap the present commodity program for a controversial unknown would be unwise. The present program is viable and improving.

The commodity letter of credit system can and will hurt the small distributor. He does not have the financial resources to service the financial and inventory requirement of the program. For example, when commodity letters of credit are distributed for an annual pack item, i.e., peaches, corn, flour, etc. the distributor would have to commit a full school year supply of that product. Few if any distributors can do that. In reality many local distributors are second or third handlers of these commodities, making their purchases from traders (mainly large distributors) that specialize in such items. As I see it, the business will be to the singular benefit of the large distributor. NFFA has stated that the commodity letter of credit system will save school systems money in product and storage. It would be naive for anyone to assume that the high costs of borrowing money to cover inventories and storage would not be passed on to school systems.

In New York City, we do the majority of our business through local distributors, including the distribution of commodities and those products manufactured from commodities. We value our relationship with distributors and they provide the products and service we require. We see local distributors as an integral part of our supply chain. They are strongly supportive of our program. (See attachments.)

The National Frozen Food Association has stated that the commodity further processing business is the privy of a few companies. This is just not so! Our purchasing of processing services is open to all who can meet the requirements of the New York State contract and the specifications of the New York City Board of Education. We deal with major corporations as well as small local producers. We encourage competition; it would be counter productive not to.

I know that members of the National Frozen Food Association are not unified in their support of this legislation. The fact is, many NFFA members are dead against the commodity letter of credit system. Furthermore, the American Food School Service Association has of late last week added their name to the list of those opposed to this program. This is most important. It is ASFSFA members who are often most critical of the commodity program though there may be a few ASFSFA members who do not understand the insidious ramifications of the letter of credit system. Dr. John Mosley, Executive Director of The American School Food Service Association, last week stated that the official position of ASFSFA is one against the commodity letter of credit system. Strange indeed and most notewor-

thy that those cited by NFFA as beneficiaries don't want vouchers.

It has been stated that the quality of the products purchased by U.S.D.A. is poor. We take a great deal of exception to that statement. We utilize our entire allocation and for the products I use, the product quality is excellent. In the past, when we had problems, they were worked out with our State Distribution Agency. For example, we in New York City have limits on the amounts of sugar we will accept in our products. Canned fruits in heavy syrup considerably exceeded our limits. Our state agency arranged through U.S.D.A. to make available canned fruits in light syrup or natural juice. This cooperation can be expected from U.S.D.A. by any state with a distribution agency willing to speak up and ask for what they want.

As for overall quality in New York, it is known that our specifications are more stringent than most. In addition, I have made it mandatory that we child test all our products before they are introduced into the lunch program. For it is the child who is the ultimate recipient of the food and the most discerning about quality, taste and appearance. Products which are child tested and approved end up in their stomachs, not in the garbage cans. Commodities and products processed from commodities are highly accepted by the children and have helped the city enjoy a substantial savings, without which we, in New York, could not offer the types and variety of menus which we now offer. It is unrealistic to think that the same savings would be enjoyed under the commodity letter of credit system.

Before you, we have on display an example of the commodities we receive and the products we make from them. We have used not only the more desirable commodities, i.e., beef, cheese and poultry but have used the non-fat dry milk, flour, tomato paste, and even the dreaded and much talked about lemon juice. Would you care for a lemonade?

During the 1978-1979 school year, in New York City alone we used 2,563,123 cases of USDA commodities in our feeding of 111,000,000 meals, saving New York City millions of dollars of taxpayers' money. May I impress upon you that without those commodities I would not have been able to do the job as well or within my drastically reduced budget.

In summary may I cite some of the pitfalls of the commodities letter of credit approach:

1. Program accountability.
2. Added costs to school food service.
3. Potential wholesale corruption and cheating.
4. Threat to the small distributor.
5. The time specific nature of the program.
6. Failure to meet the objectives of price support and surplus removal.

We, therefore, strongly urge you to continue to support and improve the present commodity program and to reject in its totality the proposed alternative.

Thank you.●

FREDERICK W. MONNISH

HON. RICHARD C. SHELBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. SHELBY. Mr. Speaker, last weekend in a small ceremony in my hometown of Tuscaloosa, Ala., a small park received a new name, and appro-

priate honor was finally bestowed on a gentleman who has meant much to Tuscaloosa.

When Eastwood Park became Monnish Park, the town of Tuscaloosa formally recognized Frederick William Monnish, the original owner of the site later donated by his widow, Lillian. Mr. Monnish arrived in this country from Germany in 1876 at the age of 17. After landing in New Orleans, he made his way to Coaling, Ala., where he worked arduously in his uncle's commissary living a frugal existence and saving all his hard-earned funds.

Within a few years, Monnish had organized a lumber company and, with his young wife, moved to Tuscaloosa. There in 1900, Frederick Monnish became superintendent of the Tuscaloosa Belt Railway Co. which provided local folks with vital transportation to nearby football and baseball games and to the mainline railroad stations.

Frederick Monnish was truly a pillar in local society, adopting Tuscaloosa as his home and bestowing upon it the benefits of his success which he could never transfer to his native country. As member of the Alabama State Land Congress Advisory Committee, Monnish traveled extensively in Europe seeking funding for agricultural loans. He served as a director of the Merchants Bank & Trust Co., while carrying out the duties as president first of the Tuscaloosa Coal, Iron & Land Co., then of the East End Realty Co.

Tragedy struck Frederick and Lillian Monnish when their only son died at the age of 19. Monnish built a church in Sage's name at that time but when the congregation erected a larger place of worship a few years later, the family insisted the name be changed. Thus, while constantly giving to the town of Tuscaloosa, Frederick and Lillian Monnish were always reluctant to accept recognition for their gifts. It is only fitting then that the man who personally attended to the planting of many young seedlings throughout the community of Tuscaloosa should be remembered with a park in his name. It is rare when generosity is accompanied by humility, but Frederick W. Monnish possessed both. I join with the city of Tuscaloosa in a posthumous salute to Frederick W. Monnish; we are all glad he chose Tuscaloosa as his home away from home. ●

#### BALTIMORE SUN DEFENDS FTC

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. OTTINGER. Mr. Speaker, I would like to call to my colleagues' attention an article from the March 12 Baltimore Sun on the Federal Trade Commission and its pending authorization legislation. The article, by Mark Reutter, entitled "Up in a Pall of

Smoke—II," describes an agency performing its job too well for its own good. It describes an agency undercut by Congress because of the influence of the industries the FTC is mandated to regulate.

As I have said before, the issue facing the FTC authorization conference, of which I am a member, is the very integrity of Congress. Observers are describing this bill as a test—a test of our ability to withstand the onslaught of special interests. If we fail this test, it is the public interest which will suffer.

I urge my colleagues to read this article, and consider the sentiment it represents.

The article follows:

THE FTC: UP IN A PALL OF SMOKE—II  
(By Mark Reutter)

WASHINGTON.—Is the Federal Trade Commission the "juggernaut" of "bureaucratic arrogance" portrayed by columnist James J. Kilpatrick? Is it an agency which, according to Time, "has come to epitomize all the problems of government regulation run amuck"?

As the newest buzz word, "overregulation," echoes through this city, reporters have stumbled over the same words in pursuit of pejoratives to describe the FTC—"controversial," "activist," "zealous," even "notorious," a label conveniently supplied by a Chamber of Commerce lobbyist.

All this verbiage is leveled at an organization allotted \$65.3 million last year to protect Americans from unfair and monopolistic business practices. As a juggernaut, the FTC ranks on the scale of Afghanistan's tribal warriors. It commands the financial capacity to run the U.S. Department of Defense for 4 hours, 28 minutes of the year.

Its funding is equal to 0.145 per cent of the \$45 billion in business advertising last year, one of many areas under its purview. Or to be more precise: Ralston-Purina and its conglomerate brethren spent more putting dog food commercials on TV last year than the government spent supporting its designated bulwark against deceptive business practices.

Regardless of its size, has the agency shackled businessmen with picaune rules and mounds of paperwork? A study by the Business Roundtable, a major corporate lobbying organization, indicates otherwise. FTC regulations, the 1978 study found, cost large businesses the least of six federal agencies examined, a mere 1 per cent of the \$2.6 billion tabulated. (In keeping with its political objectives, the Roundtable study avoids detailing the benefits—the cheaper goods, saved lives, cleaner air, less discrimination, etc.—that accrue from actions by the FTC and other public-oriented agencies.)

The White House Regulatory Council recently rated the FTC as the federal agency which does the best job of planning its activities and supporting its plans with cost-benefit studies. And in testimony before a Senate subcommittee last September, the chairman of the Administrative Conference of the United States said the FTC was fulfilling its legislative mandate "efficiently and fairly. It is doing a good job of administration."

Stanley Cohen agrees with these assessments. Hardly an FTC partisan, the Washington editor of Advertising Age says the current attack on the agency is the "most mindless piece of politics" he has seen in his 36 years as a reporter here. Mr. Cohen is particularly disturbed by Senate and House

bills (now in conference committee) which would stop the FTC from requiring morticians to disclose the prices of funeral services and auto dealers to issue warranties on used cars. But potentially more disastrous, Mr. Cohen says, is a provision in the Senate bill that would curb the FTC's ability to regulate advertising that intentionally manipulates the consumer.

"If the FTC is put in its place by Congress, we're going to see a resurgence of a new generation of marketplace abuses," he says flatly, adding, "When you weaken the FTC, you undercut self-regulation by business."

In his Ad Age columns, Mr. Cohen has tried unsuccessfully to dissuade trade groups from picking apart the FTC. Often he pitches his appeals to the self-interest of his readers: "If we return to the kind of FTC which is acceptable to used-car dealers, funeral directors and the like, how long will it be before the ad business finds itself confronting another Ralph Nader?"

Eleven years ago Ralph Nader released the first Nader Raider report. It was on the Federal Trade Commission and it depicted an agency of sometimes boozing, sometimes snoozing, bureaucrats who waged solemn war on wool imports and foreign-made watchbands. The report impelled President Nixon to call for a formal study of the agency. Rejuvenate the FTC or abolish it, the study by the American Bar Association reported back.

Thus began a slow process whereby the FTC was given the legal tools it needed to fulfill its 1914 mandate of making the marketplace competitive and non-deceptive. The process culminated with the Magnuson-Moss Act of 1975.

For the first time, the FTC could get a real handle on the marketplace by establishing trade rules for entire industries instead of the previous practice of issuing cease-and-desist orders on an individual case basis. The agency also could examine professional societies and standard-setting groups which affect commerce.

Under the Nixon and Ford administrations, the agency initiated proceedings against various businesses with a history of high costs or sleazy sales practices, including credit companies and mobile home manufacturers. Anti-trust activities were stepped up, with investigations of the auto, cereal, cigarette, agricultural and oil industries.

But, perhaps more significantly, the agency began to delve into the economic structure of Main Street. Under proposed rules, health spa operators, used-car dealers, and undertakers would have to disclose their products and prices fully. Lawyers, dentists, and other professional groups were told to end bans on advertising that the FTC said artificially restrained free competition. The agency also began investigating the high costs of medical care, especially the interlocks between doctors and health care plans.

Within short order the FTC managed to tread on the canopy of upper middle class privilege, aggravating not only the corporate executive but those who fill the power slots of a local community—the lawyer active in county politics, the doctor who sits on the hospital board, the funeral director who rises early for the Optimist meeting.

"If you look at every poll," says Michael Pertschuk, "you'll find broad and uniform support for the very kinds of things this agency is doing, and that support is not eroding." But when the chairman of the FTC goes over to Capitol Hill these days, armed with polls and other data, he hears the same refrain from his erstwhile allies: "Maybe you're right, Mike, but the funeral directors will remember at election time and the consumer won't."

Chairman Pertschuk says the agency is caught in the political crossfire that strafes any regulatory agency which "takes its mandate from Congress seriously"—its actions are "of primary financial interest" to well-organized business groups but only of "tangential interest, one of thousands of interests, to the consumer."

The resulting imbalance, the tendency of special-interest agitation to smother public-interest proposals, has widened as voters have grown disillusioned with the government's ability to solve problems, Mr. Pertschuk says.

"We are not in the business of telling doctors, dentists, or optometrists what they must do," Mr. Pertschuk continues. "What we are trying to do in free up those who want to advertise prices, free up lawyers who want to develop alternative low-cost services, suggest that the exclusion of paraprofessionals from the performance of certain functions is anti-competitive and not justified on quality grounds. Our aim is to decrease costs by letting the marketplace work, and the results, the lower costs, are tangible. Maybe that's part of the problem." ●

### REGULATION OF ANIMAL EXPERIMENTATION

#### HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mrs. SCHROEDER. Mr. Speaker, yesterday I introduced legislation, H.R. 6847, to regulate animal experimentation. A similar bill was introduced in the Colorado State Legislature last year and was supported by the assistant dean of the College of Veterinary Medicine at Colorado State University and by the chancellor of the University of Colorado Medical School.

My bill does not eliminate research and testing on animals. It insures that research be conducted in a manner that precludes pain. The present Animal Welfare Act does not address how research and testing is done. Thus there is no humane protection for animals. My legislation covers the actual use of animals for research, testing, teaching, or the production of certain medical or veterinary products and thus fills this gap in the Animal Welfare Act.

The introduction of this legislation will spark a lively debate on the issue of painful animal experimentation. In this spirit, I would like to submit the following letter from John H. Wood of Hoffmann-La Roche, Inc.:

HOFFMANN-LA ROCHE INC.,  
Nutley, N.J., March 11, 1980.

Hon. PATRICIA SCHROEDER,  
U.S. House of Representatives,  
Washington, D.C.

DEAR Ms. SCHROEDER: Hoffmann-La Roche respectfully submits comments on amendments you are considering to the Animal Welfare Act. We recognize, and support, your objective to ensure the humane treatment of animals in research, testing and teaching. In our own research, proper and ethical treatment of animals has always been, and shall remain, a principal factor in

the design and execution of our research activities. At the same time, we are concerned that the proposed amendments unintentionally could interfere with, and possibly even eliminate, important medical research, as well as compromise the quality of medical education and training in our nation's schools.

Our most important concerns arise from the definition of "pain" proposed in Section 2(k), combined with proposed Section 13a of the bill which would require that all "painful" research be conducted under anesthesia. The definition of pain—including the reference to "debilitation and significant physical and behavioral distress"—is so broad that most biomedical research could be adversely subjected to Section 13 requirements. The administration of an anesthetic in certain non-surgical research projects could interfere with conduct of the study. For example, in chronic and acute toxicity studies, eye or skin irritation tests, many pharmacologic screens, range-finding studies, nutritional deficiency projects, chronic hypertension or cardiac failure studies, animals may experience debilitation or distress. These, however, are precisely the types of effects scientists must be able to observe in order to evaluate the true effects of a particular compound. Masking debilitation or distress by administration of anesthetics would seriously compromise the validity and value of the research.

Moreover, use of an anesthetic introduces a secondary drug into research and could distort test results pertaining to the primary drug being investigated. For this reason, such research data could prove unacceptable to the Food and Drug Administration. Companies might be placed in the untenable position where compliance with the standards of the amendments could render them out-of-compliance with the testing requirements established by other government agencies.

We also believe that the proposed amendments would unnecessarily expand the authority of the Department of Agriculture. The Department would be empowered, under proposed Section 5, to promulgate "proper" (as opposed to "minimum") standards pertaining to animal care. This could require the development of standards for each and every experimental procedure conducted in biomedical research, thereby proving highly impractical.

The requirement of proposed 13a(a)(2) for animal care committee review and certification of research involving the infliction of disease and possible use of anesthetics and analgesics appears impractical and unreasonable. It could only be effectively accomplished in a very small research institution conducting few studies. Even more burdensome is the requirement of 13a(b)(2) providing for review and documentation by the internal animal care committee of "each proposed project" involving the use of animals. Such a requirement would impose extreme administrative burdens on a facility like Roche which conducts a large number of research projects. Finally, these requirements incorrectly assume that senior research investigators cannot, and do not, review each project for compliance with good animal care practices.

It is our strong feeling that modern biomedical research involving the use of animals is not conducted needlessly or cruelly. Rather, it proceeds from legitimate, compelling and entirely ethical concerns—increasing mankind's knowledge so as to enable us to overcome disease and promote human, as well as animal health and safety. Extraordinary benefits have resulted from this type of research. Literally millions of people owe their health—and in many cases, their very lives—to animal research. As the National

Institutes of Health has observed, the chances are that if a person has ever had a serious medical problem, research with animals has probably helped in restoring good health. Accordingly, unreasonable interference with efficient and effective conduct of such research could impose needless suffering on human beings and possibly deprive society of otherwise available health care benefits and protection.

Sincerely,

JOHN H. WOOD,  
Assistant Vice President,  
Department of Public Affairs. ●

### OSHA REFORM—THE TIME HAS COME

#### HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. HANSEN. Mr. Speaker, the Occupational Safety and Health Administration (OSHA), despite costs of over \$25 billion in compliance to American businessmen and over \$1 billion to American taxpayers, has failed to achieve a significant positive impact on employee injury and illness rates.

As one who has taken the lead in Congress and the Nation to stop OSHA's bureaucratic bungling, I am pleased to take this opportunity to discuss my concept of effective health and safety measures for America's 100 million person work force.

After 8 years of major investment in OSHA, Americans can only wonder where is the return on that investment; has OSHA protected workers by significantly decreasing workplace deaths and injuries?

The unfortunate answer: OSHA has not been effective in protecting the American work force. Not only has OSHA failed to reduce serious injuries and fatalities in the workplace, the number of severity of serious injuries and the number of fatalities have sharply increased in recent years despite OSHA's massive regulatory efforts.

Nevertheless, OSHA advocates continue to insist that the Agency has had a positive impact and that without OSHA, worker injuries and fatalities would be even higher. Their argument is that what is needed is not less OSHA, but more OSHA; more inspectors, more standards, more dollars.

However, the records of industry and OSHA itself strongly refute this contention. A good barometer of industry's performance is a comparison of the worker injury/illness rates prior to OSHA's inception with the rates in the comparable period after its inception.

Since 1971, when OSHA began operations, there have been significant increases in the number of serious injuries and the severity of these injuries, and a more recent upswing in worker fatalities. Conversely, National Safety Council (NSC) statistics for the 8-year period prior to 1971, when industry was handling safety and health con-



cerns itself, show a steady decline in these categories.

For the 8 most recent pre-OSHA years, deaths per 100,000 workers dropped from 21 fatalities in 1964 to 17 fatalities in 1971, average workdays lost per temporary total disability declined from 27 days to 23 days, fatal injury rates dropped from 0.07 to 0.05, and permanent partial disability rates decreased from 0.35 to 0.33, based on the Z16.1 standard per million man-hours of exposure. NSC statistics show a steady post-World War II 25-year decreasing injury and fatality rate trend for industry, which only began increasing in the 1970's during the years of OSHA regulation enforcement.

As the American work force has increased, injuries and fatalities have also increased, but the rate of these accidents' frequency did not increase proportionately until they came under OSHA's counterproductive regulatory system.

The disappointing performance of this regulatory nightmare does not warrant providing increased responsibility, but rather it mandates reevaluation and reform.

OSHA's poor performance clearly demonstrates that voluntary safety and health preservation programs through employers incentives are more certain to protect workers than costly Government regulations geared to rigidity rather than results.

Without the arbitrary and bureaucratic barriers presented by OSHA with its inflexible and nitpicking regulations and the exorbitant paperwork and administrative burdens it places on businesses, industry would be able to effect even greater protection for workers through its own efforts. Although industry can be aided by Government encouragement, incentive, and consultation, the ultimate source of protection of worker safety and health must be through the employers themselves with good employee cooperation.

Not only has OSHA failed to produce demonstrable benefits in workers' safety, it has created extraordinary public controversy. Just 9 years ago, the proposed act slipped through the House and passed the Senate by a vote of 83 to 3, and it was not long until the Occupational Safety and Health Administration, the agency created to administer the law, had become the most despised and ridiculed agency in the Federal Government. In recent years, the erosion of public and political support has been evidenced by several congressional votes in favor of blanket exemptions for broad classes of employers. In a free society, it has been often proved that no law can be effective if its administration and enforcement are widely viewed as illegitimate and non-productive.

Nine years ago Congress cast the Government in a policeman's role establishing a system of crime and punishment for over 4 million workplaces in the United States. Although there

may be a valid policeman's role in a limited number of apparent cases of criminal negligence, the vast majority of workplaces should not be subjected to such militant enforcement conditions because they are not hazardous, or at least not criminally so. In short, there is a more reasonable and productive way for the Federal Government to meaningfully participate in improving the occupational safety and health of America's workers.

The better way is for the Government to redirect its policeman's role to functions where it is really needed to deter and correct grave occupational hazards, to provide useful research and information, and to stimulate employer and employee cooperation and initiatives to improve workplace safety and health.

It is becoming increasingly apparent that drastic reform of OSHA is overdue. It is toward this end that I am working on all fronts, through the Congress, the courts and administrative offices of Government.

We have successfully curbed OSHA abuses in dozens of State and Federal court cases across the Nation including the celebrated Barlow Supreme Court victory in May of 1978. We have forced OSHA administrators into a large reduction of arbitrary regulations and other reforms and we are also experiencing increasing successes in legislative relief to OSHA oppression.

Current legislative efforts include a measure S. 2153 introduced on December 19, 1979, by Senator RICHARD SCHWEIKER of Pennsylvania known as the Occupational Safety and Health Improvements Act of 1980. I am introducing similar legislation in the House. These measures offer the first and best opportunity for significant OSHA reform in 1980.

This legislation will improve the original OSHA Act by redirecting the agency's enforcement activities from the ineffective shotgun approach to the effective rifle approach and create needed incentives for encouraging initiatives by employers and employees to make their workplaces more safe and healthful.

The Schweiker and Hansen bills are extensions of successful actions already taken by Congress last year in an amendment offered by the Senator and sponsored by me in the House which passed in the 1980 Labor-HEW appropriations bill. This 1-year provision dealt with small firms of 10 or fewer employees, establishing the principle that OSHA should leave non-hazardous small businesses alone, while preserving essential OSHA authority where needed for enforcement in hazardous circumstances.

S. 2153 seeks to incorporate permanently into the OSHA Act this same positive and responsible approach, but expanded for businesses of all sizes. Additionally, the legislation proposes writing into the law for the first time, nonpunitive incentives for improving

safety and health in the workplace. The Hansen bill goes even further in exempting employers with continuing good safety records from OSHA inspections.

Basically then, this new legislative approach provides that workplaces with good safety and health records will be exempt from most OSHA inspections. Thus OSHA will be forced to direct enforcement activities more efficiently to hazardous firms, and create incentives for businesses to establish a good safety record. Under the Schweiker bill, OSHA retains authority to inspect for certain very serious problems, such as health hazards, employee complaints of imminent danger, and the like, whereas the Hansen provision allows OSHA in only if the employer self-correction safety record fails.

To minimize paperwork, the bill seeks to utilize worker's compensation reports already legally required by employers with the State compensation agency. Employers with no injuries reported to the agency over a given period of time will qualify for the exemption. Bureau of Labor Statistics data happily indicate roughly 85 percent of all workplaces would qualify through this method—if all State agencies participate—without additional paperwork for the employers.

Workplaces not identified as safe through the worker's compensation records—including employers in States without adequate workers' compensation data—will qualify by filing an affidavit that the workplace had no occupational deaths and acceptable minimal injuries resulting in lost workdays.

The bills propose additional incentives for workplaces eligible for inspection through penalty exemptions and reductions:

(1) In the more restrictive Senate proposal, the safe workplaces, exempted by the House bill, with more than 10 employees at which are maintained advisory safety committees and advisory consultation programs, and safe employers of 10 or fewer employees, will be exempt from most safety penalties (but not for willful or repeat violations).

(2) Under both proposals, workplaces which do not qualify for the inspection exemption will not be assessed safety penalties greater than \$700 for serious violations and \$300 for nonserious violations if the employer maintains a responsible advisory safety committee and advisory consultation program.

Mr. Speaker, advisory safety committees and advisory consultation programs as specified are now widely used, and have been productive in improving safety and health. The bills include basic structural requirements to insure meaningful employee participation on the committee and competency in the consultation program.

The Schweiker and Hansen proposals specifically preserve essential OSHA authority to deal with other hazards which cannot be identified by reference to safety performance records. Additionally, both bills also preserve full direct or indirect OSHA au-

thority to investigate serious accidents, deal with imminent dangers and protect employees against discrimination based against exercising their rights under the law.

I fervently hope that a beleaguered American free-enterprise system will rise up to demand this necessary relief from the burdensome regulations of OSHA so that employers and employees can once again, with increasing safety, provide consumers with the low-cost, high-quality abundance we have been losing over the past decade. ●

#### THE NEED TO INCREASE THE RESOURCE LIMIT FOR SUPPLEMENTAL SECURITY INCOME (SSI) RECIPIENTS

**HON. THOMAS J. TAUKE**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. TAUKE. Mr. Speaker, the Supplemental Security Income program, established in January of 1974, is designed to assist the needy aged, the blind, and the disabled—persons who are in the most financial need. In order to qualify for benefits, an individual may not have resources exceeding \$1,500, and a couple cannot have resources in excess of \$2,250. Although resources does not include one's home and a car with a retail value of \$1,200 or less, it does include the money one has in a bank or savings account, one's jewelry, and certain other effects. It is not difficult—particularly in these high inflationary times—to exceed that limit. In fact, since the limits were initially set, inflation has nearly doubled, and this year we expect to see at least a 10 percent rise.

Therefore, today I am sponsoring a bill to amend the Social Security Act to increase the dollar amount of the resources an individual or a couple may have and still qualify for SSI benefits. I urge my colleagues to join in cosponsoring the legislation.

The bill follows:

H.R. —

A bill to amend title XIV of the Social Security Act to increase the dollar amount of the resources which an individual or couple may have and still be eligible for SSI benefits, and to provide for periodic cost-of-living increases in such dollar amount

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1611(a) of the Social Security Act is amended—

(1) by striking out "\$1,500" in paragraph (1)(B) and inserting in lieu thereof "\$3,000"; and

(2) by striking out "\$2,250" in paragraphs (1)(B) and (2)(B) and inserting in lieu thereof in each instance "\$4,500".

SEC. 2. Section 1617 of the Social Security Act is amended by inserting "subsections (a)(1)(B) and (a)(2)(B) of section 1611," after "1611,".

SEC. 3. The amendments made by the first section of this Act shall apply with respect

to benefits for months after the month in which this Act is enacted. The amendment made by section 2 shall apply with respect to determinations made (under section 215(i) of the Social Security Act) after the date of the enactment of this Act. ●

#### 1978 FRESHMEN SCORE POORLY ON 1928 EXAM

**HON. ROBERT H. MICHEL**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. MICHEL. Mr. Speaker, it is always fun, if not always enlightening, to match the achievements of the present against those of the past. Could Muhammed Ali beat Jack Dempsey? What would happen if Babe Ruth faced a Nolan Ryan fast ball? These and similar questions are usually the kind of thing that leads to friendly debates and nothing more.

But 2 years ago someone asked a similar, much more important question about the present versus the past. How would today's college freshmen do on a test that was given 50 years ago to the college freshmen of 1928?

The results were further evidence that today's educational establishment has failed in its job. Today's class did poorly on the tests when measured against the achievements of the class of 1928.

This certainly suggests, as one of the test-givers stated that:

We are becoming "headline learners," giving less and less attention to substance and the beauty of the language.

At this point I wish to insert in the RECORD, "1978 Freshmen Score Poorly on 1928 Exam" from the New York Times, March 18, 1980:

#### 1978 FRESHMEN SCORE POORLY ON 1928 EXAM

(By Fred M. Hechinger)

Charges that today's young people are poorly educated and counterclaims that the schools are better than ever tend to be carried on without benefit of facts. Missing from the debate is a yardstick by which to measure and compare the performance of students—then and now.

One such yardstick has just become available, and it shows that apprehensions about the decline in reading skills may be fully justified. The instrument that provides the disconcerting evidence is a test given to 865 incoming freshmen at the University of Minnesota in 1928 and again in 1978, exactly 50 years later. The comparative results, which have just been correlated, were obtained by The New York Times last week.

In the 1920's Alvin C. Eurich, now President of the Academy For Educational Development, a nonprofit organization of educational research and services, designed experiments to improve the reading abilities of freshmen. At the time, as a research assistant in educational psychology, he prepared and administered two standardized reading tests.

In the intervening years, Dr. Eurich has served as a professor and ultimately as acting president of Stanford University, a Navy Commander in charge of a testing and training program, Chancellor of the State University of New York and head of the Ford Foundation's education division.

While listening to the debate over student performance, Dr. Eurich recalled his Minnesota test experience and decided, with the university's cooperation, to administer the same tests to the 1978 freshmen. "The conditions," he said in an interview, "were especially favorable for a comparison."

Then, as now, the university had open admission for any graduate of an accredited high school. In 1928, moreover, the tests were administered not only to the 1,313 freshmen in the liberal arts college but to 4,191 high school seniors in the Minneapolis and St. Paul public schools. A spot check of the test by The New York Times indicates that the meaning of the words used on it has changed little, if any, since 1928.

In the 1978 rerun, only college freshmen, both in the more selective college of liberal arts and the new general college were tested. Today's college freshmen failed to match the performance of both the 1928 samples—college and high school.

The first of the two tests consisted of two parts: a vocabulary test in which students had to define 100 words by selecting the correct meaning from five choices, and a reading comprehension test, which asked students to select, from a series of statements, the one that correctly interpreted a paragraph. In the second, a "speed of reading" test, students were allotted six minutes to read 38 paragraphs, and were required to cross out the one extraneous or absurd phrase in each paragraph.

On the vocabulary test, the 1978 freshmen scored significantly lower (28.75 out of 100) than the 1928 freshmen (34.90). Approximately 50 percent of the 1978 freshmen scored below 26, compared with only about 40 percent of the 1928 freshmen. (The figures used are derived from the mean scores based on the number of items answered correctly by the tested groups.)

In reading comprehension, the pattern was similar. About 50 percent of the 1978 freshmen fell below a score of 12, compared with only 40 percent of the 1928 high school seniors and 30 percent of the 1928 college freshmen.

In the speed-reading test, about 54 percent of the 1928 freshmen scored 20 or below; 81 percent of the 1978 group did so. This was "a striking and highly significant statistical difference," Dr. Eurich commented.

Critics of the comparison say that no two samples separated by 50 years can be considered truly comparable, which Dr. Eurich concedes. For example, in 1928 a considerably smaller proportion of students finished high school and went on to college. Thus, the sample tested that year was more select—many low achievers had already dropped out.

Still, Dr. Eurich's findings block any defense that may try to absolve schools and society from all responsibility by blaming the declining achievements on the fact that today more not-so-bright youngsters make it all the way to college. Most striking, he said, is "the noticeable decline by 1978 in the performance of the most gifted students—the top 1 percent."

In 1978, he said, no student scored higher than 75, a drop of some 20 points from the highest score in 1928; and only one student out of 100 in 1978 scored near 60, a score obtained by five out of 100 in 1928. The top 1 percent in academic ability within the student population is fair game for a then-and-now comparison.

What does all this mean? To Dr. Eurich it means that freshmen today cannot cover as much ground in a given time as students half a century ago, or comprehend what they read as well. Textbooks tend to adjust to students' lower capacities, thus speeding the downhill slide.

Dr. Eurich cites the observation by Prof. Jeanne Chall, a noted reading specialist at Harvard University, that while educators often claim that easier books enhance students' ability to comprehend new concepts, the fact is that such texts do not challenge students sufficiently to stretch their capacity.

Indications of students' declining test scores over a shorter period of time have led to much guessing at the reasons, without many convincing conclusions. Dr. Eurich is content with raising some questions: "Can it be that we are placing less and less emphasis on the importance of reading and other more traditional modes of learning? Can it be that through our technological means of communication, we are becoming 'headline' learners, giving less and less attention to substance and the beauty of language?"

**GREENVILLE-SPARTANBURG, S.C.,  
MAKE WALL STREET JOURNAL'S WINNERS LIST**

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

OF SOUTH CAROLINA  
IN THE HOUSE OF REPRESENTATIVES  
Wednesday, March 19, 1980

Mr. CAMPBELL. Mr. Speaker, I would like to call the attention of this body to an article which appeared on the front page of the Wall Street Journal last Friday. Headlined "Those Who Rate Cities as Business Sites Like Mid-Size Sun Belt Ones," the report notes that experts pick Greenville-Spartanburg, S.C., high in the top six best bets for business location or expansion in the coming decade.

The experts, who look for strong growth potential and a high quality of life, found fertile hunting ground in the Fourth District, which I am privileged to represent. In fact, Mr. Speaker, they discovered the same rich potential which the international business community, more than 50 European companies strong in the area, has long recognized. This includes a skilled work force which believes in and practices the tenets of the work ethic, abundant academic opportunity, and a cultural environment of national and international renown.

High in this list of attributes is a business community which is creative, accommodating and aggressive. As described in the Journal article, "Long known as a domestic textile center, Greenville-Spartanburg is drawing industry from all over the world partly because of aggressive campaigns by its chambers of commerce."

Mr. Speaker, I am proud to see these accomplishments in the headlines and salute the people of the Fourth District who have established this well deserved hospitable reputation.

The excerpt from the Wall Street Journal follows:

Greenville-Spartanburg (metropolitan area pop. 560,000). How many cities can boast a foreign consulate? Spartanburg has two. Why here, in the rugged Piedmont section of northwest South Carolina? "Because it's an international town," says Jacqueline Dietrich, the French consul, who operates out of her house in Spartanburg. More than

50 European companies have offices in town.

Some 26 miles down the pike in Greenville, Michelin, the French tire company, has its U.S. headquarters. So does Dan River, the American textile giant. J. P. Stevens, the second-largest textile company in the country, employs about 8,000 people across Greenville County. Electronics firms like Digital Equipment are moving into Greenville, too.

Long known as a domestic textile center, Greenville-Spartanburg is drawing industry from all over the world partly because of aggressive campaigns by its chambers of commerce. Spartanburg solicited consuls from the French and Swiss governments, while Greenville trumpets that unions represent less than 3% of its labor force and touts South Carolina's right-to-work law. The area also benefits from a successful state-financed program that trains workers to meet the needs of any company locating in South Carolina.

**CONGRESSIONAL SALUTE TO  
THE NORTH JERSEY DISTRICT  
WATER SUPPLY COMMISSION  
UPON THE 50TH ANNIVERSARY  
OF THE DELIVERY OF WATER  
FROM WANAUKE RESERVOIR  
TO THE NORTHEASTERN  
REGION OF NEW JERSEY**

**HON. ROBERT A. ROE**

OF NEW JERSEY  
IN THE HOUSE OF REPRESENTATIVES  
Wednesday, March 19, 1980

Mr. ROE. Mr. Speaker, on Thursday, March 20, 1980, the residents of my congressional district and State of New Jersey will join together in a commemorative salute of the North Jersey District Water Supply Commission of the State of New Jersey in Wanauke, N.J., upon the celebration of the 50th anniversary of the North Jersey District Water Supply Commission's delivery of water for the first time from the reservoir at Wanauke.

Mr. Speaker, it is indeed my privilege and honor to commend to you the distinguished commissioners, officers, technicians, and staff of the North Jersey District Water Supply Commission who have earned the respect and esteem of our people for their outstanding public service and administration of this most important regional water supply facility. The current commissioners and officers are as follows:

Commissioners: Frank A. Orechio, chairman; Salvatore L. Barone; Samuel Berger; Elton Hill; and Gregory Koshok.

Officers: E. Albert Mandel, controller; George J. Minish, counsel; Dean C. Noll, executive director and chief engineer; and C. William Searle, secretary.

Mr. Speaker, we all agree that a good, clean, safe water supply is basic and essential to the health of our people. It is also apparent that the material improvement of our overall water supply and distribution systems is critically important to sustain our economic leadership and achieve our fullest industrial growth potential.

The Wanauke Reservoir is the key controlling reservoir of the northeastern region of our State. I insert at this point in our historic journal of Congress, a brief chronology and profile of the history, development, and potential of the North Jersey District Water Supply Commission's Wanauke and Ramapo cooperative water supply development projects which most eloquently sets forth the dedication and sincerity of purpose of the men and women whose exemplary professional expertise have contributed to the goals and objectives of the commission in conserving and nurturing our water resources for the benefit of our people. This profile on the noteworthy characteristics and achievements of the commission reads as follows:

**NORTH JERSEY DISTRICT WATER SUPPLY  
COMMISSION OF THE STATE OF NEW JERSEY**

**HISTORY**

Water needs of the populous areas of northeastern New Jersey have been recognized for one hundred years. One of the first studies of water supply from the various rivers in this area was made in 1879 for the City of Newark.

In 1911, the Wanauke project was proposed as a joint supply for Newark and Paterson and in 1916 the North Jersey District Water Supply Commission was granted the right to divert 50 million gallons daily for Newark, Paterson and other communities. Increasing demands for water led others to join in the development, and eventually a supply estimated at 100 million gallons daily was planned for eight municipalities.

**PARTICIPANTS AND ALLOTMENTS**

Municipality	Percent
Newark	40.50
Paterson	20.00
Kearny	12.00
Passaic	11.00
Clifton	6.75
Montclair	5.00
Bloomfield	4.00
Glen Ridge	0.75
Total	100.00

<sup>1</sup> Represented by Passaic Valley Water Commission.  
<sup>2</sup> Bloomfield transferred its allotment to Newark.

**DESCRIPTION OF WANAUKE PROJECT**

This system was created by the construction of Raymond Dam across the Wanauke River in Wanauke Borough, Passaic County, N.J. Pertinent information regarding the supply is contained in the following tabulation:

Elevation of water surface (full) above sea level.	300.3.
Elevation of water surface with flashboards.	302.25.
Capacity of reservoir (at elevation 302.25).	29,500 million gal.
Area of water surface.	2,310 acres.
Length of reservoir.	1.2 mi.
Greatest width.	6.6 mi.
Average width.	1/2 mi.
Greatest depth.	90 ft.
Average depth.	37 ft.
Length of main dam.	1,500 ft.
Type of main dam: Earth fill (with concrete core-wall to bedrock) containing.	1,000,000 yd. <sup>3</sup>
Length of seven secondary dams.	6,100 ft.
Area owned.	6,650 acres.
Length of shoreline.	30 mi.
Watershed area.	94.4 sq. mi.
Length of aqueduct.	21 mi.
Size of aqueduct.	14 mi. of twin 74-in. mains; 2 mi. of 7-ft. tunnel; 5 mi. of single 74-in. main.

<sup>1</sup>The valley in which the Wanauke water supply system is located was called by the Indians, "Wyanockie," meaning "Sassafras Place."

<sup>2</sup>Subsequent studies and droughts revealed the yield to be substantially less.

Ground broken for Raymond Dam ..... Nov. 23, 1920.  
Gates closed and filling of reservoir began... Mar. 23, 1928.  
Reservoir filled first time..... Mar. 4, 1929.  
First delivery of water through aqueduct..... Mar. 30, 1930.

#### HEADWORKS

Buildings comprising the Headworks of the Wanaque Supply are located in front of Raymond Dam. They include the following structures and facilities:

Administration Building—administrative and engineering offices, and laboratory.

Pumping Station—five 23 million gallons daily (M.G.D.) pumps and one 11 M.G.D. pump operating at 2,300 volts from a 33,000 volt substation.

Lower Gate House—auxiliary chlorinators and valves to control flow to aqueduct, aerator and pumping station.

Upper Gate House—sluice gates and screens for intake penstocks.

Control House—valves and mechanisms for regulating flow to aerator.

Garages and Machine Shop.

Storage and Maintenance Building.

Some of these structures are being altered in conjunction with new treatment facilities under construction.

The grounds are formally landscaped and the aerator pool serves the function of permitting a fountain display to discharge compensation water returned to Wanaque River.

#### AQUEDUCT

Water is delivered to the participants through two 84-inch diameter tunnels totaling over two miles and 14 miles of twin 74-inch diameter steel pipes, plus 5 miles of single 74-inch diameter steel pipe.

Connections to this aqueduct are located at Wayne, Little Falls, Montclair and Belleville.

#### RAMAPO PROJECT

Increasing needs of the area, emphasized by the drought of 1949 and 1950, convinced the participants that additional water was required.

Application for diversion rights in the Ramapo River was made to the State Water Policy and Supply Council. Permission for these rights was received in 1950.

To develop this resource, four 25 MGD pumps have been provided at a pumping station located at Pompton Lakes on the Ramapo River to deliver water through a 72" diameter steel pipeline, to the south westerly part of the Wanaque Reservoir.

The Ramapo project was completed in 1953 at a cost of \$5,000,000 and increased the yield of the Wanaque Reservoir by 25 MGD to a total of 94 MGD. This project also included a treatment facility for introduction of chlorine into the incoming Ramapo water, as well as chlorine, lime and ammonia into the outgoing water being delivered to the partner communities.

#### THE WANAQUE WATER TREATMENT PLANT

In 1966, the New Jersey Department of Health ordered the Commission to improve its water treatment facilities inasmuch as the delivered water did not meet Federal and State standards. Some of the member municipalities opposed the order and court actions lasted until 1974 when it was ruled that the plant shall be built by the Commission at Wanaque.

Work has been started on what will be, when completed, one of the most modern water treatment plants in the country. This project has a nominal capacity of 100 MGD and is capable of treating peak flows in excess of 160 MGD. The treatment facilities provide for low lift pumps, premixing, reaction basins, rapid mixing, slow mixing, coagulation and two story settling basins, chemical feed equipment for introduction of chlorine, powered carbon, alum, lime, potas-

sium permanganate and zinc phosphate, rapid sand filters, a six million gallon clear water storage reservoir, a half million gallon wash water tank, a waste wash water basin and sludge lagoons, emergency generators, instrumentation, including a computer facility, an office building and laboratory facilities. The lump sum bid price for the project is \$26,335,000 and completion is projected for September 1980.

#### NEW PROJECTS COMPLETED OR UNDER CONSTRUCTION AND FUTURE PLANNING

In the middle 1960's, New Jersey and the rest of the eastern seaboard suffered through the most severe drought on record. This drought pointed up, in a most dramatic manner, the serious water shortages existing in northeastern New Jersey.

#### Raritan Valley project

The State of New Jersey constructed the Round Valley Reservoir and Spruce Run Reservoir. The original Round Valley concept was developed by the North Jersey District Water Supply Commission in the early 1950's. When the State constructed the reservoirs, it was the intention of this Commission to buy raw water, treat it, and deliver it to the participating municipalities through miles of pipelines.

In 1972, the 70 MGD Raritan Valley project, as conceived by this Commission, was rejected by the State and municipal partners primarily because of delays which increased the cost of the project beyond reason.

#### Monksville project

In December 1973, the Commission petitioned the State for permission to develop the Monksville project which could be quickly built as a stop-gap measure.

This project envisioned additional pumping from the Ramapo River and construction of a seven billion gallon reservoir on the Wanaque River in Ringwood and West Milford. This project would develop a yield of 25 MGD. The subscribers to the project, Bayonne, Bloomfield, Cedar Grove, Elizabeth, Kearny, Newark, Nutley and Wayne, totaling 58 MGD, far exceeded the capabilities of the system. In addition, the Hackensack Water Company objected to the project claiming it was prepared to develop the Ramapo River as a source of water for its growing needs in Bergen County bordering this stream.

During the Monksville hearings, the Hackensack Water Company petitioned the State for permission to divert water from the Pompton and Passaic Rivers for its needs. It became apparent that both projects would be bogged down and the State requested that all parties, including the State, develop a compromise proposal.

#### Two Bridges Ramapo project

The Commission, the Hackensack Water Company, the partner municipalities, Passaic Valley Water Commission and the State met many times and hammered out the Two Bridges proposal.

This project envisioned increasing the size of the existing Ramapo Pumping Station as contemplated in the Monksville Report. A second station of 250 MGD capacity was to be constructed at the confluence of the Pompton and Passaic Rivers in Wayne with a single intake favoring the Pompton River. The water would be transported to the Wanaque Reservoir through an eleven mile pipeline, nine feet in diameter, laid in most part along the existing aqueduct right-of-way of this Commission.

This project would develop 79 MGD, one-half for the Commission's Two Bridges participants, and the remainder for the Hackensack Water Company. Permission to con-

struct this project was received from the State in 1979 with some modifications from the original proposal. The water would be developed for the benefit of Bayonne, Bloomfield, Cedar Grove, Kearny, Newark and the Hackensack Water Company.

This project also has the potential for further development from the Raritan Valley project, the Delaware River, and even the Hudson River since it lies at the focal point of these future projects.

Mr. Speaker, the destiny and economic future of our Nation depend in the greatest measure on an essential basic staff of life; namely, good clear water supply—in quantity and quality. For the North Jersey District Water Supply Commission's contributions to our people in providing this life-giving resource—ever seeking the highest standards of excellence in their personal commitment to help improve the quality of life in their daily endeavors, we do indeed salute the commissioner, officers, technicians, and staff of the North Jersey District Water Supply Commission of the State of New Jersey as they celebrate the 50th anniversary of the first formal opening of the Wanaque aqueduct and delivery of its water supply to the residents of the northeastern region of our State of New Jersey. ●

#### THE STATE OF IDAHO SPEAKS OUT FOR THE RIGHTS OF THE STATE OF ALASKA

#### HON. STEVEN D. SYMMS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. SYMMS. Mr. Speaker, I recently received the attached copy of the Idaho Legislature's House Joint Memorial No. 21, which indicates that the sentiments of the people of Idaho align with those of the people of Alaska in their efforts to obtain a voice in the management of the lands within their State boundaries.

When the House considered H.R. 39, which I feel is one of the greatest travesties this body has ever enacted, I noted then that the people of the West, whose land is managed by the Federal Government, are distressed with the seeming indifference paid to them and their local economies by the Congress of the United States. I believe this memorial is evidence of that unrest by the Western States, and I commend its message to the Members of this body. The memorial and its cover letter from the Idaho House of Representatives read as follows:

MARCH 7, 1980.

Representative STEVEN D. SYMMS,  
Rayburn Building,  
Washington, D.C.

DEAR STEVE: Enclosed is a copy of HJB 21, which we would hope that you would carefully consider. I am sure that the people of all the states in the West, join with Alaska in trying to get some say in the control of the public lands in their states.

The memorial is certainly self-explanatory. It was adopted by a wide majority in

both the House and Senate of the Idaho Legislature.

The people in the Public Land States feel frustrated and consequently support the Sage Brush Rebellion, and also the endeavors of the State of Alaska, because they feel something must be done.

I would hope that you would do everything in your power to help grant the people of the Public Land States what they desire.

Yours truly,

WALTER E. LITTLE,  
Majority Leader, House of  
Representatives, State of Idaho.

HOUSE JOINT MEMORIAL NO. 21 BY RESOURCES AND CONSERVATION COMMITTEE IN THE HOUSE OF REPRESENTATIVES

A joint memorial to the Honorable President of the United States, Jimmy Carter, to the honorable Senate and House of Representatives of the United States in Congress assembled, and to the honorable congressional delegation representing the State of Idaho in the Congress of the United States

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Forty-fifth Idaho Legislature, do hereby respectfully represent that:

Whereas, Section 17(d)(2) of the Alaska Native Claims Settlement Act of 1971 directed the Secretary of the Interior "to withdraw from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and from selection under the Alaska Statehood Act . . . up to, but not to exceed, 80 million acres of unreserved public lands in the State of Alaska . . . which the Secretary deems suitable for addition to or creation as units of the National Park, Forest, Wildlife Refuge, and Wild and Scenic Rivers Systems"; and

Whereas, the same 1971 Act required Congress to act upon the Secretary's recommendations within seven years; and

Whereas, both the United States House of Representatives and the United States Senate have had under consideration legislation responding to the recommendations of the Secretary entered in accordance with the mandate of the 1971 Act, but Congress has failed to agree on a single version of Alaska national interest lands legislation; and

Whereas, the President, Secretary of the Interior, and Secretary of Agriculture, acting in accordance with authority purportedly granted by the Antiquities Act (16 U.S.C. 431), the Federal Land Policy and Management Act (43 U.S.C. 1701), and other statutory bases for land withdrawals and reclassifications, have reserved or reclassified more than 110 million acres of Alaska land, compromising Statehood Act selection rights and threatening or severely restricting, if not altogether precluding, both traditional land and resource use activities and opportunities for resource development throughout much of Alaska; and

Whereas, the Legislature of the State of Idaho desires to support the earnest petition of the Legislature of the State of Alaska that the matters remaining unresolved be given the necessary Congressional review and speedy disposition. Now, therefore, be it

Resolved by the members of the Second Regular Session of the Forty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature of the State of Idaho supports and concurs with the Legislature of the State of Alaska in the following seven points:

(1) Congress should revoke each and all of the 1978 executive or administrative orders withdrawing lands in Alaska;

(2) By legislation, Congress should convey to Alaska its full entitlement of federal lands authorized by the Alaska Statehood Act, and to Alaska Natives the full entitlement of public lands authorized to Alaska Natives by the Alaska Native Allotment Act, 48 U.S.C. 357 (Act of May 17, 1906), as amended, and by the Alaska Native Claims Settlement Act, as amended;

(3) Congress should provide for a rational means of providing access to state and private lands across any federal enclaves created;

(4) State management of fish and game on all lands in Alaska should be continued;

(5) Congress should exempt highly valuable mineral deposits and other commodity resources from inclusion in federal systems which obviate development;

(6) Traditional land uses on all lands in Alaska should continue; and

(7) The President and the Secretary of the Interior should be precluded from establishing or adding to any conservation system unit within Alaska by means of any executive or administrative authority. Be it further

Resolved, That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward copies of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the honorable congressional delegation representing the State of Idaho in the Congress of the United States. ●

GREEN INTRODUCES RENTAL HOUSING ASSISTANCE ACT OF 1980

HON. S. WILLIAM GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. GREEN. Mr. Speaker, "A potential housing crisis exists today. We have seen a number of indications that the Nation faces a severe shortage of rental housing, one that will grow increasingly serious in the near future." I am not quoting housing lobbyists that are attempting to alarm, but rather I am quoting a recent letter I received from an Assistant Secretary of the Department of Housing and Urban Development.

Many factors are working together to create the problem we confront today; insufficient and unaffordable rental housing. While the exact status of the present crisis may be difficult to ascertain, it is easy to look at many indicators and sense future trouble for rental housing in the United States. Consider the following:

Rents are at record levels, but this extraordinary demand appears to be producing no response on the supply side.

Nationwide multifamily construction in 1979 will be only 500,000 units, and two-thirds of these will be built directly or indirectly by the Government. This percentage is expected to increase.

In spite of the shortage of rental units, housing abandonment continues apace, and, according to a recent report of the Coalition of Northeastern Governors, as the costs of fuel

and interest rates climb, abandonment of rental housing will increase.

One hundred and forty-five thousand rental units will be lost in 1980 as they are converted to cooperatives and condominiums, according to a "U.S. Housing Market Study" by the Advance Mortgage Corp., of Detroit.

The apartments that remain as rental units will face skyrocketing energy costs, rising maintenance expenses, and a tax code that discourages middle-income renters from remaining. New construction of rental housing faces phenomenal finance and construction costs, making it almost impossible to build affordable rental housing.

This situation is not a recent development. Almost 1 year ago today, on March 23, 1979, the former Secretary of HUD, Patricia Harris, noted to her top advisers in a memo entitled "The Crisis in Multi-Family Housing":

I am now convinced that unless the Department takes significant action in this area that this crisis will cause a serious shortage of available and affordable rental units for low, moderate, and middle income Americans.

Seven months later, last November, the Government Accounting Office warned that:

The rental housing problem is so severe that it requires the immediate attention of and action by the Congress and the Administration.

Mr. Speaker, I agree with the former HUD Secretary and the GAO, we must take action now or ignore very crucial human needs in this country. Those who rely on rental housing the most, the elderly and lower and moderate income families, will be the hardest hit by any rental housing crisis, but the ramifications of worsening conditions would spread throughout our economy.

The increased demand for limited rental housing will force middle-income families to pay even more on rent when rents are already outpacing their incomes. Businesses will encounter difficulties in hiring and transferring employees, and new industry will be reluctant to relocate in areas with inadequate rental housing. In short, rental housing is crucial to a healthy nation.

Mr. Speaker, today, with 14 of our colleagues, I am introducing the Rental Housing Assistance Act of 1980, and I urge my colleagues to join me in cosponsoring this bill. This legislation is not a new, expensive program, but rather it works with existing programs, fine tuning them to make them more effective. A summary of this bill follows my statement.

This bill will assist the often ignored middle-income family that cannot afford to buy a home—and take advantage of major tax breaks—nor can qualify for rental assistance provided by HUD because its income is too high. The Rental Housing Assistance Act will improve the ability of the Federal Government to assist in the

construction and, most importantly, the retention of rental housing.

I insert at this point a summary of the Rental Housing Assistance Act of 1980, the letter I received from the Assistant Secretary of HUD, and the memo from former Secretary of HUD, Patricia Harris, for the interest of my colleagues.

**SUMMARY OF THE RENTAL HOUSING ASSISTANCE ACT OF 1980**

**Sec. 1: Findings and purpose.**

Sec. 2: Enables nonsubsidized FHA insured buildings to participate in the GNMA Tandem program by setting GNMA ceilings equal to the FHA mortgage ceilings and allowing the Secretary to lessen the subsidy somewhat for them.

Sec. 3: Sets up a demonstration program and required HUD study to the feasibility of instituting a comprehensive replacement cost system for determining FHA mortgage ceilings that are presently set through legislative action. In the past, long delays in legislative action to adjust FHA mortgage ceilings to reflect inflation have severely curtailed the ability of the FHA to function effectively in assisting development of rental housing.

Sec. 4: Allows apartment buildings that need moderate upgrading to receive the assistance of the GNMA Tandem program by allowing GNMA to purchase section 241 insured supplemental loans. This will enable these buildings to remain sound so that they will not face abandonment or the need for deep Federal subsidies in the future. The RHAA will amend title III of the Housing Act to allow GNMA to purchase these section 241 loans, making money available to lenders for this purpose as well as lowering the interest on the loan.

Sec. 5: Amends the new Moderate Rehabilitation section 8 program to make it workable by extending the contract discretionary authority of the Secretary beyond the present statutory limitation of 15 years, which is simply not enough to amortize the costs of the rehabilitation contemplated by the program.

Sec. 6: Asks HUD to study the tax code to determine the effect that the IRC has on rental housing. It is interesting to note that the President's budget last year detailed a homeownership subsidy (through mortgage interest and property tax deductions) of \$15.9 billion, and this year's budget contains a homeowner tax subsidy of over \$23 billion, a 50 percent increase. This enormous subsidy has caused the relative costs of renting versus owning to change to the point that upper middle income renters are almost forced into ownership. This encourages the conversion of rental buildings to cooperatives and condominiums, thus shrinking the rental market. Concern has also been expressed that our tax code rewards construction of and, through rapid depreciation, neglect of rental buildings.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, OFFICE OF THE ASSISTANT SECRETARY FOR LEGISLATION AND INTERGOVERNMENTAL RELATIONS,  
Washington, D.C., January 28, 1980.

Hon. WILLIAM GREEN,  
House of Representatives,  
Washington, D.C.

DEAR MR. GREEN: I am replying to your letter of November 14, 1979, on behalf of Mr. Paul Wollman concerning conversions of rental housing.

The Department recognizes that a potential housing crisis exists today. We have seen a number of indications that the nation faces a severe shortage of rental housing, one that will grow increasingly se-

rious in the near future. National vacancy rates are at a record low. Production of rental housing lags demand significantly, and there is little reason to expect improvement in the unsubsidized market. Builders, lenders, and investors are reluctant to commit to multifamily development because of high construction and financing costs, the threat of rent control, the prospect of increasing operating costs, and the slow growth of renter incomes.

One component of the shortage is the growing trend in conversions of rental housing to condominium or co-operative ownership, a trend which can reduce the available stock of existing rental units. We are concerned with this as well as with the displacement implications of conversions. As your constituent points out, tenants whose units are being converted often face very difficult choices regarding moving or buying into the project. And, with rent levels and prices what they are today, it is sometimes the case that few options are economically feasible for displacements.

While the conversion phenomenon appears to be growing, we do not know its exact magnitude. Pursuant to Congressional directive and our own concern, we have undertaken a study to determine the extent of condominium conversions, the attendant problems involved in the conversion process, and the effects upon the rental market. This already has begun. Results should be coming in shortly and will provide a sound basis for determining what Federal action is appropriate.

As a long-term strategy, the Department believes that we must increase the overall supply of rental housing stock in order to alleviate current shortage conditions. This is receiving priority attention in the Department and the Administration.

Thank you for the opportunity to respond to Mr. Wollman's views.

Sincerely,

DURKEN CHERRY,  
Acting Assistant Secretary.

WASHINGTON, D.C.,  
March 23, 1979.

Memorandum for: Lawrence B. Simons, Assistant Secretary for Housing, FHA Commissioner.  
Subject: "The Crisis in Multi-Family Housing."

I am deeply concerned at the indications you and I have received recently that the Nation is facing a serious and growing crisis in the multi-family rental housing market. I am now convinced that unless the Department takes significant action in this area that this crisis will cause a serious shortage of available and affordable rental units for low, moderate and middle income Americans. Specifically, I am concerned about the following indicators:

The high and growing dependence of the multi-family construction market upon Federally subsidized or insured construction. In this connection, recent estimates project that more than 40 percent of the multi-family starts in 1980 will be HUD subsidized and more than 50 percent will be HUD subsidized or insured. Additionally, of the multi-family rental starts, as much as 60 percent may be HUD subsidized and more than 70 percent may be subsidized or insured.

The two-fold pressure of inflation on multi-family rental housing: increased construction and operating expenses on the one hand and the loss of middle income renters to the homeownership market because of increasing tax benefits and the expectation of appreciation on the other.

The loss of rental units through 30,000-40,000 condominium conversions annually

and the estimates that as many as 200,000 of the 550,000 multi-family construction starts predicted in 1980 will be condominiums or cooperatives.

The steady drop in rental unit vacancy rates over the past five years, producing a nationwide rate below five percent, an effective nation-wide rate of two percent to three percent, and effective rates in some cities of one percent and below.

The continued abandonment of large numbers of rental units in declining urban areas, and the shortage of rental housing in rural areas.

These indicators lead me to believe that HUD will have to take the lead to increase the supply of moderately priced rental units for working families and, in particular, for minorities who wish to leave racially impacted areas.

As we begin the Fiscal Year 1981 budget process, I would like your views on the gravity of this apparent crisis, and how the Department may best respond to it. One particular concern must be to produce the maximum housing benefit for the smallest possible cost and budget impact. In this connection, we have both noted that the high subsidy costs of the Section 8 new construction program, however successful our efforts to limit development and operating costs, place serious limits on the political willingness and financial ability to support large numbers of additional units.

You should therefore explore innovative approaches to production assistance, as well as budgetary and financial mechanisms that have the least possible fiscal impact as part of our 1981 budget package.

To expedite this process, I ask that you convene and chair an intra-departmental working group consisting of the following individuals: Assistant Secretary Embry; Assistant Secretary Shalala; William White, General Manager, New Communities; Fred Taylor, Executive Assistant, GNMA; Stephen Coyle, Executive Assistant to the Secretary/Under Secretary; Dale Riordan, Special Assistant to the Secretary/Under Secretary; Al Kliman, Director, Office of Budget; and Edward Norton, Acting General Counsel.

You should also consult with a number of outside individuals whose expertise in the field of multi-family rental housing production would be useful in your deliberations.

I ask that you provide me with the working group's preliminary report by April 15, and that your final recommendations be made to me no later than June 8, 1979.

PATRICIA ROBERTS HARRIS.●

**COMMODITY LETTER OF CREDIT PROPOSAL**

**HON. WILLIAM F. GOODLING**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. GOODLING. Mr. Speaker, I am pleased to cosponsor with my colleague, Representative WILLIAM D. FORD, the chairman of the Postsecondary Education Subcommittee, a bill to streamline the system by which agricultural commodities are made available to local schools. This legislation proposes to establish a more efficient commodity delivery mechanism while simultaneously contributing to the goal of a balanced budget.

Currently, school districts rely on U.S. Department of Agriculture (USDA) donated commodities for

about 20 percent of their food requirements, with the remaining 80 percent being purchased locally. To supply this 20 percent, USDA buys foods at market prices under its commodity price support and surplus removal programs, and then has these commodities moved to various locations within the States. In addition to the USDA purchase price and initial transportation costs, States and local school districts must pay substantial amounts for warehousing, handling, and transportation of these products. The present system of purchasing, processing, warehousing, distribution, handling, and storage of these USDA-bought foods operates largely outside the normal channels of trade. These foods move in a separate USDA food system in which there is, at best, limited competition and in which the costs are enormous.

What our legislation would do is replace the USDA national purchase and distribution of commodities with a letter of credit system to permit local school districts to buy their foods at the local level.

The savings involved can be achieved without any child now eating a school lunch being denied access to the program. These savings can be achieved without any reduction in the number of pounds of price support and surplus agricultural foods moved to these school lunch programs. These savings can be achieved simply by going from the separate expensive and inefficient USDA food system to using the existing private food system to make a share of our agricultural production available to the Nation's school lunch programs.

Use of a commodity letter of credit system will maintain the role of the Congress and USDA in determining which commodities are in need of price support and surplus removal. It will retain the right of Congress and USDA to determine the pounds of these commodities which should be moved off the market. It will retain the responsibility of the USDA to give the schools help in making them intelligent buyers. Such a system will move at least the same number of pounds, but it will do it in a more efficient and more timely fashion than the present USDA food system since the private food sector will do the job.

The commodity letter of credit system will not jeopardize, in any way, the funds which the USDA has requested and the Congress has approved for commodity assistance to the national school lunch and other programs. These same funds will still be used for commodities. They will still be used for the same price support commodities probably with roughly the same pounds and dollars as now. They will still be used for many of the same surplus removal operations. The dollars and pounds will remain about the same there, too. How many dollars and how many pounds of USDA commodities should be moved off the market to the schools will continue to

be decided by the USDA as it is now with the policy direction of Congress. Quality and price guidance on price supported and surplus commodities will also be provided by USDA.

A commodity letter of credit improves the flexibility that schools and other agencies have. Under a commodity letter of credit system, the local school lunch programs will be buying 100 percent of their food needs at competitive bid prices from local vendors rather than the present 80 percent. What the school lunch programs had been getting in USDA-bought foods through the expensive and inefficient USDA food system will be replaced by the same commodities bought from local vendors in the same pounds and in the same quality and for the same or less dollars. There would be one extremely important difference—the local school lunch programs could use their allotment of commodities to buy the specified commodities in a form which they can readily use in their programs. They would no longer have the USDA in Washington deciding in what form they should receive their commodities. USDA would, however, indicate the quality specifications and provide price guidance. USDA could also issue a commodity letter of credit for a specific product.

Congress over the past few years has steadily provided alternatives to the Federal commodity programs. Food stamps replaced the family commodity distribution program. In the Nation's Elderly Feeding program, local agencies were given the option of receiving cash instead of commodities and are doing so in large numbers. The same holds true for child care programs.

I agree with the bipartisan stand taken by the Committee on Education and Labor against the administration's proposal to cut the child nutrition programs by millions of dollars. For example, the administration's proposal to cut the school lunch program would jeopardize the viability of many school lunch programs which are currently operating on a thin line of survival. Yet given the deep economic troubles facing our Nation, we have a responsibility to seek alternative means to reduce the budget. I feel that the commodity letter of credit proposal offers such an alternative without jeopardizing any school food service program and without cutting off any child's ability to receive a nutritious school meal. I am urging consideration of this commodity letter of credit proposal, because I think it will improve the existing programs. I hope that all of the parties involved will come forward in a spirit of cooperation and will offer constructive suggestions to help make this legislation a true improvement over the cumbersome and inefficient delivery system currently in use.

In the current climate of fiscal austerity, if we cannot use our talents to devise improvements and weed out inefficiencies, many great programs will be jeopardized. We have a responsibility to the children of this Nation to

preserve the school food programs. We also have a responsibility to the Nation to provide for efficient, cost-effective programs. I believe this proposed legislation allows us to achieve both goals. ●

#### ARE THEY EVER GOING TO LEARN?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. ASHBROOK. Mr. Speaker, I once again have to inform my colleagues that the born again anticommunism of Mr. Carter that was so proudly displayed only 2 short months ago has to be called into question. It seems that the administration wants to reward the growth of the Soviet auto industry by allowing the U.S.S.R. to sell cars in America. I am sure the news of thousands of Soviet-built cars flowing into America will bring great cheer to all of those autoworkers who are on layoff because of Japanese and German imports.

The wonder car of communism is called the Lada. It is a 76-horsepower subcompact with a Fiat body. The car will sell for \$4,500 or under the price of most American models. American buyers will be able to buy this vehicle thanks to the Satra Corp., an East-West trading firm.

Will the car meet Environmental Protection Agency standards? You bet. Thanks to the Carter administration the EPA has been helping Soviet technicians for 3 years to make sure the Lada was fuel efficient and met environmental guidelines. EPA labs tested the car and has sent the data to eager Soviets at the factories in the U.S.S.R. So that the car can have any last minute adjustments, Mr. Carter's home State of Georgia has a plant in Savannah that the Ladas will be shipped to and then dispersed to dealers around the country.

Mr. Speaker, will they ever learn? Is it not bad enough that we shipped the Soviets the technology to build better trucks, tanks, and missiles? Must we now provide an open market for the products of slave labor and stolen American technology? While the President's home State will benefit from the Communist import at that factory in Savannah what about the millions of autoworkers in Michigan, California, Ohio, and other States that do not have the privilege of living in Georgia? There has been all of this talk about getting tough against the Soviets and of protecting American firms from foreign competition. A lot of the talk came from the White House. I guess it only applies when and where Jimmy, or one of his friends, wants it to apply. I enter into the Record a recent article on this latest embarrassment:

FROM RUSSIA WITH WHEELS  
(By Martha M. Hamilton)

A New York trading company that specializes in Soviet-American trade plans to introduce a non-frills Russian-built economy car for sale in the United States, possibly in early 1981.

The chairman of Satra Corp. said in an interview this week that he believes the company is within six months of complying with Environmental Protection Agency and safety regulations that must be met before the car can be imported.

The car in question is the Lada, a 76-horse-power subcompact car with a body design similar to the Fiat but an engine and suspension system of Soviet design. The Lada is already being imported by Satra to England and West Germany.

With sales still at least a year off, the company does not quote an exact price but said the car will sell for "in excess of \$4,500"—a price that puts it in the range of other small imported economy cars.

Satra expects to import 5,000 cars initially, building up to imports of 50,000 to 60,000 within five years, said chairman Ara Oztemel. Imports at that level would give the Lada approximately .05 percent on the American car market.

The cars will be imported through Savannah, Ga., where Satra plans to build a plant to put finishing touches on the cars for sale in the U.S. market. "Eventually we must have an import center in the New York-New Jersey area as well," said Oztemel.

Oztemel said Satra has not completed arrangements with distributors yet but that a large number have expressed an interest in selling the car, including "some of the major U.S. auto makers."

The car is produced in a Soviet factory built in conjunction with Fiat, whose body design the car follows. What distinguishes the car, according to Satra officials, is its suspension system—"designed to meet the Soviet Union's rugged road conditions"—and its uncomplicated engineering.

"It's bought by people interested in a reliable, uncomplicated and economical-to-serve car," said Oztemel.

Oztemel said that Satra has been working with U.S. agencies for approximately three years on meeting the requirements that will make the Lada eligible for import.

"We've done a lot of work with EPA. We've done a lot of work in our emission control lab in New Jersey," said Oztemel. "As the tests are performed, the results are taken to the Soviet Union and implemented in the factory."

Satra, a publicly traded company which is about 70 percent owned by Oztemel, was founded in the early 1950s. Initially the company was principally involved in importing chrome ore and other ores and metals to the United States.

"The subject of chrome was what took me to the Soviet Union," said Oztemel. An Armenian whose family lived in Turkey, Oztemel came to the United States to attend the Massachusetts Institute of Technology and went into business here while he was in school.

Oztemel began trade with the Soviet Union in a time when it was almost nonexistent. With an office in Moscow that employs approximately 26 workers, Satra is one of some dozen U.S. companies accredited to do business in the Soviet Union. The company's volume in 1979 was approximately \$312 million.

The company has three major divisions, including its auto division. Another division runs three plants that produce ferroalloys, a product used in the production of stainless steel and items that are heat and corrosive resistant. The plants—in Steubenville, Ohio;

Charleston, S.C., and Vargon, Sweden—consume large quantities of the chrome Satra exports from the Soviet Union and elsewhere.

Satra also has a trading division, which handles the trade in metals and ores and imports other items to the Soviet Union, including synthetic rubber and medical supplies.

During the early 1970s, Satra Consulting Co., also represented some 50 American blue chip companies in their dealings with the Soviet Union.

Through its trading division, Satra has also been involved in selling U.S. movies to the Soviet Union and bringing Soviet films here, including a massive production of "War and Peace." Satra also imports Russian icons and antiques and sells them through Parke-Bernet.

The company also negotiated for the broadcast rights to the 1980 Olympics, rights which ultimately went to NBC. However, Satra retained videotape and other rights to the games, said Oztemel.

The chill in Soviet-American relations has not seriously hurt Satra's business, although the company suffered some when dockworkers refused to unload ships coming from the Soviet Union, Oztemel said.

But he predicted that the long-term results of partial trade embargoes may injure American interests in the long run. "I sensed frustration and some surprise during a recent visit to Moscow," he said.

"In terms of trade, I felt some very serious damage has been done," he said. "I think it will be a long time before the Soviets will consider buying for the long-term—or buying products that need spare and replacement parts—from the United States, because trade can be interrupted," Oztemel said.

For instance, computers purchased from American firms are now idle because the Soviets cannot get parts, he said. ●

TRIBUTE TO CONGRESSMAN  
TIM LEE CARTER

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. MYERS of Indiana. Mr. Speaker, the Lincoln Club of Kentucky recently honored Congressman TIM LEE CARTER for the 15 years of service he has rendered the people of the Fifth Congressional District and of the State itself.

Our colleague from Kentucky, of course, has announced he will retire at the end of this Congress.

At the Lincoln Club dinner in Louisville, Ky., on March 7, Congressman M. G. "GENE" SNYDER had the honor of introducing Congressman CARTER as the main speaker for the evening.

I include for the RECORD a copy of Congressman SNYDER's remarks in tribute to Congressman CARTER:

I hate to say anything too nice about Tim Lee just yet. I'm still trying to convince him that he should get his name on the ballot before the second of April deadline.

Of course, if he does insist on hanging up his congressional hat and going back to Tompkinsville, we will miss him in Washington. I think that goes without saying. And it won't be just those of us on the minority side of the aisle who miss him.

You know, when Tim Lee starts off a floor statement, he almost always starts off by addressing the Members of the Chamber as "Dear Friends"—and most—if not all—of them really are his friends. And I know for a fact that most of us—on both sides of the aisle—have learned to depend on his advice—whether it be advice on how to take care of a nagging head cold or advice on a major piece of legislation.

When you have a man with such a range of interests and experience—a man who has coached basketball. Who has instructed soldiers on the care and feeding of an M-1 carbine. Who won a Bronze Star and a Combat Medical Badge in war and who ferried across flood swollen rivers to deliver babies in peace. A man who watches birds in his spare time and raises Black Angus cattle on the Cumberland, you have a man whose presence will have to be missed in Congress.

There simply aren't many people around with that wealth of experience.

And his legislative experience and knowledge will be missed too. In his fifteen years—going on sixteen now—in the House of Representatives, Congress has not enacted a single piece of health legislation which did not bear the imprint of his compassion and common sense.

And I am not talking through my hat when I say that—because I'm not the first to say it. It was said on the floor of the House of Representatives during a heated debate, and it was said by the primary defender of a piece of legislation which Doctor Carter was methodically cutting to ribbons at that very moment—the hospital cost containment bill which we managed to defeat last year largely because of Dr. Carter's common sense assault on the whole concept—the basic premise that HEW could do a better job of containing health costs than the hospitals themselves.

And I can tell you from experience—that when you can take time out during the middle of an argument with somebody on the floor of the House, who is trying to defeat a measure you have put two or three years of work into, and you tell that man how much you respect him—that fellow must be worth respecting.

Of course, as a Republican in a legislative battleground where Republicans are badly outnumbered, Tim Lee had to serve as the spoiler for quite a few pieces of bad legislation, like the cost containment bill and he did it well. But to his credit as a minority Congressman, he also has been very successful at initiating and moving legislation. I know he is particularly proud—as he should be—of his contributions to preventive health and health planning laws, and especially to the Child Health Assurance Act passed by Congress this year, in which he played such a pivotal role.

So Congress will definitely miss Tim Lee Carter—and I will definitely be sorry to see him go.

But on the other hand, I am happy that he is going out in style—going out the way he came in—a winner. So many of our colleagues who leave office these days, leave dejected, rejected, or indicted. Not Tim Lee. He will leave the puzzle palace on the Potomac with his integrity intact, his grip still firm. With his constituents behind him enough to give him an 80 percent of confidence, and he will leave secure in the knowledge that he has contributed to the future health and well being of every American.

He has turned in a record that he should be proud of—the constituents of the Fifth Congressional District should be proud of—and which all of us as Kentuckians can be proud of. ●



## OZETAR GASKINS

## HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. CLAY. Mr. Speaker, the daily press is filled with accounts about the world's so-called movers and shakers. Our society is decidedly geared toward celebrating the accomplished who promise to inscribe their names in the chronicles of history. The movers and the shakers manage to capture our attention whether they ignite the forces of good or evil. And in this narrow view, we tend to become so engrossed in the contest to be counted among the movers and the shakers, that sometimes we forget to acknowledge the real contributions of our unsung heroes who manage to move the world without ever shaking it.

However, on March 3, 1980, the Washington Post singled out one of our unsung heroes, Mr. Ozetar Gaskins of Washington, D.C. Mr. Gaskins is an ordinary man performing an ordinary job exceptionally well. This in itself is good reason to pay him tribute. But, Mr. Gaskins is also a happy man who is proud of his achievement and this is an accomplishment which is not so ordinary. In our fast-paced world of ever-rising expectations, it seems more and more difficult to realize this kind of personal satisfaction.

Mr. Gaskins is a man who has achieved dignity, integrity, and self-respect in a world where such personal resources are becoming ever scarcer. Mr. Gaskins is a mover, but not a shaker. And for this reason we seldom have the opportunity to read his story. I commend it to all of my colleagues in the U.S. Congress.

A SPECIAL MOMENT FOR AN EVERYDAY MAN  
(By Dorothy Gilliam)

When the alarm awoke him at 5 a.m., he was deep in a dream of shiny floors. Thick fingers brushed through his mutton-chops as he ambled from the little bedroom, threw the several locks on the apartment door and reached for a copy of "Spotlight," a little paper that circulates in his Southeast Washington neighborhood. He is washing off when he remembers this is not an ordinary day.

Most of the time, Ozetar Gaskins, janitor, is noticed only when he is absent. For when he's not there, butt-laden ashtrays and wastebaskets with mountains of trash are there. But today is different.

"Snap" Gaskins, as he's called, is one of the tens of thousands of office cleaners in this paper city. He may be in the minority, but he finds purpose and satisfaction in the sweat of his brow. And if the texture of his life is polyester, not silk, he still laughs, loves a woman, pats a full belly and feels a sense of fulfillment.

There is no simple way to judge a man like Gaskins, even on a day when he will be lifted momentarily from invisibility. For while our society pays lip service to the worth of working with one's hands, it pays homage to working with one's mind. Many people feel it is uncreative and boring to labor. How many workers, they may ask, have left an imprint on the sands of time? Workers often feel put down and they know

they're often not seen, not remembered for their work. So while their story largely is of limited opportunity, disaffection may be largely in the eyes of the viewer.

Before he leaves for work, Gaskins gets the trash ready to take out, has a cup of coffee and pulls on washable work pants and sneakers. His wife, a clerk at Real Cleaners, is asleep. By 6:15, he is on his way to catch the bus to get to the Superior Court Building at Third Street and Indiana Avenue NW.

On this evening, Gaskins' employer, United Services Inc., which contracts with the D.C. Superior Court for cleaning services, will honor him and 80 others for outstanding work. Mrs. Gaskins will be absent tonight. She is taking their son, Michael, 4, on a visit to North Carolina.

At 7 a.m. Gaskins punches the clock in the basement. He makes his morning checks for trash outside, and inside, checks the judges' chambers, then grabs his big No. 42 red dustmop to begin the first of endless back-and-forths across the floors. His age is only 33.

"It's rather exciting because you have all these people from the courts in the lobbies. I have to ask some of them to move to keep dusting. Sometimes they don't want to move. I get 'em eating lunch. My job is to rush over and get things up."

Gaskins gets a little nervous thinking about the award tonight, the applause and all. But he's proud of his work. Yet at times, people have thrown lighted cigarettes in front of his mop, apparently just out of meanness.

"It's when people in the big suits do it that I resent it most. I figure a man wear a suit like that he wouldn't do a thing like that at home. That's not giving me any respect at all."

By 8:30 a.m., the courthouse is ablaze with people. Sunlight pours in through a front window. Gaskins picks his way around the buzzing secretaries, lawyers and witnesses. He uses a smaller mop now—the No. 42 is too big.

"I'm actually very comfortable with what I'm doing," he says, tooling along. "If I was a supervisor there would be a lot of things you have to ask people to do. Right now, I'm not ready."

"I never got to finish high school—stopped at junior high. But my father died and there were six of us and we didn't have proper clothing. That's the main reason I went looking for a job. My mother didn't want me to do it but when the money started coming in she stopped complaining. I told her I would go back. Later I went to work in New York City. I worked with the port authority and then I learned service work with a company called Perfect Building Maintenance. It's just honest hard work. I'm proud of helping my sisters finish school.

"When I was a boy [growing up in the Shaw area], each holiday my mother loved to have the floors cleaned. Sometimes I took two days—scrubbing, shellacking, shining. Everybody in the neighborhood wanted to know how I did it. I learned to strip and buff, I really enjoyed it."

At lunch, the crew laughs and talks about the Bullets. "I'm so proud of him," says a woman. Gaskins literally beams.

In the afternoon, he cleans the lobby ashtrays. "My big boss always recognizes me," he says. "They have certain people who clean judges' chambers. . . . They always say you did a nice job."

There is an emergency around 3 p.m. A fire in a trash can is smoldering in an office. Gaskins handles it deftly. Then he takes the escalator to the basement, to the janitorial headquarters.

"I used to work at the telephone company. People there were nice," he continues. "They'd clean behind themselves so they wouldn't make so much work for me. . . ."

"Did you learn any secrets when you walked into executive offices?" he is asked. "Not many, not many." His silence seems a code of honor.

Gaskins earns \$540 monthly, just enough to get by. Television is his culture; the Kennedy Center is as distant as Spain. He has neither transportation nor family doctor; no house and no hope of one.

At 6 p.m., Gaskins is hailing a cab to go from his home on 15th Street SE in Washington to the Gramercy Inn on Rhode Island Avenue. He's wearing slacks and sport shirt, V-neck sweater and cream-colored jacket. He picks up a coworker. It is quiet in the hotel hall as the dignitaries gather. There is Jerry Davis, president of the minority-owned Unified Janitorial Services firm, and Courtland Cox, the city's minority business opportunities director, representing the mayor.

"Each one doing a good job creates a building block toward the growth of this minority firm," somebody says. Unified has grown from a staff of one to 500 since 1971.

Gaskins savors the prime rib, sips the red wine. When it is his time to step onstage, he's jittery. Then he calms down. He wants to say how much he appreciates the people he works with. But nobody else speaks, so he doesn't either.

As he steps down, he can't resist a hard look at the terrazzo dining-room floors. He frowns slightly, too polite to say what he's thinking as the limelight snaps off him, ending his big day in a flash. He's thinking that the prime rib was fit for an executive, but he could have done better on the floors. ●

## TRADE SHOWS

## HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. PHILLIP BURTON. Mr. Speaker, I am pleased to share with my colleagues an article describing the trade shows which resulted from the United States-China Trade Exhibitions Agreement last year. The Chinese show will open in San Francisco in September and will later travel to Chicago and New York. The U.S. exhibition will open in Peking in November.

The article follows:

[From the Christian Science Monitor, Mar. 12, 1980]

CHINA AND UNITED STATES SCHEDULE  
EXCHANGE OF TRADE SHOWS

(By Thomas Watterson)

In the Chinese calendar, this is the Year of the Monkey. But for those doing business with China, it could be called the "Year of the Trade Show."

China and the United States will be trading trade shows this fall, with a display of American industry in Peking in November and a show of Chinese industry, culture, and arts traveling to three US cities from September to December.

Although the trade shows are part of a joint US-China agreement, they will be as different as the countries they represent.

In addition to examples of Chinese industry, the show in the US will feature displays of Chinese cooking where chefs from Peking will show people what Chinese cooking is really like (chop suey is not Chinese), and

demonstrations of Chinese arts and crafts where people can buy the results.

For those interested in Chinese art, the first showing of contemporary Chinese artists will be on display where they can be compared with some examples of older Chinese art forms. Chinese craftsmen will be on hand to carve jade and bamboo and complete highly complicated versions of paper cutouts. There will even be some Chinese acrobats.

In China, however, the US show will be almost entirely industrial, with emphasis on farm, transportation, petroleum, textile, and power generation equipment. The Peking show will feature some of the biggest representatives of American industry, including Boeing, Lockheed, International Harvester, General Motors, and John Deere.

The reciprocal shows are the result of the Sino-US Trade Exhibitions Agreement, signed last May by then-Secretary of Commerce Juanita Kreps and Li Qiang, China's minister of foreign trade.

The exhibit in Peking, running from Nov. 17 to 28, is the first exclusive US industrial show in the People's Republic of China, a Commerce Department official said.

All the Chinese at that show, says Brian Reardon, manager of sales to socialist countries for International Harvester, will be invited and they will have a reason for being there—they will be customers, or potential customers, at least. They may be officials of communes responsible for selecting farm equipment, or local, district, or national government officials who might be ordering equipment. The "man on the street" will have to stay on the street.

The US shows, by contrast, while limited to industry representatives from 10 a.m. to noon, will be open to the general public from noon to 9 p.m. Adults can get in for \$4; tickets for children are \$2.

"This is the first time China has had a major trade fair in the United States," said Arne de Keijzer, an official of the China Exhibition Corporation, manager of the US shows.

The Chinese exhibit, officially called the Exhibition of the People's Republic of China, will be held at Fort Mason in San Francisco from Sept. 13 to 28, at Navy Pier in Chicago from Oct. 25 to Nov. 9, and at the New York City Coliseum from Dec. 6 to 21. The US National Exhibition will be held in Peking from Nov. 17 to 28.

For the American companies who bring their products to Peking, the results could be well worth the trip.

"We expect to gain an increased awareness and a higher level of recognition on the part of officials of the People's Republic," Stephen Newhouse, a spokesman for Caterpillar Tractor Company, said. The company expects to see people who are mainly interested in buying or at least learning more about the firm and "not a lot of people just kicking tires," Mr. Newhouse said.

More than a quarter million visitors are expected at the Peking show, he added.

While these exhibits are one-shot affairs for now, officials from the agencies and industries involved hope they can be continued somehow and made into a regular exchange of trade shows. ●

#### CONTROLLING GOVERNMENT SPENDING

**HON. LEE H. HAMILTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. HAMILTON. Mr. Speaker, I insert my Washington report for

Wednesday, March 19, 1980, into the CONGRESSIONAL RECORD:

Six recent visitors to my office urged me to support outlays for specific federal programs, and each one made a compelling case for the expenditure. As each visitor left, I asked whether he favored a balanced budget. Without exception, each one answered "yes".

Everyone agrees that one way to slow inflation is to get serious about reducing government spending. In past weeks Congress has been in a budget-cutting mood. The change is not so much in rhetoric. Lip service to spending restraint has always been strong. The genuine change is in the willingness to grapple with individual items in the budget.

No one thinks that spending reductions will be made easily. To control spending Congress will have to "apply the brakes" over a period of years. Many expenditures to be made this fiscal year—about 72 percent, to be exact—result from decisions reached in earlier Congresses. In recent years an increasing share of outlays has escaped the annual congressional process of appropriation. A step Congress must take to rein in spending is to enlarge the portion of the budget subject to direct congressional control. Congress will have to trim spending for some immensely popular programs as well. The major spending increases projected for 1981 support national defense and transfer payments to individuals (social security, retirement, medicare, etc.). Both areas have strong proponents, and cuts will be stoutly resisted.

Government spending can be reduced in several ways. Deficiencies in management can be corrected by ending duplication, abuse, and waste in welfare and other programs. The budget can be "targeted" better by providing benefits only to the most needy in scholarship, nutrition, and other programs. More responsibility can be shifted to state and local governments, the authorities best equipped to handle initiatives like support of the National Guard or support of mass transit. More demands can be diverted to the private sector in the form of user charges or the elimination of subsidies to such agencies as the Postal Service. Other measures can also be pursued. Many transfer payments have been indexed to rise with inflation as calculated by the Consumer Price Index (CPI). Since the CPI apparently overstates the inflation rate by several percentage points a year, beneficiaries are overcompensated. Therefore, a more accurate CPI would reduce this spending.

The main attention of Congress is focussed on the budget for fiscal year 1981, which begins October 1. The 1981 budget was presented to Congress six weeks ago with a deficit of \$15.8 billion. One of the primary goals of Congress is to bring the budget into balance. I believe that Congress should commence its budget-cutting work by subtracting at least \$20 billion from the \$616 billion that President Carter has proposed to spend next year. A cut of such proportions, however, may be impossible to carry out if national defense and transfer payments are exempted. In my opinion, spending reductions are also needed in this year's budget, which at present is showing a deficit of about \$40 billion. It will be hard to trim the 1980 budget because the fiscal year is almost half gone and the momentum to spend is strong.

Some economists doubt that balancing the budget will have a significant effect on inflation. They do not share the widely held ideas that deficits are inflationary in all circumstances and that a cure for deficits will also be a cure for inflation. They think that a balanced budget will cool the economy

and increase unemployment while it reduces the inflation rate by a negligible one-tenth to three-tenths of one percent. The counterargument, which I subscribe to, is that a balanced budget symbolizes not only the government's ability to control inflation, but also the economy's general health. If people think that the government is displaying the discipline necessary to balance the budget, then they will come to expect that inflation will slow. In this view, a balanced budget would have a mysterious but important role to play in restoring confidence and dampening the expectation that prices will rise.

Many proposals to reduce spending will antagonize substantial blocs of voters. As Congress gets serious about budget cuts, the supporters of endangered programs will counterattack. The real question is whether Congress, despite its new spirit of frugality, will blink when it comes time to vote on actual budget reductions.

I think that the people want to see evidence of a strong determination to fight inflation. There can be no better evidence than reduced spending and a balanced budget. The drive to balance the budget will encounter formidable obstacles. New programs will have to be postponed; old ones will have to be contained. Even the defense budget will have to be re-examined; after all, the strength of the economy is a factor in our national security, too. Tax cuts will have to be deferred; the burden of spending reduction will have to be borne by all.

Success or failure in controlling spending will determine not only the fate of political candidates this fall, but also the economic future of the nation. ●

#### THE LEGAL ROOF CAVES IN ON THE FTC

**HON. JOHN M. ASHBROOK**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. ASHBROOK. Mr. Speaker, next week the House may consider an emergency funding resolution to prolong the life of the Federal Trade Commission. At that time there will probably be impassioned speeches on how this agency must be allowed to continue and that the much heralded sunset efforts by Congress cannot be used through simply stopping the flow of funds to this renegade bureaucracy. For those of my colleagues who want to vote for funding of the FTC, I want to call their attention to four recent court rulings concerning this agency. In all four cases Federal courts ruled that the FTC was violating legal practices, congressional mandates, or the U.S. Constitution. In my opinion any agency that insists on continually proving its arrogance and contempt for the very underpinnings of the United States and the Federal Government does not deserve another dime of taxpayer support. The Congress has the power to put an end to the FTC and to start with a clean slate in addressing the need for protecting consumers in the marketplace. I think my colleagues should consider this course of action. The controversy over the FTC has dragged on for several years. It may be better to release this Chamber and the Nation from the excess

baggage of this disruptive agency and bring fresh.

The four court cases started on December 12, 1979, with a case before the U.S. Court of Appeals for the Second Circuit. The FTC had attempted to regulate the "Proprietary Vocational and Home Study Schools" in the country by formulating rules designed to establish "requirements prescribed for the purpose of preventing" unfair practices. The vocational schools took the FTC to court. The appeals court upheld the lower court in calling the FTC rules unlawful and totally inadequate in the face of current law.

The court stated:

Petitioners contend, and we agree, that in order to comply with section 57a(a)(1)(B) the Commission must define with specificity in the Rule those acts or practices which are unfair or deceptive and may include requirements for preventing them. Petitioners contend further, and again we agree, that the challenged Rule does not comply with these statutory provisions. Instead of defining with specificity those acts or practices which it found to be unfair or deceptive, the Commission contented itself with treating violations of its "requirements prescribed for the purpose of preventing" unfair practices as themselves the unfair practices. We think that Congress expected more than this.

Requirements designed to prevent unfair practices are predicated upon the existence of unfair practices. These unfair practices, which are the statutorily required underpinning for the Commission's "requirements", should have been defined with specificity.

Such shoddy workmanship on the part of the FTC translate into increased costs and uncertainty for the industry they are regulating. Not only should the Congress expect better work than this, the taxpayers and consumers should.

On February 6, 1980 the U.S. Court of Appeals for the District of Columbia ruled against the FTC in a case related to the regulation of the advertising practices of optometrists and ophthalmologists. The FTC stated that nonadvertising of fees was imposing additional costs on the consumer. The FTC discussed a vague concept of consumer search costs and how anything short of full disclosure would somehow increase these costs. The court threw out the rule because the FTC, in effect, had stood the Constitution on its head. Instead of allowing the States and private associations to regulate professions the FTC, by its own rule, had set itself up as the arbiter of States' and professional rights, a clear violation of the Constitution.

On January 9, 1980 the Fifth Circuit Court of Appeals threw out an FTC attempt to subpoena the financial records of Glenn Turner, the head of "Dare to be Great," before the agency was to decide on civil damages. The court ruled that such a subpoena "constituted impermissible pretrial discovery and exceeded the scope of the FTC's investigative authority." The court went on to say, "The FTC errs, however, in failing to distinguish investigations seeking information concerning wrongs done consumers from

investigations into the practicality of pursuing a remedy for those wrongs." In effect, the FTC violated both congressional intent and the rules of legal procedure.

On February 26, 1980 an appeals court ruled against the FTC in its attempt to issue a complaint against Standard Oil Co. of California. The FTC argued that its actions were not reviewable by Federal courts until after it had taken some action against a company. Standard Oil, acting out of the frustration many businesses have over the arbitrary fishing expeditions of the FTC, argued that judicial review should come as soon as the FTC begins its activities, thereby saving the company, and inevitably the consumer, millions of dollars in legal fees and years of uncertainty. The court ruled that the capriciousness of the FTC warranted judicial review early in the investigative process. The court stated that the FTC did not have any basis for its investigation against Standard Oil, but was only reacting to pressure to "do something about oil companies."

Mr. Speaker, even the Federal courts are beginning to realize that the FTC represents a public menace. I think it is about time the Congress also realizes that by funding this group of zealots we are only providing more opportunities for them to make nuisances of themselves. The protection of the consumer and of the merchant is too important a responsibility to allow such an irresponsible bureaucracy to exist with jurisdiction over the matter. We as a Congress have the opportunity to act, once and for all, against the abuse of power by the FTC. We should follow the mandate handed us by the outraged businesses and the voters, and the new warnings given us by the courts, to end FTC funding and start anew. ●

#### RESTORING TRUST IN FOREIGN POLICY

HON. BARBER B. CONABLE, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. CONABLE. Mr. Speaker, our former colleague, Ambassador George Bush, recently addressed the Chicago Council on Foreign Relations on the evident collapse of the Carter administration's diplomatic efforts to secure the release of our Embassy hostages in Tehran through the efforts of the United Nations.

Ambassador Bush was critical of the administration's diplomacy of symbolism and proposed a firm, but moderate series of actions that would avoid the extreme, unrealistic alternatives being offered by others. For these reasons, I commend Ambassador Bush's speech to all who share our common concern about the fate of our hostages and I am pleased to include his remarks in the RECORD:

ADDRESS OF AMBASSADOR GEORGE BUSH  
BEFORE THE CHICAGO COUNCIL ON FOREIGN  
RELATIONS, FRIDAY, MARCH 14, 1980

I welcome the opportunity to appear before this distinguished forum to discuss my views regarding the role of the United States as leader of the free World during the decade of the eighties.

Under your organization's lecture format, I look forward to your questions regarding the state of American foreign policy today and the future shape of our country's relations with the world under a Bush administration.

However, for the theme of my remarks today, I think it appropriate, as a candidate for president, to comment on the foreign policy issue uppermost in the minds of most Americans—the events of this past week and the apparent collapse of the Carter administration's diplomatic efforts to bring about the release of 50 embassy hostages in Tehran through the offices of the United Nations.

A little less than two weeks ago I said in a speech in Boston that after four months of restraint in public criticism on the subject, the time was soon approaching when the President and his Secretary of State would be called upon to answer outstanding questions regarding the hostage crisis in Iran.

With the developments of this past week, I believe that time has now arrived.

It is true that the President and his Secretary of State alone have all the information available to make the necessary decisions in any foreign policy crisis. But as we learned during the Vietnam War, it is also true that in a free society no administration can expect—nor should it receive—unqualified, unquestioning support, over an indeterminate period of time, regarding foreign policy issues that concern the national interest as well as American lives.

For months now the Carter Administration has given conflicting signals to the American people regarding its policy and the progress being made to bring about the release of our 50 hostages in Tehran. After an initial period of what can best be described as a policy of bluff, bluster and political symbolism, the President and his Secretary of State relinquished American diplomatic initiative in dealing with the hostage crisis to the United Nations.

So it was that the White House and State Department, after initially calling for an embargo on Iranian products, backed away from that proposal. The public was told that with diplomatic progress being made by the U.N. to effect the freeing of the hostages, we did not wish to antagonize the Iranians or risk upsetting delicate negotiations taking place between U.N. Secretary Waldheim and the newly-elected government in Teheran.

As recently as ten days ago, news reports coming out of the White House and State Department offered the hopeful prospect that the administration's policy of doing nothing to upset the Ayatollah was about to pay dividends. The public was even given a scenario of how the hostages would be released in stages.

First, they would be turned over to the Iranian Revolutionary Council; then they would be flown to Algeria; finally, after a propaganda show to appease the Iranian militants, they would be released, to return home.

With this prospect in mind, a great deal of fanfare was given the selection of a U.N. panel to act as the intermediary in negotiating the hostages' release. A euphoria settled across the country, as newspapers and evening television news reported on the departure of the U.N. panel, its arrival in Teh-

ran, and the strong, almost certain possibility that a solution to the crisis was at hand.

Nor did the Carter administration do anything to discourage that euphoria. Indeed, by their daily actions and statements, the President and his foreign policy spokesmen gave powerful encouragement to the idea that within days, weeks at the most, America's hostages would be on their way home.

The shattering of those hopes, as well as the collapse of the Carter administration's policy of relying on the United Nations to resolve this crisis, became bitterly apparent this past week.

In the end, the White House strategy of surrendering our own initiative to the UN to free the Hostages proved as meaningless in terms of the harsh reality of the situation in Teheran as the President's symbolic refusal to turn on the National Christmas tree lights last December.

But now it is March and we are apparently no closer to effecting a release of the hostages today than we were on the day they were seized. The Carter administration's reliance on symbols and catchphrases as a substitute for policy has proven as ineffective in dealing with the Hostage crisis as it was earlier shown to be in dealing with Soviet Aggression in Afghanistan—and for much the same reason—President Carter's failure to see the world as it is rather than the world as he would wish it to be.

The President now says that the Bani-Sadr regime misled him, his diplomatic representatives and those of the United Nations during recent weeks. This is becoming a familiar refrain from the Carter White House. Jimmy Carter, it seems, has an infinite capacity to be misled in the area of America's Foreign Policy.

He had been misled by the leaders of the Soviet Union—or so he himself admitted following the Soviet invasion of Afghanistan. Incredible as it might seem a President of the United States, at this juncture in twentieth century history, was seen on television, publicly stating that he had learned more about the true intentions of Soviet leadership in the ten days following the Russians' aggression against Afghanistan than he had ever before known.

Now President Carter is taking lessons—and expensive lessons they are—regarding the true nature of Iran's leadership.

It is difficult, however, to understand why such lessons should be needed. Indeed, as columnist George Will has said, the Ayatollah Khomeini has many shortcomings, but lack of clarity isn't one of them.

From the outset of this crisis, the outrage of the storming of our embassy in Teheran in early November, it has been abundantly clear that we are dealing with a Government—if that is what the current regime in Iran can aptly be called—which operates beyond the bounds of international law.

Other than President Carter's wishful thinking, there has never been any real basis to believe that normal diplomatic initiatives could ever be effective in dealing with such a regime.

That being said, what steps could now be taken under a realistic administration program to bring the hostages home?

I disagree with several of my opponents in this Presidential race in approaching this question.

On the one hand, Senator Kennedy and Congressman Anderson take what might be termed the American guilt approach to dealing with the Iran crisis. They, in their own way, are as misled as President Carter regarding the realities of the world in which we live, believing as they do that the source of this crisis was America's support for what they perceive to be the immorality of the Shah's regime.

I make no defense of human rights violations which took place in Iran under the Shah. But at the same time, I know that if we apply our own standards of human rights as the sole criterion to determine whether to ally ourselves with other countries, America will soon find itself isolated in dealing with the Third World.

Thus, I reject the American guilt approach to dealing with the current crisis in Iran—or for that matter, in dealing with the foreign policy problems facing our country anywhere in the world.

Far from seeing any reason to apologize for America's policy in Iran, I believe that we as a people can and should take pride in our role since the end of World War Two in helping weak and underdeveloped nations not only defend themselves against the threat of Soviet imperialism but raise the living standards of their people.

For all the criticism of the Shah's regime, that was the aim of our policy regarding Iran for nearly three decades. And the wisdom of that policy has been reinforced by the events which have taken place in Iran since the fall of the Shah.

Let those who speak of American guilt in Iran answer these questions:

Are the Iranian people more free today, under the repressive Khomeini regime, than they were under the Shah?

The answer is a resounding no. Is there more respect for human rights in Iran today than there was under the Shah? Are the women in Iran freer today? Is the press free? Is revolutionary kangaroo court justice fairer?

The answer again is a resounding no. Is the standard of living in Iran today, under the so-called "revolutionary" government there, any higher today than it was under the Shah?

The answer is that the economy of Iran today is shattered and the Iranian people, who were making progress toward modernization and a higher living standard under the Shah's regime, are the primary victims of the Ayatollah Khomeini's benighted 12th century economic policies.

Finally, we may ask whether the security of Iran and its independence as a nation bordering the Soviet Union are more assured today than it was prior to the coming of the Khomeini regime?

Again, the answer is no. Indeed, one of the ironies of the current crisis in Teheran is that only American power deters the Soviet Union from the same kind of aggressive action against Iran as has occurred in neighboring Afghanistan.

This deterrent factor has been the linchpin of American-Iranian relations since the end of World War Two, when President Truman took action to shore up Iran's defenses against its expansionist neighbor to the north. It was the situation that prevailed through the years when the Shah ruled Iran. And whether or not the present regime in Teheran recognizes this fact of geopolitical life, the same situation prevails today.

Without the threat of American counterforce as a deterrent, the Iranian people would be swallowed by the Soviet Union, their culture and religion extinguished under the suffocating blanket of Soviet community hegemony.

Such are the geopolitical facts-of-life in Iran—and they are the realities of the world balance of power across the globe, in Europe, the Middle East, Africa, Asia and Latin America.

The power of the United States—and the only power of the United States—stands as a deterrent to Soviet expansionism.

To recognize that fact is not to reflect, as some spokesmen maintain, a cold war mentality. It is merely to appraise realistically,

the world as it is, not as we would wish it to be.

Thus to indict America for its role in supporting regimes throughout the world that do not wish to fall within the Soviet sphere—and to do so on the basis of a double-standard of human rights morality that finds fault in a Pahlavi dictatorship but closes its eyes to Communist repression—is not only short-sighted but hypocritical.

I reject the American guilt approach to dealing with the Iranian crisis and the problems that face our country overseas in the coming decade.

At the same time, I reject the line-in-the-dust position taken by Governor Reagan in his approach to solving the hostage crisis in Teheran.

Governor Reagan's position, which he again stated in our candidate debate last night, is that as President he would give the Iranian militants a deadline for the release of the hostages—in effect, draw a line in the dust—and take firm action if that deadline were not met?

Let's call it the Reagan secret plan for ending the Iranian hostage crisis. Whatever it comprises, I would hope the Governor has taken into consideration the fact that we are dealing in Iran with volatile, irrational forces. This is to say that whatever the threat made under the Reagan secret plan, it is possible—indeed probably—that the zealots running the show in Teheran would ignore his deadline—and then what?

I think Governor Reagan, as the front-running candidate for the Republican nomination to the Presidency, owes the American people a better explanation of his proposal to set a deadline, then take action in the Iranian crisis, than the explanation he gave last night.

In the decade of the eighties, a foreign policy based on bluff is as ineffectual as it is dangerous.

At the same time, Governor Reagan and I are in solid agreement on the matter of the significance of the seizure of the embassy in Teheran in terms of the larger danger it poses to American embassies throughout the world.

What should the Carter administration have done, up to now, to respond to this crisis?

A good beginning would have been to forego the empty symbolism that characterized so much of the President's early actions following the Embassy seizure. Foreign policy is not a public relations or publicity exercise. Symbolic gestures make for good domestic politics in the short run, but sooner or later, the absence of the substantive policy becomes apparent to the people and disillusion, then frustration sets in.

If I am any judge, this is what has happened across the country in recent days. President Carter has had a four month ride on the crest of public support for whatever he did dealing with the Iranian hostage crisis. That period is now coming to an end.

The American people will no longer be placated by symbolism and the holding out of false hopes based on obscure tealeaf readings taken in the inner sanctum of the State Department or the UN.

What specific action can and should then be taken? Unlike Governor Reagan, my own recommendations on what should be done with regard to the hostage crisis shall not be kept secret.

I would draw no line in the dust. I would give no ultimatum. Instead, as President, I would act to apply increasing pressure on Iran, so that the irresponsible powers there, be they mullahs or militants, understand that there is a price to be paid for endangering American lives and violating international law.

First, I would take the fundamental step—not yet taken by the Carter White House—of breaking off all relations with the purported Government of Iran. It defies reason that at this late stage, the administration has yet to take this step against a regime which defies all rules of international law and civilized conduct among nations.

The Iranian Embassy in Washington should be closed and all representatives of that purported government should be sent home—an action that should have been taken long months ago.

In this same vein, the Carter administration's ambivalent policy regarding Iranian nationals in this country must be set right. Despite the publicity generated several months back concerning the deportation of Iranian students, there are in fact as many Iranian nationals in the United States today as there were on the day the hostages were seized in Tehran.

But breaking off relations with Iran is only a first step toward bringing United States policy into line with reality as regards that country. More important, we must proceed with the stringent application of economic sanctions—economic warfare, if you will—against all products proceeding to and from Iran. This is the embargo that the Carter administration pledged, then abandoned, in its early handling of this crisis. It is ridiculous to be selling Iran home heating oil and spare parts today.

The embargo I propose would, as I say, be stringent and across the board. Maximum support from Japan and our Western European allies is required.

The United States bears the heavy burden of defending the free world and has carried that burden for nearly a quarter-century. It is time that the nations we have helped become free and prosperous while we carried that burden began to recognize that an alliance is a two-way street. I am confident they would join us if they knew we would not vacillate and pull back once the decision was made.

In short, if the United States is expected to come to the aid of our allies in times of international crisis, then our allies have an obligation both practical and moral to support our interests when they are endangered.

Short run, our allies must understand we need and expect their support on Iran.

Long run, we must re-build trust and confidence by developing a new foreign policy—

A policy in which America's word is good and our determination to defend our interests and freedom is never underestimated.

This, I deeply believe, is the key to freeing our hostages in Iran. It is also the key to a sound, realistic, American foreign policy in all areas of the world as we move forward in our effort to guarantee world order and peace in the decade of the eighties.

I thank you. ●

**ISSUES OF AMERICAN CITIZENS  
ABROAD**

**HON. BILL ALEXANDER**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. ALEXANDER. Mr. Speaker, I would like to continue with the insertion of issues as defined by the American Citizens Abroad. These two issues deal with the problem of taxation, which is probably the major concern of our nationals living and working abroad.

The material follows:

CXXVI—377—Part 5

**ISSUE No. 29**

Short title: American Tax Practices Impede the Purchase of U.S. Goods Abroad

Summary of the problem: In its first report, ACA showed how the present method of taxing Americans living overseas can impede the purchase by overseas Americans of U.S. made goods. The argument was based upon the fact that U.S. goods, after import duties and transportation have been paid, usually cost more abroad than locally produced goods. If the American needs to earn more marginal income to purchase an American source goods he will already have a disincentive to purchase this good. If, in addition, he incurs an additional U.S. tax liability because of this extra income, he is even less motivated to make a purchase of American goods.

ACA'S question: ACA asked why, if the United States persists in its misguided policy of taxing overseas Americans, it doesn't do something within the confines of this misguided policy to encourage more purchase overseas of American source goods. ACA proposed that a credit against U.S. income taxes be given for foreign duty and sales tax that must be paid for the purchase abroad of a U.S. source good. ACA reasoned that an American at home would not have to pay either for this duty or heavy sales tax, and would in any case be given a deduction for the sales tax paid to his State.

The President's reply: The president chose not to reply to this question.

ACA'S renewed question: Since promoting U.S. exports is such a high priority issue, and since the use of U.S. products abroad by American citizens is a good way to demonstrate these goods to foreigners, why does the U.S. not give a tax incentive to Americans abroad to purchase U.S. goods?

**ISSUE No. 30**

Short title: Taxation of Phantom Income Generated by Exchange Rate Movements Abroad.

Summary of the problem: During the last few years, the international economic order has been profoundly changed. One of the most significant new facts of life is the daily fluctuation of exchange rates between one currency and another. Some Americans working abroad, whose local currency incomes do not vary, find that they have greatly increased U.S. tax liabilities because exchange rate movements give the appearance of dollar value salary increases. Thus, while the actual ability to pay U.S. taxes has not increased because there is no extra income abroad in an economically real sense, the American must nevertheless be prepared to find extra resources to meet an inflated U.S. tax bill.

ACA'S question: Why should the tax liability of an overseas American increase from one year to the next when his overseas income does not move in the local currency in which it is denominated?

The President's reply: "When income or capital gains are reported for U.S. tax purposes, the value is expressed in U.S. dollars. Due to fluctuating exchange rates, the value of income or an asset which remains constant in foreign currency terms will vary in U.S. currency terms. In countries where the currency has strengthened relative to the dollar, a U.S. taxpayer may report a higher U.S. dollar income or inflated capital gain, even though his foreign currency income or foreign property value has remained constant. To alleviate situations such as these, a cost of living differential deduction, which reflects variations in exchange rates, is allowed under the Foreign Earned Income Act of 1978. While exchange fluctuations work both ways, the cost of

living differential rule operates only when foreign costs are higher in dollar terms and does not increase "income" when foreign costs are lower. Thus, there is no negative deduction in the low cost of living country."

We don't know whether the President meant this response to be serious or whether he was having fun. We were already told that the cost-of-living deduction was supposed to cover sales taxes and VAT that we are denied abroad. Apparently this deduction also is meant to cover phantom income inflation as well, and no doubt it has a triple function of recognizing that there are real cost of living factors also, which are not due to either of these other issues!

There are a number of problems in trying to make the COL deduction function as an effective deflator for the phantom income problem. First, the COL is calculated once each year based upon costs at a given moment in time. The phantom income generator, however, operates throughout the entire year. Given the right currency fluctuation cycle, the phantom income rise could reach its peak six months after the COL had been calculated and fall again to the previous currency equivalent a year after the COL calculation date. In this case the new COL would have no cognizance at all of what had happened during the intervening twelve months. This also shows that any reflection of phantom income generation of a cyclical nature rather than a trend nature is fortuitous.

ACA'S renewed question: ACA would like to ask that the President address the phantom income generation problem once again. COL deductions are not an effective remedy and are already overworked from other causes anyway. Phantom income taxation is a fact of life. Its most appropriate remedy would be for the U.S. to conform to the overseas tax practices of other countries. ●

**REMEDYING THE EFFECTS OF  
AGENT ORANGE**

**HON. DAVID E. BONIOR**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. BONIOR of Michigan. Mr. Speaker, agent orange is an issue which concerns many of us in the Congress. It is also a problem which lies heavily on the minds of millions of our servicemen who served in Vietnam and who fear they might have been exposed to this dangerous herbicide. This fear and anxiety is also conveyed to the spouses of our servicemen who are concerned that the effects of chemical exposure to their husbands will have a serious health effect on their children.

Mr. Speaker, Congressman Tom DASCHLE has introduced legislation co-sponsored by the Vietnam veterans in Congress and 40 other Members of this body. This legislation is a major step in remedying the effects of agent orange exposure and I urge your support.

Pertinent information follows:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., March 18, 1980.

Dr. HANS MARK.

Secretary of the Air Force, Department of Defense Building, The Pentagon, Washington, D.C.

DEAR MR. SECRETARY: As Chairman and Vice-Chairman of the Vietnam Veterans in Congress (VVIC), we have been deeply involved in the unique problems facing the Vietnam veteran. However, we have encountered no problem as complex and distressing as the health hazards associated with herbicide exposure.

As the magnitude of this problem becomes increasingly evident each passing day, it becomes equally clear that substantive solutions will be needed even more quickly.

As we attempted to tackle the problems of veterans exposed to these herbicides, we were confident and hopeful that we would have a strong ally and supporter in the Air Force. The Air Force's extensive research facilities, its participation in the original decision to use herbicides in Vietnam, and the significant reliance of other governmental agencies, including the VA, on Air Force resources, seemingly mandates a continuous commitment.

Recently, however, we have begun to express serious doubts about the ability of the Air Force to deal with this problem in a forthright manner. A memorandum (enclosed) has come to our attention which crystallizes these doubts.

In light of past statements made by Air Force representatives, and explicit content of the memorandum, we are extremely concerned that:

(1) The Air Force is, in fact, aware of chronic health hazards associated with herbicide exposure, and (2) Material unfavorable to the position of the Air Force has been withheld.

On October 11, 1978 the Deputy Surgeon General of the Air Force testified that, beyond chloracne, there is no evidence of chronic health hazards associated with the exposure of veterans to herbicides. Yet, the memo clearly states that Agent Orange and Agent Blue cause several chronic health problems.

These discrepancies take on added significance because the "Captain Young" referred to in the memorandum has appeared before the House and Senate representing the Department of Defense. He was introduced, for example, by the Deputy Surgeon General of the Air Force to the House Veterans Affairs Committee on October 11, 1978 as "probably one of the world's leaders in knowledge of plant herbicides".

The clear conflicts between the memorandum and the Air Force statement invite questions challenging the integrity of Air Force herbicide policy. Given the catastrophic nature of the disabilities, even the appearance of impropriety must be removed. Accordingly, we are requesting a complete explanation of the discrepancies between the memo and official policy.

The memorandum agrees with the testimony of the Department of Health, Education and Welfare in February, and the regulatory conclusions of the Environmental Protection Agency, which found evidence that exposure to 2,4,5-T contaminated by dioxin causes liver damage. The Air Force's own October, 1978 Technical Report found "suggestions" that TCDD causes liver damage. Yet the Air Force's testimony on October 11, 1978 failed to mention liver damage at all, reinforcing the general impression that Agent Orange is harmless.

But of greater concern, the memorandum clearly states that exposure creates two specific and overwhelming problems: birth defects and cancer. Yet the Air Force's 1978 testimony states, "The tumorigenicity, teratogenicity, or mutagenicity of dioxin have not been substantiated in humans; . . ." and

then adds the qualifier, "however, as with many other chemical compounds routinely found in the environment today, the long term effects of even the slightest exposure to dioxin cannot be unequivocally defined at this time."

The Environmental Protection Agency found specific cause for concern that TCDD may be a mutagen but could not reach a final conclusion in its 1978 Rebuttable Presumption Against Registration of 2,4,5-T. What further studies underlie the conclusions in the memorandum? Particularly, in what systems has its mutagenicity been tested? Have animal or human studies been done? What protocols were used? Was an unequivocal cause and effect relationship found or mere correlation?

We are particularly concerned that after nearly two years of testimony, we are now hearing for the first time, that Agent Blue may pose significant health hazards, in particular, that it may be carcinogenic.

What documentation of the human carcinogenicity of cacodylic acid does the Air Force possess? Are the findings the result of an epidemiological study? If so, what protocols were used? Again, was an unequivocal cause and effect relationship found?

Concerns about the possible carcinogenicity of Agent Blue are deepened by the existing policy dispute between the Air Force and the Environmental Protection Agency. While the Air Force continues to maintain that there is not adequate reason for concluding that TCDD is a human carcinogen, the Environmental Protection Agency has temporarily suspended 2,4,5-T, in part, precisely because its contaminant, TCDD is carcinogenic. Why has the Air Force rejected the conclusions reached by the Environmental Protection Agency?

In general, the memorandum raises the question of whether the Air Force has conducted any pre-Vietnam or later studies, which have not yet been published and which bear on the health related impact of the herbicides. To the extent that any such studies do exist, we are requesting that copies be provided to our offices.

A quick and thorough reply to all the aforementioned questions will be appreciated.

Sincerely,

DAVID E. BONIOR,  
Member of Congress.

THOMAS DASCHLE,  
Member of Congress.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., March 18, 1980.

Mr. MAX CLELAND,  
Administrator, Veterans Administration,  
Washington, D.C.

DEAR MR. ADMINISTRATOR: As Chairman and Vice-Chairman of the Vietnam Veterans in Congress (VVIC), we have been deeply involved in the unique problems facing the Vietnam veteran. However, we have encountered no problem as complex and as distressing as the health hazards associated with herbicide exposure.

As the magnitude of this problem becomes increasingly evident each passing day, it becomes equally clear that substantive solutions will be needed ever more quickly.

As we attempted to tackle the problems of veterans exposed to these herbicides, we were confident and hopeful that we would have a strong ally and supporter in the Veterans Administration. Recently, however, we have begun to express serious doubts about the Veterans Administration's ability to solve this problem forthrightly. A memorandum (enclosed) has come to our attention which crystallizes these doubts.

In light of past statements, made by yourself and other representatives of the Veterans Administration, and the explicit contents of the memorandum, we are extremely concerned that:

(1) The Veterans Administration is, in fact, aware of chronic health hazards associated with herbicide exposure, and

(2) Materials unfavorable to the position of the Veterans Administration have been withheld.

The questions raised in the memorandum require that the circumstances surrounding the memorandum be immediately clarified. Therefore, we are requesting that you respond to the following questions:

Who wrote the memo?

To whom was the memo addressed?

To whom else has it been circulated? In particular, has the VA Advisory Committee on Agent Orange had this information? If not, why not?

As recently as February 25, 1980, you testified that there is no evidence of chronic health hazards associated with the exposure of veterans to herbicides. In so doing, you reiterated the VA statement of October 11, 1978 that "the only human disorder which can be linked to herbicide exposure is chloracne." Yet, the memorandum states that Agent Orange and Agent Blue cause several chronic health problems.

These discrepancies take on added significance because the "Captain Al Young" referred to in the memo has appeared before the House and Senate Veterans Affairs Committees representing the Department of Defense. He was introduced, for example, by the Deputy Surgeon General of the Air Force to the House Veterans Affairs Committee on October 11, 1978, as "probably one of the world's leaders in knowledge of plant herbicides."

Given these conflicts, the surfacing of a 1977 memo only in 1980, and then only through non-official channels, creates the appearance that significant material on herbicides in the VA's possession has not been made public.

The clear conflicts between the memorandum and VA policy statements, coupled with non-disclosures, invite questions challenging the integrity of VA policy on Agent Orange. Given the catastrophic nature of the disabilities, even the appearance of impropriety must be removed. Accordingly, we are requesting a complete explanation for the discrepancies between the memo and official VA policy.

The memo agrees with the testimony given by the Department of Health, Education and Welfare on February 25, 1980, and the regulatory conclusions of the Environmental Protection Agency, which found evidence that 2,4,5-T, contaminated by dioxin, causes chloracne and liver damage. Nevertheless, in your February 25, 1980 testimony, you stated that "there are no scientifically validated data yet available to show increased frequency among Vietnam veterans of (chloracne) or other diseases . . ." You continued in your oral remarks to emphasize that the VA is not granting compensation for chloracne on the grounds of its relation to dioxin exposure.

This, despite your statement that, "the only clearcut health related finding is that such exposure may be followed by the development of a skin condition known as chloracne". In addition, you then stated with regard to liver damage that "the proof of these relationships remains elusive".

What is of even greater concern is that the memo clearly states that exposure creates two specific and overwhelming health problems: birth defects and cancer. In your February 25, 1980 testimony, however, you stated, "there is an absence of validated scientific information to relate these occur-

rences to human exposure to Agent Orange".

The Environmental Protection Agency found specific cause for concern that TCDD may be a mutagen but could not reach a final conclusion in its 1978 Rebuttable Presumption Against Registration of 2,4,5-T. What further studies underlie the conclusions in the memo? Particularly, in what systems has its mutagenicity been tested? Have animal or human studies been done? What protocols were used? Was an unequivocal cause and effect relationship found or mere correlation?

We are particularly concerned that after nearly two years of testimony, we are now hearing for the first time, that Agent Blue may pose significant health hazards, in particular, that it may be carcinogenic.

What documentation of the human carcinogenicity of cacodylic acid does the VA possess? Are the findings the result of an epidemiological study? If so, what protocols were used? Again, was an unequivocal cause and effect relationship found?

Concerns about the possible carcinogenicity of Agent Blue are deepened by the existing policy dispute between the VA and the Environmental Protection Agency. While the VA continues to maintain that there is not adequate reason for concluding that TCDD is a human carcinogen, the Environmental Protection Agency has temporarily suspended 2,4,5-T precisely because its contaminant, TCDD, is carcinogenic. Why has the VA rejected the conclusions reached by the Environmental Protection Agency?

A quick and thorough explanation to all the questions raised in the letter will be deeply appreciated.

Sincerely,

DAVID E. BONIOR,  
Member of Congress.  
THOMAS DASCHLE,  
Member of Congress.

[From the New York Times]

GENETIC PROBLEMS LINKED TO 2 VIETNAM  
DEFOLIANTS  
(By Karen DeWitt)

WASHINGTON, March 18.—Two Congressmen, both veterans of the Vietnam War, today released copies of what they said was a Veterans Administration memorandum describing the carcinogenic and genetics-altering aspects of the herbicides Agent Orange and Agent Blue, defoliants used by American troops in Vietnam to destroy enemy ground cover.

The memorandum appeared to contradict testimony given to Congress by officials of the Veterans Administration and the Department of Defense that no evidence had been found to link the herbicides with human health problems.

A copy of the memorandum had "U.S. Government" written across the top, but there was no indication who wrote it or to whom it was sent, or that it came from the veterans' agency.

A V.A. spokesman declined to say whether such a memorandum had originated within the agency, but added that a copy of the memorandum, along with a letter from the Congressmen, had been forwarded to the agency and that Max Cleland, the Administrator of Veterans Affairs, would reply to the Congressmen.

"I'm angry and frustrated," Representative David E. Bonior, Democrat of Michigan, said at a news conference this morning when copies of the memorandum were released. Mr. Bonior, who is chairman of the Vietnam Veterans in Congress, was accompanied by the organization's vice chairman,

Representative Thomas A. Daschle, Democrat of South Dakota.

The memorandum, dated Oct. 12, 1977, described Agent Orange and Agent Blue, then said: "They are mutagens and tetratogenics. This means that they intercept the genetic DNA message process to an unborn fetus, thereby resulting in deformed children being born. Therefore, the veteran would appear to have no ill effects from exposure but he would produce deformed children due to this breakage in his genetic chain."

Veterans' groups have long maintained that Agent Orange has caused a variety of illnesses and cancer among servicemen exposed to the defoliants, as well as genetic defects in their offspring. The Government contends that there is no documented evidence of this, and thus pays no disability benefits to veterans who have been exposed to the defoliants.

CONFLICTS OF INTEREST CHARGED

In the letter to Mr. Cleland, Mr. Bonior and Mr. Daschle said that the memorandum raised doubts about the Veterans Administration's ability to solve the defoliant problem and health problems experienced by Vietnam veterans.

"The clear conflicts between the memorandum and V.A. policy statements, coupled with nondisclosures, invite questions challenging the integrity of V.A. policy on Agent Orange," the letter said.

The Congressmen also maintained that the memorandum had "added significance" because the only name on it was that of Capt. Alvin S. Young of the Air Force, now a major stationed at Kelly Air Force Base in San Antonio, Tex. Major Young, an expert in plant herbicides, recently testified before Congress that there was no evidence that Agents Orange and Blue caused significant health problems to humans.

Major Young's name appeared at the top of the memorandum after the words "person contacted." The Major said in a telephone interview that the veterans' agency had sent him a copy of the memorandum, adding that he had never seen the memo before receiving it today. ●

HERO IN LIFE

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. CLAY. Mr. Speaker, I would like to take this opportunity to pay tribute to a gentleman from my district whose life was a monument to education, dedication, and hard work. Hugh James White was a model citizen for young men nationwide to emulate. A man of great determination, intelligence, and integrity, he rose to the forefront as a leader in the St. Louis community. His list of achievements were the culmination of a life of courage, honesty, self-respect, and ingenuity.

Mr. White was a native of St. Louis and grew up in the Carondelet area of the city. A product of St. Louis public schools, he began his undergraduate studies at Stowe Teachers College only to have them interrupted by World War II. One of the first black fighter pilots trained at Tuskegee,

Ala., Hugh White displayed leadership abilities both on the ground and in the air. He flew with the famous all-black 99th Pursuit Squadron of the 332d Fighter Group in the European theater.

After 35 successful missions, his P-51 Mustang airplane was shot down over northern Italy. He was taken captive and remained a prisoner of war until Germany's surrender. When British troops entered northern Italy, his captors surrendered to him. At war's end, Hugh White had earned the rank of captain. He received the Air Medal, the Presidential Unit Citation, the Distinguished Flying Cross, and the Purple Heart for acts of heroism in service to this country.

His association with his military comrades became a lifelong pursuit which resulted in the founding of Tuskegee Airmen, Inc., a national association of black fighter pilots and ground crewmen who fought in World War II. They recently received national attention on the NBC television program, "Real People." Hugh White was among those interviewed for the program and viewers got a glimpse of his raw wit and sense of humor. After the war, Mr. White resumed his studies at the University of California and later received a law degree from the Cleveland Marshall School of Law in Cleveland. He maintained his law practice on a part-time basis with the firm of Collier & Dorsey.

In the late 1950's he emerged as one of the community's leading civil rights advocates. He participated in several demonstrations including the Jefferson Bank siting demanding jobs for blacks. Mr. White served two terms in the Missouri General Assembly representing the 16th district of St. Louis. In the late 1960's he served as director of technical services for the St. Louis Model City Agency. He later directed his energies to early childcare centers for children of working families. He served as executive director of the early child care development program in St. Louis at the time of his death.

Mr. Speaker, it is with uncontrollable emotion that I speak of Hugh. He and I were personal friends. In ghetto language, that would be interpreted as "bosom buddies." Hugh was our inspiration during the civil rights movement. He was like the tree standing by the water, he could not be moved. Hugh James White died Friday, December 14, 1979, in St. Louis, Mo. He made our lives richer by his presence. It was both a pleasure and honor to have known him and call him friend. He is survived by his wife, Clara; a son, Beryl Anthony; a daughter, Lauren Virginia; two grandchildren, Laurel and Shannon; one brother, Frank White; and four sisters, Sadie Daggs, Marie Dowdy, Carole Kimbel, and Florence Billups. Though we now pay

tribute at his death, Hugh White was a hero in life.●

**GAR-FIELD HIGH SCHOOL—VIRGINIA BASKETBALL CHAMPIONS**

**HON. HERBERT E. HARRIS II**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. HARRIS. Mr. Speaker, recently the varsity basketball team of Gar-Field Senior High School of Woodbridge, Va., which I represent, completed a perfect 25 to 0 season, and captured the Virginia State basketball championship.

I want to take this opportunity to congratulate the players and coaches of the basketball team, and all Gar-Field students, teachers, and supporters, on this tremendous accomplishment.

Certain members of the Gar-Field team have won recognition for their outstanding abilities beyond their victory in the State championship tournament. Two players, Steve Perry and Othell Wilson, will play in the McDonald's Classic basketball tournament for area teams, and two others, Steve Smith and Kevin Smith, will play in the Virginia-Maryland High School All-Star game.

I am proud of Gar-Field High School, its academic program, and its basketball team. I would like to take this opportunity to insert into the CONGRESSIONAL RECORD the names of the members of this championship team:

Coach, Rick France; captains, Steve Perry, George Suggs; team members, Othell Wilson, Steve Smith, Mike Wilkins, Kevin Smith, Scott Johnson, Derrick Washington, Warren Thompson, Leonard Hamilton, Mike Wilson, Bobby Schwier, and John Bazyk.●

**SUPPORT FOR FUNDING OF DOMESTIC VIOLENCE PROGRAMS**

**HON. JAMES L. OBERSTAR**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. OBERSTAR. Mr. Speaker, at this time, while the administration's budget cuts are open to discussion, it is extremely important to speak out in support of adequate funding for the Domestic Violence Prevention and Services Act and in opposition to any proposed budget cuts for this program. This act, passed by the House in December 1979, authorized \$15 million to provide grant moneys for shelters and prevention programs, to continue or expand their present programs, and create new shelters.

As the administration proceeds with

its review of candidates for budget cutting, my concern is that programs not yet established will be prime targets of the budget cutting. The domestic violence prevention and services program is severely threatened. In fact, this program has already been reduced by one-third from the original \$15 million to \$10 million in the President's first budget proposal. That modest level is even further endangered.

The program is not just another social services program that can be erased with the wave of a hand. Current shelters are meagerly and sporadically funded. Most towns have no aid or prevention centers at all. These programs fight to aid those who are the victims of a violence that is rarely acknowledged, yet affects millions of family members in this Nation. It also cripples our society. It is the forerunner of many crimes and deaths. Of all police deaths, 23 percent occur during responses to domestic violence calls. In addition, child abuse occurs in over one-half of the families with known spouse abuse. One-third of all murders occur within the family and husband-wife murders account for one-half of these. We cannot ignore these facts and the social ramifications of domestic violence.

Congress recognized the importance of this legislation when it passed this act by a 292 to 106 vote. I am hopeful that President Carter will also recognize the need for the provisions of this act.

I urge each of my colleagues to join me in appealing to the President not to jeopardize the safety and health of thousands. We must not miss this unique opportunity to launch an effective program of prevention of domestic violence and services to those who are the unfortunate victims.●

**THE CAMBODIAN WANDERING ORPHANS**

**HON. NICHOLAS MAVROULES**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. MAVROULES. Mr. Speaker, in the midst of the crisis in Cambodia that has so shocked the world, we are reminded of the truly innocent victims of that ongoing holocaust. Any measure of human compassion commands our attention to the plight of thousands of orphaned children who, without forethought or malice, find themselves cast into a devastating struggle for life and freedom. Mindful of this tragedy, one of my constituents, Theodore Safine of Peabody, Mass., has composed a graphic piece entitled, "The Cambodian Wandering Orphans." I commend this piece to my colleagues:

**THE CAMBODIAN WANDERING ORPHANS**  
Overhead the shots were raging  
As we huddled there alone.

In a barn near Proman

Where Kim Cha and I were born.

Terror seized my little sister,

I was scarcely less afraid

As we huddled close together

While so fervently we prayed.

The Cambodian Communist hordes had taken

Both our parents from our side

Then we had but wandered homeless

Since our mother dear had died.

As every deadly bomb exploded

We heard shrieks of those in pain

I tried to soothe my frightened sister

And with tears I'd pray again.

The darkness came and all alone

We crouched in gnawing fear.

Alone, for even rats had fled;

No other sign of life was near.

The hay, where cattle once had fed,

Supplied our only precious heat.

Two days we had been hiding there

With not a bite to eat.

I held her close within my arms

To quell her fears I'd try

It would be easier thus, I thought,

If one of us must die.

And then a larger bomb than all

Crashed just above our heads

The barn walls crumbled up like rags

And my little sis was dead.

Still she lay within my arms

Her golden head was crushed.

I kissed her lips a fond goodbye

And from that blasted barn I rushed.

Out among the shell and fire

I ran and cared for naught.

In that horror died within me

All the good that I'd been taught.

I swore vengeance on the guerrillas

I vowed to kill Fran Kuchu Piser:

Though only ten years old I was

I had faith that I was wiser.

Through the bloodied streets I ran

Over bodies dead and torn

Nude and shattered by the hundred

Stripped of every shred they'd worn.

Some of them were breathing still

Crushed and bleeding thru and thru.

How I wished that I could help them

But my thought was futile too.

On and on I ran, on murder bent

To avenge my sister's wrong

When the healing sun bursts forth

To heal my wounds with brilliant song.

By the river I found some Boat People.

Young and old cried from joy.

Soon each saddened human heart

Changed to happiness in the Boat Saoy.

I was gathered in their folding

Gentle, caring arms so fine

I was just another orphan

Added to the mighty orphan's line.

Though my sister has departed

It is perhaps for her the best

That rather than an orphan's life

She found peace and soulful rest.●

**FATHER DRINAN COMES TO ISRAEL**

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. GILMAN. Mr. Speaker, one of the more gratifying aspects of my responsibilities as a member of the Committee on Foreign Affairs has been the opportunities to work hand in hand



with other Members of Congress in constructive efforts to promote respect for human rights and individual liberties as an integral part of our Nation's foreign policy.

As the ranking minority member of the Subcommittee on Inter-American Affairs, I was pleased with the role I was able to fulfill in helping to secure the release of Jacobo Timerman, the highly respected Argentine editor, publisher, and human rights advocate. As a result of the efforts of concerned citizens around the globe, Mr. Timerman, who had been held illegally by the Argentine Government for more than 2 years, was finally allowed to join his family in exile abroad. Today he has resumed his role as a journalist and defender of human rights as a freelance writer from his new home in Israel.

In a recent newspaper article in Israel, Mr. Timerman drew attention to a Member of this body whose efforts in his behalf and the cause of human rights is well known in the Congress and throughout the world. The article, entitled "Father DRINAN Comes to Israel," pays tribute to the consistent long-time efforts in this area by our good friend and colleague, the gentleman from Massachusetts, ROBERT DRINAN. As one who has worked closely with Father DRINAN in seeking Mr. Timerman's release, I wish to join in praise his efforts and dedication to the cause of human rights. So that my colleagues may share his views, I am inserting at this point in the RECORD the entire text of Mr. Timerman's article.

The article follows:

FATHER DRINAN COMES TO ISRAEL  
(By Jacobo Timerman)

In a conference held in Oxford a couple of years after World War II, a tall and thin Jesuit talked in dramatic tone, with pathetic words, of the Christian responsibility in the Holocaust.

This conference was one of the first Jewish-Christian conferences inspired by the horrors discovered in the Nazi concentration camps, and this in turn led to a permanent conference which called for Jewish-Christian collaboration.

Since then, Father Robert Drinan has been close to the Jewish people in the struggle for the absorption of refugees during the Palestinian Mandate, the creation of the State, through all the problems Israel has confronted for its survival. His most recent book—he is the author of many—is titled: "Honor The Promise, America's Commitment to Israel."

Since 1970, Father Drinan, a Democrat, has been a Member of the House of Representatives, representing Massachusetts. He used that forum many times, to support Israel, criticize the P.L.O. and accuse Palestinian terrorism.

Israel and Judaism constitute one of Father Drinan's greatest passions. He is a loyal friend. An honest friend.

A man committed to his generation, none of humanity's drama is alien to him. His last public appearance was on the frontiers of Cambodia and Laos, trying to help their refugees.

Yes, Father Drinan is a man who could be found in Southeast Asia with the refugees, in Moscow trying to interview the dissidents, going to Cuba to take prisoners from Castro's jail, and in Israel bringing his support in defense of Jewish security. I met him in Buenos Aires.

Father Drinan came to Buenos Aires as a representative of Amnesty International. I was the only newspaper editor that received him. The rest accepted the insinuation of the Argentine government that it was inconvenient to receive a delegate of a "Communist" organization such as Amnesty International. We had a long conversation and we discovered that we shared the same opinions about a lot of things, especially human rights. We also discovered our admiration for Zionism—as a national liberation movement.

Later, Father Drinan fought during long months for my liberty. I saw him recently in Washington, while in Congress, and I hope I can receive him soon in my Tel Aviv home.

Nobody can be surprised to see Father Drinan belonging to Amnesty International. In today's world, it is the appropriate place where he belongs. Because if we had to characterize today's world, shouldn't we say that this is the dissidents' world? Has anyone reached greater moral stature in today's world than the dissidents? Lonely fighters against powerful dictatorships, they are independent and don't form part of any political party and their only ideology is the liberty of conscience. In Russia or Uruguay, in France or Argentina, in Czechoslovakia or Chile, in Albania or El Salvador they try, by their action and individualistic example, to construct a democratic force, tolerant and pluralistic. And in every case they have managed to do it. It is true that those who remain alive generally go into exile, from a Kuznetsov to a Hubert Mattos, but are replaced.

Next to them, in democratic countries, appear men and organizations that accompany them in their solitary struggle. One of them that never fades, is Father Robert Drinan. One organization that always accompanies that fight is Amnesty International. Amnesty International is integrated by many men like Father Drinan. It has saved the lives of thousands of dissidents, getting them out of all types of jails.

With that typical obsession of the Israelis, who look to their own navel more than to the world that surrounds them, the Amnesty International report about Israel motivated attacks against that organization in the Israeli press. Amnesty's conclusions about the situation of the prisons and the military and police interrogation in Israel could be discussed, and Amnesty will accept gladly any criticism. But what seems ridiculous is to discuss the intention and the objectivity of this institution and the seriousness with which it has dedicated its time to study the Israeli situation in the human rights area.

To point out that there are no comparisons between the small Israeli violation of human rights—that want to be justified because of the permanent threat of Arab terrorism—with the great violations committed in other countries, especially by the P.L.O., is ridiculous. Amnesty does not have to compare, nor does it have to justify, any violation of human rights, no matter how small it may be. The same we have to do in Israel, if we want to continue to affirm that we are the democratic island in a region of all types of extremism. We Jews have many reasons to be thankful for the existence of Amnesty International, in a world where intolerance and repression constitute a permanent

threat to the minorities and to the dissidents. We have to be thankful to an institution that is made up of men like Jesuit Father Robert Drinan. Looking all day at our navel is not the best way to interpret the complex reality of today's world.●

PERSONAL EXPLANATION

HON. MICHAEL D. BARNES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. BARNES. Mr. Speaker, I was absent from the House yesterday, Tuesday, March 18, due to illness. I place in the RECORD at this point my position on votes conducted on that day.

Rollcall No. 144, a motion to suspend the rules and pass the bill H.R. 6631, Cayuga Indian Claims Settlement Act of 1980. The motion failed, 187 to 201. I would have voted "aye."

Rollcall No. 145, a motion to suspend the rules and pass the bill H.R. 5625, to authorize the President to present a gold medal to the A. Philip Randolph Institute. The motion was agreed to, 333 to 61. I would have voted "aye."

Rollcall No. 146, on House Resolution 606, the rule providing for the consideration of the bill S. 2222, extending the statute of limitations with respect to Indian land claims. The rule was adopted, 380 to 2. I would have voted "aye."

Rollcall No. 147, the final passage of S. 2222. The bill was passed, 250 to 134. I would have voted "aye."●

HOUSE TELEVISION HITS PRIME TIME: WETA INTRODUCES "THE LAWMAKERS" WITH PAUL DUKE

HON. GILLIS W. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. LONG of Louisiana. Mr. Speaker, House television will reach an important new audience Thursday, March 20, at 9:30 p.m., with the debut of "The Lawmakers," a new public television program, in which Paul Duke will comment on Congress. The half-hour show will feature House broadcasting coverage, interviews with Members of the House and Senate, and portions of congressional hearings.

I congratulate the officials of WETA and public broadcasting for undertaking this major new initiative. Paul Duke has been a Congresswatcher for many years. He understands the legislative process and will furnish objective insight to the television audience at a time when the public needs to have a better understanding of how public policy is forged. I hope that "The Lawmakers" will soon be widely distributed among public television stations across the country.●

**JOB VACANCY DATA:  
CORRECTING A STATISTICAL  
BIAS**

**HON. WILLIAM E. DANNEMEYER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. DANNEMEYER. Mr. Speaker, in these days of big budgets, persistent deficits, and rising inflation, there is an understandable and growing preoccupation with Government statistics. Not only are these figures a measure of how bad things are but, in a perverse sort of way, they contribute to making things worse. It's a vicious cycle: As inflation and unemployment indices rise, they trigger spending and entitlement programs which, in turn, increase the very budget deficits that promote inflation—and, on occasion, unemployment.

Testifying before the House Budget Committee not too long ago, the President's chief inflation fighter, Alfred Kahn, alluded to this problem when he argued that the methodology employed in computing the cost-of-living index in 1979 was misleading and caused that index to be 2 percent higher than appropriate. Such a distortion, he further argued, cost the taxpayer \$2 billion in the form of bigger social security benefit checks for some 35 million beneficiaries. While one is tempted to discount these arguments as a purely political effort to shift the blame for rising inflation away from the current administration, the fact of the matter is that not only can the cost-of-living index become outdated by circumstances but other indices as well. Likewise, the argument that Mr. Kahn inferentially makes about out-of-date statistics costing the taxpayers money has broader applicability, most notably to the unemployment indices. Thus, Mr. Kahn's comments should not be disregarded; rather, they should suggest a reevaluation of all program related indices and, with the inflation rate having risen, in January, to a rate of 18.2 percent on an annualized basis, the sooner the better.

Judging by the number of programs that are tied to, and the amount of money that is spent as a result of, the Federal unemployment index, that index should be one of the first to be reevaluated. For years, the Government has been keeping unemployment statistics—not just the number of people unemployed but the number working, the number of so-called discouraged workers, the rate of unemployment as expressed as a percentage and various other statistical measures. Over that time, the way of calculating that index has changed, but the changes have not kept up with the changes in three other factors—the composition of the work force, increases in unemployment compensation and welfare benefits coupled with the requirement that one must register for work to receive them, and the

growth of the subterranean economy. For instance, the growth in the number of people seeking part-time work results in an overestimation of unemployment; if, as is the case, nearly 25 percent of all those classified as unemployed are seeking part-time work, which they are, then the extent of unemployment in January 1980 is being estimated as being 32.1 million man-hours higher than would be worked if all the unemployed got jobs—based on a total unemployment figure of 6.42 million and an estimate that the 25 percent seeking part-time work wanted an average of 20 hours a week of work. Concurrently, the failure to take into account the subterranean economy—the size of which is estimated at anywhere from \$184 to \$542 billion a year—results in an underestimation of the number of people actually working, which also has the effect of raising the unemployment rate. And, finally, the increase in unemployment compensation or welfare benefits, coupled with the requirement that people must register for work to receive them, encourages people either to classify themselves as unemployed when they aren't really looking for work or to work in the subterranean economy while claiming they are unemployed.

That these factors have such an effect in not mere speculation; a growing number of economic analyses have come to the same conclusion. For instance, Dr. Phillip Cagan of Columbia University has estimated that the addition of women and young people in increasing numbers of the work force has added 0.46 percentage points to the average unemployment rate from 1956 to 1973 while another economist, Paul O. Flain, has estimated the impact of women and young people at 1.03 percentage points a year from 1957 to 1977. Dr. Peter Gutmann, professor of economics and finance at City University of New York, has indicated that counting people seeking part-time employment as if they were looking for full-time work added 0.22 percentage points to the unemployment rate in April 1978. Dr. Gutmann also estimated that failing to account for those working in the subterranean economy and those influenced by work registration requirements added 0.35 and 0.88 percentage points respectively to the unemployment rate at that same time.

Other statistics lend credibility to these estimates. For instance, the Joint Economic Committee, in a 1973 study, pointed out that people in the food stamp program had nearly a 6-percent higher unemployment rate than those participating in food distribution programs. Also, as Profs. Kenneth Clarkson and Roger Meiners have pointed out in their recent study "Distortions in Official Unemployment Statistics: Implications for Public Policy Making" (Center for Education and Free Enterprise, Texas A. & M. University), the August special current population survey indicat-

ed that the unemployment rates for those on welfare programs with work registration requirements had an average unemployment rate of 11.66 percent as compared to a 4.13 percent unemployment rate for everyone else. And, as if that were not enough, the same two professors also noted a sharp increase in unemployment among welfare mothers after the AFDC work registration requirements were imposed in 1972. Compared to 1971, when the unemployment rate of welfare mothers was 1.2 percentage points below the unemployment rate as a whole, the unemployment rate for that same category of people in 1973 was 5.5 percentage points above the official unemployment rate. Implication: The existence of work requirement provisions was causing many more people to classify themselves as unemployed for welfare eligibility purposes than previously, even though they were not really looking for work.

That is not to suggest that we should do away with work requirements for welfare benefits or unemployment compensation benefits; far from it. What it does suggest is that we need to recognize two things. One is that changes in our laws and the nature of our work force make previous perceptions of our unemployment rates out of date. And the second is that the survey method of determining the unemployment rate assumes that respondents to the survey will tell the surveytaker the truth when many of them, because of the aforementioned circumstances, have a considerable incentive to do just the opposite. For instance, someone who has claimed he or she is looking for work in order to qualify for welfare or unemployment compensation benefits is not likely to tell a Government surveytaker that he or she is not actually job hunting. Nor is someone who is collecting welfare, food stamps, or unemployment compensation likely to admit that he or she is actually working "off the books." In short, the methodology used in taking the survey in no way contradicts the estimates of those economists, such as Dr. Gutmann and Dr. Cagan, who argue that our official unemployment rate is disproportionately high. For his part, Dr. Gutmann has twice estimated—in both 1978 and 1979—that the official unemployment rate, due to the aforementioned factors, is 1.5 percentage points higher than it should be, and Dr. Cagan has calculated in his article, "The Reduction of Inflation and the Magnitude of Unemployment," Contemporary Economic Problems (Washington, D.C., 1977), that from 1956 to 1977, the official unemployment rate averaged 1.9 percentage points above what it would have been otherwise. Based on these calculations, Dr. Gutmann, in an article for the September-October issue of the Financial Analysts Journal entitled, "Are the Unemployed, Unemployed?" concludes:

Unless government revises its calculation of the official unemployment rate, it will

continue to follow mistaken economic policies. The money market, the securities markets, the balance of payments and the general economy will suffer the consequences. It is time to recognize reality and remove the bias from our most important policy guide.

To understand how appropriate this advice is at this point in time, one only need look at the Federal programs based on current unemployment statistics. These programs include the Public Works and Economic Development Act of 1965, the Public Works Employment Acts of 1976 and 1977, and Comprehensive Employment Training Acts of 1973 and 1978, the Emergency Jobs and Unemployment Assistance Act of 1974 as amended, the Youth Employment Act of 1977, the Economic Opportunity Act of 1964 and the Appalachian Regional Development Act of 1965. To this list might well be added the Humphrey-Hawkins Act, which established a goal of 4 percent unemployment by 1983 and, if signed into law, both H.R. 2063, the Economic Development and Public Works Act of 1979 and H.R. 5980, the Countercyclical Fiscal Assistance Act of 1979.

Impressive as this list is in terms of length, what is even more significant is the relationship of their cost to increases in the official unemployment rate. For example, the National Commission on Unemployment and Unemployment Statistics, in its fall 1979 report, indicated that the cost of unemployment rate related programs rose from just under \$1 billion per year at the beginning of the 1970's to just over \$10 billion per year by the end of the decade. But, even that does not tell the whole story. For, as the Commissioner of Labor Statistics, Janet Norwood, has admitted, in fiscal 1977, when the unemployment rate stood at 7 percent, the cost of unemployment rate related programs was \$16 billion—Dr. Gutmann estimates \$15.7 billion. But, the next year, when the unemployment rate was 6 percent and the year after when it was 5.8 percent, spending on these programs was in the neighborhood of \$10 billion—Dr. Gutmann's estimate is \$10.3 billion for fiscal 1978 and the Federal Reserve Bank of San Francisco estimated \$10 billion in Federal grants under these programs for fiscal 1979. Thus, it might be inferred that a 1-percent drop in the unemployment rate—which is considerably less than the aforementioned overstatement of the real unemployment rate—was responsible for at least part of the \$5.5 billion plus reduction in Federal spending for unemployment related programs in fiscal 1978.

In light of the conclusive evidence that our official unemployment rate is indeed inflated and that the cost of this distortion runs into the billions of dollars each year, the question then becomes—how do we correct the flaw? And, in this case, the answer seems relatively straightforward; develop an index of job vacancies that could be

used independently as well as in conjunction with the current unemployment indices. Such an index would tell us not only what percentage of jobs there were available in relation to the work force but whether or not job training and counseling programs were effective, or needed, in a given area or at a given time.

There are other advantages to having job vacancy data. It would forecast business trends; it would aid business and industry in job recruiting and in their manpower policies; it would help young people choose college majors, focus job searches, and evaluate career opportunities; and it would make Government programs less costly and more efficient. In areas where such data would indicate labor shortages, the data could also be used to help implement a "guest worker" program that would deal, in a mutually beneficial way, with the current problems posed by the influx of illegal aliens. In short, there are many advantages to having such statistics; by comparison, there are relatively few disadvantages.

With these advantages in mind, I am today introducing a bill that would require the Bureau of Labor Statistics to collect and report data concerning job vacancies and to do it in such a way that the resulting information could be meaningfully compared with currently collected unemployment data. Were this bill to pass, not only would economic analysis and job training programs be improved, but we would also be able to compensate for the flaws and exaggerations that exist in unemployment rates as presently calculated. What better way of factoring out those who are being counted as unemployed, even though they are either secretly working or are not even looking for a job, than to peg Federal programs currently based on unemployment data, to the rate obtained by subtracting a job vacancy rate from the unemployment rate as presently calculated. Adjustments for areas where structural unemployment was evident—to wit, areas where a reading of job vacancy and unemployment data suggested that job skills and/or job training programs might not match jobs available—could be made on a localized or regionalized basis, if that were deemed desirable.

In order to compare the unemployment rate with this prospective job vacancy rate, it is essential that the two be as symmetrical as possible. That is to say, the two rates should use as close to identical criteria as possible so that we are not comparing apples and oranges. Thus, the bill states that 29 U.S.C. 2 is amended by inserting "derived from a data base which permits meaningful comparison of the statistics" after the phrase "complete statistics." More specifically, the idea is to insure that similar time frames are used to eliminate, as much as possible, the prospect of double counting. Thus, if unemployment is to be calculated as of a certain date, then job vacancies

should be calculated as of that date also. Likewise, if someone who has been laid off but has been hired will be going back to work in 30 days is to be counted as unemployed, then the job to which he is expected to return should be considered vacant (either that or the person should not be considered unemployed and the job should not be considered vacant). Similarly, if a person, who has been hired for a specific job in the future, is to be considered unemployed while the position for which he has been hired is unfilled awaiting his arrival, then it should be considered a job vacancy. Moreover, if people seeking part time and temporary positions are to be considered as unemployed, then all part time and temporary positions that are unfilled should be considered job vacancies. In the same view, wage standards should not become a criteria in counting either persons unemployed or jobs vacant or, if they are to become a criteria, then the same level should apply to each side of the equation. And finally, if people on strike are not considered unemployed, then the jobs they are striking should not be considered vacant.

Of course, one recognizes that it may be impossible to achieve perfect symmetry in every instance, but coming as close as possible will offer a far better measure of the severity of unemployment than simply treating the current distortions as if they did not exist. Thus, while it is tempting to either count a job for which a person has been prospectively hired as a vacancy, or to not count that person as unemployed, the fact remains that, as of the time frame in question, no job vacancy exists and the worker-to-be is still unemployed. The only exception would be if the previous occupant has vacated the job as of the day of the survey. Therefore, the requirements that the job be unoccupied and immediately available make sense if it is also provided that a person must be searching for and immediately available for work. The key is that, at a given moment in time, we have a reasonable measure of the opportunities for, as well as the lack of, employment.

Lest anyone get the wrong impression, the proposal I am making here today is not really new. The idea got its start as the brainchild of the Metropolitan Life Insurance Co. which, back in 1927, began collecting labor turnover data. Two years later, that firm turned over the task to the Bureau of Labor Statistics, which expanded its publication of labor turnover data to 30 manufacturing industries by 1939. During World War II, and again during the Korean war, job vacancy data was collected at a Federal level, and after that, by some States. Then, in 1962, the so-called Gordon committee recommended a study be done to prepare the way for the gathering of job vacancy data on a national basis. Several studies, private as well as public were done and, in

1968, amendments to the Manpower Training and Development Act were passed requiring the Secretary of Labor to collect job opportunities data. The result was the job opening-labor turnover (JOLT) program, which was carried out in 50 metropolitan areas from 1969 until 1973, at which time the job vacancy data—and a number of foreign nations have job vacancy data collection programs as well.

The primary reasons given for discontinuing the JOLT program in 1973 were that it didn't contribute to individual job placement efforts and the date could not be compared with unemployment data. But, relevant to the first point, the lack of individual data in no way lessens the need for governmentalized job-vacancy information—as the subsequent rise in the cost of unemployment rate based Federal programs indicates. As for the second point, the bill I am introducing addresses the problem by setting forth the basic principle of symmetry that should be followed. Within those statutory guidelines there is every reason to believe the Bureau of Labor Statistics should be able to work out something suitable—especially in light of previous experience both in this country and abroad.

I should also note that, by entrusting the Bureau of Labor Statistics with the task of collecting job vacancy data, and by giving the Bureau guidelines for its development and some idea as to its purpose, another objection to the collection of such data—the lack of a centralized program with direction—may be overcome. But, perhaps the biggest obstacle is not so much how the program will work but the opposition of organized labor to the publication of such data at all. However, it should be noted that improved economic analysis potential will help the individual worker assess the labor market and may improve his or her chances for job training, to say nothing of the fact it might prove useful to union leaders during contract negotiations. Furthermore, just because organized labor has a vested interest in the expansion of public sector jobs programs is not sufficient reason to block the development of information that might benefit many other segments of society.

The need for a job vacancy program is underscored by a newspaper headline that appeared a while back in my home State of California—"Not Enough Help; Jobs Go Waiting at Ski Resort in Inyo County." Reading further, it turned out that it was not just a few jobs but hundreds of jobs were available in hotels, motels, restaurants, and stores, jobs that were paying from \$3 to \$4 an hour at a time when California's official unemployment rate was 7.2 percent. And this is hardly an isolated instance; all of us have heard of jobs going begging even at times of high unemployment. In fact, in 1971, when the unemployment rate had risen to a 10-year high of 5.9

percent, the job vacancy rate was 0.5 percent. And, in Wisconsin, in March of last year, with an unemployment rate of 4.3 percent, the job vacancy rate was 0.6 percent. Now, 0.5 percent or 0.6 percent may not seem like much, but when you recall that a 1-percent drop in the unemployment rate from 1977 to 1978 was accompanied by a \$5 billion plus reduction in Federal spending on unemployment related programs, its significance becomes apparent.

Mr. Speaker, I could go on, but rather than doing so, just let me mention one more thing now that the inflation rate has hit 18.2 percent, we are hearing calls from just about every quarter—including some that have not been part of the chorus before—for cuts in Federal spending. Forty-three Members of the other body have cosponsored a resolution calling for a \$25 billion spending cut and my personal belief is the cut will have to be higher than that. After all, with off-budget items included, the Federal deficit will approach \$40 billion in fiscal 1981 and the least that is required is to balance the budget. The problem is—what to cut—and those choices are never easy. However, the bill I am introducing today could be the first step in making them easier; following it up with legislation basing unemployment programs on a net unemployment rate instead of the current unemployment rate would make a considerable cut in spending possible without the necessity of scrapping a particular program. It would simply be a reflection of an approach that is fair to all concerned. I urge my colleagues to consider this measure and to enact it into law as soon as possible. We simply cannot afford to continue permitting statistics to result in an excessive expenditure of funds under what amounts to false pretenses. ●

#### ST. LOUIS: A GATEWAY TO SPACE

#### HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. GEPHARDT. Mr. Speaker, my hometown, St. Louis, is known to many as the "Gateway to the West." However, many people are not aware of the important role St. Louis has played in the field of aviation. I would like to share with my colleagues an article that appeared recently in the St. Louis Post-Dispatch. This article, written by Eugene J. Hanses of McDonnell Planetarium, chronicles the significant contributions made by St. Louisans that support the statement, "St. Louis: A Gateway to Space."

The article follows:

#### ST. LOUIS: A GATEWAY TO SPACE

Few cities throughout the world have demonstrated such responsiveness to man's ever-present desire to fly and have achieved

such far-reaching consequences as St. Louis has.

For well over a century St. Louis has been a city of flight and gateway to space—from the experimental balloon flights in the 1830s to space exploration in the 1960s and 1970s.

On May 17, 1836—the same year that the Texans in the Alamo were besieged by Santa Anna—Richard Clayton made a six-mile balloon flight, one of the earliest recorded ascensions in St. Louis, from Fourth and Market streets near the Old Courthouse.

In 1841, on Oct. 9, a balloonist named S. Hobart made a 10-mile trip with a Miss Day, a 14-year-old girl who holds the title of St. Louis's first woman aeronaut. Other women would follow, but not for some years.

In 1890 a Madam Crawford actually piloted balloon ascensions at Fairgrounds Park, and by 1908, when balloons had become a rather common sight in St. Louis skies, Capt. Harry E. Honeywell made a 77-mile trip with his wife and two other women.

The year 1859 is best remembered for abolitionist John Brown's seizure of the armory at Harpers Ferry, but in St. Louis on July 1 of that year, perhaps the single most important aerial voyage ever begun in St. Louis took place—the flight of John Wise in his gigantic hydrogen balloon, "Atlantic," from Clark and Twelfth streets.

With Wise when he cast loose the restraining line were John La Mountain, O. A. Gager, and a reporter from the Daily Missouri Republican, William Hyde. They established a world record for balloon by traveling 826 miles from St. Louis to Henderson, N.Y. The hectic voyage ended when the Atlantic collided with a tree near Lake Ontario.

Hyde's account of the trip gives us some idea of how crews traveled:

"The cargo consisted of nine hundred pounds of sand in bags, a large quantity of cold chickens, tongue, potted meat, sandwiches, etc.; numerous dark colored, long-necked vessels, containing champagne, sherry, sparkling catawba, claret, madeira, brandy and porter; a plentiful supply of overcoats, shawls, blankets and fur gloves, a couple or three carpet bags, chock full of what is expressed in that convertible phrase, 'a change', a pail of iced lemonade and bucket of water; a compass, barometer, thermometer and chart; bundles of the principal St. Louis newspapers; an express package directed to New York City; cards of candidates for clerkships in several of the Courts, tumblers, cups and knives, and perhaps other articles which have escaped me"

There is doubt that the express package was the first mail ever carried by air, but Wise could certainly claim being the first air express package carrier.

Capt. Wise, often called the greatest balloonist of the nineteenth century, later obtained additional experience during the Civil War making reconnaissance observations. At that time, Count Von Zeppelin was a Prussian Army observer, also in the ranks of Lincoln's army, witnessing the achievements of Thaddeus Lowe's famous Balloon Corps in directing artillery fire.

When the World's Fair closed on Dec. 1, 1904, about 18,740,000 persons had attended and the \$150,000 in prizes for aerial flights and exhibitions at the World's Fair was the first real prize money of consequence ever offered in the interest of aeronautics: St. Louis was established as an international aviation city.

Gov. David R. Francis, president of the Exposition, could look at the aeronautic activities as of major significance even though very few of the cash prizes were awarded. For the first time in the United States, wireless telegraphy was used to a free balloon

from the ground; for the first time in the world, kite competitions were held; first aeronautic congress ever conducted and mass airship contest organized; and first time in the United States, meteorological balloon experiments were carried out.

The Louisiana Purchase Exposition also saw a 120-pound youngster named A. Roy Knabenshue, in the cigar-shaped "California Arrow," demonstrate sustained controlled flight for the first time in St. Louis. Thomas S. Baldwin's dirigible, powered by a motorcycle engine, had a catwalk suspended below the air bag on which Knabenshue controlled movements by walking back and forth.

In the next few years, Albert Bond Lambert and Lewis D. Dozier formed the Aero Club of St. Louis. Dozier, a cracker company tycoon, was the first president, and Lambert, a young millionaire and pharmaceutical company president whose main product was Listerine, was honorary secretary.

Morris A. Heimann, an appliance manufacturer, was the colorful promoter of the rival Aero Club of South St. Louis. In 1908 he made the world's largest balloon, "Chicago," for C. A. Coey of that city. He also constructed the racing balloon "South St. Louis" and the little "South St. Louis, Jr."

The "dean of American balloonists," Harry Eugene Honeywell, made more than 600 flights and covered more than 25,000 miles in the air, an achievement that helped make St. Louis the center of free ballooning in America at the turn of the century.

It was Daniel C. Nugent of a local dry goods company, who knew nothing about balloons, who was responsible for bringing to St. Louis the 1907 James Gordon Bennett International Balloon Race. (A year earlier, in France, a St. Louisan, Lt. Frank Lahm, had piloted the winning balloon at the first International.)

One hundred thousand persons saw the entrants from Germany, France, Belgium and England start the race in Forest Park, near the present site of the Barnes Hospital complex. On Kingshighway, near Clayton Road, a grandstand seating 10,000 was built and spectators were charged 50 cents.

A 28-year-old German, Oscar Erbsloeh, pilot of the "Pommern," won the race, but it was so close that the War Department engineers had to take measurements to decide that the German had won over the French entry, the "Ile de France."

During the next few years the airplane began to take over. In 1909, Louis Bleriot flew across the English Channel from Calais to Dover in 37 minutes, and Glenn H. Curtiss, an American, established a speed record of 47.8 miles an hour at Rheims, France.

On Oct. 7 of the same year, St. Louis entertained Curtiss, who made the first airplane flight to take place here. It lasted only a few seconds, but crowds of up to 300,000 watched his flight exhibitions in Forest Park throughout the week.

It was not long before Kinloch Park airfield was established. Other fields at 7400 North Broadway, 6700 North Broadway, and Fairgrounds Park were also early sites before Lambert-St. Louis Field was completed in 1923.

With the airplane firmly established by the 1910 International Air Meet, Arch Hoxsey set a nonstop record of 87 miles from Springfield, Ill., to a golf course at St. Louis Country Club; and Theodore Roosevelt became the first President to fly, on Oct. 11, in the Curtiss Biplane with Hoxsey. Other local aviators with planes at Kinloch were Benoist and Lambert. Lambert and Walter Brookings also demonstrated for the Army the possibilities of using aircraft with a mock bombing of a model battleship.

The Post-Dispatch offered Capt. Thomas Baldwin \$5,000 in 1910 to fly along the Mis-

issippi Riverfront from Baden to Carondelet, and over and under Eads Bridge. Baldwin safely completed the flight with his shoes in his pockets, but the next day he wrecked his "Red Devil" plane when it hit a telegraph pole.

There were then 700 members in the St. Louis Aero Club and after Dozier resigned, Lambert was elected president. The early dean of air-conscious St. Louisans was the natural leader to guide aviation during some of its most productive years.

Very few lists of the pioneers of American aviation include Thomas W. Benoist; yet from 1910 to 1917 he was involved with some of the most important aviation developments in the United States. He came from Irondale, Mo., to St. Louis in 1893 and worked as a moulder. Benoist, with his brother, later owned the first Aeronautical Supply Company in America, at 3934 Olive street.

With Capt. John Berry, Benoist designed a parachute; and on March 1, 1912, at about 3 p.m., Berry's son Albert made the world's first parachute jump from the Benoist Biplane piloted by Antony Jannus. After falling about 1500 feet, Berry landed on the snow-covered grounds of Jefferson Barracks.

Benoist and Jannus became involved in many endeavors, from delivering Lemp beer to the 1912 St. Louis Fair (first consignment of freight via airplane), to designing the first rapid-fire machine gun expressly for an airplane.

On New Year's Day, 1914, they inaugurated the world's first scheduled commercial airline between St. Petersburg and Tampa. During World War I, Benoist sought a contract from the British to produce military planes, but Curtiss, because he owned the only real aircraft company, was awarded the contract. However, St. Louis Car Co., with which Benoist was associated, built 450 of the JN-4B Curtiss "Jennies" under contract with the American government. Benoist, before the end of the war, left the St. Louis Car Co. and joined Roberts Aircraft in Sandusky, Ohio.

This aeronautical genius died in 1917 at the age of 42, the victim of a freak streetcar accident. Had Benoist lived, he might have been ranked as the equal of the Wright brothers, Curtiss, Martin, Boeing, Douglas, and McDonnell.

In 1923 Calvin Coolidge was catapulted into the presidency upon the death of Warren Harding. That same year at the International Air Race held at Lambert Field more than 100,000 spectators jammed the viewing area to see such events as Navy Lt. Al G. Williams, the former New York Giant's baseball pitcher, set a world's speed record of 243.812 miles an hour and a parachute drop by a youth named Harland (Bud) Gurney from a dilapidated plane flown by a young man from Little Falls, Minn., named Charles A. Lindbergh. (The parachutist Bud Gurney now lives in Woodland Hills, Calif.)

In 1925 the Robertson Aircraft Corp. was awarded one of the first five U.S. airmail routes. The Robertson brothers hired Lindbergh as chief pilot of the St. Louis-to-Chicago route. With the experience obtained flying the mail in almost impossible weather, Lindbergh decided to seek the \$25,000 prize that Raymond Orteig, a New York hotel owner, was offering to the first person to make a nonstop solo flight across the Atlantic.

It was Harry F. Knight, a young St. Louis broker, to whom Lindbergh turned in desperation when trying to find backers for his flight. Knight sent Lindbergh to Albert Bond Lambert, who gave him his first \$1,000. With the assistance of others, including William B. Robertson, Harry Hall

Knight, Harold Bixby, E. Lansing Ray, Earl Thompson, J. D. Wooster Lambert and Frank Robertson, Lindbergh had Mahoney-Ryan Aircraft of San Diego build a special monoplane with a Wright J-5 Whirlwind engine at a cost of \$10,580. Lindbergh's plane was completed in 60 days and named "The Spirit of St. Louis" by Harold Bixby, head of the St. Louis Chamber of Commerce at that time.

In 1932, on the international scene, Amelia Earhart Putnam flew the Atlantic alone. Five years later, she vanished under a cloak of mystery in an attempt to circle the world.

The Air Races and International Aerobatic Competition was staged at Lambert Airport during May of 1937. It was the first such program ever held and St. Louis's last major air meet. The thunderclouds of war in Europe would soon end all peaceful international endeavors.

With the onset of World War II, the aviation industry in St. Louis mushroomed into major proportions. The three major companies were Curtiss-Wright, Robertson and the recently established McDonnell, founded on July 6, 1939.

Ironically, the city's greatest native aviation operator, William B. Robertson, met his death along with nine other passengers on Aug. 1, 1943, in a CG-4A glider built by his company. The reform Republican mayor of St. Louis, William Dee Becker, was another victim, but Albert Bond Lambert just missed the take-off of the glider because he stopped briefly at a hangar at another part of the field.

After World War II, St. Louis saw an unequaled growth in aviation, with McDonnell Aircraft becoming one of the major aviation and spacecraft companies in the world. The Phantom and other McDonnell planes dominated the jet fighter scene, holding world records for almost three decades.

But McDonnell's real contribution to mankind and to making St. Louis first in space were the Mercury and Gemini spacecrafts, which were the vehicles that prepared man for his voyage to the moon. When John Glenn on Feb. 20, 1962, became the first American to orbit the earth, he was in a St. Louis-built Mercury spacecraft, the Friendship 7.

Thus, St. Louis has written a fascinating story of man's increasing mastery of the air—from the early attempts to present-day accomplishments; from the first balloon flights, which merely drifted with the wind, to the Apollo moon landings.●

#### A BLM DILEMMA—THE EXPERTS RETIRE

HON. JIM SANTINI

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. SANTINI. Mr. Speaker, the alarming state of disarray of the Bureau of Land Management's minerals management program is receiving criticism from respected officials from within the agency. I ask my colleagues to read Ed Montgomery's statement upon his retirement and look at the leasing charts.

Ed Montgomery, a leader in BLM minerals study and president of the Mineral Professions Association, was highly respected but forced to early retirement largely by the changing direction of BLM's minerals programs. Mr. Montgomery's statement encloses

a memorandum by former State Director Edwin Zaidicz which also details BLM's dilemma.

The charts—charts not printed in the RECORD—show the track record of Federal leasing, both competitive and noncompetitive, for coal, potash, sodium, and phosphate between 1961 and 1975. Virtually, no leases have been issued since 1975, with exception of some small bypass and emergency leases for coal operations running out of reserves. The long-term effect of mismanagement of the Nation's fuel and nonfuel minerals will be devastating and must be corrected before any true cure for our present inflationary problems can be achieved.

The remarks follow:

REMARKS BY ED MONTGOMERY<sup>1</sup>

It has been a real pleasure to serve as your President for the last 18 months or so. It is with sadness that I must become an associate member in MPA since I am taking a "semi-forced" early retirement from BLM.

In those 18 months I think MPA has become a viable professional organization and I look forward to its future accomplishments under new leadership.

I am leaving BLM for several reasons:

I am very concerned about the direction BLM's minerals program is taking. There seems to be very little inclination for treating minerals as a real resource under true multiple-use management. Rather, the emphasis seems to be to treat minerals as a problem or something negative or to equate minerals management with surface protection only.

I am very concerned with what appears to be lack of leadership in the top so-called "minerals" positions within the Bureau. We have gone from where BLM was proposing programs to the Department (EMARS) to complete abdication of leadership to the Department and of BLM responsibilities to other agencies (e.g. National Park Service, Forest Service, Geological Survey, etc.).

I am very concerned about the continuing decline in the in-house capabilities in the Minerals Professions. Our capabilities to handle validity examinations, mineral patent work, even mineral resource inventory continues to decline. More and more of the technical minerals work is being taken over by other agencies. Instead of BLM doing the minerals work for which it has responsibility, including work for other agencies, we may soon be in a position of having to contract with other agencies to do our own work. BLM is losing more and more of our best people. While many of the recent Minerals Professionals are excellent employees, the emphasis in recent years to equate an experienced person educated in earth sciences generally with an experienced mining or exploration geologist or mining engineer does not make good professional sense.

I am very concerned with the lack of career ladders, training, meaningful professional jobs, and opportunity to attend and participate in professional societies (including MPA) etc., within BLM. BLM's actions do not match the words of the Director and others. The study, which hasn't even been started yet, initiated by the Montana SO's memo of May 25, 1979, (see Newsletter No. 6) on the loss of mineral expertise, will probably be as meaningless as the numerous previous studies on the same subject. Action, rather than more study, is what's needed and BLM's "leadership" seems more inclined to bury or even aggravate the prob-

lem rather than try to solve it. The American Mining Congress has apparently done more about Ed Zaidicz's memo than BLM. It has sent out copies to all its membership.

I am very concerned with the lack of recognition for outstanding or even very competent minerals professional work within BLM. In all too many cases our supervisors would not know good professional work if someone hit them over the head with it. This is why I believe the Technical Excellence Awards given by MPA are so meaningful and why the award given me by my peers in MPA means so much to me. It is unfortunate, but it seems that the only way a minerals professional can receive a meritorious Service Award (which are routinely awarded to virtually all persons in positions of power) is to be dying of cancer.

I am not convinced that our minerals leadership understand, or if they do understand, care enough to do anything about these problems. In many cases their actions (which do after all mean more than words) tend only to make problems worse.

I am very disappointed that a Minerals Professional was not selected as the Assistant Director—Energy and Minerals. While the person selected obviously should not be prejudged and should be given a chance to prove himself, I do not believe a Non-Minerals Professional has the necessary education to fully understand minerals resources and their management or to properly manage the minerals program with minerals professionals and others. The same situation would not be tolerated for top Forestry and Range positions.<sup>2</sup>

I do not believe that one person, however dedicated, in the relatively insignificant position offered me, can change the whole system around.

Therefore, I have chosen to retire and to attempt to change things from the outside.

If the previous recitation seems to reinforce the need for MPA it is more than a coincidence. To me, MPA is more important than ever and I look forward to MPA's contributions to better, more professional management of the public's mineral resources.

Good luck and best wishes to all of you. I hope you will call me when the opportunity arises at (303) 973-1291.

U.S. DEPARTMENT OF THE INTERIOR  
MEMORANDUM

MAY 25, 1979.

To: Director (100).

From: State Director.

Subject: Professional Minerals Expertise—A BLM Dilemma.

As you may recall at the recent Personnel Management Conference, I made an issue of the two areas personnel-wise where I felt BLM would experience grave shortcomings in the near future. These areas are administration and minerals.

Upon arriving in Billings, I find an immediate problem facing me which vividly illustrates the above point concerning the Montana Minerals Program. We have a vacancy in the position of Mining Staff Leader, Branch of Lands and Minerals Operations. This position was classified as that of Mining Engineer/Geologist, GS-880/1350-12. A vacancy announcement was circulated and resulted in a list with two names: (1) from the private sector, a geologist, past 60 years of age who many years ago worked 18 years for the Soil Conservation Service reaching the GS-7 level, and (2) a student who had previously worked for BLM but with only slight experience in examination

<sup>2</sup> While the person selected apparently has not been approved by the Office of Personnel Management and will not take office, nevertheless, he was selected by BLM and my comments remain valid—unless a minerals professional is selected next time.

of mining claims. There is no reason to believe that re-advertising will get any better results. We are alarmed, in this instance, because this is the top job in the State for a technical minerals expert working directly or indirectly with the mining activity. It is this position which has the delegated authority and responsibility to review and decide the adequacy of all mineral reports in the 3-state area, whether written by BLM, the Forest Service, or other Federal agency mineral experts. In many instances, he must review and pass judgment on the work of mineral examiners from other agencies who are GS-12, 13, and 14's. At a minimum, the job demands that he be as experienced and capable as those whose reports he must approve or disapprove. His decisions determine whether lands are passed from Federal ownership or whether contest proceedings are initiated. These decisions involve mineral resources worth many millions of dollars.

BLM is the sole agency in the Federal Government with responsibility and authority to dispose of mineral resources by lease, sale, or patent. No other agency makes this final determination. Yet, at this time, the professional mineral capabilities of BLM in the mining law area is at an all time low. In recent years, the mineral expertise, capability, and grade levels of other agencies have been increasing at a time when the same elements in the BLM minerals program have been deteriorating and at an alarming rate. Not many years ago, BLM was the mining and mineral law agency in the Federal Government. Now, BLM is in a secondary position to many of the other agencies which have developed their own minerals expertise. As an example, the Forest Service which makes no final decision on mineral disposal by lease or patent, but has only a recommending role, has recently established in at least three regional offices a Director of Mineral Resources, GS-14, with a cadre of GS-13's under his direction. In this Region, the most experienced of these 13's in the mining field is a very well trained ex-BLM mining engineer. Montana's BLM Mining Staff Leader, GS-12, must review and approve the work of this Forest Service Staff—and there is no hope that I can find a qualified person for the job under existing circumstances.

The Forest Service is not the only source of BLM minerals expertise problems. The list of other agencies which are building minerals staffs include the Geological Survey, Bureau of Mines, National Park Service, Office of Surface Mining, Environmental Protection Agency, etc. These agencies are literally stripping BLM of its expertise by hiring our best, most highly skilled minerals personnel. As a matter of fact, this has largely already occurred. This exodus from BLM has been going on for several years. I have surfaced the problem on many past occasions, both verbally and in written memoranda but to no avail. BLM must take a close look at our competition, recognize what is happening, then do what is necessary to effectively compete with these agencies and the industry.

Of all the agencies presently employing minerals expertise, BLM should have the greatest attraction for the professional mining oriented geologist or mining engineer. It is BLM who has the action, who gets out on the ground, works with mining claimants, evaluates mining properties, makes the decisions, passes judgment upon the mining work of all other agencies, and requires professional expertise in judicial hearings.

Many factors are stirring at the present time which will greatly increase the minerals workload in the near future. Prices of gold, silver, copper, and other base metals

<sup>1</sup> These remarks represent my personal views and not, necessarily, those of MPA.

are experiencing dramatic increases in price and consequently we see much more activity on mining claims by large companies and individual prospectors. Contacts with this office indicate we will be receiving a large increase in mineral patent applications. Talk of changing the 1872 Mining Law to a leasing system has the industry scurrying. The energy crunch and deregulation of oil and gas, if it happens, will greatly increase the domestic efforts to explore for and find these commodities at home rather than relying on foreign sources. BLM must be in a position to handle these increased demands within the planning system using a true multiple use approach. Without qualified minerals expertise at the field and state office levels, the mineral resource will not receive the needed attention. Because of the environmental problems caused by mineral extraction, other resource disciplines tend to treat the mineral resource as a negative factor to be discouraged or eliminated. These tendencies need balance in the planning process. The only balance available is to provide strong, well trained, mature minerals expertise in the district office staffs. Because of the competition for these qualified people as described above, we simply cannot hold the expertise in the positions where they are needed.

In reality there is only one solution to this problem and that solution is grade level. We have explored many avenues such as organization, the Phoenix Training Program, etc., but in each situation come back to the basic realization; if we are to attract and hold qualified personnel, we must meet the competition with equal pay. Mining engineers in BLM are almost nonexistent; yet, we need mining engineers. BLM cannot be the leading minerals agency without these people. The mining industry is paying \$18,000 to \$20,000 per year with a promise of big raises in 6 months to 1 year for mining engineers fresh from the universities and with no previous experience. Comparable grade levels in other Government agencies are consistently at least one level and in some cases two levels higher than BLM. Our young minerals specialists reach the top grade level in a district office (GS-11) in 2 to 3 years after completing the Phoenix training. They then have two choices for advancement: (1) another agency with a higher grade structure and advancement possibilities, or (2) leave the technical field and try for managerial positions. It might be argued that the minerals field is no different from any other discipline, but one only has to look at what has happened to BLM minerals expertise to refute that argument. Mineral specialists do have alternatives. If better jobs were not available elsewhere, our problem would be considerably lessened.

In summary I feel the situation has become so critical in the technical minerals and mining field that BLM has reached the point that it can no longer meet and exercise its authority and responsibilities. The only solution is to meet the competition from both the Federal and private sector with a career ladder and grade structure at both the state office and district office levels which will attract and hold the expertise we must have to carry out the Bureau's minerals mission. As a solution to my immediate problem, I intend to fill this key mining position at the GS-13 grade level and am asking for necessary support from the Washington Office in doing so. A position description supporting this action will be submitted in the next few days for classification. A copy of this document will be forwarded to the Washington Office.

EDWIN ZAJDLICZ.●

**COBALT AND STEEL—A VITAL LINK**

**HON. AUSTIN J. MURPHY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. MURPHY of Pennsylvania. Mr. Speaker, the steel industry plays a key role in the Pennsylvania business community, and the steel industry is dependent upon the availability of certain strategic and critical materials. Cobalt is one of the indispensable materials that is vital to steel production.

JAMES D. SANTINI, chairman of the Interior Subcommittee on Mines and Mining, recently sent a letter to the members of the Steel Caucus concerning the importance of cobalt to the steel industry. I believe that all Members of the House should read Chairman SANTINI's letter to better understand the relationship between steel and cobalt.

The letter follows:

COMMITTEE ON INTERIOR  
AND INSULAR AFFAIRS,  
U.S. HOUSE OF REPRESENTATIVES,  
Washington, D.C., March 12, 1980.

DEAR STEEL CAUCUS COLLEAGUE: No one disputes that cobalt is a vital, indispensable component of America's increasingly sophisticated national defense system. Essential in the production of high speed, high performance aircraft, missile controls, tank precision rollers, armor piercing shells and conventional and nuclear propulsion systems, cobalt use has historically increased dramatically during periods of defense mobilization.

What few recognize, however, is the integral role of cobalt in the production of steel. Cobalt, as you know, is used in a number of specialty steels from the superalloys we hear most about to a wide variety of alloys such as high speed tool steels, abrasion resistant plate, and tool and die steels. Cobalt adds important properties necessary in drawing, forming, extrusion and forging dies. It is used in component parts of rolling mills, punch and forging mills, presses of various kinds and in high-stress shearing and cutting machines. Cobalt is vital in much of what America's steel industry does or produces.

It is imperative that America have a continued, secure source of cobalt. Unfortunately, nearly 100 percent of our cobalt is imported, 73 percent of which comes from Zaire and Zambia—hardly secure sources given internal and external uncertainties of the former and the recent Soviet arms agreement with the latter. America has but one source of economically mineable cobalt—near the Blackbird mine in Idaho. Unfortunately, efforts are currently underway to include in wilderness about one-half of the "cobalt trend" near that mine, thus making impossible the full exploration and development of that resource.

The Interior Committee recently voted 23-15 to exclude that area from wilderness to ensure that exploration and development of deposits within the area will have a reasonable opportunity to take place. In order to protect the role of America's steel industry while assuring the viability of our national defense system, I urge you to vote to

preserve the Interior Committee decision to keep cobalt out of wilderness.

Sincerely,

JAMES D. SANTINI,  
Chairman, Subcommittee  
on Mines and Mining.●

**LEVITAS AND THE WINDMILL**

**HON. JIM WRIGHT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. WRIGHT. Mr. Speaker, there is a movement in this country toward regaining control of the enormous bureaucracy which runs our Government, and that movement is gaining momentum as more and more people realize that the rules governing their lives and livelihoods are made, not by their elected and accountable legislators, but by unelected and unaccountable bureaucrats.

One of the leaders of this movement to restore accountability to Government is my good friend and colleague, Congressman ELLIOTT LEVITAS of Georgia. I have been working closely with him in these efforts over the past 5 years. The fact that more than 230 Members of Congress are cosponsors of his legislative veto bill, aptly numbered H.R. 1776, clearly evidences the support which this idea has in Congress.

The concept of the legislative veto is important because it returns to the people, through their elected representatives, control of the laws and rules which govern their lives. And make no mistake—bureaucratic rules and regulations are laws. They have the same force and effect as a law passed by Congress. At this time, there are virtually no checks and balances to bureaucratic regulations. These rules and regulations are written by those persons who do not suffer the inconvenience of having to run for public office every several years, and therefore who have no constituency to whom they are accountable.

Mr. LEVITAS' legislative veto is a simple mechanism which brings the Congress back into the legislative process of writing rules and regulations. It would allow the Congress, the elected legislators, to veto rules and regulations which are arbitrary, go beyond the intent of the law, or are just plain silly. It means that the Congress—and the people—will have some say-so in the rules which govern us.

Therefore, it was with much interest and pleasure that I read a column in the Atlanta Journal-Constitution which described the fight for control and which particularly noted the leadership displayed by our colleague, Congressman LEVITAS.

I expect these efforts to be successful, and if they are, much of the credit must go to Congressman LEVITAS along with the gratitude of us all.

The article follows:

LEVITAS AND THE WINDMILLS  
(by Durwood McAlister)

When Elliott Levitas went to Washington as a first-term congressman he sounded a lot like a lot of other first-term congressmen, talking bravely about whittling down federal bureaucracy and reducing the size of government.

It was hard to decide then whether he was just another cynical politician saying what he knew his constituent wanted to hear or a naive Don Quixote, honestly and foolishly taking aim on a field full of concrete windmills. Either way, few serious observers gave him any chance of accomplishing the improbable task he had set for himself.

That was five years ago, and a lot of us who were ridiculing his Don Quixote act then are ready now to acknowledge that the windmills of overgrown government and entrenched bureaucracy are beginning to look a little shaky. If they topple, Elliott Levitas is due a lion's share of the credit.

Obviously, he couldn't do the job by himself, but his leadership is credited with bringing Congress to the point of a historic confrontation with the executive branch, and many feel that confrontation will actually result in significant curbs on the growth of government.

The lance that Levitas is using to tilt at those bureaucratic windmills is the legislative veto.

It is a weapon that has been around for a long time—since the days of Herbert Hoover, in fact—but it has been used very sparingly until recent years, and then only as an attachment applying only to specific bills.

Levitas and his allies have used the strategy of attaching the veto provision to individual bills in the past, but they are shooting much higher now. They're aiming to get enacted into law a provision that will give Congress veto power over all federal agency actions.

The Carter White House is fighting tooth and nail to head off the Levitas offensive, but the Georgia congressman is confident that some form of legislative veto will emerge during this session.

"It took a while to do something," he said Friday. "First of all we had to reverse a direction in which this great, huge steamroller of government was moving. We had to slow it down and reverse it, and it took a long time to educate the members of Congress and to get public support and create the right atmosphere."

He says all that has been accomplished "through raising the issues, fighting them time and time again, and then doing a little parliamentary slugging."

A prime example of that "parliamentary slugging" is going on right now and there is a good chance that a controversial Federal Trade Commission is going to be severely chastised in the process. It could even be put out of business.

The FTC has been operating for two years under temporary funding. That authorization expired yesterday and the Levitas forces have drawn the line—any bill to provide funding will be defeated, they say, unless it includes provision for a congressional veto of FTC regulations.

Levitas says he has the votes. The bill will include legislative veto, he says, or "no question about it, there will be no FTC bill."

The skirmish over the FTC is only prelude, however, to the big battle that will be fought during the next few weeks. That will determine if all federal agencies will be subjected to oversight by a Congress with effective veto power. Levitas is confident of victory.

"One of the consequences of this," he said, "is going to be a reduction, in my opin-

ion, of the number of civilian employees in government.

"I think we're going to scale down; we're going to balance budgets; we're going to reduce bureaucracy; we're going to make it more accountable. And I think this has been the year, this has been the session of Congress when the turning point occurred."

If he is right on everything else, there's a good chance he is wrong on that last point. The real turning point may well have occurred five years ago when Levitas climbed on his horse and rode off to do battle with the windmills of Washington. ●

MX MISSILE PROGRAM

HON. THOMAS J. DOWNEY

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. DOWNEY. Mr. Speaker, I would like permission to include in the Record the second in a series of three articles by Newsday writer Jim Klurfeld on the subject of the MX missile program. I believe that my colleagues will be interested in the analysis presented by Mr. Klurfeld in this article, entitled: "The MX: Matching the U.S.S.R. for a Shaky Balance," of the deliberations within the administration and the Pentagon during the year 1978 concerning MX. Considerations of the strategic balance between the United States and the Soviet Union are particularly well documented and clearly presented. I want to provide my colleagues with the opportunity to gain a valuable insight into the origins of the MX debate, as I have, through Mr. Klurfeld's articles.

The article follows:

[From Newsday, Feb. 4, 1980]

THE MX: MATCHING THE USSR FOR A SHAKY BALANCE

(By Jim Klurfeld)

It is 1981. The United States and the Soviet Union are involved in a major confrontation over the Persian Gulf. The Soviet leader has just sent the President a secret message: Back down in your support of Israel or be prepared to face the consequences. Both understand the implications of the warning. The Soviets are threatening nuclear war.

In years past, that might not have been a credible threat. For years, the Soviets had been behind the United States in nuclear weapons. During the 1970s, there had been a balance of power. But, by 1981, both countries knew there had been a shift in the balance. It is a slight shift, but one that the Soviets are now trying to exploit. The Soviets could now wipe out the U.S. Minuteman force—America's 1,054 land-based intercontinental ballistic missiles. The United States would not have a comparable capability.

The President is in a difficult position. Some might say untenable. If he believed the Soviets were about to launch a nuclear attack and he did not want to lose his land-based missiles, he would have two options.

The first would be to launch the Minuteman missiles before the Soviet missiles arrive—a "launch on warning." The President, once told that Soviet missiles are on their way, would have less than 24 minutes to make the decision; he would not have enough time to determine if the warnings were false or whether the Soviets were bluffing. That would mean the President

would be the one to start a nuclear war. Most strategic planners say a president would never take that step.

The alternative would be to call the Soviets' bluff. The Soviet attack would kill from 2 million to 10 million Americans, most by fallout from the attack. The U.S. would respond by launching an attack with its submarine-based missiles and its nuclear bombs carried on B-52s. Because these are not highly accurate weapons, they would be aimed at Soviet centers of industry and population. It would mean the death of perhaps 80 million Soviets. And it would bring a similar Soviet counterattack, which would cost the lives of an additional 100 million Americans.

But would the President launch that counterattack under those circumstances? His nation already would have sustained great damage and a counterattack would cost him 10 to 50 times as many lives. Or, knowing all that, would there be a third option? Would the President avoid such a confrontation at all costs? Would he avoid getting into a crisis by giving in to Soviet demands?

Washington—In the fall of 1978, President Carter began to come to grips with the MX missile.

In a series of formal and informal meetings, the President and his top national security advisers debated the future of the U.S. strategic arms program. Carter met with his top aides over breakfast in the Oval Office and he listened to heated and sometimes bitter debates in large gatherings in the cabinet room. He read briefing papers and top-secret documents outlining the Soviet nuclear capability. One meeting, on Sept. 29 in the cabinet room, scheduled as a budget review, turned into a four-hour debate on the future of U.S. strategic programs.

And always in the back of the discussion was that scenario. What would a president do in a crisis? What would a president do in case of nuclear showdown? Thinking the unthinkable—it was something a president had to do every day.

"The point is that this is not a simple question of whether the president orders an attack or not," a national security aide said. "It is important to ask how you get into a crisis in the first place and assess how anxious or willing your side is to get into a crisis in the first place. If you are more fearful, you might take steps at the outset to avoid a crisis and give in to the other side. If our fear of crisis is worse than their fear of crisis, we are in a worse position. There must be a balance of fear of crisis."

At the center of the debate was a new fact of the nuclear age: The Soviet Union would, by the early 1980s, be able to wipe out the existing U.S. land-based force in a surprise attack. The immediate question before Carter was whether to spend \$33 billion on a new intercontinental ballistic missile that would not be vulnerable to Soviet attack—the mobile, blockbuster missile experimental: the MX.

But beyond that issue was a more basic question: Was it time to re-evaluate and change the United States' basic concepts on how a nuclear war could be deterred? Had the theory of mutual assured destruction—the doctrine that the United States had relied on, in one form or another, for two decades—become obsolete?

That involved a difficult choice for the President. The United States had long had the ability to build large, highly accurate missiles that would threaten the Soviets' missiles, but Presidents Johnson, Nixon and Ford had resisted making that decision. If the Soviets' missiles were threatened, the balance of power might be less stable. Far less stable.



If the Soviets, who rely more heavily than the United States on land-based missiles, believed their ICBMs were vulnerable, they might not wait to find out if the United States had actually launched an attack: They might launch on warning—in a Kremlin version of the scenario—before their missiles were destroyed. Or, without warning, they might even launch a pre-emptive attack on U.S. missiles. That was the hair trigger that so concerned arms control advocates.

When he took office, Carter had opposed construction of the MX. He wanted to end the arms race and to rid the world of nuclear weapons, not to up the ante. To him, the MX represented an undesirable escalation. But by the spring of 1979, he decided to go ahead with the project.

All those who worked with Carter say he came to that decision only reluctantly and with considerable anguish. But for military and political reasons, he concluded that he had little choice.

"I think that the President felt great consternation when he was first presented with the land-based vulnerability problem. He was appalled by the situation and the choices he would have to make," said Air Force Gen. Kelly Burke, who is in charge of research and development for the Air Force. "Everyone is appalled at first. There is no clear, easy, cheap answer. It takes time to get used to."

The process was gradual, evolutionary, according to National Security Adviser Zbigniew Brzezinski and others. No one event changed Carter's mind. Indeed, Defense Secretary Harold Brown said many months later that Carter remains as viscerally opposed to nuclear weapons as ever.

The first step toward a decision had come in November, 1977, when new intelligence information suggested that the Soviets would achieve missile accuracy capable of destroying the Minuteman force by the early 1980s. Until then, the Carter administration had minimized the problem.

The fall, 1978, meetings were the second step, the building of a philosophical foundation for the final decision.

The third step would come during the spring and summer of 1979, with the decision on what type of MX system to build.

"I can't point to any one meeting in which the decision was made to build the MX," said Brown, who most agree was Carter's most influential adviser on the matter. "The President was not committed publicly or privately until the spring of 1979. But those discussions in the fall of 1978 had a big effect subsequently. There is no question about that. After those meetings it really became an issue of *how* you respond to the needs rather than *do* you respond."

#### IS MX NEEDED?

Throughout the debate, Carter's top advisers were divided over the meaning of the crisis scenario.

One group included Secretary of State Cyrus Vance; Vance's top arms control advisers, Paul Warnke, the head of the arms control agency, and Leslie Gelb, the head of the bureau of politico-military affairs, and Dr. Frank Press, the President's science adviser.

They argued that the scenario did not make any sense. No Soviet leader in his right mind would ever take the risk of threatening nuclear war as long as he knew the United States could respond in a devastating manner with its submarine-based and air-borne nuclear weapons.

That was the traditional argument in the nuclear debate. As long as one side could respond to a nuclear attack in a devastating manner, the other side would never take the chance, the reasoning went. It is the theory

of mutual assured destruction. During the 1960s, it had been the basis for American nuclear strategy. The criteria—devised by then-Defense Secretary Robert McNamara—had been to wipe out one-third of the Soviet population and two-thirds of its industrial capacity.

"No matter what scenario you start with, you always wind up with both sides destroyed," Warnke said. "It always comes down to mutual assured destruction."

The new accuracy of Soviet missiles was a problem, that group conceded, but not a major problem not one that warranted a massive new military spending program. They also questioned whether in practice the Soviets believed that they could launch such an attack. None of these immense nuclear systems had actually been used except for limited testing. U.S. officials, in fact, now concede that for a period in the 1960s the Minuteman missiles had faulty guidance system and probably could not have been fired successfully. Would the Soviets ever believe they could coordinate a strike that would require such accuracy?

Even if the Soviets did believe they could pull off a successful attack, Warnke and others argued, the missiles based on submarines and B-52s were more than sufficient deterrence.

Warnke, a 59-year-old lawyer with a sonorous voice and a smooth, almost officious manner that alienated many in the bureaucracy, would be the most vociferous dove inside the administration: A former Pentagon official in the Kennedy-Johnson years and Clark Clifford's law partner before returning to the Government, he had become a member of the Washington establishment who was known to argue either side of an issue with equal intensity. But he was identified as a dove: a supporter of George McGovern and advocate of arms control. His appointment had been attacked by hawks such as Sen. Henry Jackson (D-Wash.) with a bitterness unusual for Washington insiders. He and Brown and Vance had all served under McNamara.

The other group, led by Brown, Brzezinski and the Joint Chiefs of Staff, believed that something had to be done.

They argued that nuclear deterrence was a psychological concept and that, even if the Soviets had only a *perceived* advantage, it could not be ignored.

The Soviets did not agree with the theory of mutual assured destruction, they argued. Soviet military doctrine was based on an entirely different premise: The Soviets were prepared to fight and win a nuclear war. The winner of a nuclear war—if there could be such a thing—would be the nation that was able to recover its industrial capacity more quickly, they argued. Limiting damage and destroying the other side's missiles then become important criteria.

Brown—who had spent his adult life either building the bomb or trying to find ways to deter its use—conceded that the chance that the Soviets would try to exploit an apparent advantage was very small. He believed that a "limited" nuclear conflict would be highly implausible. He knew that even an attack on U.S. missile silos could kill from 2 million to 10 million Americans. But he asked whether, when the stakes were so high, the implausible was the impossible. And there was one question that bothered him and that he could not answer.

"The question was why the hell are they building what they are building," Brown said. The Soviet ability to attack the Minuteman force, the defense secretary felt, might lead them to believe that they could conduct a war principally by attacking U.S. missiles. "I don't think they should be tempted to do that," he said.

Brown added another technical argument. The U.S. deterrence had always been based on three different systems, the "triad" of land-based missiles, submarine-based missiles and missiles carried by the B-52 force.

"The idea of the triad was that if one leg gets weak, you concentrate on building it up while the other two are strong," Brown said. "But if you let one leg of the triad go to hell, you are telling the Soviets, fine, you can now concentrate on the other two legs."

There was also a powerful political argument. Carter was already under attack for being weak on national defense. He had canceled the B-1 bomber, had declined to deploy the neutron warhead in Europe, had announced plans to withdraw U.S. ground forces from Korea. By the fall of 1978, he was trying to complete the negotiations for a new strategic arms limitation treaty with the Soviets. He was well aware that SALT II was in trouble in the U.S. Senate, where he needed a two-thirds vote for ratification. Could he ignore the threat to the Minuteman force and still expect the treaty to be supported? More specifically, he knew that he had to have the support of the Joint Chiefs of Staff for the treaty. And the chiefs wanted the MX.

"It was clear that we had to have the chiefs on board," Warnke said. "Forget the other arguments. Politically, there was no choice."

There was never an explicit deal between the Carter administration and the military, officials on both sides say. But Warnke points out that there did not have to be. The situation was obvious.

Outside the administration, the political pressure did not build spontaneously, however. A group of congressmen, academic experts and citizens kept up a steady fire of criticism at Carter and at the SALT negotiations. But nobody was as influential, according to both hawks and doves, as Paul Nitze, a slight, white-haired, 73-year-old, soft-spoken former stockbroker, former deputy secretary of defense and former chief negotiator at the strategic arms talks. A hawk, but a hawk who felt that the only way to avoid a nuclear holocaust was to be firm with the Soviets. Some would call him zealous, but few would doubt his seriousness or his influence, especially with the elite who knew about the bomb.

Through his Committee on the Present Danger, Nitze had helped define the SALT debate. And one of the first points he had made was that land-based vulnerability was a serious problem. When Brown and Perry worried that the intelligence information would leak, they worried that one of Nitze's contacts would feed him. That is what happened. And Nitze knew how to use the information.

The decision on the MX is closely interwoven with the negotiations on SALT II. Before Carter had even come to a decision on whether he wanted to build the missile, he realized that he had to make it clear that he was preserving the option in the treaty to build it. It was an attempt to neutralize the argument of treaty opponents—Nitze chief among them—that he was giving the Soviet Union too many advantages and was not sufficiently concerned about land-based vulnerability. In July, 1978, the administration told the Soviet Union that the treaty provisions did not prevent the United States from deploying a mobile missile after 1982. When the Soviets secretly objected to that in Geneva, Brown made a public speech in New Orleans stating the U.S. determination to maintain the option to build the MX.

Even before the fall discussions, Carter and his top aides were aware of the political need to keep the MX option open. Even those who were philosophically opposed to

the MX would not oppose keeping the option to build it. Eventually the plan adopted for the MX, the racetrack, would be designed with SALT II in mind. Now that SALT is in limbo, awaiting Senate action, the specific MX plans will have to be re-evaluated and maybe even scrapped, according to some national security officials.

"By the fall [of 1978]," Brown said, "I think most of the principals had come to the conclusion, as much as we disliked it, that we could not opt out of the competition."

#### HOW BIG A MISSILE?

There was yet another decision, perhaps more important than the first: What type of missile should be built?

That was a philosophical question: It was technically possible to redesign the Minuteman and place it in a mobile basing. But the Air Force, since the early 1970s, wanted to make the MX the biggest, most powerful, most accurate missile possible. It wanted a missile that would give the United States the same capability that the Soviets had developed: to wipe out most, if not all, of the USSR's land-based nuclear missiles. The Air Force wanted to give the United States counter-silo capability.

If the United States could accomplish that, it would represent a major change in strategic policy that could also make for a less stable world.

The Soviets have 70 per cent of their nuclear forces on land, compared with 30 per cent land-based forces in the United States. A U.S. threat to Soviet ICBMs would be a far more difficult problem for the Soviets than the Soviets' threat to the U.S. ICBMs. The Soviets' submarines, their other major nuclear force, are not as quiet as the U.S. fleet and therefore easier to locate. There would be much greater pressure on a Soviet leader to use his missiles before they were lost in a U.S. pre-emptive strike.

Brown and others said that only if the Soviets were threatened in that way would they seriously consider drastic cuts in land-based missile systems, or else make their own missiles mobile. And if both sides were mobile, Brown said, that, too, would make for a more stable nuclear balance.

But, critics asked, why take the chance on Soviet behavior? Who could possibly predict what the Soviets would do when they felt threatened? Why not build a smaller missile, one that would not threaten the Soviets? As long as the U.S. missile was not susceptible to attack, the balance of power would be stable.

A missile system that could threaten the Soviets was a controversial matter. And yet it was never debated head on, administration officials said. The second decision was essentially a by-product of the first decision: to build a mobile missile.

Administration officials offer two reasons the decision to build a missile with counter-silo capability was not debated in a formal, structured way: It was technologically inevitable, and having such a debate would have been harmful.

Brown felt the technology was inevitable. Counter-silo capability is primarily a function of accuracy, not of missile size. And accuracy improvements involve only small, relatively inexpensive changes to a missile.

"It is naive to believe that we could build a missile less capable than its potential," Brown said. "It is not the same kind of decision (as the basing mode) because it only has to do with guidance accuracy. It does not double the cost of the system, or anything like that. It is naive to think it can be controlled—you are only talking about software and small component parts."

The chairman of the Joint Chiefs of Staff, Gen. David Jones, said: "Even if we did

build a less capable missile, the Soviets would never believe it. They would still act as if we could attack their missiles."

It was Brzezinski who wanted to change U.S. strategic doctrine. And he did not believe that could be accomplished by a head-on debate—the topic was too controversial, the feelings on it too strong.

"I had long felt that the doctrine of mutual assured destruction was no longer usable—both psychologically and politically," he said. "The idea that we could threaten the Soviets in a great spasmodic response just did not have credibility any longer. It was a tenable doctrine only so long as the United States had nuclear superiority. But once we no longer had superiority, it no longer made sense."

As much as Warnke was a dove, Brzezinski was a hawk. He was a Polish emigre who had fled his homeland at the time of the Soviet invasion. Some of his critics said his attitude toward the Soviets was more visceral than intellectual. Among his beliefs was that anybody in the White House had to be prepared to press the button—to use nuclear weapons—and that a nuclear war between the United States and Soviet Union would not mean the end of humanity.

"That's baloney," he said in an interview two years ago. "The fact of the matter is that, if we used all our nuclear weapons and the Russians use all their nuclear weapons, about 10 per cent of humanity would be killed. Now, that is a disaster beyond the range of human comprehension. It is a disaster which is not morally justifiable in whatever fashion. But descriptively and analytically, it is not the end of humanity . . ."

Some administration experts on nuclear war consider Brzezinski's views oversimplified and unsophisticated. They point out that the United States never had a policy of pure mutual assured destruction and that, since the early 1970s, missile targeting had been designed so that a president would have flexible options in case of a war. In fact, the United States had always had some counter-missile capability.

But Brzezinski's view had more to do with international politics than with pure military strategy. He argued that the United States must have a response for every potential Soviet action: If the Soviets structure their forces so they can fight a limited nuclear war, so must the United States. Balance of power depended on perceptions, he felt.

Brzezinski knew that he could not change U.S. strategic doctrine directly. It was too controversial. How you felt about the bomb was like your religion, and you did not give in easily. Instead, the national security adviser brought the President and his administration along by a series of incremental steps. Those steps included studies of the U.S. defense posture and the steady, unremitting growth of Soviet defense forces in the last 18 years (since the Cuban missile crisis), a new study of nuclear weapons targets, and an overall study of Minuteman vulnerability.

"The President was particularly impressed by the assessment of Soviet military capability," said a White House military expert. "When we presented him the paper that showed how far ahead the Soviets were, it made him stop. It was important in the final decision."

Brzezinski was consistently challenged by Warnke and Gelb. Both felt that, because the Soviets were so dependent on land-based missiles, the MX would represent a dangerous threat, one that would make the balance of power less stable. And both felt that the emphasis on perceptions was a fallacy.

"Things are the way you look at them," Gelb argued. "It is only important that the

Soviets can do something and we can't if we say it is."

Warnke and Gelb both left the administration before the final MX decisions were made—departures that were not unwelcome to Brzezinski.

Other figures in the administration who had opposed counter-silo capability in the past found their opinions changing for different reasons, including arms control reasons. Some adopted the Brown argument that the only way to achieve arms control in the future was to threaten the Soviets in the same manner that they now could threaten the United States.

One arms control advocate in the administration found himself somewhat bewildered by his own support of that position. "I'm not saying that any of these choices are good—they're all lousy," he said. "But one thing you learn inside the government, as opposed to being in a think tank: You must deal with the problems of the real world and you can't be as theoretical or cavalier in your judgments."

And, of course, building the blockbuster missile was attractive politically. It would gain votes for SALT. Once again, the arms control treaty was being promoted by an escalation of the arms race.

While all the theoretical work was going on, the Air Force and various scientific panels were trying to design a basing system for the MX. The Air Force had dropped its plan to locate the missile in long, underground tunnels when scientists found the tunnel would magnify the shock waves from an atomic blast. The new plan was a variation on the shell game concept: building more missile silos than missiles and forcing the Soviets to guess under which cover the missile had been located.

That would not be the final proposal. It would take almost another year to find a way to base the MX. Even then, nobody would be happy. ●

## FRANCE ACCELERATES NUCLEAR PROGRAM

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. WYDLER. Mr. Speaker, the Wall Street Journal carried an interesting article on February 29 which outlined the advances which the French are making toward becoming the Western World's leading nuclear power.

In previous entries in the RECORD, I have documented the growth of nuclear programs in the Soviet Union, the United Kingdom, and Japan. The French are making an all-out nuclear commitment and I thought it was worthwhile bringing the details of their program to the attention of my colleagues in the House.

The following are excerpts from the article in the Wall Street Journal:

### ATOMIC SPEED—FRANCE PURSUES DRIVE TO REPLACE OIL IMPORTS WITH NUCLEAR ENERGY (By Jonathan Spivak)

LOYETTES, FRANCE.—Along the lovely Rhone River here in Southern France—an area known locally as "nuclear valley"—the huge cooling towers of the Bugey Central

Nuclear Station drape cottony puffs of white fog around Western Europe's largest nuclear complex.

Bugey's five government-built and government-operated reactors already produce over half of France's nuclear energy and one-tenth of all its electrical power. But in a determined drive to reduce dependence on foreign oil, France will soon start installing nuclear plants almost half again as large and put into operation a long-awaited breeder reactor that produces more nuclear fuel than it consumes.

By 1985, if all goes as planned, France will be far and away the Western world's leading nuclear power, producing 55% of the nation's electricity from the atom, more than three times the present proportion. The banks of the Rhone River from the Swiss border to Marseilles will then be dotted with 40 reactors, helping France surpass the combined nuclear-power production of Japan and West Germany, its closest nuclear competitors.

"For us, nuclear power isn't a matter of prestige—it's a necessity," says Maurice Barberger, the man in charge of building France's pioneering but controversial fast-breeder reactor, the Super Phoenix. On a recent nationwide radio broadcast, President Valery Giscard d'Estaing boasted that the French nuclear program "places us in a position of great security" in energy supplies.

#### SUM OF \$8 BILLION A YEAR

France's all-out nuclear commitment, currently costing \$8 billion a year, makes it a fascinating economic and technological proving ground for nuclear energy. The results could not only be critical to France but also determine energy policy throughout the Western industrial world.

Set in motion chiefly as a matter of national prestige more than two decades ago, France's nuclear-power program is the heart of a government drive to achieve faster industrializing and rising consumer living standards. Official plans for a 5% to 6% annual increase in electricity consumption and a real decline in electricity prices depend entirely on nuclear power.

Despite recent discovery of a flaw in the construction of reactor vessels—the program's first potentially serious safety problem—the French nuclear-power effort is also providing support for wavering nuclear plans in other Western European countries. The political pendulum in Europe seems to be swinging back toward nuclear power after a series of setbacks over the past two years.

Popular referendums had blocked operation of an Austrian nuclear plant and tied tight safety requirements to the Swiss nuclear program. The German program was bogged down in arguments over reactor safety and waste disposal. The British Labor government was hostile to nuclear power. And then the Three Mile Island episode in the U.S. caused the Netherlands and several other European countries to consider abandoning nuclear power altogether.

#### PLANS REAFFIRMED

Recently, however, Germany, Spain and Italy have either reaffirmed previous nuclear plans or even accelerated them. The British government has just announced its intention to start construction in 1982 of a series of plants similar to the French ones. And nuclear-power advocates are suddenly more hopeful about the likely results of a March 23 referendum in Sweden to determine whether that country builds six more nuclear plants or phases out the six it already operates.●

## DRAFT RETURN LOOMS

### HON. CARL D. PURSELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. PURSELL. Mr. Speaker, the issue of draft registration is obviously a very controversial one on America's college campuses. As the representative of the district with the largest percentage of college students in the country, I think it is important to listen to the voices, pro and con, of the citizens most directly affected by the President's draft registration proposal.

One important source of student opinion in my district is the Eastern Echo, the student newspaper at my alma mater, Eastern Michigan University. I offer an editorial on draft registration from a recent issue of the Echo so my colleagues can consider this point of view in balance with others they are receiving on this issue.

Of particular relevance, in my opinion, is the contention of the editors that our failure to free America from dependence on foreign oil is at the base of many of the foreign policy and national security problems we now face.

This concept has been central to my own thinking and to my personal legislative program since I came to Congress. I would suggest again that my colleagues examine and support H.R. 2288, which I have reintroduced in this Congress, to establish a national energy trust fund to accelerate development of the broad range of sources which must form our energy supply for the future.

The article follows.

#### DRAFT RETURN LOOMS

Greetings.

It may not be long before Americans aged 18 through 26 will receive such salutations from the U.S. Government. It is an introduction to a way of American life that faded away in 1973. Now, the revival of a selective service system seems imminent.

Gov. Edmund Brown put the potential of President Carter's proposal into perspective when he said, "There's never been a registration without a draft. There's never been a draft without a war."

When Carter stood before national cameras and made his State of the Union address, we feel he guided the United States in its first steps toward war.

The issue, we feel, of whether or not the draft should come into effect is a mere fringe of the greater problem. What is central in all of the ruckus is the question of war's validity.

Without war, the Selective Service System has no purpose.

Morally, we believe it is wrong to resolve problems through murder. We think the energies that are being expended in preparation for a military confrontation could be better directed to focus upon opening diplomatic channels.

Eventually, it seems inevitable to us, that as right or wrong as the Olympic boycott may be, it will be slapped back in Ameri-

cans' faces as a gauge of their feelings toward the Soviet invasion of Afghanistan.

This measurement is untrue.

It is discouraging to us that the United States will banish the memory of Vietnam and its horrors so quickly and so readily. The outrage that the youth of America reflected, the return of a generation's paranoia and the mere idea of the federal government keeping track of individuals' whereabouts all seem to be impending historical moments that will rise from their graves.

The ulterior motive behind the government's decision and the driving force internationally focuses upon energy. We will consider an invasion upon the Persian Gulf an invasion upon America, Carter said.

This alone speaks to the motivating force behind our actions.

We feel strongly that money and action should be put into an effective energy program for this country. We can no longer approve of minor solutions to major problems—and the focus of international affairs has proven to us that this is a major problem.

It would be far more responsible for the government of this nation to ask its people for assistance in generating solutions to problems we are facing at home because of dependency abroad.

However, we believe that this will be the last step taken.

Instead Americans will be wooed and weaned about the necessities for war. The dire straits that will befall America will be magnified to generate enthusiasm and support behind a bloodthirsty and vicious pursuit.

It will be America's decision. But who will allow whom to make that decision?

We think past issues on Eastern's campus have been indicative of the attitudinal acceptance people have of governing bodies' judgments. For months, a handful of students have voiced their opinions on such topics as the intramural/recreational complex and a proposed physical education reduction.

Too many other students stood silent.

We think it is time to act now.

The strongest indication of intent that can be given to legislative representatives is a letter voicing your view on the subject.

We no longer ask you to write. We plead with you to write.

Write as if your life depends upon it—because indeed it may.●

## WORKPLACE FATALITIES

### HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. GAYDOS. Mr. Speaker, while it is generally recognized that underground coal mining operations are extremely hazardous, many people are not cognizant of the dangerous nature of surface stone mining and sand and gravel mining operations. These operations have consistently had more than half of the fatalities of all metal and nonmetal mining fatalities. Injury-severity rates for sand and gravel operations have been above those for overall metal and nonmetallic mining. Also, disabling injury frequency rates for stone operations have

been higher than all other mining operations since 1976.

The Federal Mine Safety and Health Act was passed in 1977. It was a substantial upgrading of the protection afforded workers under the 1966 Metal and Nonmetallic Mine Safety Act. Among the workers receiving the advantages of the new act were those working in sand, gravel, and stone mining operations. Since the passage of the 1977 act, the Mine Safety and Health Administration—MSHA—has been working to improve the health and safety of the work environments in these industries. The following are the results of MSHA accident investigation reports of various workplace fatalities which have occurred in the stone mining and sand and gravel mining industries.

MSHA investigated the July 27, 1979, death of a 30-year-old employee of a stone quarry located 6 miles east of Front Royal, Va. The victim died of head injuries sustained in a rockfall at a 100-foot high quarry wall that he was working under. MSHA found that the cause of the accident was the failure of management to properly evaluate ground conditions in the quarry and follow adequate ground control procedures.

MSHA investigated an accident leading to the August 8, 1979, death of a 55-year-old employee of a sand and gravel operation in Ventura County, Calif. The victim died of a heart attack as the result of an accident in which he was buried with sand while trying to clean material from the feed chute of a conveyor system. MSHA found that the direct cause of the accident was the failure to use safety belts and lines and the failure to have a second person tend the lines while persons are working in feed chutes.

MSHA investigated the September 7, 1979, death of a 19-year-old employee of a sand and gravel operation located near Casa Grande, Ariz. The victim, who was attempting to adjust the water hose at the top of the crusher, was electrocuted when he came in contact with the top of the crusher. While the other employees tried to revive the victim, none had been trained in CPR. The company had an MSHA-approved training program, but had not put it into effect at the time of the accident. MSHA found electrical violations by the company to be the cause of the accident.

MSHA investigated the September 20, 1979, death of a 45-year-old employee of a stone mining operation located near Clifton, Tex. The victim was crushed by a steel conveyor frame that fell when it was being loaded onto a flat bed trailer. MSHA found that the cause of the accident was the failure to secure the frame before placing an additional load on top of it.

MSHA investigated the September 7, 1979, death of a 28-year-old employee of a stone mining operation located near Staunton, Va. The victim was

electrocuted when the bed of the truck he was operating struck a powerline. The accident occurred when the bed of the truck was raised in order to be washed out. MSHA's investigation report stated that hoses for washing out truck beds should be placed in areas away from overhead powerlines. It also stated that highly visible markers should be placed on all overhead powerlines.

MSHA investigations into accidents, such as the above, are of vital importance in determining causes of fatal accidents which serves to educate the employer and the employee as to hazardous situations which must be avoided. But post mortem investigations are only a part of the role performed by MSHA. Rather, MSHA by continually monitoring worksites through its consultation and inspection activities can save lives by finding imminent danger situations and having them abated. Surely, working men and women in this Nation have the right to a safe and healthful work environment. Agencies, such as the Mine Safety and Health Administration, working in conjunction with employers and labor organizations, provide a key element in the struggle for the goal of safe and healthful working conditions.●

#### INCREMENTAL PRICING: THE ISSUES

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. DINGELL. Mr. Speaker, a number of Members have introduced legislation, H.R. 5862, to repeal title II of the Natural Gas Policy Act of 1978 (NGPA). I believe such legislation would be premature inasmuch as the Federal Energy Regulatory Commission has not yet completed making its decisions implementing the incremental pricing provisions of title II. Nevertheless, I have prepared the following rebuttal to those arguments that have been advanced in support of the repeal of title II. Once the Commission has completed its decisionmaking process with respect to whether the nonboiler fuel industrial use of natural gas will be included in the incremental pricing program, the NGPA provides that the Commission's decision will be subject to a one-House veto. Accordingly, consideration of repeal legislation would not be timely until the Congress has had a chance to consider the Commission's implementation decision, which must be submitted to Congress by May 9, 1980.

The text of the rebuttal follows:

#### INCREMENTAL PRICING OF NATURAL GAS: THE ISSUES

##### INTRODUCTION AND SUMMARY

The Natural Gas Policy Act of 1978 (NGPA) phases out controls on the wellhead price of natural gas. The price decontrol schedule as set forth in the NGPA

slowly raises the controlled maximum, or ceiling, wellhead prices for most categories of gas until 1985, when nearly all wellhead price controls are lifted entirely. These provisions, which virtually guarantee higher gas prices, are necessary (it has been argued) to encourage increased supplies of new, high cost gas and to promote conservation.

But decontrol leaves open the question of who should pay what fraction of the higher prices. And decontrol leaves open the possibility of very high prices for some new gas. In order to deal with these questions, the Congress developed incremental pricing provisions in the NGPA, requiring certain industrial gas users to pay the "incremental" higher gas costs resulting from decontrol. It therefore assigns the increased costs to those users who have traditionally paid the lowest gas prices, and who can exert the most influence over pipeline companies to keep decontrolled prices from escalating too rapidly.

Without incremental pricing, the high prices for relatively small quantities of decontrolled new gas would be averaged in with the far greater quantities of much cheaper old gas. The prices produced by this averaging-in process would disguise the high costs of new gas—whose prices could, therefore, easily be bid up to excessive levels. This had occurred in the past: during the gas shortfall in the winter of 1976-77, interstate pipeline companies paid \$4.00/Mcf for small quantities of available synthetic natural gas (SNG), a price well in excess of the then average price paid by pipelines of \$.70/Mcf.

With incremental pricing, large industrial gas users pay the major portion of the undisguised high prices for new gas. Industries can therefore make more rational decisions, based more nearly on the "marginal" costs of additional gas supplies. And industries can prevent too-rapid escalation of gas prices by their willingness-to-pay arguments to gas suppliers. In these ways, the natural gas market maintains some "order" during the decontrol period. Incremental pricing is, therefore, justified principally as a "market ordering" mechanism.

Further, incremental pricing recognizes that large industrial gas users are the first to benefit from the new supplies of decontrolled gas (since they are the first to be curtailed in a shortage). They should, therefore, pay the true costs of the extra supplies that they receive.

At the same time, higher prices for industrial gas customers reduce the current disparity between industrial and residential gas prices. Residential users subsidize industrial users by paying higher prices, yet do not have any significant capacity to conserve or substitute for gas. Under incremental pricing, residential customers will be protected from the new higher gas prices as their prices and industrial prices are brought more into line with each other.

Wellhead price decontrol means that industry's natural gas prices will rise to the price of alternative fuels—with or without incremental pricing. Incremental pricing simply establishes an orderly and equitable procedure for price decontrol by assigning a portion of the higher prices of the additional gas supplies to the beneficiaries: industrial customers. Incremental pricing ends the unfair subsidization of industrial energy use by residential gas customers, and requires industrial users to pay the true costs of the energy they use. Naturally, industrial customers would like to have the benefit of additional supplies of gas without paying their higher costs.

The following discussion addresses the arguments often made against incremental pricing.

Argument: Incremental pricing is inflationary.

Response: Since the NGPA gradually decontrols wellhead prices of some categories of natural gas, gas prices will rise. The inflationary impact of these increases can be minimized if the higher prices induce conservation—greater efficiencies of gas use, less energy-intensive industrial processes, or switches to cheaper fuels (e.g., coal). Incremental pricing is designed to encourage precisely these anti-inflationary possibilities. Wellhead price decontrol may be inflationary; incremental pricing is not.

By charging large industrial customers the incremental costs of new natural gas, incremental pricing signals these customers to use energy more efficiently, and this the industries can do in a great many cases. Further, they can shift to the cogeneration of heat and power—a very attractive option in many cases and one that is exempted from incremental pricing.

It is not likely, as some contend, that all industrial gas users will simply "pass through" to customers the increased incremental costs by raising the prices of their manufactured products. There are two reasons for this. First, competition: those industries that can keep their manufactured product prices lower by absorbing the increased gas costs with greater efficiencies or "productivity" will gain a competitive advantage. Thus, increases in product prices can be expected to be lower than increases in gas prices caused by incremental pricing. Second, market restraint: large users of natural gas can exert pressure on their pipeline company suppliers to keep gas prices from rising too rapidly; small users (e.g., residences) do not have similar leverage. This restraint on market prices will tend to moderate the inflationary tendencies of wellhead price decontrol.

These two deflationary tendencies of incremental pricing benefit residential consumers. Without incremental pricing, residential gas customers would share, with industrial, the new high gas costs; and they would still receive some passthrough of high gas prices in manufactured product prices. The net effect on residences would be more inflationary without incremental pricing than with it.

A study by Wharton Econometric Forecasting Associates (WEFA) concludes that incremental pricing is, in fact, inflationary. However, this study contains acknowledged errors; WEFA is in the process of correcting these and reporting its new conclusions—which will show lower, but still positive, inflationary effects. Still, one should be skeptical. In a statement to the Federal Energy Regulatory Commission, the Council on Wage and Price Stability contends that incremental pricing is not likely to be inflationary and that the WEFA assumptions, specifications and methodology are poorly suited to calculating the effects of price changes in a subsection of the economy.

Argument: Incremental pricing is recessionary.

Response: The higher prices for natural gas which result from gradual price decontrol may well have recessionary effects—as most any other price rises would. Incremental pricing seeks to moderate these effects by encouraging industrial customers to make more productive investments—investments which were not made during a period of artificially low gas prices. These investment dollars work through the economy, offsetting many of the possible recessionary effects of the increased gas costs.

Argument: Incremental pricing will cause natural gas to be displaced by foreign oil.

Response: Some users of natural gas may switch to oil as gas prices rise. Others will

switch to gas because gas prices will stay below the price of any oil substitute. The net effect will be more natural gas use and less use of foreign oil.

As the price of natural gas rises, the first customers to switch away from gas will be those who can use the cheapest substitute: coal. The gas replaced in this way will not remain unused; other customers will back out sources like distillate fuel oil and purchase the newly available cheaper-than-fuel-oil gas. The net effect will be more coal use (consistent with national policy), more gas use, and less fuel oil use.

As gas prices continue to rise during the gradual decontrol period, some gas customers might switch to high sulfur residual fuel oil. The gas not used by these consumers would also not remain unused; other customers would back out low sulfur residual fuel oil or home heating oil, and purchase the newly available cheaper-than-fuel-oil gas. The net effect would be the more efficient use of natural gas, the greater use of coal, and the reduced use of oil products.

Argument: Incremental pricing will actually result in residential users paying more for their gas than without incremental pricing, because industrial users will (with incremental pricing) switch to alternate fuels, leaving residential consumers to pick up the fixed gas transmission system costs traditionally paid by industrial customers.

Response: First, it is unlikely that industrial gas users will switch in large quantities to alternate fuels. Incremental pricing keeps industrial gas prices below oil substitutes; and any industrial switching to coal, or as a result of conservation, clearly benefits the Nation and the economy.

Second, should there be any significant reduction in industrial gas use before 1985 as a result of incremental pricing, the newly available supplies would in all likelihood be sold at lower, not higher, prices—as in any case of excess supplies. Also, the fixed system costs now paid by industrial are not large; spreading these costs over all residential customers will produce only very small (if any) price increases—which should easily be offset by the downward price pressure of the extra supplies.

Actually, without incremental pricing, there would be a serious possibility of large numbers of industrial customers switching away from natural gas suddenly in 1985, when price controls are lifted and gas prices escalate rapidly to market levels. Incremental pricing seeks to avoid this disruption in the market—and the resulting boost in residential gas prices—by gradually bringing industrial gas prices closer to alternate fuel levels before 1985.

Argument: Prices of natural gas to industrial customers will immediately rise to distillate fuel oil prices as a result of incremental pricing.

Response: The Federal Energy Regulatory Commission only sets the ceiling price that industrial users can be required to pay. The price that industrial customers will pay depends upon the prices paid by pipeline companies for new gas in the field. If pipeline companies exercise restraint in bidding for new gas supplies, there is no reason why prices to industrial users need ever reach the ceiling established by the Commission. Industrial customers, therefore, should encourage their pipeline suppliers to bid responsibly for new gas supplies.

Argument: Incremental pricing requires industrial customers to pay more than their fair share of increased gas costs.

Response: Industrial gas users are the beneficiaries of the additional supplies which will result from gradual decontrol. The cost of these "marginal" supplies should, therefore, be initially allocated to

the marginal consumers: industries. As the price of additional gas supplies rises further, incremental pricing will have a broader and broader set of users pay the incremental costs. Industrial customers do not absorb all of the incremental costs now, and their share will decrease over time.

By moving to correct a major regulatory irregularity—the distinction between interstate and intrastate natural gas markets—the NGPA caused substantial quantities of natural gas, formerly sold intrastate, to be made available to interstate markets. This gas is not subject to incremental pricing. The following example shows how industrial users receive this gas, while residential users pay for it.

Producers charge interstate pipelines approximately \$2.40/Mcf for this gas. Adding an average of \$1.00 per Mcf for transportation and delivery charges, the cost to the industrial consumer should be \$3.40/Mcf. However, industrial customers pay about \$2.60 for this gas. The remaining 80 cents per Mcf is being paid by residential and commercial customers, even though they do not use any of this gas. Incremental pricing eliminates the possibility of this happening for other sources of gas by ending the residential customer's subsidy of the industrial user.

Argument: Incrementally priced users are subject to the whims of OPEC pricing.

Response: Incrementally priced gas users are more subject to the whims of OPEC than are users of any other uncontrolled energy source. Every time OPEC raises its price, all users who are dependent on imported oil—or on any energy source whose additional supplies compete with imported oil—must pay the OPEC price. This will continue until some new, additional energy source can replace OPEC oil at a lower price; this is not likely to happen soon.

Ultimately, wellhead price decontrol will cause gas prices to rise to their replacement-cost level. Replacement-cost pricing ensures that energy conservation opportunities are seen and that productivity is improved. Replacement-cost pricing, so long as OPEC controls marginal supplies, is more or less subject to OPEC whims.

Incremental pricing will not worsen this situation for anyone. Incremental pricing does not mandate that industrial gas users pay OPEC equivalent prices, nor does it mandate that prices must reach the ceiling levels. Prices paid by incrementally priced users will rise only to the levels bid by pipeline companies for gas in the field. OPEC has nothing to do with that.

Argument: Industrial user shifts from natural gas to oil will have an adverse impact on air pollution.

Response: Because incremental pricing results in no loss of overall consumption of natural gas, there will be no increase in pollution from the burning of alternate fuels.

Price decontrol raises prices to bring on additional gas supplies whose use would reduce air pollution. Incremental pricing will not affect this net increase in gas use. ●

#### H.R. 6504, NATIONAL HERITAGE POLICY ACT

HON. AUSTIN J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1980

● Mr. MURPHY of Pennsylvania. Mr. Speaker, I am pleased to join in co-sponsoring the administration's National Heritage Policy Act, H.R. 6504,

which has been introduced by my colleague from California, Mr. BURTON, and on which hearings will be held in the Subcommittee on National Parks and Insular Affairs on March 17 and 18. This very timely and worthwhile piece of legislation would provide something long needed in terms of the effort to conserve the best of the American environment: coordination. Rather than starting up a major new Federal land purchase program, this bill will simply provide for increased coordination among the various activities which are now operating at all government levels and in the private sector to find and conserve significant examples of America's natural and historic heritage.

The heart of the bill will establish a National Register of Natural Areas to parallel the existing National Register of Historic Places. Nominations of areas to the natural register of areas identified for their exemplary biological or geological qualities would come primarily through a system of State natural heritage programs, just as the State historic preservation programs which now operate in each of the 50 States nominate areas to the National Register of Historic Places. A major portion of the proposed natural register already exists, in the form of the National Registry of Natural landmarks which was begun in 1963.

More than 25 States now have voluntarily started such a State heritage program. This bill would help other interested States to begin complementary programs. More importantly, it will provide a form of formal recognition for the areas that these States have identified and will continue to identify, through the National Register of Natural Areas. This recognition is also a means of protecting these irreplaceable areas from the unforeseen impacts of Federal actions. Under the bill, Federal agencies will be asked to respect the wishes and decisions of the States by attempting to insure that during the conduct of their activities as little damage as possible is done to areas listed on the Natural Register. This provision will not prevent or unnecessarily delay needed development activity. It is merely designed to serve as a tool for Federal agencies to help them plan their activities in ways which will not conflict with State priorities.

A large percentage of the more than 500 historic landmarks and over 400 natural landmarks which have been identified to date are maintained in private ownership. Many of these owners have voluntarily agreed to conserve the significant qualities of these landmarks for the benefit of all Americans, while still keeping the property or site in active use. Unfortunately, an average of about 10 percent of the total number of all national landmarks are reported to the Congress each year as being threatened by outside impacts. In my district, Friendship Hill, home of Albert Gallatin during his years in the Congress and

as Secretary of the Treasury, has provided an unfortunate example of what can happen to these landmarks when left without protection. Friendship Hill was privately owned until January of this year, when the National Park Service finally obtained the funds to purchase the property. This purchase was made necessary because the house was in a seriously deteriorated condition as a result of vandalism. Purchase by a Federal agency is not the only nor necessarily the most desirable way to conserve these national landmarks. It would be better to keep as many as possible in private ownership. But we must have more effective protective tools for landmarks and more incentives made available for the private owners of landmark properties if we are to conserve the unique qualities for which these sites have been selected.

I was very disturbed to learn recently that each year more than half of the national landmarks reported as being threatened are located on Federal property or are being threatened by some Federal activity. This is a sad example of the right hand not knowing what the left hand is doing: Federal agencies engaged in destroying what other Federal agencies have identified as being nationally significant resources. The heritage bill will not stop Federal or federally sponsored development activities, but it will insure that our right hand is always aware of the importance of what the left hand is doing.

The National Heritage Policy Act will allow us to continue to develop and grow in the ways we must to survive as a Nation. It will also enable all Americans to work together to see that, when we survive, we survive with our priceless national heritage intact. I am pleased and proud to join in co-sponsoring this legislation. ●

#### MAYOR KAY CALAS OF CARSON HONORED

#### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. ANDERSON of California. Mr. Speaker, on the evening of March 28, 1980, many friends and associates will gather on San Pedro's *Princess Louise* to honor Kay Calas, the mayor of Carson, Calif.

Mayor Calas is a widely respected leader in the 32d Congressional District, which I represent, and I would like to share with my colleagues in the U.S. House of Representatives some of her outstanding accomplishments. While her work is well known in the 32d District, it certainly merits wider recognition.

Kay Calas has been a resident of Carson for more than 30 years. She and her late husband, Councilman John Calas, were very active in the growth and development of the

Carson area. Through their work with the Carson Homeowners Association, they helped with the movement that made possible the incorporation of Carson as an independent city. After her husband passed away in 1975, she continued her active involvement in civic affairs.

She has served as president of the Carson Democratic Club and as president of the Keystone Women's Club, one of the oldest women's service organizations in the entire South Bay area. Kay Calas has also cochaired the chamber of commerce annual Miss Carson Beauty Pageant; been a member of the Carson Float Association, and the Graffiti Committee; and has served as director of the Carson Chamber of Commerce.

Law enforcement is another area where Mayor Calas has devoted much of her time. Last year she was appointed chairperson of WE TIP, an organization dedicated to the reduction of drug traffic in the local community. In addition, she has worked with civic organizations and the police department to improve police-community relations.

Her work for the Democratic Party has been strong, dedicated, effective, and consistent over the years. In 1968 she conducted important organizational work for the Presidential campaign of the late Senator Hubert Humphrey. The contribution of her talents to the party has earned her formal recognition, as she has been named a Democratic key woman.

As a businesswoman, Kay Calas has also achieved success. She handles business rentals for Calas Investments, a firm she and her husband operated for many years. This and her other ventures in the business world have been productive for her, her family, and the community.

My wife, Lee, joins me in congratulating our good friend Kay Calas on all her achievements. By her good work, she has brought honor to her family and to her community. We send our best wishes to Kay and all her children; her five sons, Chuck, John Jr., Frank, Jim, and Tom. We hope the future brings them many more years of good fortune and happiness. ●

#### CHEROKEE NATION AND LOSS OF MINERALS

#### HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. SYNAR. Mr. Speaker, today I introduced legislation in the House which confers jurisdiction on certain courts in the United States to hear, determine, and render judgment for the damages caused to the Cherokee Nation of Oklahoma for the loss of minerals from the Arkansas riverbed.

The history of this claim against the United States has been a long and

painful one for the Cherokee Nation. Congress agreed in 1946 to dredge, dam, and change the course of the Arkansas River to make it navigable from Tulsa to the Mississippi River. In 1966, the Cherokees filed suit against the State of Oklahoma seeking compensation for losses of land, oil, gas, sand, gravel, and other resources in the riverbed that had been destroyed by construction. The Choctaw and Chickasaw Indian Nations joined the Cherokee in this suit.

While two lower courts ruled against the Cherokee Nation, the U.S. Supreme Court held in 1970 that the tribes did in fact own the riverbed. Following that decision, Congress ordered the Interior Department to determine the value of the land and resources, and appropriated funds for these studies in 1973, 1974, and 1975. Based on those studies, the Interior Department entered into negotiations with the three tribes to reach a settlement agreement with respect to the property interests of the tribes in the bed of the Arkansas River.

In negotiations with the Cherokee Nation, an informal agreement was reached between the tribe and the Interior Department for payment by the U.S. Government in the amount of \$8,453,818.88 as full compensation for all losses sustained by the Cherokee Nation for sand and gravel deposits in the Arkansas riverbed between the Grand and Canadian Rivers. In a June 16, 1978, letter from Secretary of the Interior Cecil Andrus to Congressman YATES, as chairman of the Appropriations Subcommittee on Interior, Secretary Andrus stated:

... we believe this negotiated settlement represents fair and just compensation for the losses sustained by the Cherokee Nation in the taking of their mineral assets from the Arkansas riverbed.

The Secretary further stated:

Our current plans are to consider this item in the development of the 1980 Budget.

But, Mr. Speaker, a request for funds for payment of this negotiated settlement was not included in the fiscal year 1980 budget submitted by the administration. In a March 16, 1979, letter from Secretary Andrus to Chairman YATES, the secretary states:

You have requested the basis for the Administration's refusal to support the payment of \$8.4 million to the Cherokee Indian Nation for the destruction of its sand and gravel deposits in the Arkansas Riverbed. The justification for this Administration's position in this matter is based on conclusion that the United States is not legally obligated to compensate the Cherokee Nation for the loss of its sand and gravel deposits.

The Interior Department and the Office of Management and Budget have now decided that the United States can claim the powers and rights of navigational servitude to confiscate the riverbed without compensation to the Cherokee Nation. This new policy decision was made despite the prolonged negotiations with the tribe, and despite the fact that an informal nego-

tiated settlement between the tribe and Interior was reached.

Mr. Speaker, it has been almost 10 years since the U.S. Supreme Court ruled that the Cherokee Nation owned the portion of the Arkansas riverbed for which they now seek compensation. The tribe has consistently acted in good faith with the Federal Government in negotiating a fair and just settlement for the loss of their minerals. Up until last year, it appeared that the Interior Department also intended to act in good faith on this matter. Now, however, we are faced with a complete turnaround by the Government, and the Cherokee Nation appears to have no alternative but to file suit against the Government for just compensation for its losses from the Arkansas River project.

I believe the Cherokee Nation should have an opportunity to let the courts make a final determination on this matter, and the bill I have introduced today will simply allow them to file such a claim.

I hope the House of Representatives will take expeditious action on this legislation. ●

#### TRIBUTE TO AL LOWENSTEIN

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. McCLOSKEY. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

STATEMENT OF REPRESENTATIVE PAUL N. McCLOSKEY, JR., ON AL LOWENSTEIN'S DEATH, CENTRAL SYNAGOGUE, NEW YORK CITY

In forty years of study and reverence for American history, the words of five men have moved me more deeply than most. One of them we honor today.

In 1865, Abraham Lincoln used the phrase: "With malice towards none and charity for all . . ." Those words pretty well represented Al Lowenstein's philosophy of life.

In 1874, Oliver Wendell Holmes, Jr. suggested: "A man should share the action and passion of his time at peril of being judged not to have lived. . . ." Al did that.

In 1961, President Kennedy, in his inaugural address called for a concept of service to one's country, and a duty to offer that service. Al recognized that duty.

In 1966, in Capetown, South Africa, Bobby Kennedy said that "Many of the world's great movements of thought and action, have flowed from the work of a single man. . . . Few will have the greatness to bend history itself, but each of us can work to change a small portion of events. . . ."

"Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope. . . ."

In the snows of New Hampshire a few days ago (each of us, as usual, working in difficult, if not hopeless, causes), I spoke to Al about those words of Bobby Kennedy in Capetown, and the inspiration I had taken from them. He grinned and said that he had helped a little with their preparation.

Indeed, those words fairly well represent Al's service to us all.

I don't have many similar quotations from Al, but his words and actions have affected me as deeply as those of Lincoln and Holmes and John and Robert Kennedy.

Al's words of love and peace and forbearance were uttered in a hundred places where I was present—asking people to have faith in our system, to work within that system, in peace rather than with violence.

I recall one occasion on the House floor during the height of the Viet Nam War when shooting had broken out on a small rural college in Tennessee. A student veteran of the Civil Rights movement had called Al and told him that he alone might be able to cause the students to renounce retaliation and the police to forbear from further violence.

In the last hours of the evening of a long day of particularly angry and frustrating debate, with a similar day to follow, Al came over to me and said, "Pete, there's a plane leaving for Memphis in half an hour. We can take a bus from there and reach the campus by 2:00 in the morning. Will you come with me to see if we can calm things down?" I begged off. The work of the Congress and the fatigue of the trip seemed too much.

Al went. He tried. There was no good cause in my memory that Al would not espouse. There was no place he wouldn't go, no discomfort he wouldn't cheerfully bear, if he would bring good will and quiet advocacy to bear on a choice between national alternatives and violence.

I remember a particularly bitter debate on the House floor in those days when there were no more than a handful of Members questioning our policy in Viet Nam. Feelings were running high.

There were harsh words from Republicans and even harsher criticism from some of the great orators we then had on the Democratic side.

At the height of the bitterness, Al, a freshman, took the podium, and rather quietly remarked that the proudest achievement of his life was to be a Member of the House of Representatives.

For a moment, the House was hushed. Al had managed to touch the best in each of us. For a moment we were able to remember the privilege of public service . . . of being participants in the American political system . . . that there might be a duty of reasoned debate to accompany that privilege. The House chamber became a better place.

The tragedy of Al's death is not in our grief . . . it is in the realization that the rest of us who were privileged to know him are finally brought face to face with our own failures to live up to his example.

There are causes we have set aside . . . battles we should have fought, but have not . . . political issues we have shied away from because they were painful . . . something Al never did.

If there were ever a gentle warrior in our midst, it was Al Lowenstein. If there were ever a warrior who battled fiercely but loved and did not hate his enemy, it was Allard.

His friend, Don Riegle, called me last night to suggest we remember that there's a lot of Al Lowenstein that is alive and well today, in each of us who knew him and the millions who cannot be here, but took faith and hope from Al during his lifetime.

I think Don is right. I think we will all act for a time with a renewed sense of duty to participate in at least one of the causes for which Al gave his best. In my case, it will be to try and finally curb handguns. Others may choose differently, but it seems to me it is time to end the wide and uncontrolled possession of lethal weapons that can be concealed on the person. Al once asked me: "How many great leaders do we have to lose

to a deranged person because we retain this romantic nostalgia for wild west days when the handgun was carried openly to settle disputes, and when right and wrong seemed easier to discern?"

I would not raise this issue at a gathering of friends who loved Al Lowenstein but for the certain knowledge that Al would want us to go forth from this holy place with passion and commitment rather than with sadness.

His service to us in life was to motivate us to do our best rather than the mediocre . . . most of all, to participate rather than to stand aside. In justice to his memory and the priceless gifts he left us, his friendship, his support and his love, I hope each of us can carry on Al's tradition of choosing the hard fights and making them with faith, love and good humor.

We can't replace Al, but we can try to live up to his example. ●

## THE FEAST OF ST. PATRICK

### HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. DORNAN. Mr. Speaker, in March, the ecclesiastical calendar is graced by the feast days of two outstanding leaders of the Christian faith. I think that it is especially fitting that today, March 19, the feast day of St. Joseph, the foster father of Christ, I would submit for the RECORD a remarkable speech concerning both the March 17 feast day of St. Patrick, the Patron Saint of Ireland and the father of Irish Christianity, and the contributions of the Irish people to our civilization.

Mr. Speaker, it was my distinct pleasure to be invited to attend the banquet hosted by my fellow Irish Americans, the Friendly Sons of St. Patrick at the Beverly Hilton Hotel and hear Msgr. John V. Sheridan beautifully commemorate "The Day We Celebrate." I was deeply moved by the experience and impressed with the depth of his scholarship. Those of us whose ancestors hail from that "dear land across the sea" owe a great debt to America and the parents and grandparents who have kept the spirit of faith and liberty, so precious to the Irish people, alive in a rapidly changing society.

Along with Monsignor Sheridan's remarks, we were treated to an inspiring speech by the incomparable James Murray and the gripping address by one of America's outstanding military heroes, Vice Adm. James Bond Stockdale, a survivor of the prison camps of Hanoi. Monsignor Sheridan broadened our perspective on the day and its deeper meanings.

I consider it an honor to submit Monsignor Sheridan's remarks for the RECORD:

THE DAY WE CELEBRATE  
(Msgr. John V. Sheridan)

We are entering the second decade of the bicentennial of the founding of the Society of the Friendly Sons of St. Patrick. Thus, The Day We Celebrate has something special to say to each of us in this gathering.

Officially instituted in Philadelphia on March 17th, 1771, the Society of the Friendly Sons was from the beginning ecumenical in outreach, patrician in tone and tradition. "Catholics, Presbyterians and Quakers were united like a band of brothers," so said the Philadelphia Intelligencer about the Society's inaugural celebration. Stephen Moylan, a distinguished officer in Washington's army, and a brother of an equally reputable Catholic bishop of Cork, was the Friendly Sons' first president; Daniel McCormick, a Presbyterian, was the president of the Friendly Sons of New York, who met for the first time on March 17th, 1784, thirteen years after the Philadelphia foundation.

We have records of St. Patrick's celebrations in what is now the U.S. dating back to 1690, but the Society of the Friendly Sons has had a distinctively American as well as Irish flavor. The Irish found the growing American experience responsive to their tastes and hungers, as well as to their gifts of humor and courage. They held Washington in special veneration as they did a number of the founding fathers, like their own Charles Carroll, whose patrician ways were unspoiled by the pomp and pretentiousness of the lords and squireens who had robbed them of their ancestral lands at home, and at the same time looked down on them as second-class citizens. Washington's closeness to the Irish began while he was a young land surveyor; it was cemented during his command of the army of Virginia and later during his generalship of the Revolutionary Army. He selected a lot of officers from among the Irish, and during the difficult years of 1776, '78 and '80 he ordered the army to celebrate appropriately the feast day of Ireland's national apostle, St. Patrick. From his camps in Valley Forge and in Morristown, New Jersey in 1778 and 1780 he directed that "all fatigue and working parties cease on St. Patrick's Day . . . in deference to a brave and generous people." The password for the day was "Patrick," the thirteen-stripe flag with the Irish harp was flown over the camps, and the atmosphere was one of music, humor and song.

In his last Will Washington named a number of Irish neighbors and friends whom he wanted to participate in his funeral. A third of the American Revolutionary Army were either born in Ireland or of Irish stock; but what is hard for an Irishman to admit is that a third of the British regiments were also Irish, some pressed into service, some unable to find any other kind of outlet in life, and some willing instruments of colonization. The British major delegated by the haughty Cornwallis to surrender his sword to the victorious Washington in Yorktown was a rascal from Galway named O'Meara. Too proud to go through such a humiliating ceremony, Cornwallis did what the Irish expected a British general to do when in difficulty—use an Irishman. Cornwallis returned to England, was appointed Viceroy in Ireland and, after putting down the 1798 rebellion there, he had a hundred rebels hanged in a garden close to my ancestral home. He issued some amnesties, too, which came to be called "Cornies." They are mentioned off and on through Maria Edgeworth's historical novels.

In harmony with their cosmopolitan makeup, the Friendly Sons welcomed Yankees and Southern, Whigs and Federalists, Democrats and Republicans, and tried, but did not always succeed, in keeping out of the heated partisan and political embroilments of the day. In 1828 John Quincy Adams, a de facto member of the Friendly Sons, was challenged by Andrew Jackson in a particularly bitter and flamboyant race for the presidency of the United States; the majority of the Irish backed Jackson and

New York's (1827) local elections were the testing grounds for the final outcome of the presidential campaign. Here are a couple of direct quotes from a contemporary newspaper's account of the New York elections:

"In the eighth Ward, 200 huge Irishmen were led to the polls by a Jackson candidate. Brandishing two loaded pistols, he marched without stopping into the polling booth where each of the 200 Irishmen voted for the Jackson candidate three times a piece. In the sixth Ward a Kilkenny Irishman and a Vermont Yankee fought for 5 hours and 58 minutes outside the polling booth, diverting attention from the polls." There is no record as to whether either of these gentlemen belonged to the Friendly Sons.

In more recent years, but far enough removed to not involve any of us here tonight, James Shields, an Irish scholar, Civil War general and a U.S. Senator who had the unique distinction of being elected to the Senate by the people of three different states, began his career as Treasurer of the Territory of Illinois. There he felt compelled to challenge Abraham Lincoln to a duel for satirical, if not calumniating, letters written to a local newspaper which Shields traced to Lincoln, his girlfriend and future wife, Mary Todd, with her pal, Julia Jayne. The two men appeared with their seconds for the duel, but called it off after Lincoln offered his apologies; they became lifelong friends, and Friendly Sons of St. Patrick. Last week Mike Royko, a columnist, and would-be Mr. Dooley, for the Chicago Sun Times, picked up on an inelegant reference to the president and his place of birth, allegedly made by the Chicago mayor's husband and press secretary. Royko claimed to have been in a seance in which a deceased mayor was consulted as to who could legitimately join the Windy City's St. Patrick's Day parade. Even a converted Orangeman could join, Royko discovered. Royko may not have known that George Bernard Shaw, a writer also, covered the ground before. In an off-the-side to Sean O'Casey, his fellow Dubliner, Shaw said, "I am the most authentic kind of Irishman. I feel in my blood the humours of Celt, Norman and Saxon. My father was an Orangeman, my auntie was a Roman Catholic abbess, I had an uncle hanged as an Irish rebel and I speak English so fluently, I might say, so intimidatingly, that last time I told a British Tory 'go to hell' he went out and had all his clothes fireproofed."

Oscar Wilde, a Dubliner too, defined a humorist as an Irishman laboring to take himself seriously. Tim Healy was Wilde's kind of humorist. Once after a speech in the House of Commons Healy proceeded to sit down on Joseph Chamberlain's top hat. When Chamberlain protested that "the honorable member from Louth" was crushing his hat, Healy rose and apologized saying he had hoped Chamberlain's head was in it.

Comedy is humour in action. The Irish of the nineteenth century were pretty heavy drinkers, but the only one in history to whom the City of New York gave a banquet where toasts were drunk with glasses of water was the Irish Father Theobald Mathews, the famous apostle of temperance. Weeks after the banquet a Dublin cartoonist featured an Irish railroad worker with a glass of water in his hand and a frown on his face. The caption read, "What the hell kind of concoction is this?"

The last real, this is, non-ceremonial, party held in Independence Hall, Philadelphia, was in 1829; it was the celebration of Catholic emancipation, a bill restoring to the Catholics of the British Isles their rights as citizens, master-minded and pushed through the House of Commons by the famous Daniel O'Connell. The celebra-



tion was so enthusiastic that the floor of the Hall buckled and the Liberty Bell cracked. A Boston Irish cartoonist drew a picture of the bell cracked up in laughter, with an Irishman pointing at it, saying, "The craythur couldn't take the excitement."

Humour, like humility, is grounded in faith; and courage is faith in action. The courage to be, to go on in spite of what seems like insuperable obstacles. That kind of courage involves not the mere animal instinct to survive. It involves some kind of hope, some kind of appreciation for the value, the worthwhileness of life. Humour can be and often is an aid to, as well as a reflection of, that feeling of worthwhileness, that vision of our own littleness, our own weaknesses against the vastness of what we can be when we allow ourselves to be touched by and sensitized to God's abiding love. It is a historical fact that people like the Jews and the Irish who have suffered, that they have developed a rich kind of humour. In that sense St. Patrick set the stage for all the great humourists, all the men of faith and courage. To survive, to go on and do what he did in fifth century Europe was what Daniel Rops called the miracle of Ireland. After shaking the Chinese empire, the Huns, cut a swath of blood destruction all the way up to the Volga and Danube where they joined the Allans and Ostrogoths, ransacked the Balkans and on New Year's morning in the year 407 slipped over the Rhine to pillage France and Spain and turn what is now Western Europe in to a nightmare of brutality in which Roman generals, barbarian chiefs and peasant insurgents tore each other to death with the ferocity of jungle beasts.

It was the century in which Augustine lay dying in his See City of Hippo as the vandals were tearing it to shreds, the century in which from his cave in Bethlehem Jerome was crying: "Everything from the Julian Alps to the Black Sea is in chaos." And it was the century in which Patrick was wrenched by a group of Irish tribesmen from the home of his Roman officer father, somewhere in the province of Britain, to spend the precious years of his youth herding sheep on the cold Irish slopes and keeping vigil with Christ in prayer and fasting. It was during those terrifying years he heard the voice of the Spirit calling him to tread those chaos-ridden roads of Europe down into France or Italy, there to become a priest and bishop and return to transform his erstwhile masters and the island which he learned to love into a center of spirituality that was to last for 500 years as a seedbed of pilgrim scholars who kept the light of civilization alive in the darkest hours of European history.

When Pope John Paul II was visiting Ireland last September his most nostalgic moments, according to his own account, was his impromptu helicopter landing on the site of one of Europe's oldest and most famous monastic schools, that of Clonmacnois. Standing among the ruins of Celtic crosses and old lichen-covered walls with ancient Ogham and Latin inscriptions, he held aloft a tenth century cross and prayed, "I thank God I have come here—here to kneel amidst the ruins of an ancient school, two of whose missionary graduates helped to evangelize my native Poland." The Pope talked of the incredible wanderings and achievements of those Irish monk mystics who, in the spirit of St. Patrick, spanned Europe from the Bay of Biscay to the steppes of Russia, from Iceland to the shores of the Mediterranean. The Vikings came and the Normans, and the Anglos—and they all played a part in the odyssey of a people, a people and an island with whom we identify on March 17th, a people like

their Friendly Sons whose roots are myriad and who in the spirit of Patrick are most truly themselves when they play host to all peoples. Perigrinantes pro Christo, wanderers for Christ, the earliest Irish missionaries called themselves, and so indeed they were, and they were men of humour too—this golden age of Irish history.

A gloss on an eighth century manuscript in the Monastery of St. Paul, Carinthia, Austria, has a poem describing the antics of the scribe's cat whose name was Pangur Ban:

I am Pangur Ban, my cat,  
'Tis a like task we are at  
Hunting mice is his delight  
Hunting words I sit all night.  
Better far than praise of men,  
'Tis to sit with book and pen  
'Tis a merry thing to see  
At our tasks how glad are we.

It's a long way from Pangur Ban, the monastery cat, and its monk writer to us, us with our computers, our space ships, our intercontinental missiles, our bioengineering and test tube babies. But there is a continuity. There is a continuity between all of us, all of us who, like the Canterbury storytellers, bend our pilgrim steps, lighting the way a little with our own little spurts of laughter, of story and song.

Societies like ours, with their ecumenical outreach, their Patrician tone, their feeling of kinship with all humans, celebrations like ours with their memories and evocations—they can cheer us on the way, help us to appreciate that the little things we do for the least of our brothers we do for all of them, all of them and all of us Friendly Sons of a common Father. Thomas McDonough, Irish poet-patriot, wrote these lines. It was 1916 and he was on his way to death in a Dublin prison. You and I can make them our very own:

His songs were a little phrase of eternal song,  
Drowned in the harping of lays,  
More loud and long,  
His deed was a single word, called out alone,  
In a night when no echo stirred, to laughter or moan,  
But his song's new souls shall thrill, the loud harps dumb  
And his deed the echoes fill, when the dawn is come.●

#### INFLATIONARY EFFECT OF INCREMENTAL PRICING

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES  
Wednesday, March 19, 1980

● Mr. DINGELL. Mr. Speaker, several Members have cosponsored a bill, H.R. 5862 to repeal the incremental pricing provisions of the Natural Gas Policy Act of 1978 based, in part, on the results of a Wharton Econometric Forecasting Associates Study, which concludes that incremental pricing is inflationary.

However, this study has acknowledged a number of errors; WEFA is in the process of correcting these and reporting its new conclusions which will show lower, but still positive, inflationary effects. Still, one should be skeptical. In a letter to the Federal Energy Regulatory Commission, the Council on Wage and Price Stability (COWPS) contends that incremental pricing is

not likely to be inflationary and that the WEFA assumptions, specifications and methodology are poorly suited to calculating the necessary effects of price changes in a subsection of the economy. I commend the COWPS letter to my colleagues as an instructive analysis of incremental pricing.

The text of the letter is as follows:

COUNCIL ON WAGE AND PRICE STABILITY,  
Washington, D.C.

Re Docket No. RM 80-10.

HON. CHARLES B. CURTIS,  
Chairman, Federal Energy Regulatory Commission,  
Washington, D.C.

DEAR CHAIRMAN CURTIS: In recent weeks, the Council on Wage and Price Stability has reviewed the Federal Energy Regulatory Commission's proposal for implementing Phase II of its incremental pricing program for natural gas. While we have not reached a firm conclusion about the proposal's overall merits and are uncertain about its efficiency benefits, we are persuaded that it is unlikely to increase inflation significantly.

The Council strongly supports moving toward replacement-cost pricing for energy resources. Below-cost pricing is ultimately inflationary because it induces market distortions and inefficient energy use. By contrast, replacement-cost pricing at the margin better ensures that opportunities to conserve energy or improve its productivity are utilized.

Pricing of natural gas under Title II of NGPA essentially accelerates the movement of prices towards replacement cost for one class of users, and decelerates it for other classes. If there are net efficiency gains from this approach, they are difficult to ascertain. We suggest that the Commission's decision on which users should be incrementally priced, and on what the alternative-fuel price cap should be, should turn on whether the transition to universal replacement-cost pricing will thereby be eased or made more difficult.

A well designed pricing program might help smooth the transition to natural gas deregulation in 1985. On the other hand, incremental pricing entails some problems of its own. We are particularly concerned about possible imbalance between inter- and intra-state prices both before and after 1985, about the likely conflict between avoiding load loss and minimizing future curtailments, and about possibly severe disruptive effects on particular industries or individual users. While we have not analyzed these issues fully, we suggest that you proceed cautiously with Phase II, and seek ways to mitigate the proposal's possible adverse effects.

One controversial issue that is of particular concern to us is the proposal's effect on inflation. The several analysts who have reviewed this question disagree sharply. Our own analysis of the issue leads us to the following conclusions.

The short-term effect of the proposal on the general price level should be either negligible or anti-inflationary. While the proposal would increase gas costs for affected industries, some of the increase is likely to be absorbed in reduced profits, rather than passed through to consumers. Since the increased revenues from incrementally-priced users would be used to hold down gas prices for high-priority users (including final consumers), the net short-term effect should be negligible or anti-inflationary.

Over the longer term, it is conceivable that other effects might become important. The American Gas Association (AGA) has argued that the industries affected by the Phase II proposal have special characteris-

tics that will lead gas price increases to have a high GNP multiplier, and a similarly aggravated effect on inflation. In particular, it has argued that these industries are highly gas-intensive, highly capital-intensive, have high rates of productivity growth, produce goods whose prices have increased relatively slowly, and have the power to pass cost increases through in final product prices.

However, we have seen no convincing data to substantiate that the industries affected by the Phase II proposal actually possess all these characteristics. We are, moreover, skeptical that these characteristics would lead to results as dramatic as those predicted by the AGA.

The results of AGA's Wharton Model runs have not convinced us to alter these conclusions. While carefully performed macro-economic analyses might help in evaluating AGA's arguments, we feel that macro-models are generally poorly suited to determining the effects of price changes in a sub-sector of the economy. Moreover, in the course of our meetings with AGA staff and consultants, it became clear that their modeling results are based on assumptions and specifications with which we cannot agree. In short, we give little weight to AGA's modeling results thus far; we understand, however, that AGA is planning additional analyses that may address some of these problems.

I have attached, for the record, copies of materials we have received from, and summaries of meetings we have had with, people outside the Executive Office of the President concerning incremental pricing since February 8 that are not yet on the record.

In sum, the effect of the proposal on the long-term efficiency objective of replacement-cost pricing is unclear. Moreover, while the evidence thus far is by no means conclusive, we are unconvinced that the proposal is inflationary.

Sincerely,

R. ROBERT RUSSELL,  
Director. ●

## REGULATIONS STRANGLE STEEL

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. COLLINS of Texas. Mr. Speaker, the chairman of United States Steel, David Roderick, says that capital formation is the most critical problem facing the steel industry. High cost environmental controls, energy policy, and inadequate depreciation allowances are principal obstacles to the flow of capital needed for technological modernization and the maintenance of our competitive edge.

It came as a surprise to me that 30 percent of United States Steel's expenditures on facilities in the eighties will go for environmental controls, with \$550 million a year required for the steel industry. We know that the steel industry has already spent over \$6 billion just through 1978 for pollution control and has made great improvements, as any visitor to Pittsburgh can testify. You would now expect declining cost for control of pollution. But this is not the case.

United States Steel has about 80 water discharges from its 5 Monongahela River plants near Pittsburgh. After spending some \$150 million on controls the company has reduced pollutants by 70 percent. Further expenditures now being made under the best practical control technology will eliminate 98 percent of the pollution. To reach EPA's standard of best available control technology would cost \$100 million more, would eliminate only 1 percent more pollution and their expenditure will not result in measurable improvements in the river water quality. Can this EPA requirement, at a cost of \$100 million to the ultimate consumer, possibly be justified in the public interest?

A similar heavy penalty is being levied by EPA on the coke industry. Largely because of environmental regulations a number of marginally profitable yet productive coke ovens were shut down prematurely between 1974 and 1978. The lost capacity totaled about 8.4 million tons, or 14.3 percent of the 1974 total. This loss in domestic coke capacity required the import of 5.3 million tons of coke in 1978 and it threw 5,000 coke oven workers and 9,500 coal workers out of a job and made us more dependent on imported coke. Furthermore, it shut off a volume of coke oven byproducts such as tar, distillates, and synthetic gas equivalent to 46 million barrels of imported oil per year.

When the industry has not the capital funds to install EPA's most stringent controls on ovens with say less than 5 years of useful life remaining, it would make sense to let them continue running under best practical water and air pollution controls. The steel industry has been working hard as pollution caused by charging coke into ovens has been reduced 90 percent in the past 10 years. But environmental controls have reduced productivity by 15 percent.

Operating costs of pollution control measures are extremely heavy. Annual operating costs of mandated pollution controls at United States Steel will reach \$500 million by 1984. This means higher selling prices and lets foreign steel undersell us.

This is happening while the Japanese have surpassed American steel productivity. By 1975 the Japanese had attained production of a ton of steel with 9.2 man-hours of work while the American industry required 10.9 man-hours, or 18.5 percent more. Since then, Japan has increased its lead by building integrated mills. And it is said that the oldest blast furnace operating in Japan was built as recently as 1962.

If EPA is insensitive to the productivity, profitability, energy and employment effects of its rigid pollution controls, the Internal Revenue Service's depreciation allowances are too little for capital formation. IRS rules allow no faster rate of depreciation than 18 years for capital intensive facilities such as the steel industry's. A battery of coke ovens that cost \$25 million in the 1950's costs \$100 million today.

I believe Congress should support a sensible depreciation policy such as the 10-5-3 bill defines for this acute need. We should also insist upon full chargeoff in 1 year for mandated environmental control expenditures.

I have cosponsored a bill repealing the incremental pricing of natural gas. This provision could cost the steel industry over \$1 billion per year starting in 1981. Steel is an energy intensive industry—fortunately over two-thirds of their energy is coal based. However, Federal energy policy will have a significant adverse impact on our steel industry that will further drain limited capital from needed productive investments. ●

## THE ROAD TO PRODUCTIVITY AND ECONOMIC GROWTH, PART V—ADDRESS AT THE WHARTON SCHOOL OF FINANCE

HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. SCHULZE. Mr. Speaker, last Friday, I had the distinct pleasure to speak before approximately 200 members of the Securities Industry Institute of the Wharton School of Finance, University of Pennsylvania, in Philadelphia.

These individuals have been selected by their firms as those who are going places in the securities industry and they have been employed within the industry for at least 5 years.

While they are students in the sense that their formal training is ongoing at Wharton, they are in fact the future financial experts and analysts of this Nation.

I was very pleased that I could participate in furthering their education and was thrilled at the reception I received concerning the Individual Investors Incentive Act of 1980.

The text of my statement follows:

REMARK OF CONGRESSMAN RICHARD T. SCHULZE

Thank you very much for the opportunity to be here with you today. It is indeed a pleasure.

Two years ago the House of Representatives took the first step to encourage investment by overwhelmingly approving the Revenue Act of 1978. As we all know, the act reduced the maximum Federal capital gains tax rates from 49 to 28 percent.

The development began the reversal of past misguided economic policies. These were the policies which resulted in our government so heavily taxing profits and dividends . . . savings and capital . . . sales and income . . . and all the other rewards of risk taking . . . that the risks were no longer worth the taking.

Capital gains tax reduction is only the first step toward reversing the nation's declining productivity growth by encouraging individuals to invest their savings in America's future.

This country has a problem. For many years the United States has failed to put as much as other leading industrial nations

building new industrial plants and equipment. Today . . . the United States has the lowest rate of savings among all of the major industrialized nations of the world . . . and subsequently . . . one of the lowest rates of capital investment. In the last ten years . . . at least 6 million investors have left the stock market . . . and every group of individuals . . . except those 65 or older . . . have opted not to invest their savings in American industry.

This mass defection of individual shareholders . . . and the resulting drop in risk capital has had a devastating effect on the equity capital market for small and newer enterprises. The United States is losing its innovative and technological superiority lead . . . which it has enjoyed for years around the world. The capital crunch has created a dramatic trend among the smaller businesses in this country . . . causing many to merge with larger firms in order to survive. This crunch has also led to a number of our high-technology firms being acquired . . . or at least partially taken over . . . by foreign investors.

Despite all this evidence . . . our government still structures its tax laws to motivate individuals not to invest . . . yet . . . the government is the biggest winner in the end when individuals do invest. A recent analysis of the tax revenue effect of investing equal funds in equity securities and consumption shows a dollar invested in equities worth anywhere from 28 to 33 times as much in producing federal tax revenues as a dollar spent in consumption.

The results of our failure to put more money into productive capacity has been harmful to most American citizens. There has been no real increase in our standard of living for almost ten years. The increase in the amount of goods produced per hour of labor has been declining for years . . . and is now lower than that of any of the major free world powers. As our rate of productivity has fallen . . . the inevitable has occurred . . . inflation is soaring . . . and now stands at just under 20 percent.

In response to this problem . . . I have introduced H.R. 6300 . . . the individual investors incentive act of 1980. This bill would increase productivity . . . create jobs . . . provide additional capital for research and development . . . and strengthen our Nation's ability to compete overseas. H.R. 6300 accomplishes this by providing a ten percent tax credit of up to \$1,000 for individuals . . . or \$2,000 to married couples filing a joint tax return . . . for new or additional investments in stocks . . . bonds . . . and mutual funds investing in domestic corporations.

The bill also encourages investment in all types of businesses by stipulating that there would be no limit on the size of a company whose stock would be a permissible investment. It provides for a minimum twelve month holding period in order to qualify for the tax credit . . . thus encouraging investment rather than speculative trading. Finally . . . the tax credit would not be limited to new stock issues . . . due to the fact that secondary markets are no less important than the sale of new issues.

The ability of this legislation to produce billions of dollars of new capital . . . and cause millions of people to invest . . . has been clearly demonstrated. It was modeled after the monory law . . . enacted in France in 1978. Since enactment . . . French equity capital raised by companies in that country has increased ten-fold. One million frenchmen have availed themselves of this tax incentive . . . and surprisingly about half of the participants were first time investors.

Similar legislation in Sweden and Quebec also show dramatic positive results . . . and Great Britain is seriously considering similar legislation. Results from these partici-

pating countries suggest that in the larger U.S. economy . . . five to ten million people might be encouraged to provide \$25 to \$50 billion of new capital a year. This new capital would create new businesses . . . help modernize our industrial plants . . . and produce tens of thousands of new jobs.

Nine months after the French legislation took effect . . . prices on the bourse were up 44.4 percent . . . and recently they were up 66 percent.

Taking a conservative outlook and hoping for half of the increase that occurred in the french market . . . we are talking about a staggering amount of new capital. There is nothing in this legislation which any interest group could find objectionable . . . unless they object to increased productivity . . . the creation of new jobs . . . additional capital for research and development . . . and improved efficiency in American industry.

Here is a golden opportunity to put the economy back on the track that has gotten us this far . . . and produced the greatest economic experiment that the world has ever known.

Thank you. ●

#### NATIONAL SCLERODERMA WEEK

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. PANETTA. Mr. Speaker, I am today, along with 48 cosponsors, reintroducing a resolution urging the President to proclaim National Scleroderma Week. This new resolution calls for the designation of the week of February 1 through 7, 1981, as National Scleroderma Week.

Scleroderma is a painful and debilitating disease that attacks the skin and multiple organs of the body. In its most serious form, scleroderma can strike the esophagus, intestines, lungs, heart, or kidney, causing fibrosis, inflammation, and atrophy of normal functioning tissues. Localized scleroderma causes hardening and thickening of the skin, particularly of the hands and fingers, along with painful ulcerations.

This disease affects some 300,000 people. A full 80 percent of these cases occur in women of childbearing age. The full total may be even higher, because misdiagnosed cases are common.

Unfortunately, the cause of scleroderma is unknown, and there is no cure for the disease. Therefore, a great deal of work remains if we are going to overcome its destructive effects.

Not nearly enough attention has been focused on this disease, and the result is a significant shortage of funding for research into a possible cure. I believe a National Scleroderma Week would bring the attention to the disease that is needed to help find a cure and lend comfort to its hundreds of thousands of victims.

I would also note, Mr. Speaker, that 1981 has been designated as the Year of the Disabled. This makes the creation of a National Scleroderma Week in 1981 all the more appropriate.

I strongly believe enactment of this resolution will bring closer the day when a cure is found for scleroderma. I urge the House to join me and the resolution's 48 cosponsors in this effort.

Following is the text of my resolution:

H.J. Res 516

Joint resolution designating the week beginning February 1, 1981, as "National Scleroderma Week".

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning February 1, 1981, is designated as "National Scleroderma Week" and the President is requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities. ●

#### INTERNATIONAL CONFERENCE ON COMMUNICATION AND INFORMATION

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. GOLDWATER. Mr. Speaker, I am pleased to introduce a resolution today calling for the United States to host an international conference on communication and information.

Traditionally, this Nation has supported the concept of minimum restrictions on the flow of goods and information, believing as we do that this freedom is vital to the continued socioeconomic growth of all people. As a result, the United States has emerged as the world's major information producer. We manufacture more communications gear, computers, and satellites than any other nation. We produce more movies, television programs, news, and economic data than anyone else—and we transmit and process all this information on more computer hardware than any other nation.

There is now little question that the information stored in advanced communications and computer technology is the lifeblood of governments and industry. As with any resource of such importance, the potential for abuse is great. The passage of privacy and data protection legislation by many industrialized nations, including the United States, during the past several years has been, to some extent, a reaction to this potential for abuse.

Many of these laws were intended to protect the privacy of individuals who might be compromised if personal data were transmitted outside the country in machine-readable form. However, I think we are now seeing the emergence of national privacy legislation which is actually aimed at erecting new trade barriers. Sweden, France, and West Germany in particular have all enacted laws establishing some form of national data board to monitor the use and storage of information. They have discovered the

simple fact that to block data flow in the 1980's is to block trade.

As a result, multinational corporations face vast difficulties in transferring necessary data between countries in which they conduct business. This could adversely affect their operations and might unfairly restrict markets for the world information and telecommunications industry which is predominantly U.S. owned. It is little wonder that American business and government interests have become alarmed.

Perhaps worst of all, the building of information walls around a nation in the name of "privacy" has led to a hodge-podge of differing requirements which are incompatible. While I believe that nations may have the sovereign right to regulate information, I also believe that such national laws must be harmonized in order to strike the proper balance between privacy protections and the free interchange of information.

Accordingly, I believe it is time to convene an international conference on communications and information. This resolution directs the President to convene such a conference by January 1, 1982, and to report to Congress the recommendations it might make.

Mr. Speaker, throughout history all nations have benefited significantly from information exchange of all kinds. The long tradition of free speech in the Western World is the very foundation of international understanding and has been fundamental to the arts, science, media, and commerce. It is my hope that this convention will help keep this tradition alive. ●

## TAX TIPS FOR SENIOR CITIZENS

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. GILMAN. Mr. Speaker, tax time is once again upon us. While every American must pay his full share of taxes as his civic duty, one is not required to pay even a penny more than his fair share.

Our Nation's senior citizens are often at a disadvantage at tax time because they may not be willing or able to consult with outsiders about their tax situation. If recently widowed, they may not be used to having to prepare their own returns.

It is for this reason that I ask that a series of tax tips for senior citizens be inserted in the RECORD, so that seniors may have the benefit of the latest tax information when preparing their returns. Citizens with further questions should either contact the Internal Revenue Service, which will give confidential, free advice in person or by telephone over local or toll-free lines, or they should consult a reputable tax preparation or accountancy firm.

Mr. Speaker, I would like to take this opportunity to restate my opposition to the recent proposal to tax the social security payments received by senior citizens. In my view, such a move would be most unfair and most unwise. I urge my colleagues to join me in an effort to prevent it from becoming law.

#### PROTECTING OLDER AMERICANS AGAINST OVERPAYMENT OF INCOME TAXES

##### CHECKLIST OF ITEMIZED DEDUCTIONS FOR SCHEDULE A (FORM 1040)

###### Medical and dental expenses

Medical and dental expenses (unreimbursed by insurance or otherwise) are deductible to the extent that they exceed 3 percent of your adjusted gross income (line 31, Form 1040).

###### Insurance premiums

One-half of medical, hospital or health insurance premiums are deductible (up to \$150) without regard to the 3 percent limitation for other medical expenses. The remainder of these premiums can be deducted, but is subject to the 3 percent rule.

###### Drugs and medicines

Included in medical expenses (subject to 3 percent rule) but only to extent exceeding 1 percent of adjusted gross income (line 31, Form 1040).

###### Other medical expenses

Other allowable medical and dental expenses (subject to 3 percent limitation):

Abdominal supports (prescribed by a doctor). Acupuncture services. Ambulance hire. Anesthetist. Arch supports (prescribed by a doctor). Artificial limbs and teeth. Back supports (prescribed by a doctor). Braces.

Capital expenditures for medical purposes (e.g., elevator for persons with a heart ailment)—deductible to the extent that the cost of the capital expenditure exceeds the increase in value to your home because of the capital expenditure. You should have an independent appraisal made to reflect clearly the increase in value.

Cardiographs. Chiroprapist. Chiropractor. Christian Science practitioner, authorized. Convalescent home (for medical treatment only). Crutches. Dental services (e.g., cleaning, X-ray, filling teeth). Dentures. Dermatologist. Eyeglasses.

Food or beverages specially prescribed by a physician (for treatment of illness, and in addition to, not as substitute for, regular diet; physician's statement needed).

Gynecologist. Hearing aids and batteries. Home health services. Hospital expenses. Insulin treatment. Invalid chair. Lab tests. Lipreading lessons (designed to overcome a handicap). Neurologist.

Nursing services (for medical care, including nurse's board paid by you). Occupational therapist. Ophthalmologist. Optician. Optometrist. Oral surgery. Osteopath, licensed.

Pediatrician. Physical examinations. Physical therapist. Physician. Podiatrist. Psychiatrist. Psychoanalyst. Psychologist. Psychotherapy.

Radium therapy. Sacroiliac belt (prescribed by a doctor). Seeing-eye dog and maintenance. Speech therapist. Splints. Supplementary medical insurance (Part B) under Medicare. Surgeon.

Telephone/teletype special communications equipment for the deaf.

Transportation expenses for medical purposes (8¢ per mile plus parking and tolls or actual fares for taxi, buses, etc.).

Vaccines. Vitamins prescribed by a doctor (but not taken as a food supplement or to preserve general health). Wheelchairs.

Whirlpool baths for medical purposes. X-rays.

Expenses may be deducted only in the year you paid them. If you charge medical expenses on your bank credit card, the expenses are deducted in the year the charge is made regardless of when the bank is repaid.

#### Taxes

Real estate. General sales. State and local income. Personal property.

If sales tax tables are used in arriving at your deduction, ordinarily you may add to the amount shown in the tax tables the sales tax paid on the purchase of the following items: automobiles, trucks, motorcycles, airplanes, boats, mobile homes, and materials used to build a new home when you are your own contractor.

When using the sales tax tables, add to your adjusted gross income any nontaxable income (e.g., Social Security, Veterans' pensions or compensation payments, Railroad Retirement annuities, workmen's compensation, untaxed portion of long-term capital gains, dividends untaxed under the dividend exclusion, interest on municipal bonds, unemployment compensation and public assistance payments.)

#### Contributions

In general, contributions may be deducted up to 50 percent of your adjusted gross income (line 31, Form 1040). However, contributions to certain private nonprofit foundations, veterans organizations, or fraternal societies are limited to 20 percent of adjusted gross income.

Cash contributions to qualified organizations for (1) religious, charitable, scientific, literary or educational purposes, (2) prevention of cruelty to children or animals, or (3) Federal, State or local governmental units (tuition for children attending parochial schools is not deductible).

Fair market value of property (e.g., clothing, books, equipment, furniture) for charitable purposes. (For gifts of appreciated property, special rules apply. Contact local IRS office.)

Travel expenses (actual or 8 cents per mile plus parking and tolls) for charitable purposes (may not deduct insurance or depreciation in either case).

Cost and upkeep of uniforms used in charitable activities (e.g., scoutmaster).

Purchase of goods or tickets from charitable organizations (excess of amount paid over the fair market value of the goods or services).

Out-of-pocket expenses (e.g., postage, stationery, phone calls) while rendering services for charitable organizations.

Care of unrelated student in your home under a written agreement with a qualifying organization (deduction is limited to \$50 per month).

#### Interest

Home mortgage. Auto loan. Installment purchases (television, washer, dryer, etc.).

Bank credit card—can deduct the finance charge as interest if no part is for service charges, loan fees, credit investigation fees, or similar charges.

Other credit cards—you may deduct as interest the finance charges added to your monthly statement, expressed as an annual percentage rate, that are based on the unpaid monthly balance.

Points—deductible as interest by buyer where financing agreement provides that they are to be paid for use of lender's money and only if the charging of points is an established business practice in your area. Not deductible if points represent charges for services rendered by the lending institution (e.g., VA loan points are service charges and are not deductible as interest). Not de-

ductible if paid by seller (are treated as selling expenses and represent a reduction of amount realized).

Penalty for prepayment of a mortgage—deductible as interest.

Revolving charge accounts—may deduct the separately stated "finance charge" expressed as an annual percentage rate.

**Casualty or theft losses**

Casualty (e.g., tornado, flood, storm, fire, or auto accident provided not caused by a willful act or willful negligence) or theft losses—the amount of your casualty loss deduction is generally the lesser of (1) the decrease in fair market value of the property as a result of the casualty, or (2) your adjusted basis in the property. This amount must be further reduced by any insurance or other recovery, and, in the case of property held for personal use, by the \$100 limitation. Report your casualty or theft loss on Schedule A. If more than one item was involved in a single casualty or theft, or if you had more than one casualty or theft during the year, you may use Form 4684 for computing your personal casualty loss.

**Miscellaneous**

Appraisal fees to determine the amount of a casualty loss or to determine the fair market value of charitable contributions.

Union dues.

Cost of preparation of income tax return.

Cost of tools for employee (depreciated over the useful life of the tools).

Dues for Chamber of Commerce (if as a business expense).

Rental cost of a safe-deposit box used to store income-producing property.

Fees paid to investment counselors.

Subscriptions to business publications.

Telephone and postage in connection with investments.

Uniforms required for employment and not generally wearable off the job.

Maintenance of uniforms required for employment.

Special safety apparel (e.g., steel toe safety shoes or helmets worn by construction workers; special masks worn by welders).

Business entertainment expenses.

Business gift expenses not exceeding \$25 per recipient.

Employment agency fees under certain circumstances.

Cost of a periodic physical examination if required by employer.

Cost of installation and maintenance of a telephone required by your employment (deduction based on business use).

Cost of bond if required for employment.

Expenses of an office in your home if used regularly and exclusively for certain business purposes.

**Political campaign contributions**

You may claim a credit (line 38, Form 1040), for campaign contributions to an individual who is a candidate for nomination or election to any Federal, State, or local office in any primary, general, or special election. The deduction or credit is also applicable for any (1) committee supporting a candidate for Federal, State, or local elective public office, (2) national committee of a national political party, (3) State committee of a national political party, or (4) local committee of a national political party. The amount of the tax credit is one-half of the political contribution, with a \$50 ceiling (\$100 for couples filing jointly).

**Presidential election campaign fund**

Additionally, you may voluntarily earmark \$1 of your taxes (\$2 on joint returns) for the Presidential Election Campaign Fund.

**Additional information**

For any questions concerning any of these items, contact your local IRS office. You may also obtain helpful publications and additional forms by contacting your local IRS office.

**OTHER TAX RELIEF MEASURES**

Filing status	Required to file a tax return if gross income is at least—
Single (under age 65)	\$3,300
Single (age 65 or older)	4,300
Qualifying widow(er) under 65 with dependent child	5,400
Qualifying widow(er) 65 or older with dependent child	6,400
Married couple (both spouses under 65) filing jointly	5,400
Married couple (1 spouse 65 or older) filing jointly	6,400
Married couple (both spouses 65 or older) filing jointly	7,400
Married filing separately	2,700

**Additional exemption for age**

Beside the regular \$1,000 exemption, you are allowed an additional exemption of \$1,000 if you are age 65 or older on the last day of the taxable year. If both a husband and wife are 65 or older on the last day of the taxable year, each is entitled to an additional exemption of \$1,000 because of age. You are considered 65 on the day before your 65th birthday. Thus, if your 65th birthday is on January 1, 1980, you will be entitled to the additional \$1,000 exemption because of age for your 1979 Federal income tax return.

**"Zero bracket amount"**

The "zero bracket amount" is a flat amount that depends on your filing status. It is not a separate deduction; instead, the equivalent amount is built into the tax tables and tax rate schedules. Since this amount is built into the tax tables and tax rate schedules, you will need to make an adjustment if you itemize deductions. However, itemizers will not experience any change in their tax liability and the tax computation will be simplified for many itemizers.

**Tax tables**

Tax tables have been developed to make it easier for you to find your tax if your income is under certain levels. Even if you itemize deductions, you may be able to use the tax tables to find your tax easier. In addition, you do not have to deduct \$1,000 for each exemption because these amounts are also built into the tax table for you.

**Multiple support agreements**

In general, a person may be claimed as a dependent of another taxpayer, provided five tests are met: (1) support, (2) gross income, (3) member of household or relationship, (4) citizenship, and (5) separate return. But in some cases, two or more individuals provide support for an individual, and no one has contributed more than half the person's support. However, it still may be possible for one of the individuals to be entitled to a \$1,000 dependency deduction if the following requirements are met for multiple support:

- Two or more persons—any one of whom could claim the person as a dependent if it were not for the support test—together contribute more than half of the dependent's support.
- Any one of those who individually contribute more than 10 percent of the mutual dependent's support, but only one of them, may claim the dependency deduction.
- Each of the others must file a written statement that he will not claim the dependency deduction for that year. The statement must be filed with the income tax return of the person who claims the dependency deduction. Form 2120 (Multiple Sup-

port Declaration) may be used for this purpose.

**Sale of personal residence**

You may exclude from your gross income some or all of your gain from the sale of your principal residence, if you meet certain age, ownership, and occupancy requirements at the time of the sale.

These requirements, and the amount of gain that may be excluded, differ depending on whether you sold your home before July 27, 1978, or on or after that date. The exclusion is elective, and you may elect to exclude gain only once for sales before July 27, 1978, and only once for sales on or after that date.

If you sold your home before July 27, 1978, and you were age 65 or older before the date of sale, you may elect to exclude the gain attributable to \$35,000 of the adjusted sales price if you owned and occupied the residence for 5 of the 8 years ending on the date of sale. If you sold the home after July 26, 1978, and you were age 55 or older before the date of sale, you may elect to exclude \$100,000 of gain on the sale if you owned and occupied the residence for 3 of the 5 years ending on the date of sale (or 5 of 8 years under certain circumstances). Form 2119 (Sale or Exchange of Personal Residence) is helpful in determining what gain, if any, may be excluded.

Additionally, you may elect to defer reporting the gain on the sale of your personal residence if within 18 months before or 18 months after the sale you buy and occupy another residence, the cost of which equals or exceeds the adjusted sales price of the old residence. Additional time is allowed if (1) you construct the new residence; (2) you were on active duty in the U.S. Armed Forces; or (3) your tax home was abroad. Publication 523 (Tax Information on Selling or Purchasing Your Home) may also be helpful.

**Credit for the elderly**

You may be able to claim this credit and reduce taxes by as much as \$375 (if single), or \$625.50 (if married filing jointly), if you are:

- Age 65 or older, or
- Under age 65 and retired under a public retirement system.

For more information, see instructions for Schedules R and RP.

**Credit for child and dependent care expenses**

Certain payments made for child and dependent care may be claimed as a credit against tax.

If you maintained a household that included your dependent child under age 15 or a dependent or spouse incapable of self-care, you may be allowed a 20 percent credit for employment related expenses. These expenses must have been paid during the taxable year in order to enable you to work either full or part time.

For detailed information, see the instructions on Form 2441.

**Earned income credit**

If you maintain a household for a child who is under age 19, or is a student, or is a disabled dependent, you may be entitled to a special payment or credit of up to \$500. This is called the earned income credit. It may come as a refund check or be applied against any taxes owed. Generally, if you reported earned income and had adjusted gross income (line 31, Form 1040) of less than \$10,000, you may be able to claim the credit.

Earned income means wages, salaries, tips, other employee compensation, and net earnings from self-employment (generally amount shown on Schedule SE (line 13, Form 1040)). A married couple must file a

joint return to be eligible for the credit. Certain married persons living apart with a dependent child may also be eligible to claim the credit.

For more information, see instructions for Form 1040 or 1040A.

#### Energy Tax Act

The Energy Tax Act of 1978 is directed at providing tax incentives for energy conservation measures and for conversion to renewable energy sources.

A credit of up to \$300 may be claimed for expenditures for energy conservation property installed in or on your principal residence, whether you own or rent it. The residence must have been substantially completed by April 20, 1977. Items eligible for the credit are limited to the following: insulation (fiberglass, cellulose, etc.) for ceilings, walls, floors, roofs, water heaters, etc.; exterior storm (or thermal) windows or doors; caulking or weatherstripping for exterior windows or doors; a furnace replacement burner which reduces the amount of fuel used; a device to make flue openings (for a heating system) more efficient; and electrical or mechanical furnace ignition system which replaces a gas pilot light; an automatic energy-saving setback thermostat; and a meter which displays the cost of energy usage.

A maximum credit for renewable energy source property is \$2,200. Equipment used in the production or distribution of heat or electricity from solar, geothermal, or wind energy sources for residential heating, cooling, or other purposes may qualify for this credit.

Energy credits may be claimed by completing Form 5695 and attaching it to your Form 1040. Credit for expenditures made after April 19, 1977, and before January 1, 1979, must be claimed on your 1978 tax return. Do not file an amended 1977 return to claim a credit for expenditure in 1977.

Examples of items which do not qualify for energy credit are the following: carpeting, drapes, wood paneling, exterior siding, heat pump, wood or peat fueled residential equipment, fluorescent replacement lighting system, hydrogen fueled residential equipment, equipment using wind energy for transportation, expenditures for a swimming pool used as an energy storage medium, and greenhouses.

For further information, consult the instructions for Form 5695 and IRS Publication 903, Energy Credits for Individuals.

#### Capital gains deduction

The Revenue Act of 1979 increased from 50 to 60 percent the portion of a capital gain that may be deducted from gross income. For example, an individual selling stock or securities held for more than one year would be eligible to claim this deduction. Capital gains and losses are reported on Schedule D (Form 1040).●

### THE DRAFT AND THE MILITARY— SOME PATRIOTS VIEWS

**HON. ROBERT GARCIA**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. GARCIA. Mr. Speaker, as the debate continues on the issue of registration and the draft, I think it appropriate to hear some views of the Founding Fathers of this Nation.

The voices of 1776 spoke loud and clear. Americans were no longer willing to subject themselves to a corrupt, oppressive government and an eco-

nomie system that concentrated the great wealth of the country in the hands of a small landed aristocracy. They pledged their lives, fortunes, and sacred honor to creating new institutions that would serve their God-given rights. The American Revolution signalled a great moment in the history of humankind.

The principles and ideals of the first American Revolutionaries have provided inspiration and direction for our people and for revolutionary movements throughout the world these past 200 years. Their words are of crucial importance to every American today as we measure our institutions against the principles of 1776.

The material follows:

#### THE MILITARY

I join with you most cordially in rejoicing at the return of peace. I hope it will be lasting, and that mankind will at length, as they call themselves reasonable creatures, have reason to settle their differences without cutting throats; for, in my opinion, there never was a good war, or a bad peace.—BEN FRANKLIN, 1783.

When we take a survey of mankind, we cannot help cursing the wretch who, to the unavoidable misfortunes of nature, shall wilfully add the calamities of war. One would think there were evils enough in the world without studying to increase them, and that life is sufficiently short without shaking the sand that measures it.—THOMAS PAINE, *The Crisis*, No. 5.

Justice is as strictly due between neighbor nations as between neighbor citizens. A highwayman is as much a robber when he plunders in a gang as when single; and a nation that makes an unjust war is only a great gang.—BENJAMIN FRANKLIN.

No man can pretend to say that the peace and good order of the community is so secure with soldiers quartered in the body of a city as without them. Besides, where military power is introduced, Military Maxims are propagated and adopted, which are inconsistent with and must soon eradicate every idea of Civil Government. Do we not already find some persons weak enough to believe, that an officer is oblig'd to obey the orders of his superiors, tho' it be even against the law?—SAMUEL ADAMS, *Boston Gazette*, October 17, 1768.

The spirit of this country is totally adverse to a large military force.—THOMAS JEFFERSON to Chandler Price, 1807.

A writer of celebrity has observed, that 'military commanders acquiring fame, and accustomed to receive the obedience of armies are in their hearts generally enemies to the popular equality of republics.' Thus, the first step taken in the United States for the aggrandizement of particular families by distinguished orders, and assumed nobility, appeared to originate in the army; some of whom, as observed of the ancient barons of England, 'soon forgot the cause and the patriotism of their ancestors, and insensibly became the servants of luxury and government.'—MERCY WARREN, *American Revolution*, 1805.

Even in the public military service, or warlike expeditions by national authority, the law manifestly requires the soldier to think for himself; to consider before he acts in any war, whether the same be just, for, if it be otherwise, the Common Law of the Kingdom will impute to him Guilt of Murder.—GRANVILLE SHARP, 1773

\*\*\* Hence likewise they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which

are to be regarded as particularly hostile to Republican Liberty. In this sense it is, that your Union ought to be considered as a main prop of your liberty; and that the love of the one ought to endeavor to you the preservation of the other.—GEORGE WASHINGTON, Farewell Speech, 1796.

He has affected to render the military independent of an superior to the Civil power...

He is, at this time, transporting large Armies of foreign mercenaries to complete the Works of Death, Desolation, and Tyranny, already begun with circumstances of Cruelty and Perfidy, scarcely paralleled in the most barbarous Ages, and totally unworthy of the Head of a civilized Nation.—Declaration of Independence, July 4, 1776.

But in this country the aggravation is heightened by a new combination of affecting circumstances. America was young, and, compared with other countries, was virtuous. None but a Herod of uncommon malice would have made war upon infancy and ignorance; and none but a people of the most finished fortitude dared, under those circumstances; to have resisted tyranny... The time, sir, will come when you, in a melancholy hour, shall reckon up your miseries by your murders in America.—THOMAS PAINE, *The Crisis*, No. 5, Dedicated to Lord Howe, 1778.

It is the inherent right of every free man to vote and elect the officers who are to command them in a military character, and he who dares to attempt a contravention of the right forfeits all protection from this country is a tyrant and a despot, and an enemy of the people—Resolution of the Franklin Society of Pendleton, South Carolina.●

### 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, March 20, 1980, may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

MARCH 21

9:30 a.m.

Labor and Human Resources

To resume oversight hearings on the implementation of the Occupational Safety and Health program.

4232 Dirksen Building

10:00 a.m.

Appropriations

**HUD-Independent Agencies Subcommittee**

To continue hearings on proposed budget estimates for fiscal year 1981 for the Environmental Protection Agency, and for the Council on Environmental Quality.

1318 Dirksen Building

**Foreign Relations**

To continue hearings on proposed legislation authorizing funds for fiscal year 1981 for foreign assistance programs.

4221 Dirksen Building

**Select on Intelligence Budget Authorizations Subcommittee**

To continue closed hearings on proposed legislation authorizing funds for fiscal year 1981 for intelligence activities of the U.S.

S-407, Capitol

**MARCH 24**

9:30 a.m.

**Environment and Public Works Nuclear Regulation Subcommittee**

To hold hearings on S. 2358, authorizing funds for fiscal years 1981 and 1982 for the Nuclear Regulatory Commission.

4200 Dirksen Building

10:00 a.m.

**Banking, Housing, and Urban Affairs International Finance Subcommittee**

To resume hearings on the U.S. embargo of grain and technology exports to the Soviet Union.

5302 Dirksen Building

**Commerce, Science, and Transportation Surface Transportation Subcommittee**

To hold oversight hearings on the implementation of rail safety laws by the Federal Railroad Administration, focusing on the area of hazardous materials regulations.

235 Russell Building

**Energy and Natural Resources**

To hold oversight hearings on the activities of the Department of Energy.

3110 Dirksen Building

**Finance**

**Taxation and Debt Management Generally Subcommittee**

To hold hearings on miscellaneous tax proposals

2221 Dirksen Building

**Special on Aging**

To hold oversight hearings on the implementation of mandated studies and activities as outlined in Public Law 95-478, Older Americans Act.

6226 Dirksen Building

11:00 a.m.

**Labor and Human Resources**

Business meeting, to resume consideration of S. 1076, to improve the regulation of multi-employer pension insurance plans, and to provide sufficient funds to pay benefits; and to begin markup of S. 2337, authorizing funds through fiscal year 1983 for the Legal Services Corporation.

4232 Dirksen Building

2:00 p.m.

**Appropriations**

**State, Justice, Commerce, the Judiciary, and Related Agencies Subcommittee**

To hold hearings on proposed budget estimates for fiscal year 1981 for the Bureau of the Census, general administration, and economic and statistical analysis, Department of Commerce.

S-146, Capitol

2:30 p.m.

**Energy and Natural Resources Energy Research and Development Subcommittee**

To resume hearings on S. 2332, authorizing funds for fiscal years 1981 and 1982 for civilian programs of the Department of Energy.

3110 Dirksen Building

**MARCH 25**

8:00 a.m.

**Armed Services**

**Research and Development Subcommittee**

To resume closed hearings on S. 2294, authorizing funds for fiscal year 1981 for military procurement programs of the Department of Defense.

224 Russell Building

9:30 a.m.

**Agriculture, Nutrition, and Forestry Rural Development Subcommittee**

To hold oversight hearings to examine housing and energy aspects of the Small Community and Rural Development Policy.

1224 Dirksen Building

**Appropriations**

**Agriculture, Rural Development, and Related Agencies Subcommittee**

To resume hearings on proposed budget estimates for fiscal year 1981 for the Department of Agriculture.

S-128, Capitol

**\*Commerce, Science, and Transportation**

To hold joint hearings with the Energy and Natural Resources Subcommittee on Energy Resources and Materials Production on S. 2119, to provide for the protection of fishery resources on the Georges Bank (on the Outer Continental Shelf) from the environmental degradation due to oil and gas well drilling activities.

235 Russell Building

**\*Energy and Natural Resources**

**Energy Resources and Materials Production Subcommittee**

To hold joint hearings with the Committee on Commerce, Science, and Transportation on S. 2119, to provide for the protection of fishery resources on the Georges Bank (on the Outer Continental Shelf) from environmental degradation due to oil and gas well drilling activities.

235 Russell Building

**Environmental and Public Works**

**Nuclear Regulation Subcommittee**

To continue hearings on S. 2358, authorizing funds for fiscal years 1981 and 1982 for the Nuclear Regulatory Commission.

4200 Dirksen Building

**Governmental Affairs**

**Intergovernmental Relations Subcommittee**

To resume oversight hearings on the scope of the general revenue sharing program.

3302 Dirksen Building

**Judiciary**

Business meeting, to consider pending nominations and legislation.

2228 Dirksen Building

**Labor and Human Resources**

**Health and Scientific Research Subcommittee**

To hold hearings on proposed authorizations for the National Science Foundation.

4232 Dirksen Building

10:00 a.m.

**Appropriations**

**Foreign Operations Subcommittee**

To hold hearings on proposed budget estimates for fiscal year 1981 for certain programs of the Agency for Interna-

tional Development; the international narcotics control program of the Department of State; and for the Inter-American Foundation.

1318 Dirksen Building

**Appropriations**

**Interior and Related Agencies Subcommittee**

To hold hearings on proposed budget estimates for fiscal year 1981 for certain programs of the Department of Energy.

1223 Dirksen Building

**Appropriations**

**State, Justice, Commerce, the Judiciary, and Related Agencies Subcommittee**

To hold hearings on proposed budget estimates for fiscal year 1981 for the Economic Development Administration, and Regional Planning Commission, Department of Commerce.

S-146, Capitol

**Banking, Housing, and Urban Affairs**

**Housing and Urban Affairs Subcommittee**

To hold hearings on proposed legislation authorizing funds for fiscal year 1981 for housing, community development programs and the Urban Development Action Grant of the Department of Housing and Urban Development.

5302 Dirksen Building

**Energy and Natural Resources**

**\*Parks, Recreation, and Renewable Resources Subcommittee**

To receive testimony from Administration officials on the following land conveyance and other measures affecting the Forest Service and the Bureau of Land Management; S. 1506, 2261, 1923, 1972, 1985, 1997, 2209, 1910, 1715, 2307, H.R. 1762, 3928, 1967, and 920.

3110 Dirksen Building

**Finance**

Business meeting, to resume consideration of pending health proposals.

2221 Dirksen Building

**Labor and Human Resources**

**Education Arts, and Humanities Subcommittee**

Business meeting, to resume consideration of S. 1839, authorizing funds through fiscal year 1985 for programs under the Higher Education Act.

357 Russell Building

2:00 p.m.

**Appropriations**

**Foreign Operations Subcommittee**

To hold hearings on proposed budget estimates for fiscal year 1981 for certain programs administered by the Department of State.

1318 Dirksen Building

**Appropriations**

**Legislative Branch Subcommittee**

To hold hearings on proposed budget estimates for fiscal year 1981 for the Cost Accounting Standards Board, and the General Accounting Office.

S-128, Capitol

**Conferees**

On S. 932, authorizing funds to establish the production of synthetic fuels, gasohol, solar energy, renewable resources, geothermal energy, to establish an energy conservation program and energy supply targets, and to extend the Defense Production Act until September 30, 1986.

Room to be announced

**MARCH 26**

9:00 a.m.

**Labor and Human Resources Child and Human Development Subcommittee**

- Business meeting, to mark up S. 1843 and H.R. 2977, proposed Domestic Violence Prevention and Services Act; and proposed legislation to establish Commissions on National Youth Service and Volunteerism.  
4232 Dirksen Building
- 10:00 a.m.  
Appropriations  
Interior and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1981 for the Office of Water Research and Technology.  
1223 Dirksen Building
- Appropriations  
State, Justice, Commerce, the Judiciary, and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1981 for the Industry and Trade Administration, Minority Business Development Agency, and the U.S. Travel Service, Department of Commerce.  
S-146, Capitol
- Banking, Housing, and Urban Affairs  
Housing and Urban Affairs Subcommittee  
To continue hearings on proposed legislation authorizing funds for fiscal year 1981 for housing, community development programs and the Urban Development Action Grant of the Department of Housing and Urban Development.  
5302 Dirksen Building
- Budget  
To begin consideration of the first concurrent budget resolution setting forth recommended levels of total budget outlays, Federal revenues, and new budget authority.  
6202 Dirksen Building
- Commerce, Science, and Transportation  
Consumer Subcommittee  
To hold hearings on proposed legislation authorizing funds for programs of the U.S. Fire Administration in the Federal Emergency Management Agency and the Center for Fire Research in the Department of Commerce.  
S-128, Capitol
- Energy and Natural Resources  
Energy Research and Development Subcommittee  
To resume hearings on S. 2332, authorizing funds for fiscal years 1981 and 1982 for civilian programs of the Department of Energy.  
3110 Dirksen Building
- Environment and Public Works  
Resource Protection Subcommittee  
Business meeting, to mark up proposed legislation authorizing funds for fiscal year 1981 for environmental research and development programs of the Environmental Protection Agency.  
4200 Dirksen Building
- Finance  
Business meeting, to continue consideration of pending health proposals.  
2221 Dirksen Building
- Rules and Administration  
To hold hearings on proposed legislation authorizing funds for fiscal year 1981 for the Federal election commission.  
301 Russell Building
- 11:00 a.m.  
Appropriations  
Agriculture, Rural Development and Related Agencies Subcommittee  
To continue hearings on proposed budget estimates for fiscal year 1981 for the Department of Agriculture.  
1223 Dirksen Building
- 2:00 p.m.  
Appropriations  
Military Construction Subcommittee  
To resume hearings on proposed budget estimates for fiscal year 1981 for military construction of the DOD.  
1224 Dirksen Building
- Appropriations  
State, Justice, Commerce, the Judiciary, and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1981 for the National Oceanic and Atmospheric Administration, Department of Commerce.  
146, S-Capitol
- 2:30 p.m.  
Conferees  
On H.R. 2313, authorizing funds for fiscal years 1980 and 1981 for the Federal Trade Commission.  
S-207, Capitol
- MARCH 27
- 9:30 a.m.  
Appropriations  
Agriculture, Rural Development and Related Agencies Subcommittee  
To continue hearings on proposed budget estimates for fiscal year 1981 for the Department of Agriculture.  
S-128, Capitol
- Commerce, Science, and Transportation  
To hold hearings on proposed legislation authorizing funds for fiscal year 1981 for the National Transportation Safety Board.  
235 Russell Building
- Judiciary  
To resume hearings on S. 2377, authorizing funds for fiscal year 1981 for programs administered by the Department of Justice.  
2228 Dirksen Building
- Veterans' Affairs  
To hold hearings to receive legislative recommendations for fiscal year 1981 from AMVETS, Paralyzed Veterans, Blinded Veterans, WWI Veterans, and Military Orders of the Purple Heart.  
1202 Dirksen Building
- 10:00 a.m.  
Appropriations  
HUD-Independent Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1981 for the National Science Foundation.  
1318 Dirksen Building
- Appropriations  
Interior and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1981 for the Smithsonian Institution.  
1223 Dirksen Building
- \*Appropriations  
State, Justice, Commerce, the Judiciary, and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1981 for the Patent and Trademark Office, and science and technical research, Department of Commerce.  
S-146, Capitol
- Budget  
To continue consideration of the first concurrent budget resolution setting forth recommended levels of total budget outlays, Federal revenues, and new budget authority.  
6202 Dirksen Building
- Energy and Natural Resources  
To hold hearings on S. 1784, to improve the electric generating efficiency of joint Federal-civilian pooling practices in Alaska.  
3110 Dirksen Building
- Finance  
Business meeting, to continue consideration of pending health proposals.  
2221 Dirksen Building
- 11:00 a.m.  
Armed Services  
Procurement Policy and Reprogramming Subcommittee  
To resume hearings on S. 1687, to eliminate certain limitations imposed on excess profits from contracts with the Department of Defense for the construction of aircraft or naval vessels, and S. 2232, to exempt from accounting requirements those contracts of \$1 million or less with the Department of Defense for the construction of aircraft or naval vessels.  
1224 Dirksen Building
- 2:00 p.m.  
Appropriations  
Military Construction Subcommittee  
To continue hearings on proposed budget estimates for fiscal year 1981 for military construction of the DOD.  
1318 Dirksen Building
- Appropriations  
State, Justice, Commerce, the Judiciary, and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1981 for the National Telecommunications and Information Administration, and the Maritime Administration, Department of Commerce.  
S-146, Capitol
- Commerce, Science, and Transportation  
To hold hearings on the nomination of Peter N. Teige, of California, to be a Federal Maritime Commissioner for the remainder of term expiring June 30, 1980, and for a term of five years expiring June 30, 1985.  
457 Russell Building
- Judiciary  
To hold hearings on pending nominations.  
2228 Dirksen Building
- MARCH 28
- 9:00 a.m.  
Finance  
Taxation and Debt Management Generally Subcommittee  
To resume hearings on miscellaneous tax proposals.  
2221 Dirksen Building
- Judiciary  
To hold hearings on S. 1790, proposed Privacy Protection Act.  
2228 Dirksen Building
- 9:30 a.m.  
\*Energy and Natural Resources  
To resume hearings to assess the political, military, economic, and social factors affecting world oil production and consumption over the next decade.  
3110 Dirksen Building
- Labor and Human Resources  
To resume oversight hearings on the implementation of the occupational safety and health program.  
4232 Dirksen Building
- 10:00 a.m.  
Appropriations  
HUD-Independent Agencies Subcommittee  
To continue hearings on proposed budget estimates for fiscal year 1981 for the National Science Foundation, and for the Office of Science and Technology Policy.  
1318 Dirksen Building



**Budget**

To continue consideration of the first concurrent budget resolution setting forth recommended levels of total budget outlays, Federal revenues, and new budget authority.  
6202 Dirksen Building

**MARCH 31**

9:30 a.m.

**Judiciary**

To resume hearings on S. 2377, authorizing funds for fiscal year 1981 for programs administered by the Department of Justice.  
2228 Dirksen Building

10:00 a.m.

**\*Banking, Housing, and Urban Affairs International Finance Subcommittee**

To hold hearings on proposed authorizations for fiscal year 1981 for the international affairs programs of the Department of the Treasury; and on proposed legislation to increase the U.S. quota in the International Monetary Fund.  
5302 Dirksen Building

**Budget**

To resume consideration of the first concurrent budget resolution setting forth recommended levels of total budget outlays, Federal revenues, and new budget authority.  
6202 Dirksen Building

**Commerce, Science, and Transportation Surface Transportation Subcommittee**

To hold hearings on S. 1151, proposed Rail Restructuring Assistance Act.  
235 Russell Building

2:00 p.m.

**Appropriations**

State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1981 for the Chrysler loan guarantee program.  
S-146, Capitol

**APRIL 1**

8:00 a.m.

**Appropriations**

Agriculture, Rural Development and Related Agencies Subcommittee  
To resume hearings on proposed budget estimates for fiscal year 1981 for the Department of Agriculture.  
S-128, Capitol

9:00 a.m.

**Finance**

Taxation and Debt Management Generally Subcommittee  
To resume hearings on miscellaneous tax proposals  
2221 Dirksen Building

9:30 a.m.

**Judiciary**

Business meeting, to consider pending calendar business.  
2228 Dirksen Building

10:00 a.m.

**Appropriations**

Foreign Operations Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1981 for foreign assistance programs.  
1318 Dirksen Building

**Appropriations**

Interior and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1981 for the Office of Territorial Affairs.  
1224 Dirksen Building

**Appropriations**

State, Justice, Commerce, the Judiciary and Related Agencies Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1981 for the Department of Commerce.  
S-146, Capitol

**Banking, Housing, and Urban Affairs Housing and Urban Affairs Subcommittee**

To resume hearings on proposed legislation authorizing funds for fiscal year 1981 for housing, community development programs and the Urban Development Action Grant of the Department of Housing and Urban Development.  
5302 Dirksen Building

**Budget**

To continue consideration of the first concurrent budget resolution setting forth recommended levels of total budget outlays, Federal revenues, and new budget authority.  
6202 Dirksen Building

**Commerce, Science, and Transportation**

Business meeting, to consider pending calendar business.  
235 Russell Building

**Energy and Natural Resources Energy Research and Development Subcommittee**

To resume hearings on S. 2332, authorizing funds for fiscal years 1981 and 1982 for civilian programs of the Department of Energy.  
3110 Dirksen Building

**Labor and Human Resources**

To resume oversight hearings on the implementation of the occupational safety and health program.  
4232 Dirksen Building

**APRIL 2**

8:00 a.m.

**Appropriations**

Agriculture, Rural Development and Related Agencies Subcommittee  
To continue hearings on proposed budget estimates for fiscal year 1981 for the Department of Agriculture.  
S-128, Capitol

9:30 a.m.

**Commerce, Science, and Transportation Science, Technology, and Space Subcommittee**

To hold hearings on S. 1393, authorizing funds for fiscal years 1981 and 1982 for programs under the National Earthquake Hazard Reduction Act.  
235 Russell Building

**Judiciary**

To resume hearings on S. 2377, authorizing funds for fiscal year 1981 for programs administered by the Department of Justice.  
2228 Dirksen Building

**\*Veterans' Affairs**

Business meeting, to consider S. 1188, to revise the vocational rehabilitation program administered by the Veterans' Administration.  
412 Russell Building

10:00 a.m.

**\*Appropriations**

HUD-Independent Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1981 for the National Commission on Air Quality, the American Battle Monuments Commission, and U.S. Army cemetery expenses.  
1318 Dirksen Building

**Appropriations**

Interior and Related Agencies Subcommittee  
To continue hearings on proposed budget estimates for fiscal year 1981 for the Office of Territorial Affairs.  
1224 Dirksen Building

**Appropriations**

Transportation Subcommittee  
To resume hearings on proposed budget estimates for fiscal year 1981 for the Department of Transportation.  
S-126, Capitol

**Banking, Housing, and Urban Affairs**

Housing and Urban Affairs Subcommittee  
To continue hearings on proposed legislation authorizing funds for fiscal year 1981 for housing, community development programs, and the urban development action grant of the Department of Housing and Urban Development.  
5302 Dirksen Building

**Budget**

To continue consideration of the first concurrent budget resolution setting forth recommended levels of total budget outlays, Federal revenues, and new budget authority.  
6202 Dirksen Building

**Commerce, Science, and Transportation**

To hold hearings on proposed legislation authorizing funds for hazardous materials programs of the Department of Transportation.  
235 Russell Building

**Energy and Natural Resources**

Business meeting, to consider pending calendar business.  
3110 Dirksen Building

1:00 p.m.

**Office of Technology Assessment**

The Board to hold a joint meeting with the Technology Assessment Advisory Council on pending business items.  
EF-100, Capitol

2:00 p.m.

**\*Appropriations**

Transportation Subcommittee  
To resume hearings on proposed budget estimates for fiscal year 1981 for the Department of Transportation.  
1318 Dirksen Building

**APRIL 3**

9:30 a.m.

**Appropriations**

Agriculture, Rural Development, and Related Agencies Subcommittee  
To continue hearings on proposed budget estimates for fiscal year 1981 for the Department of Agriculture.  
S-128, Capitol

**Judiciary**

To continue hearings on S. 2377, authorizing funds for fiscal year 1981 for programs administered by the Department of Justice.  
2228 Dirksen Building

**Labor and Human Resources**

Health and Scientific Research Subcommittee  
To hold hearings on S. 500, proposed Consumer-Patient Radiation Health and Safety Act.  
6226 Dirksen Building

10:00 a.m.

**Appropriations**

HUD-Independent Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1981 for the Federal Home Loan Bank Board, and the National Institute of Building Sciences.  
1318 Dirksen Building

**Appropriations**

Interior and Related Agencies Subcommittee  
To resume hearings on proposed budget estimates for fiscal year 1981 for cer-

tain programs of the Department of Energy.

1224 Dirksen Building  
Commerce, Science, and Transportation  
To hold hearings on proposed legislation authorizing funds for ocean pollution research and monitoring programs.

235 Russell Building  
Energy and Natural Resources  
To hold hearings on the climatic effects of carbon dioxide buildup in the atmosphere.

2:00 p.m.

Judiciary

To hold hearings on pending nominations.

2228 Dirksen Building

#### APRIL 15

9:30 a.m.

Labor and Human Resources

To hold hearings on S. 2153, 1486, and 1572, bills to provide an exemption from OSHA regulation for certain workplaces with good safety and health records.

4232 Dirksen Building

10:00 a.m.

Appropriations

Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the Federal Inspector for Alaska pipeline, and the Energy Information Administration, of the Department of Energy.

1223 Dirksen Building

Appropriations

Transportation Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1981 for the Department of Transportation.

1224 Dirksen Building

Appropriations

Treasury, Postal Service, and General Government Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the Department of the Treasury.

1318 Dirksen Building

Banking, Housing, and Urban Affairs

\*International Finance Subcommittee

To hold hearings on S. 2097, proposed Joint Export Marketing Assistance Act, and on the substance of S. 2040, proposed Small Business Export Expansion Act and S. 2104, proposed Small Business Export Development Act.

5302 Dirksen Building

\*Energy and Natural Resources

Energy Regulation Subcommittee

To review those items in the President's budget for fiscal year 1981 which fall within its legislative jurisdiction and consider recommendations which it will make thereon to the Budget Committee, receiving testimony from officials of the Federal Energy Regulatory Commission and for the Office of Hearings and Appeals.

6226 Dirksen Building

2:00 p.m.

Appropriations

Transportation Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1981 for the Department of Transportation.

1224 Dirksen Building

#### APRIL 16

9:30 a.m.

Labor and Human Resources

To continue hearings on S. 2153, 1486, and 1572, bills to provide an exemption from OSHA regulation for certain workplaces with good safety and health records.

4232 Dirksen Building

Labor and Human Resources

Health and Scientific Research Subcommittee

To hold hearings on S. 1424, proposed International Health Act.

6226 Dirksen Building

\*Veterans' Affairs

To hold hearings on the recruitment and retention of qualified health-care professionals to staff the Veterans' Administration's health-care facilities.

412 Russell Building

10:00 a.m.

Appropriations

Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the National Gallery of Art, and the Commission of Fine Arts.

1223 Dirksen Building

Appropriations

Treasury, Postal Service, and General Government Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1981 for the Department of the Treasury.

1318 Dirksen Building

Banking, Housing, and Urban Affairs

International Finance Subcommittee

To resume hearings on proposed authorizations for fiscal year 1981 for the international affairs programs of the Department of the Treasury; and on proposed legislation to increase the U.S. quota in the International Monetary Fund.

5302 Dirksen Building

Commerce, Science, and Transportation

Surface Transportation Subcommittee

To hold hearings on S. 2193, authorizing funds for fiscal year 1981 for the United States Railway Association.

235 Russell Building

Energy and Natural Resources

Business meeting, to consider pending calendar business.

3110 Dirksen Building

Judiciary

To resume hearings on S. 2377, authorizing funds for fiscal year 1981 for programs administered by the Department of Justice.

357 Russell Building

2:00 p.m.

Appropriations

Military Construction Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1981 for military construction of the DOD.

1224 Dirksen Building

#### APRIL 17

9:30 a.m.

Commerce, Science, and Transportation

Science Technology, and Space Subcommittee

To hold hearings on S. 1391, authorizing funds for fiscal years 1981 and 1982 for the National Climate Program.

235 Russell Building

Labor and Human Resources

To continue hearings on S. 2153, 1486, and 1572, bills to provide an exemption from OSHA regulation for certain workplaces with good safety and health records.

4232 Dirksen Building

\*Labor and Human Resources

Child and Human Development Subcommittee

To hold oversight hearings on the development of children who benefit from adoption by facilitating their placement in adoptive homes.

457 Russell Building

10:00 a.m.

Appropriations

Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the Forest Service, Department of Agriculture.

1223 Dirksen Building

Appropriations

Transportation Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1981 for the Department of Transportation.

1224 Dirksen Building

Appropriations

Treasury, Postal Service, and General Government Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1981 for the Department of the Treasury.

1114 Dirksen Building

Energy and Natural Resources

Parks, Recreation and Renewable Resources Subcommittee

To hold hearings on S. 1842, proposed National Heritage Policy Act.

3110 Dirksen Building

2:00 p.m.

Appropriations

Military Construction Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1981 for military construction of the DOD.

1318 Dirksen Building

Appropriations

Treasury, Postal Service, and General Government Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1981 for the Department of the Treasury.

S-146, Capitol

#### APRIL 18

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the Federal Emergency Management Agency.

1318 Dirksen Building

2:00 p.m.

Appropriations

Military Construction Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1981 for military construction of the DOD.

1223 Dirksen Building

#### APRIL 21

10:00 a.m.

Judiciary

To resume hearings on S. 2377, authorizing funds for fiscal year 1981 for pro-

grams administered by the Department of Justice.

2228 Dirksen Building

APRIL 22

10:00 a.m.

Appropriations  
Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the Economic Regulatory Administration, Department of Energy.

1223 Dirksen Building

Appropriations

Treasury, Postal Service, and General Government Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1981 for the Department of the Treasury, and on the U.S. Postal Service.

1318 Dirksen Building

2:00 p.m.

Appropriations

Military Construction Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1981 for military construction of the DOD.

1224 Dirksen Building

Appropriations

Treasury, Postal Service, and General Government Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1981 for the Department of the Treasury.

S-146, Capitol

APRIL 23

10:00 a.m.

Appropriations

Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the National Endowment for the Arts.

1223 Dirksen Building

Appropriations

Treasury, Postal Service, and General Government Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the Executive Office of the President.

1318 Dirksen Building

Commerce, Science, and Transportation

To hold hearings on proposed legislation authorizing funds for fiscal year 1981 for the U.S. Coast Guard.

235 Russell Building

Rules and Administration

To receive testimony on Senate Resolution 207, to create a Select Committee on Narcotics Abuse and Control; and to consider other legislative and administrative business.

301 Russell Building

2:00 p.m.

Appropriations

Military Construction Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1981 for military construction of the DOD.

1224 Dirksen Building

APRIL 24

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the National Aeronautics and Space Administration.

1318 Dirksen Building

Appropriations

Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the Bureau of Land Management.

1223 Dirksen Building

Appropriations

Treasury, Postal Service, and General Government Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1981 for the Executive Office of the President.

1114 Dirksen Building

2:00 p.m.

Appropriations

Military Construction Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1981 for military construction of the DOD.

1224 Dirksen Building

APRIL 25

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1981 for the National Aeronautics and Space Administration.

1318 Dirksen Building

APRIL 28

9:30 a.m.

\*Judiciary

To resume hearings on S. 2377, authorizing funds for fiscal year 1981 for programs administered by the Department of Justice.

2228 Dirksen Building

10:00 a.m.

\*Energy and Natural Resources

Energy Regulation Subcommittee

To review those items in the President's budget for fiscal year 1981 which fall within its legislative jurisdiction and consider recommendations which it will make thereon to the Budget Committee, receiving testimony from officials of the Economic Regulatory Administration, and the Energy Information Administration.

3110 Dirksen Building

APRIL 29

10:00 a.m.

Appropriations

Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the Heritage Conservation and Recreation Service.

1224 Dirksen Building

Appropriations

Treasury, Postal Service, and General Government Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the Office of Personnel Management, Merit Systems Protection Board, Federal Labor Relations Authority, U.S. Tax Court, and President's Commission on Pension Policy.

1318 Dirksen Building

2:00 p.m.

Appropriations

Military Construction Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1981 for military construction of the DOD.

1223 Dirksen Building

APRIL 30

9:30 a.m.

\*Veterans' Affairs

Business meeting, to consider proposed legislation on the recruitment and retention of qualified health-care professionals to staff the Veterans' Administration health-care facilities, S. 759, to provide for the right of the United States to recover their 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, and S. 1523 and H.R. 4015, proposed Veterans Senior Citizen Health Care Act.

412 Russell Building

10:00 a.m.

Appropriations

Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for conservation programs of the Department of Energy.

1224 Dirksen Building

Appropriations

Treasury, Postal Service, and General Government Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the Federal Elections Commission, Advisory Commission on Intergovernmental Relations, Advisory Committee on Federal Pay, Committee for Purchase From the Blind and Other Severely Handicapped and the Administrative Conference of the U.S.

1318 Dirksen Building

2:00 p.m.

Appropriations

Military Construction Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1981 for military construction of the DOD.

1223 Dirksen Building

MAY 1

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the Department of Housing and Urban Development.

1318 Dirksen Building

Appropriations

Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the Land and Water Conservation Fund of the Heritage Conservation and Recreation Service.

1224 Dirksen Building

Appropriations

Treasury, Postal Service, and General Government Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the General Services Administration.

1114 Dirksen Building

\*Judiciary

To resume hearings on S. 2377, authorizing funds for fiscal year 1981 for programs administered by the Department of Justice.

2228 Dirksen Building

\*Labor and Human Resources

Child and Human Development Subcommittee

To hold hearings on issues Congress might consider which would affect youth in the coming decade.

6226 Dirksen Building

**MAY 2**

10:00 a.m.

Appropriations  
HUD-Independent Agencies Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1981 for the Department of Housing and Urban Development.

1318 Dirksen Building

**MAY 6**

9:30 a.m.

Appropriations  
Agriculture, Rural Development, and Related Agencies Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1981 for the Department of Agriculture.

1318 Dirksen Building

2:00 p.m.

Appropriations  
Military Construction Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1981 for military construction of the DOD.

1223 Dirksen Building

**MAY 7**

10:00 a.m.

Appropriations  
Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the U.S. Geological Survey.

1224 Dirksen Building

**MAY 13**

10:00 a.m.

Appropriations  
Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the National Park Service.

1224 Dirksen Building

**MAY 14**

10:00 a.m.

Appropriations  
Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1981 for the Department of the Interior.

1223 Dirksen Building

Appropriations  
Transportation Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1981 for the Department of Transportation.

1224 Dirksen Building

**MAY 15**

10:00 a.m.

Appropriations  
HUD-Independent Agencies Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1981 for the Department of Housing and Urban Development, and Independent Agencies.

1318 Dirksen Building

Appropriations  
Transportation Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1981 for the Department of Transportation.

1224 Dirksen Building

**MAY 16**

10:00 a.m.

Appropriations  
HUD-Independent Agencies Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1981 for the Department of Housing and Urban Development, and Independent Agencies.

1318 Dirksen Building

**MAY 21**

9:00 a.m.

\*Veterans' Affairs  
To resume hearings on the Federal Government's efforts to assist Vietnam-era veterans in readjusting to society, and the use of excepted appointments for disabled veterans.

412 Russell Building

**MAY 22**

9:30 a.m.

Labor and Human Resources  
Child and Human Development Subcommittee

To hold oversight hearings to examine issues affecting infant mortality, and preventable birth defects.

4232 Dirksen Building

**MAY 29**

9:30 a.m.

\*Veterans' Affairs  
To hold hearings on proposed legislation to establish a cost-of-living increase for service-connected disability compensation.

412 Russell Building

**JUNE 11**

9:30 a.m.

\*Veterans' Affairs  
To hold oversight hearings on the activities of the Inspector General of the Veterans' Administration.

412 Russell Building

**CANCELLATIONS**

**MARCH 21**

9:00 a.m.

Energy and Natural Resources  
To resume hearings to assess the political, military, economic, and social factors affecting world oil production and consumption over the next decade.

3110 Dirksen Building

9:30 a.m.

Commerce, Science, and Transportation  
Science, Technology, and Space Subcommittee  
To resume hearings on proposed legislation authorizing funds for fiscal year

1981 for programs under the National Climate Program Act.

235 Russell Building

Judiciary

To continue hearings on S. 2377, authorizing funds for fiscal year 1981 for programs administered by the Department of Justice.

2228 Dirksen Building

**MARCH 25**

10:00 a.m.

Appropriations  
Transportation Subcommittee  
To resume hearings on proposed budget estimate for fiscal year 1981 for the Department of Transportation.

1224 Dirksen Building

**MARCH 26**

10:00 a.m.

Energy and Natural Resources  
Business meeting, to consider pending calendar business.

3110 Dirksen Building

**MARCH 27**

10:00 a.m.

Appropriations  
Transportation Subcommittee  
To resume hearings on proposed budget estimates for the Department of Transportation.

1224 Dirksen Building

Banking, Housing, and Urban Affairs  
Consumer Affairs Subcommittee

To resume hearings on S. 1928, proposed Fair Financial Information Practices Act, and S. 1929, proposed Privacy of Electronic Fund Transfers Act.

5302 Dirksen Building

11:30 a.m.

Appropriations  
Transportation Subcommittee  
To continue hearings on proposed budget estimates for fiscal year 1981 for the Department of Transportation.

1224 Dirksen Building

**MARCH 28**

10:00 a.m.

Banking, Housing, and Urban Affairs  
Consumer Affairs Subcommittee  
To continue hearings on S. 1928, proposed Fair Financial Information Practices Act, and S. 1929, proposed Privacy of Electronic Fund Transfers Act.

5302 Dirksen Building

**MARCH 31**

9:00 a.m.

Energy and Natural Resources  
To resume hearings to assess the political, military, economic, and social factors affecting world oil production and consumption over the next decade.

3110 Dirksen Building

**APRIL 2**

10:00 a.m.

\*Labor and Human Resources  
Education, Arts, and Humanities Subcommittee  
To resume hearings on title II, proposed Youth Education and Training Act, of S. 2385, proposed Youth Act.

4232 Dirksen Building

**APRIL 3**

10:00 a.m.

Labor and Human Resources  
Education, Arts, and Humanities Subcommittee  
To continue hearings on title II, proposed Youth Education and Training Act, of S. 2385, proposed Youth Act.

4232 Dirksen Building