EXTENSIONS OF REMARKS

A REALISTIC PERSPECTIVE ON THE STRATEGIC DEFENSE INITIATIVE FROM MESSRS. BRZEZINSKI, JASTROW, AND KAMPELMAN

HON. MARILYN LLOYD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mrs. LLOYD. Mr. Speaker, Dr. Zbigniew Brzezinski, the former National Security Adviser to President Carter, Dr. Robert Jastrow, founder of the Goddard Institute for Space Studies, and Max M. Kampelman, the recently designated head of the U.S. delegation to the arms control talks with the U.S.S.R., wrote a joint article "Defense in Space Is Not 'Star Wars'" which appeared in the New York Times Magazine on January 27, 1985. This comprehensive article calls for a more rational debate on the strategic defense initiative [SDI], places SDI in the context of realistic technical expectations, and outlines its true value for not only arms control but genuine nuclear weapons reduction. As I noted in an earlier entry, there is a great need for a rational debate on this issue (CONGRESSIONAL RECORD, "Star Wars and ASAT: the Need for a Reasoned Debate," E3176-77). The following are excerpts from this most important article provided in the framework of a series of entries which I have made in the CONGRESSIONAL RECORD on the SDI from an arms control perspective.

Faith moves mountains. When it is in eternal religious values, faith is an indispensable strength of the human spirit. When it is directed toward political choices, it is often an excuse for an analytic paralysis.

Regrettably, our national debate over President Reagan's suggestion that the country develop a strategic defense against a Soviet nuclear attack is taking on a theological dimension that has no place in a realistic search for a path out of the world's dilemma. The idea of basing our security on the ability to defend ourselves deserves serious consideration. Certainly, the role of strategic defense was a major issue in the recent dialogue in Geneva between United States Secretary of State George P. Shultz and Soviet Foreign Minister Andrei A. Gromyko on new arms-control negotiations.

The authors first underline the uncertainty of continuing to operate under the premises of offensively oriented mutually assured destruction [MAD].

For many years, our search for security has been restricted to designing offensive weapons to deter aggression through fear of reprisals. We must not abandon unclear deterrence until we are convinced that a better means is at hand. But we cannot deny that, for both the Soviet Union and the United States, the costs, insecurities and tensions surrounding this search for newer, more effective and more accurate nuclear missiles produce a profound unease that in itself undermines stability.

The conventional view is that stability in the nuclear age is based on two contradictory pursuits: the acquisition of increasingly efficient nuclear weapons and the negotiation of limits and reductions in such weapons. The United States is diligently pursuing both objectives, but the complexity of arriving at effectual arms-control agreements is becoming apparent as more precise and mobile weapons, with multiple warheads, appear on both sides. Unlike ours, moreover, many Soviet missile silos are reloadable, and thus the number of silos does not indicate the number of missiles, further complicating verification.

They point out that the Soviet strategic forces are overwhelmingly first-strike in nature.

We must never ignore the reality that the overwhelming majority of the Soviet strategic forces is composed of primarily first-strike weaponry. And given the large numbers of first-strike Soviet SS-17, -18 and -19 land-based missiles, no responsible American leader can make decisions about security needs without acknowledging that a Soviet first strike can become a practical option.

The Russians could strike us first by firing the reloadable portion of their nuclear arsenal at our missiles, the Strategic Air Command and nuclear submarine bases, and if the surviving American forces (essentially nuclear submarines) were to respond, the Russians could immediately counter by attacking our cities with missiles from nonreloadable silos and, a few hours later, with whatever of their first-strike reloadable weapons had survived our counterattack. They are set up for launching three salvos to our one.

The authors underline the major issues in strategic defense raised by the SDI.

The result is that weapons technology is shaping an increasingly precarious American-Soviet strategic relationship. For this reason, we urge serious consideration be given to whether some form of Strategic Defense Initiative (S.D.I.) might not be stabilizing, enhancing to deterrence and even helpful to arms control. To that end, we address the major issues in strategic defense from three points of view:

(1) The technical: Is a defense against missiles technically and budgetarily feasible?

(2) The strategic: Is a defense against missiles strategically desirable, Does it enhance or diminish stability? Does it enhance or diminish the prospects for arms control and a nuclear-weapons build-down?

(3) The political: What are the political implications of strategic defense for our own country and for our relations with our allies? What are the implications for the larger dimensions of our relationship with the Soviet Union? How do we seek the needed domestic consensus on a viable strategy?

They outline the present status and dynamics of missile defense technologies.

A great deal has been written about the state of missile-defense technology. Some experts say the technology sought is unattainable, others that it is merely unattainable in this generation. Yet the promise of the Strategic Defense Initiative is real. Some of the technologies are mature and unexotic. Their deployment around the end of this decade would involve mainly engineering development. Technically, these vital defenses could be in place at this moment were it not for the constraints accepted by the United States in its adherence to the antiballistic missile treaty of 1972.

With development and some additional research, we can now construct and deploy a two-layer or double-screen defense, which can be in place by the early 1990's at a cost we estimate to be somewhere in the neighborhood of $60 billion. A conservative estimate of the effectiveness of each layer would be 70 percent. The combined effectiveness of the two layers would be over 90 percent: Less than one Soviet warhead in 10 would reach its target—more than sufficient to discourage Soviet leaders from any thought of achieving a successful first strike.

The following section emphasizes the principal features of a realistic, intermediate-term SDI with no mid-course defensive layer, including estimated costs of a two-layered systems deployment.

The first layer in the two-layer defense system—the "boost-phase" defense—would go into effect as a Soviet first-strike missile, or "booster," carrying multiple warheads rises above the atmosphere at the beginning of its trajectory. This boost-phase defense—based on interception and destruction by nonnuclear projectiles—would depend on satellites for the surveillance of the Soviet missile field and the tracking of missiles as they rise from their silos. These operations could only be carried out from space platforms orbiting over the Soviet Union. Because they are weightless in orbit, such platforms could be protected against attack by heavy armor, onboard weapons and maneuverability.

After the booster has burned out and fallen away, the warheads arc through space on their way to the United States. The second layer of the defense—the terminal defense—comes into play as the warheads descend. Interception would be at considerable altitude, above the atmosphere if possible. This second phase requires further engineering, already under way, because interception above the atmosphere makes it difficult to discriminate between real warheads and decoys. In the interim, interception can take place in the atmosphere, where differences in air drag separate warheads from decoys. In either event, destruction of the warheads would take place at sufficiently high altitudes, above 100,000 feet, so that there would be no ground damage from warheads designed to

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

explode when approached by an intercepting missile.

Of the two layers in the defense, the boost phase is by far the most important. It would prevent the Russians from concentrating their warheads on such high-priority targets as the national-command authority (the chain of command, beginning with the President, for ordering a nuclear strike), key intercontinental-ballistic missile silos or the Trident submarine pens, because they could not predict which booster and which warheads would escape destruction and get through. . . .

The boost-phase defense has still another advantage. It could effectively contend with the menace of the Soviet SS-18's, monster missiles twice the size of the 97.5-ton MX. Each SS-18 carries 10 warheads, but probably could be loaded with up to 30. The Russians could thus add thousands of ICBM warheads to their arsenal at relatively modest cost. With numbers like that, the costs favor the Russians. But a boost-phase defense can eliminate all a missile's warheads at one time—an effective response to the SS-18 problem. . . .

We estimate that the cost of establishing such a boost-phase defense by the early 1990's would be roughly $45 billion. That price tag includes 100 satellites, each holding 150 interceptors—sufficient to counter a mass Soviet attack from all their 1,400 silos; plus four geosynchronous satellites and 10 low-altitude satellites dedicated to surveillance and tracking; plus the cost of facilities for ground-control communications and battle management. . . .

Anyone who has read the recent debate on SDI and the upcoming arms control talks will appreciate the authors' discussion of the psychological barriers to consideration of alternative.

The authors incisively cite the increasing stakes for the United States in having to maintain a MAD posture and the uncertainly of achieving real arms control progress under this doctrine.

This is why there is currently such an emphasis on maintaining peace via the doctrine of deterrence based on mutual assured destruction, called MAD. But what does this mean in an age when weapons are becoming incredibly precise, mobile and difficult to count? In the absence of a miraculous breakthrough in arms control, the only possible protection within the framework of the deterrence approach is to stockpile more offensive systems. That is in part what we are doing. But how many of such systems will be needed in the likely condition of the next decade? If Soviet strategic forces continue to grow both quantitatively and qualitatively, our country will have to deploy, at enormous cost, probably no fewer than 1,500 to 2,000 mobile Midgetmen to preserve deterrance. How will they be deployed? Where? And at what cost? And will the Soviet Union and the United States be more or less secure with the deployment of such precise weaponry capable of effective preemption? The Soviet answer is clear: The Russians are busy enhancing the survivability of their leadership and of their key facilities by hardening, dispersal and deception.

The authors call for a new strategy of Mutual Security is virtually identical to the carefully assured defense [CAD] strategy, which I described in my RECORD entry "The Much Needed Strategic Transition: From Mutually Assured Destruction [MAD] to Carefully Assured Defense [CAD]" (E4337-39).

This second traditional alternative, mutual assured destruction, cannot be an acceptable, long-run option, although it is a necessary policy in the absence of an alternative, given the dynamics of weapons technology. Thus, a new third option, the Strategy of Mutual Security, must be explored as preferable. The combination of defense against space missiles with retaliatory offense in reserve enhances deterrence.

And it does not compromise stability, even if only the United States were initially to have such a strategic defense. The deployment of the systems described above would not give us absolute protection from Soviet retaliation against a possible first strike by us, a reasonable though misplaced Soviet concern. Furthermore, the Russians know we are not deploying first-strike counterforce systems in sufficient numbers to make a first strike by us feasible. In any case, one can be quite certain that the Russians will also be moving to acquire an enhanced strategic defense, even if they do not accept President Reagan's offer to share ours. Indeed, they are doing so now and have been for some time.

They suggest an avenue to ratcheting down offensive forces through incremental SDI deployment as Dr. Alvin Weinberg has also suggested (see CONGRESSIONAL RECORD entry "The SDI and Gradual Build Down: a Modest Proposal for Rational Arms Control." (E4425-27).

As our strategic space-defense initiative expands incrementally, it should be realistically possible to scale down our offensive forces. Such a transition, first of the United States and eventually of the Soviet Union, into a genuinely defensive posture, with neither side posing a first-strike threat to the other, would not only be stabilizing but it would also be most helpful to the pursuit of more far-reaching arms-control agreements. Strategic defense would compensate for the inevitable difficulties of verification and for the absence of genuine trust by permitting some risk-taking in such agreements. This is another reason why strategic defense should not be traded in the forthcoming negotiations in return for promises that can be broken at any time.

An excellent summary of the status of the present Soviet anti-ballistic missile [ABM] capability and a history of the oscillating U.S.S.R. positions on ABM is also included.

The three authors follow with the excellent point that too much of the SDI debate has focused on criticisms of the relative probability of achieving a leakproof defense to protect cities without recognizing the deterrent quality of slightly leaky but, nevertheless, effective multitiered system.

They emphasize the refreshing opportunity which SDI presents to replace MAD by mutually assured survival and remind us of the clear responsibilities of the Executive to seek alternatives.

Arms control has been said to be at a dead end, and the stalemate has reflected an impasse in thought and in conception. Our present policy requires both us and the Soviet Union to rely on a theory of mutual annihilation based on a strategic balance of offensive weapons. The American approach has been to depend on deterrence alone and not on defending ourselves from Soviet offensive weapons, while the Russians have made it clear by their actions that they intend to defend themselves against our missiles. In any event, what is clear is that mankind must find ways of lifting itself out of this balance of terror. Mutual assured destruction must be replaced by mutual assured survival. Our safety cannot depend on our having no defense against missiles. The proper role of government is to protect the country from aggression, not merely avenge it. It is astounding that a President should be faulted for seeking a formula and an approach that will protect us from the continual threats and terrors coming from the volatile vagaries of adventurism and miscalculation.

Even if a perfect defense of our population should be impossible to achieve—and none of us can be certain of that—the leaders of our Government have a responsibility to seek defense alternatives designed to complicate and frustrate aggression by our adversaries. The very injection of doubt into their calculations strengthens the prospect of hesitation and deterrence. It may not be possible to destroy the world's ballistic missiles, but if we can return them to the status of a retaliatory deterrent rather than a preemptive strike we will have reduced the need for the existing large arsenal and thereby the threat of war.

The authors also place the SDI in the context of NATO-related issues.

They conclude with their view of the prospects for and benefits of systems deployment.

The concerns [about NATO] may be understandable, but will diminish with time and discussion. First of all, President Reagan's call for strategic defense brought the Russians back to the Geneva negotiating table. More important, however, it will become increasingly evident to our friends, as some of the confusion about the technology dissipates, that the ability of the United States to protect its missiles immeasurably strengthens our power to deter and thereby serves to protect our allies. Indeed, such a system is expected to be at least as effective against the SS-20's aimed at western Europe as it is against ICBM's. Finally, a development pulling the world away from the precipice of nuclear terror goes far to help create an encouraging atmosphere for dialogue and agreement, a vital prerequisite for peace.

In light of the above, we reach two basic conclusions:

(1) Developing a stabilizing, limited two-tier strategic defense capability is desirable and called for by the likely strategic conditions immediately ahead. Such a deployment would be helpful both in the military and in the political dimensions. It is a proper response to the challenge posed by political uncertainties and the dynamics of weapons development. The two-layered defense described here can be deployed by the early 1990's. Americans will rest easier when that limited defense is in place, for it will mean that the prospect of a Soviet first strike is almost nil.

(2) A three- or four-layer defense, using such advanced technologies as the laser now

under investigation in the research phase of the Strategic Defense Initiative, may become a reality by the end of the century. If this research shows an advanced system to be practical, its deployment may well boost the efficiency of our defense to a level so close to perfection as to signal a final end to the era of nuclear ballistic missiles. A research program offering such enormous potential gains in our security must be pursued, in spite of the fact that a successful outcome cannot be assured at this juncture.

The current debate is necessary. There are many questions, technical and political, ahead of us. For the debate to be constructive, however, we must overcome the tendency to politicize it on a partisan basis. Our objectives should be to find a way out of the current maze of world terror. The President's initiative toward that end is a major contribution to arms control and stability. The aim of making nuclear weapons impotent and obsolete should be encouraged and not savaged.

I suggest to my colleagues that this article is must reading for any student of strategic defense policy inside or outside of the Congress.●

LAWLESS BEHAVIOR OF THE SECRETARY OF HEALTH AND HUMAN SERVICES

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. FEIGHAN. Mr. Speaker, I rise to express my outrage at the lawless behavior of the Secretary of the Department of Health and Human Services [HHS]. Mrs. Heckler has on at least three occasions refused to ban one or more nonnutritive food dyes. These dyes have been shown to cause cancer, yet they remain on the market when safe alternatives are available. Secretary Heckler has no statutory authority to reject valid FDA recommendations. No one has contested the validity of the FDA studies. I have written Mrs. Heckler to demand that she act as the law requires. I ask now that a copy of the letter be inserted in the RECORD at the end of my statement. Madame Secretary, why have you wantonly refused to enforce the law?

In 1960 Congress passed legislation requiring the FDA to investigate the safety of food dyes then on the market. Both the House and the Senate agreed that food dyes have no nutritive value. Therefore, if a dye were found to cause any harm, it was to be banned. In other words, food dyes were determined by Congress to provide no benefit which could outweigh any possible health risks. Thus, if a dye were found to cause cancer in man or animal, the FDA was to inform HHS which was to issue the appropriate order prohibiting its continued use. Congress gave the Government 2½ years to act.

Late in 1982, after more than 22 years of study the FDA determined that 6 different types of food dye were likely carcinogens. After this determination, the Secretary was duty-bound to ban each dye. Yet, for the last 2 years, she has baselessly refused to ban these purely cosmetic additives.

On February 1, 1985, once again, Mrs. Heckler claimed that her agency needed more time to prepare documents for the Federal Register. She has had over 2 years to act, and the agency has had 25 years to act.

Mrs. Heckler you are exposing every American to dyes which are known to penetrate the skin and whose effects are known to cause cancer when safe substitues are available. This unwarranted procrastination must end.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 5, 1985.

Mrs. MARGARET HECKLER,
Hubert Humphrey Building, Department of Health and Human Services, Washington, DC.

DEAR MRS. SECRETARY: I was chagrined to read in the February 1, 1985, Federal Register that you have once again put off making the decision to ban six different food dyes. The law is quite clear on this point, and your failure to act causes me great concern.

In 1960, the Congress passed the Color Additive Amendments to the Federal Food, Drug and Cosmetic Act. At that time, Congress stated that the dyes in question here provided no benefit to the public which outweighed any possible health risks. Thus, after appropriate study, all doubts about the safety of a particular dye are to be resolved by banning the dye. To my knowledge, no one has challenged the appropriateness of the FDA studies undertaken with respect to these 6 dyes.

It is bad enough that the FDA took over 22 years to complete studies on the dyes in question. Now you have delayed the banning of the dyes for over 2 years.

I urge you to act now, Madame Secretary. The American people have paid for 22 years of studies and two years of delays. Further procrastination on your part will only augment the already high societal costs. Millions of people are needlessly exposed to the risk of cancer when there are readily available alternatives to these purely cosmetic dyes.

Sincerely,

EDWARD F. FEIGHAN,
Member of Congress.●

AUTOMOBILE GRAY MARKET ACT OF 1985

HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. RINALDO. Mr. Speaker, today, I am introducing legislation designed to put an end to the importation of cars which do not comform with U.S. safety and emissions standards. Known as the automotive gray market, the number of nonconforming vehicles has increased from less than 1,500 cars in 1980 to over 40,000 last year. It promises to escalate even more dramatically if nothing is done.

The automobile gray market is a gaping loophole in the effective enforcement of the Motor Vehicle Safety and Clean Air Acts. A National Automobile Dealers Association survey of approximately 400 of these vehicles shows that over 99 percent do not fully comply with U.S. safety and emission standards. In theory, DOT and EPA require that all of these vehicles be modified to meet Federal standards; this survey shows that the program is not working.

The gray market is also a trap waiting for the unwary consumer. The vehicles are imported into this country through a process outside of the established manufacturers' channels. The process seems simple: One merely imports a car and modifies it to meet Federal standards, completes the federally required paperwork, and the process is done. In actuality, this is an area where sharp practices thrive, from the mail order or storefront importer who takes a hefty deposit and then vanishes, to the importer who repaints a used car and sells it as new, to the modifier who charges several thousand dollars for a modification job which is done poorly or not at all. The modifications are often ineffective; at worst, they can be dangerous. The gray market has also made the United States a lucrative haven for stolen vehicles from abroad. These abuses, and many more, are outlined in an article which recently appeared in Autoweek magazine—December 31, 1984—which shows the result of a 6 month independent investigation.

Even when the vehicle is converted by a relatively reliable modifier, the consumer still meets with unpleasant surprises. Modification to meet Federal emission standards can adversely affect the performance of the vehicle. Authorized parts and service will be difficult to obtain, since gray market cars differ significantly from their authorized U.S. counterparts. Dealers often must refuse to service the car for fear of violating Federal tampering statutes and regulations, or because of the unavailability of English language manuals. The cars resale value can be significantly lower than the value of a comparable U.S. version, according to dealer reports. Also, the second buyer may not be advised of the true origin or condition of the vehicle.

In addition to the problems associated with safety, the cars also do not comply with our emission standards. A survey conducted on 31 cars by the California Air Resources Board indicated that their emissions can exceed the levels of other vehicles by over 300 percent for hydrocarbon emissions, over 400 percent for carbon monoxide and oxides of nitrogen emissions, and over 1,000 percent for evaporative emissions.

The taxpayers suffer as well from the importation of these automobiles. DOT, EPA, and Customs together spend millions of dollars in vain attempts to enforce the law. In DOT's case, the Gray Market Program diverts considerable funds from the agency's legitimate safety mission. Not only does it produce no safety benefit, but the NADA survey shows that the gray market is an actual step backward in safety protection. Effective enforcement would require extensive inspection and testing of each vehicle; it would be prohibitively expensive.

Tax revenues are lost by the Treasury as well. These cars often evade the gas guzzler tax, which could deprive the Treasury of approximately $50,000 in revenue in 1985 alone. They also evade the fuel economy laws and thus do not pay the civil penalties under the statute. At a time when our primary national goal is the identification of unnecessary programs and the diminution of the Federal deficit, the gray market loophole is ripe for elimination.

When this exception in the Safety Act was drafted over a decade ago, it was intended to provide members of the armed services with an alternative to a forced sale of their vehicle before returning to this country. Today, wherever they are stationed, these Americans can easily buy foreign models made for use in the United States. The problem which this exception was intended to address has disappeared. The Safety Act was intended to apply equally to all cars sold in the United States and it is time that this intention is fully carried out.

In closing, this bill provides a rare oppportunity to protect the consumer while trimming the Federal bureaucracy of an unnecessary program. We should not be spending our taxpayers' money on fruitless attempts to enforce an unnecessary exception to our safety laws. This bill has the support of the Nation's auto dealers, the imported auto industry, and State motor vehicle administrators nationwide. The proposal to close the automotive gray market loophole has previously received unanimous and bipartisan support in the Senate Committee on Commerce, Science, and Transportation, the Senate Committee on the Environment and Public Works, and the Committee on Energy and Commerce in the House.

ANALYSIS OF PROPOSED AUTOMOTIVE GRAY MARKET AMENDMENT

The automotive gray market proposal amends the National Traffic and Motor Vehicle Safety Act of 1966 to assure the continued legitimate importation of U.S. version motor vehicles produced by vehicle manufacturers, while at the same time making certain that the practice of conditional importation of motor vehicles under bond pending modification be ended inasmuch as this program is no longer necessary or justified.

AMENDMENT TO SEC. 102(5)

The present definition of the term "manufacturer" (Section 102(5)), which is the provision NHTSA relies on to permit the importation of noncomplying gray market vehicles for resale, would be amended so that only the original "manufacturer" or those who have express written authorization from the original "manufacturer" can be considered "manufacturers" for purposes of the Safety Act.[1]

AMENDMENT TO SEC. 108

Several changes in Section 108 are proposed.

First, new language would be added to Sec. 108(a)(1)(A) to prohibit the sale, offering for sale, or importation into the United States of a vehicle unless it both conforms to all applicable safety standards and is covered by the original manufacturers certificate of compliance. To import a noncertified vehicle into the United States would be deemed unlawful.

Second, the term "or importer" would be stricken from Sec. 108(b)(2) in order to close a potential loophole through which noncomplying vehicles would continue to be imported into the United States by "importers" acting as "manufacturers".

Third, major changes to Section 108(b)(3) would eliminate the importation of noncomplying vehicles under bond pending modification. Exceptions to this restriction would include—

a. Importation of noncertified vehicles for purposes of testing, research, investigations, training, competitive racing events, or national security.

b. The importation on noncomplying vehicles under bond in very limited situations necessary to meet unforeseen cases of extreme hardship would be permitted. In these few hardship cases, the vehicle would be modified after importation to comply with the safety standards applicable to the vehicle.

c. The importation of *incomplete* motor vehicles or motor vehicle equipment would also continue under the revised subsection (b)(3), *but only if such vehicles or equipment are accompanied by a statement issued by the original manufacturer indicating the extent to which the incomplete vehicle complies with the applicable safety standards,* as is now provided by manufacturers of incomplete vehicles under the multi-stage manufacturer regulations promulgated by NHTSA. There will be no significant increase in the paper work burden for importers of incomplete vehicles as a result of the proposed amendment. The amendment is necessary to avoid the importation of "knocked-down" vehicles—i.e., vehicles which are made to look incomplete by removing bumpers, windshields, lights, and other components. Under the amendment, only those vehicles which are accompanied by a statement issued by the *first* manufacturer of the incomplete vehicle would be allowed importation into the United States.

Fourth, subparagraph (b)(4) would be deleted and the existing subparagraph (b)(5) redesignated as (b)(4). This is necessary to eliminate a provision in existing law which could be interpreted by NHTSA to authorize gray market imports.[2]

[1] Existing legitimate multi-stage manufacturing operations would be permitted to continue with no additional burden placed on these businesses.

[2] The revised subsection (b)(3)(A) will continue to allow vehicles to be temporarily imported for purposes of testing, research, etc.

AMENDMENT TO SEC. 114

The certification label requirements of Section 114 would be amended so that it will not be possible for a gray marketer to issue his own certificate of compliance as an alleged distributor to a dealer. The amendment is necessary to prevent commercial importers for resale with no ties to the manufacturer of the vehicle from providing certificates of compliance to dealers or others so that they would be able to continue to sell noncomplying vehicles in the United States.●

INTRODUCTION OF THE FAIR TAX ACT

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. GEPHARDT. Mr. Speaker, last week I was joined by a number of our House colleagues in reintroducing the Fair Tax Act. The Fair Tax Act seeks to reform the Tax Code by broadening the tax base and concurrently lowering the tax rates. The bill broadens the tax base by including many items that are presently excluded or sheltered from the income tax. The bill, by decreasing tax rates increases economic incentives and reduces economic distortions.

The Fair Tax Act addresses the complexity of both the individual and corporate income taxes. On the individual side, the bill includes a flat 14 percent tax rate for more than 70 percent of taxpayers. This would include individuals earning less than $25,000 a year and couples earning $40,000 a year. For those earning higher incomes, the bill provides for a progressive tax with rates of 26 percent and 30 percent. The bill also eliminates most deductions. The ones we retain, including home mortgage interest, State and local income and property taxes, charitable contributions and medical expenses beyond a certain threshold, would be worth the same to most taxpayers—14 percent in tax reductions for each dollar spent—regardless of income level. Thus, as the marginal tax rate increases, you don't have people scampering around to find deductions to reduce their taxable income. Decisions will be made solely on an economic, not tax, basis.

On the corporate side, the bill provides for a flat corporate tax rate of 30 percent. In addition to several other changes, it provides for a new depreciation plan that simplifies the current system and applies it to a wider range of industries. Perhaps most important is the removal of the vast portion of the tax underbrush that has favored investments in many areas that are inefficient and unproductive.

There are several things the Fair Tax Act doesn't do. It wasn't designed to raise any more money than the cur-

rent system. It doesn't redistribute the tax burden among various income classes nor does it disturb the existing ratio between business and personal taxation. It will provide a tax cut for most taxpayers—approximately 70 percent—at the expense of those who currently are most sophisticated in taking advantage of our Tax Code.

Since the adoption of the Tax Code in 1916, it has burgeoned from 17 pages to more than 2,000. Along with the regulations and various other ancillary material, the Code and its supporting documents amount to more than 10,000 pages—more than 33 feet of shelf space. We have so riddled the Code with preferences, exceptions, and deductions, that the tax system doesn't make economic sense or tax sense anymore. Through the years the Code has become a system that makes citizens distrust one another and their Government. When that point is reached, you have to begin to question whether you've got the kind of system you want.

The Tax Code, while built on a sound foundation, is a sad structure that needs to be demolished—we need to reform the Tax Code upon its sound foundation. The system is beginning to crumble under its own weight. When people ask us to address their problems by simply grafting on yet another new tax preference, they fail to recognize that they're actually worsening our general situation. Consider our efforts to create a level playing field for business in recent years. First we tried to smooth out disparities among various profitable businesses. Then we went a step further by giving tax benefits to businesses that weren't profitable. It is an endless process. With the fair tax, we reverse course and simply begin with a flat field, instead of adding still more cumbersome mechanical devices to jack up sections of the field that are already hovering well off the ground.

Whenever I try to come up with a logical explanation of our current tax system, I find myself turning, not surprisingly, to a journalist, George Orwell, and his analysis of a system where all were equal, but some were a bit more equal than others. So it is with our tax system. All are equal in that we use the same forms and obey the same laws. But some are more equal because they have expert tax counsel, or capital gains or new storm windows.

Real tax reform and the simplification of the Tax Code will be difficult. But it's hard to envision a time or a circumstance more conducive to reform than now—with major proposals coming from both sides of the aisle and with a reelected President who has expressed strong interest in reform. This year, 1985 is the year to take the giant and necessary steps to revamp the antiquated Tax Code.

The American people have lost faith in the Tax Code and have come to view it as unfair. If we can restore faith in the way the Government collects taxes, the public's faith in their Government and its programs may be restored as well. As elected officials, we are keenly aware that the people's faith in us is at stake as well. Tax reform will be difficult for all of us; but it is something we must not shrink from if we are to seek to serve the greater interests of the country.

FACT SHEET ON THE FAIR TAX ACT OF 1985

This legislation will make the federal income tax system simpler and fairer and the economy more efficient. It will reduce tax rates and eliminate most existing deductions, credits and exclusions. It also will raise revenues approximately equal to those collected under existing law without changing the tax burden for any income group.

SUMMARY OF KEY PROVISIONS

For individuals

A simple, progressive tax with three rates: 14 percent, 26 percent and 30 percent.

About 80 percent of all taxpayers will pay only the 14 percent rate. The 26 percent rate will apply only to individuals with adjusted gross incomes exceeding $25,000 and to couples with adjusted gross incomes exceeding $40,000. The top rate of 30 percent will apply only to individuals with adjusted gross incomes over $37,500 and couples with adjusted gross incomes over $65,000.

An increase of the personal exemption from $1,000 to $1,600 for taxpayers and spouses ($1,800 for a single head of household) and an increase in the standard deduction from $2,300 to $3,000 for single returns and from $3,400 to $6,000 for joint returns. A family of four could earn up to $11,200 before receiving their first dollar of taxable income.

Repeal of most itemized deductions, credits and exclusions except those generally available to most taxpayers. Retained will be the $1,000 exemptions for dependents, the elderly and the blind; deductions for home mortgage interest, charitable contributions, state and local income and real property taxes, payments to IRAs and Keogh plans and employee business expenses; exclusion of veterans benefits, Social Security benefits for low and moderate income persons and interest on general obligation bonds. The personal exemptions and itemized deductions will apply in most cases only against the 14 percent rate.

For corporations

A tax rate of 30 percent.

Repeal of most existing tax deductions, credits and exemptions that distort investment decisions.

A new depreciation system that doesn't favor one type of asset over another.

TECHNICAL EXPLANATION

The legislation significantly reduces tax rates and broadens the base of the individual and corporate income taxes by eliminating most tax preferences. It also smooths out the rate schedule of the tax and sharply reduces "bracket creep" and the "marriage penalty". The changes are designed as if they were to take effect in 1985 and they are approximately revenue and distribution neutral with respect to tax liability in that year. Transition questions will require that some tax preferences be phased out gradually rather than changed abruptly. However, to establish lower rates and a broader tax base as the direction of federal tax policy, 1985 serves as the baseline for all the analysis.

Individual income tax structure

For about 80 percent of individuals, the income tax is a uniform 14 percent tax on taxable income (the tax base). Taxable income is net of personal exemptions and either the standard deduction or the allowable itemized deductions. The personal exemptions are $1,600 per taxpayer (i.e. $1,600 on a single return and $3,200 on a joint return) and $1,000 per dependent. Single heads of households receive an exemption of $1,800. The extra exemptions for the elderly and blind continue at $1,000. The zero bracket amount (standard deduction increases to $3,000 for single returns and $6,000 for joint returns ($3,000 for separate returns of married persons).

For upper income taxpayers, the regular 14 percent income tax is supplemented by an additional progressive tax (surtax) of 12 percent and 16 percent on adjusted gross income in excess of $25,000 for single returns and $40,000 for joint returns. Only about 20 percent of all taxpayers are subject to this surtax. The combined effect of the 14 percent base tax and the surtax is a top marginal tax rate of 30 percent.

The personal exemptions and itemized deductions retained in the Fair Tax apply only against the 14 percent base tax. The rate schedule is as follows:

AGI	Combined surtax (percent)	Tax rate (percent)
Single returns:		
Below $25,000	(1)	14
$25,000 to $37,500	12	26
Over $37,500	16	30
Joint returns:		
Below $40,000	(1)	14
$40,000 to $65,000	12	26
Over $65,000	16	30

[1] No surtax.

For married persons filing separately, the tax brackets are half of the joint return tax brackets.

Corporate tax structure

The corporate income tax rate is set at a uniform 30 percent of taxable income thus eliminating graduation in corporate rates.

Base broadening measures

A. Changes affecting individuals and unincorporated businesses:

1. The exclusions for income earned abroad by U.S. citizens, residents or government employees (secs. 911 and 912) are repealed.

2. Seven year amortization for reforestation expenditures (sec. 194) are repealed.

3. Five year amortization for pollution control facilities (sec. 169) is repealed.

4. Expensing of tertiary injectants (sec. 193) is repealed, instead, these costs will be written off over 2 years.

5. A new depreciation method is provided for equipment and structures. Under the proposal, equipment is divided into 6 classes based on its ADR midpoint. An open ended account will be established for each asset class and each class will be given a class life. Each year taxpayers write off a percentage of the balance in the account computed using the class life and 250 percent declining balance method. Additions to each account will be made each year for purchases of assets in that class and subtractions will be made for dispositions of assets and for

that year's depreciation deduction. Structures will be put into the sixth asset class. The asset classes and depreciation rates for equipment are as follows:

ADR midpoint:	Class life
Under 5	4
5.0 to 8.5	6
9.0 to 14.5	10
15 to 24	18
25 to 35	28
Over 35 and structures	40

For example, equipment with an ADR life of 10 years will be in the 10-year class. Thus, the first year's write-off will be 25 percent of the cost (2.5/10=.25), the second year's write-off will be 18.75 percent (25 percent of 75 percent and so forth.

This plan is designed so that the present value of depreciation deductions are approximately equal to the present value of economic depreciation at a 10 percent discount rate.

6. Percentage depletion (secs. 613 and 613A) and expensing of intangible drilling costs for oil, gas and geothermal wells (sec. 263(d)) are repealed. Instead, there is a new system of capital cost recovery. Under this system, intangible drilling costs and those costs currently recovered through the depletion deduction will be written off under the same method applicable to equipment in the 10-year class. All cost incurred with respect to dry holes will be deducted when the well or property is abandoned.

7. Limits on qualified pension plans. (sec. 415) are reduced from $30,000 on defined contribution plans and $90,000 on defined benefit plans to $20,000 and $60,000 respectively, and indexing of those limits is repealed.

8. The finance lease property rules (sec. 168(f) are repealed and the pre-1981 law is restored.

9. The regular investment tax credit (sec. 46(a)(2)(B) is repealed.

10. The research and development credit (sec. 44F) is repealed.

11. The credit for rehabilitation of buildings (sec. 46(a)(2)(F)) is repealed.

12. The business energy tax credits (secs. 46(a)(2)(c), 44D and 44E) are repealed.

13. All individual farms with gross receipts of more that $1 million and all farm syndicates will be required to use accrual accounting and to capitalize pre-production period expenses and cannot use the expensing provisions for soil and water conservation expenditures (sec. 175), fertilizer (sec. 180), or land clearing (sec. 182).

14. Individuals with AGI above $100,000 would have to cover 90 percent of their current year's tax liability with estimated or withheld tax payments.

15. Income averaging (sec. 1301) is repealed.

16. The child care credit (sec. 44A) is converted to a deduction for purposes of the base tax but not the surtax. The deduction is allowed to non-itemizers.

17. The political contribution tax credit (sec. 41) is repealed.

18. The exclusion of Tier II Railroad Retirement benefits is repealed.

19. The exclusion for interest on cash value life insurance (sec. 804(a)) is repealed. Life insurance policyholders will include in gross income an amount equal to the increase in the cash surrender value of their policy during the year plus policyholder dividends received plus the "term insurance" value of insurance protection during the year minus the premiums paid. Insurance companies will provide policyholders with this information.

20. The exclusion for scholarship and fellowship income in excess of tuition (sec. 117) is repealed.

21. The deduction for second earners (sec. 221) is repealed because the new rate schedule sharply reduces the "marriage penalty".

22. The elderly tax credit (sec. 37) is repealed.

23. The general exclusions for interest and dividends (secs. 116 and 128) and the exclusion for reinvested public utility dividends (Sec. 305(e)) are repealed.

24. Expensing of interest and taxes paid during the construction period of a building (sec. 189) is repealed and instead these costs are subject to a 10 year amortization.

25. The residential energy credit (sec. 44C) is repealed.

26. The deduction for 60 percent of net long-term capital gains (sec. 1202) is repealed and the distinction between short and long-term capital gains is eliminated.

27. The individual minimum tax (sec. 55) is repealed. Since the legislation eliminates most of the preferences currently subject to the minimum tax, this provision is no longer needed.

28. The exclusion for unemployment compensation benefits (sec. 85) is repealed.

29. The exclusions for employer provided child care (sec. 129), education assistance (sec. 127) and group legal services (sec. 120) are repealed.

30. For purposes of computing the surtax (but not the base tax), a deduction would be allowed for all interest to the extent of investment income. For the base tax, itemized deductions would be allowed for all housing interest, and the itemized deduction for other interest would be limited to investment income.

31. The tax exclusion for employer provided premiums on group term life insurance (sec. 79) is repealed.

32. The tax exemption for industrial development or housing bonds issued after December 31, 1984 (secs. 103(b) and 103A) is repealed.

33. Rapid amortization of low-income housing rehabilitation (sec. 167(k)) is repealed.

34. The itemized deduction for medical expenses (sec. 213) is limited to the excess over 10 percent of adjusted gross income.

35. The present exclusion for up to $125,000 of gain on the sale of a house by a person age 55 or over (sec. 121) is retained for the base tax but not the surtax.

36. The deduction for adoption expenses (sec. 222) is repealed.

37. The deduction for state and local income and real property taxes is retained but the deduction for all other state and local taxes (sec. 164) is repealed.

38. The exclusion for employer provided premiums on group health insurance (sec. 106) is repealed.

39. Indexing of the personal exemptions and the tax brackets (sec. 1(f)) is repealed because the new rate structure will greatly reduce the problem of "bracket creep".

40. Trusts and estates would be subject to a flat 30 percent tax on taxable income in excess of $100. As under present law, a deduction would be allowed for distributions.

Changes affecting corporations

1. A new depreciation method is provided for equipment and structures. Under the proposal, equipment is divided into 6 classes based on its ADR midpoint. An open ended account will be established for each asset class and each class will be given a class life. Each year taxpayers write off a percentage of the balance in the account computed using the class life and 250 percent declining method. Additions to each account will be made each year for purchases of assets in that class and subtractions will be made for dispositions of assets and for that year's depreciation deduction. Structures will be put into the sixth asset class. The asset classes and depreciation rates for equipment are as follows:

ADR midpoint:	Class life
Under 5	4
5.0 to 8.5	6
9.0 to 14.5	10
15 to 24	18
25 to 35	28
Over 35 and structures	40

For example, equipment with an ADR life of 10 years will be in the 10-year class. Thus, the first year's write-off will be 25 percent of the cost (2.5/10=.25), the second year's write-off will be 18.75 percent (25 percent of 75 percent) and so forth.

This plan is designed so that the present value of depreciation deductions is approximately equal to the present value of economic depreciation at a 10 percent discount rate.

2. Percentage depletion for minerals (sec. 613) and expensing of mineral exploration and development costs (secs. 616 and 617) are repealed. Instead, there is a new system of capital cost recovery whereby exploration and development costs are deducted under an open account system based on 6 asset classes. These 6 classes are the same as those for equipment. Mines will be assigned to one of the 6 asset classes based on the expected useful life of the mine (using the same system that assigns equipment to each class based on its asset depreciation range (ADR) midpoint).

3. Percentage depletion (secs. 613 and 613A) and expensing of intangible drilling costs for oil, gas and geothermal wells (sec. 263(d)) are repealed. Instead, there is a new system of capital cost recovery. Under this system, intangible drilling costs and those costs currently recovered through the depletion deduction will be written off under the same method applicable to equipment in the 10-year class. All costs incurred with respect to dry holes will be deducted when the well or property is abandoned.

4. The income of controlled foreign subsidiaries of U.S. corporations is subject to tax.

5. The preferential taxation of Domestic International Sales Corporations (DISC) (sec. 991) (now FSC) is repealed and previously deferred DISC income is recaptured over a 10-year period.

6. The deduction for bad debt reserves of financial institutions in excess of their actual experience (secs. 585 and 593) is repealed.

7. The exclusion for contributions to a maritime construction fund is repealed.

8. The finance lease property rules (sec. 168(f) are repealed and the pre-1981 law is restored.

9. The regular investment tax credit (sec. 46(a)(2)(B)) is repealed.

10. The credit for possessions corporations (sec. 936) is repealed.

11. The research and development credit (sec. 44F) is repealed.

12. The credit for rehabilitation of buildings (sec. 46(a)(2)(F)) is repealed.

13. The business energy tax credits (secs. 46(a)(2)(c), 44D and 44E) is repealed.

14. The employer stock ownership credit (sec. 44G) is repealed.

15. For corporations, the deduction for charitable contributions is limited to one-half of such contributions. Thus they will receive a 15 percent tax benefit for charitable giving.

16. All corporate farms with gross receipts of more than $1 million and all farm syndicates will be required to use accrual accounting and to capitalize pre-production period expenses and cannot use the expensing provisions for soil and water conservation expenditures (sec. 175), fertilizer (sec. 180), or land clearing (sec. 182).

17. For taxpayers using the completed contract method, the 3-year exception is deleted and a "look-back" method, imposing interest charges on deferred tax liability, is implemented.

18. The alternative capital gains rate for corporations (sec. 1201) is repealed.

19. The exemption for credit unions (sec. 501(c)(14)) is repealed.

20. Expensing of magazine circulation expenditures (sec. 173) is repealed. Instead, these costs will be amortized over 10 years.

21. Expensing of tertiary injectants (sec. 193) is repealed. Instead, these costs will be written off over 2 years.

22. The exclusion of income attributable to a stock-for-debt swap (sec. 108) is repealed.

23. Upon liquidation, a corporation will recognize gain on all appreciated assets (secs. 336 and 337).

24. 7-year amortization for reforestation expenditures (sec. 194) is repealed.

25. 5-year amortization for pollution control facilities (sec. 169) is repealed.

26. Expensing of interest and taxes paid during the construction period of a building (sec. 189) is repealed and instead these costs are subject to a 10-year amortization.

27. The corporate minimum tax (sec. 56) is repealed. Since the legislation eliminates most of the preferences currently subject to the minimum tax this provision is no longer needed.

28. The tax exemption for industrial development or housing bonds issued after December 31, 1984 (secs. 103(b) and 103A) is repealed.

29. Rapid amortization of low-income housing rehabilitation (sec. 167(k)) is repealed.●

THE CRISIS IN INTERNATIONAL TRADE

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. FEIGHAN. Mr. Speaker, last weeks announcement of a record international trade deficit of $123.3 billion should send us a clear message. America is losing the trade war. For the fourth straight year, we have fallen farther and farther behind. Unless Congress, the President, American business, agriculture and labor begin to act immediately to address this crisis, we may fall so far behind that all possibility of success will disappear.

Several factors account for our trade deficit. Unquestionably, the Federal debt has a large impact. It has driven the value of the dollar to unprecedented heights. While that may benefit the American tourist looking for bargains at Harrods, it is a disaster for American exporters and the hundreds of thousands of working people in this country whose jobs depend on international trade. Our overvalued dollar raises the price of American products in international markets, while foreign products become less expensive in the United States.

I believe our No. 1 priority must be to reduce the Federal deficit. No long-term economic expansion can be generated while it remains so high. That is why I am so thoroughly disappointed with the budget sent to us yesterday by President Reagan. Rather than instituting a freeze on Government spending, the President proposes to massively increase Government spending—particularly in defense spending. I continue to believe that the tough medicine of an across-the-board freeze is our best hope of bringing the deficit into line and reordering our spending priorities. A spending freeze that affects every part of the budget, including defense, entitlements and discretionary domestic spending can save over $250 billion over the next three years. That savings can go a long way toward reducing interest rates and bringing the value of the dollar back to a reasonable level.

Reducing the Federal deficit alone, however, will not enable America to regain its position in international trade. Too many of our trading partners are taking advantage of our national commitment to free and open trade. Too many of them are competing unfairly. Too many of them have erected barriers against our products while flooding our shores with theirs. Too many of them are granting massive subsidies to their own industries while placing import restrictions on the products and goods we seek to sell to them.

The United States needs to take a tougher stand. We need to negotiate stronger trade agreements, agreements that will not put our industries, our farmers, and our workers at such a terrible disadvantage. We need to insist that our trading partners open up their markets to our products to the same extent as we have opened ours to them. And we need to be willing to retaliate if they refuse to do so.

Congress can also take steps to increase the opportunity for American companies to enter the export field. In the coming months, as we debate the Export Administration Act, we should make an effort to eliminate ineffective redtape that hinders many companies from exporting. We need to examine restrictions that we have placed on some technical products. And we should attempt to streamline the safeguards that are needed to prevent the exportation of technology involved in national security.

Increasing international trade and our economic competitiveness in a rapidly changing world will not be a simple task. It will involve long-term planning and a clearer perception of the problems our exporters face in foreign markets. I believe we are ready to accept that task. The current trade deficit is simply unacceptable. For it to continue on its current course would be a disaster for the American economy and the American way of life. Americans know that, and it is time for us to recognize it as well. Now is the time to act.●

REPEAL METRIC CONVERSION ACT

HON. ELDON RUDD

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. RUDD. Mr. Speaker, ever since Canada began its move to the metric system more than a decade ago, ordinary Canadians have put up fierce resistance to the change. In fact, opposition has now intensified to the point that the Canadian Government has been forced to rethink its policy on metric altogether. On February 1, the Mulroney government announced the retreat from forced conversion.

The prospects of conversion to metric here in the United States set off furious debate in Congress back in the 1970's culminating in the passage of the Metric Conversion Act of 1975. Far from mandating conversion, however, the act set no timetable for conversion and stressed that any change was to be completely voluntary. Nevertheless, the Commerce Department and other agencies have seized it as a justification for initiating conversion activities, giving the erroneous impression that it is U.S. policy to convert.

We can put a stop to this heavy-handed push toward metric in the United States by repealing the confusing and unnecessary Metric Conversion Act.

I invite my colleagues to join me in cosponsoring legislation, H.R. 436, to achieve that objective.

A February 1 report by the Associated Press on Canada's decision to retreat from mandatory conversion follows:

CANADA BACKS AWAY FROM "HEAVY-HANDED, INSENSITIVE" METRIC PUSH

TORONTO.—Canadians who wouldn't touch metric measurement with a 3.048-meter pole have forced the government to retreat from a decade-long effort to require them to think in meters, liters and millimeters.

Michel Cote, consumer-affairs minister in the Progressive Conservative government of Prime Minister Brian Mulroney, announced the new policy in Parliament: gallons, pounds and inches are legal again.

From now on, the government will encourage the transition to metric, but will scrap laws punishing merchants who insist on keeping the old weights and measures.

"Canadians feel, and we agree, that compulsory metric-only is a heavy-handed and insensitive approach," Cote said.

"As a government we favor metric conversion. We believe that metric is here to stay," he said. "But we also believe that the changeover must be eased for those individuals and businesses which are having difficulty adjusting to it."

Retailers will still be required to show "a reasonable metric presence," Cote said. What is "reasonable" will be different for small butcher shops than for giant supermarkets, but the details haven't been worked out.

Visitors will still see highway signs in kilometers rather than miles, and will hear weather reports predicting temperatures in Celsius and measuring snowfall in centimeters. Only the metric system is taught in schools.

Yardsticks are a different matter. Canadian football fields are still marked off in yards.

The metric system was adopted in Canada in 1976 by agreement of all three political parties in Parliament, and was presented as a tool to expand Canadian exports by conforming to world standards.

But as enforcement of regulations began to get stricter, opposition grew to what many people thought was government meddling. Opponents pointed out that more than two-thirds of Canadian exports go to the United States, which is showing no haste in moving to metric measurements.

Jack Halpert, a Toronto gas-station owner, became a national figure when he was taken to court for selling gasoline by the gallon.

"I guess I'm responsible for wiping out forced metric," Halpert said.

Two years ago, 37 Conservative members of Parliament opened their own station selling gas in gallons, daring the Liberal government of Pierre Elliott Trudeau to prosecute, which it never did.●

REAGAN'S PROPOSED BUDGET CUTS TO THE ARTS

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Ms. OAKAR. Mr. Speaker, Hooray for Hollywood. The year 1985 marks the 20th anniversary of the National Endowment for the Arts. Nancy Reagan has been named the honorary chairman of an anniversary committee chaired by Ronald Reagan's Hollywood pal, Charlton Heston.

The main thrust of this committee is to increase private support for the arts, although this type of fundraising is usually channeled to established arts organizations and institutions. How ironic that this administration provides this superficial commitment while at the same time rejecting the all-out support for the arts. The administration is drastically cutting the very program whose anniversary it is celebrating.

The National Endowment for the Arts has traditionally provided the largest single source of support for the arts. While it does not have the capacity to provide complete funding to anyone, it does award 5,000 or more grants annually to artists and nonprofit arts groups around the country.

This amount would be reduced to approximately $3.5 million for the entire State if the Reagan budget is approved.

The National Endowment for the Arts fiscal year 1985 appropriation is $163,660,000. The President is requesting a cut of 11.7 percent to $144.5 million for fiscal year 1986. Again, this figure is down from the $163.7 million actually appropriated by the Congress last year.

The major impact of these proposed cuts will be felt in the areas of music programs, dance programs and musical theater—including opera.

This is a small program, proportionately minute to the total budget—0.19 percent of the total Federal budget fiscal year 1984. What we have to ask ourselves is what impact the requested cuts might have on the quality of arts in this country and whether the grant recipients' lost revenue can be replaced by private donations?

All segments of our society should take part in the experience of creating. Art should not be conceived by, controlled by, or experienced by only one class of people as too often it has been in the past. Livingston Biddle, former head of the National Endowment for the Arts, stated, "Among the many investments the Federal Government makes in America, the endowment gives one of the great returns to all levels of income and education." In my own city of Cleveland, OH, many talented children have been able to participate in these cultural programs. The endowment has given the opportunity to many to develop a creative outlet and an opportunity to enhance their talents. It has given many young people an avenue for fostering their dreams of success.

The fostering of the arts in our society is not just an esthetic issue but an extremely important social one.

If only the political world could be more creative and see what artists have to contribute to the society as a whole. Too often there is a misconception to think of the process of making art as something impractical and beyond it all. Contrary to this myth, Mr. Speaker, artists are extremely competent and caring people and have great creative resources to offer the world, especially in the nurturing of the spirit and soul of this country's self-image and values.

Mr. Speaker, after all is said and done what is left in terms of a society's history, of the history of the world? It is only arts that are left. Without art, would we have any idea of what the past was like—the civilizations of the ancient Greeks and Egyptians? Art is the record of mankind, what man feels about his world.

Today we are competing in such an industrialized and technological society that we have concentrated all our efforts on developing the science of the mind at the expense of the creation of the heart.

In enacting appropriations legislation for fiscal years 1982, 1983, and 1984, the Congress has consistently rejected the Reagan administration's proposals to make large reductions in the Arts and the Humanities programs.

I sincerely hope that my colleagues on both sides of the aisle will continue to exercise sound judgment and reject these types of cuts which could prove disastrous to the arts. Let us stop making cuts in a social program that is really a quality of life issue, providing enrichment of the spirit to countless Americans.

Mr. Speaker, the small amount of money needed for the arts is a minute investment for the lasting legacy of our people. We should reject any attempt to cut the budget in the area of the arts for now and for the future. A true sign of a civilization is how lofty its arts flourished. Let us not reject the noble side of our great people.●

OAKWOOD VILLAGE INDIAN BINGO

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. FEIGHAN. Mr. Speaker, I am very concerned about the procedures involved in the proposed designation of 77 acres of Oakwood Village, OH, as Indian trust land. The Bureau of Indian Affairs is currently considering the request of an Oklahoma-based tribe which intends to use the land for a high-stakes bingo hall. The bingo would be exempt from State bingo laws limiting payoffs on the land. Frankly, I am concerned that the Bureau of Indian Affairs may rubberstamp the proposal without considering the implications of their action.

The issues involved in creating Indian trust land are not limited to Oakwood Village. They are issues which the Federal Government must resolve before approving or disapproving actions that undercut State laws. Public hearings, providing an opportunity for community representatives, State and local officials to present their views, should be required. I have written to the Secretary of the Interior expressing my concern about the Oakwood Village proposal, and I intend to work with my colleague Congressman UDALL, chairman of the House Interior Committee, to develop guidelines to regulate the designation of Indian trust land.

Mr. Speaker, I would like to insert the text of my letter to Secretary Clark in the RECORD.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 18, 1985.

Mr. WILLIAM CLARK,
Secretary, Department of the Interior, Washington, DC.

DEAR SECRETARY CLARK: As you are aware, a proposal to designate seventy-seven acres of land in trust for the Miami Indians in Oakwood Village, Ohio, is being considered by the Bureau of Indian Affairs. For the last year, I have been vocal in expressing my concern about the process used to effect such a designation of private property as Indian Trust Land.

I am writing to urge you to halt any consideration of this proposal or similar proposals throughout the nation until you have formally proposed and adopted regulations under which the grant of Indian Trust Land will be considered. I have also contacted Congressman Morris Udall, Chairman of the Interior and Insular Affairs Committee, to request a thorough Committee review of the issues surrounding the designation of land held in trust for Indian tribes. I have asked that particular attention be given to such action where the express purpose of the land designation is to provide a loophole to allow bingo games which existing State law will not permit. It is my intention to support and assist Congressman Udall in this effort.

The issues involved in creating land in trust for Indian tribes are not limited to Oakwood Village, Ohio. They are issues which the federal government must resolve before determining a policy by which to consider such requests. This policy should include public hearings which allow private citizens as well as state and local elected officials to be heard. We must also consider the effect that the designation of such land, which is intended for a use contrary to state and local laws, will have on the enforcement of such laws. The result of any regulations or legislation must conform to a public policy which is consistent with the goals and statutes of federal, state and local governments.

I hope I will have your complete cooperation to halt the consideration of these proposals until clear guidelines are established.

Sincerely,

EDWARD F. FEIGHAN,
Member of Congress.●

THE FAIR TRADE IN FERROALLOYS ACT

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. MILLER of Ohio. Mr. Speaker, today, I and my colleagues Mr. REGULA, Mr. STOKES, Mr. APPLEGATE, Mr. KASICH, Mr. WISE, Mr. MOLLOHAN, Mr. STAGGERS, Mrs. LLOYD, and Mr. MCEWEN, are introducing the Fair Trade in Ferroalloys Act. The only way to prevent the loss of what remains of the domestic ferroalloy industry, which now has an import penetration of 60 percent, and to protect our national security interests is to provide the industry with some form of systematic import relief targeted at the unfairly low pricing of imports. The most effective and least market intrusive method is the break-point duty which the Fair Trade in Feroalloys Act would provide.

Ferroalloys are essential to our military preparedness and industrial strength, because iron, steel, stainless steel, superalloy, and aluminum products cannot be made without the use of chromium, manganese, and silicon ferroalloys and metals. Steel could not be cast, forged, or rolled without ferromanganese. Chromium, as an alloying element, gives steel oxidation resistance to high temperatures and resistance to corrosive gases, liquids, and solids. All stainless steels and superalloys contain over 10 percent chromium. Ferrosilicon is an important iron inoculant, steel deoxidizer, and alloying element in high performance electrical steels. Silicon as a metal is an important additive to aluminum to promote fluidity and strength and is also the raw material for silicone chemical production. Without ferroalloys we could not make missiles, tanks, military aircraft, machine tools, or silicon chips, and could not build powerplants, chemical plants, or modern hospitals.

The American ferroalloy industry is recognized as one of the most modern, efficient, and technologically innovative in the world, but it cannot compete against unfair, often subsidized, imports. In 1968 ferroalloy imports made up about 16 percent of the domestic market; by 1977 it had risen to about 40 percent; and today import penetration stands at 60 percent. Ferroalloys are imported from 35 different countries with the top exporters being the Republic of South Africa, accounting for 30 percent of imports, France, Brazil, Norway, and Yugoslavia. Even the Soviet bloc countries such as the U.S.S.R., Poland, and Romania are exporting ferroalloys to this country. Some exporters, especially those outside of Western Europe and Japan, have taken advantage of lower costs which result from minimal pollution control and other regulatory requirements and from inexpensive labor. Other exporters have often benefited from subsidies, as successful countervailing duty cases against Brazil, Spain, and South Africa have demonstrated. Some exporters have sold material at prices that seem to have been uneconomically low if measured against the cost of production, and this has resulted from an apparent strategy of achieving market penetration on the basis of price. Moreover, because American duties on ferroalloys are lower than those of other major world markets; that is, European Economic Community and Japan and because the United States has no nontariff barriers, the American market has become the most attractive market in the world for exporters.

What has the ferroalloy industry done to stem the tide of these unfair imports? The ferroalloy industry has pursued vigorously a number of traditional routes to import relief such as actions under the escape clause and anitdumping laws. Despite some victories, these actions have not reversed the current loss of producing capacity, now at only one-half of 1978's capacity, because they have been piecemeal approaches to a highly integrated problem. While these remedies are particular and focused on short periods of time, the ferroalloy industry's crisis results from imports from several countries whose low prices are caused by varied factors. In addition to the obvious administrative and legal limitations of these laws, they are also expensive to pursue. The ferroalloy industry has limited resources with sales of under a billion dollars a year, major losses over the past few years, and a workforce of just 3,800 which is less than half of the 1979 figure. The industry's problems simply will not be solved by the application of these trade laws.

The industry has also used section 232 of the Trade Act of 1962 which provides relief based on national security criteria. This case was filed in 1981 and it took until 1984 for a final decision to be made by the administration. Despite an obvious clear connection between a viable domestic ferroalloy industry and the protection of our national security interests, this petition was surprisingly denied.

The only way to protect the Nation's powerful security interest in preserving this essential industry is to provide it with some form of systematic import relief targeted at the low pricing of imports. The most effective and least market-intrusive form of relief is the break-point duty which the Fair Trade in Ferroalloys Act would provide.

The operation of the break-point duty is simple. If imports enter the United States with a duty-declared value below the product's break point or fair price, they pay a duty equal to the difference. The fair price will be determined by the Secretary of Commerce by taking into account the production costs of U.S. producers with efficient facilities and operations. This calculation can readily be made from an objective model of production inputs—raw materials, power, labor, indirect costs, and so forth—to determine a fair amount that competitive producers should charge. One important feature of the bill is that it does not just add break-point duties, but substitutes them for ad valorem duties on ferroalloy imports. By eliminating these current duties, only those ferroalloy imports which are priced below

the break point will pay any duty at all.

By focusing on the low import prices that have caused the ferroalloy industry's life-threatening crisis, the break-point duty offers the minimum intrusion possible to achieve effective relief. It will neither require the market allocations and administrative difficulties of quotas nor force all imports to pay added duties regardless of how fairly they may be priced, as would a tariff increase. Instead, by applying only to imports below a fair price, the remedy permits all competitors—U.S. producers and imports—to compete vigorously within the parameters of the fair price. As a result, prices will closely approximate the level that would be obtained if foreign producers abided by the rules of the free trade and free market system. I emphasize that break points will not protect any inefficient domestic producers. If an American producer is less efficient than its competitors and thus its costs exceed the fair price, the producer will not be able to compete effectively at the break-point level. I might add that this legislation will have a very minimal impact on the U.S. economy, because the resulting increase in ferroalloy prices will amount to only a fraction of one percent of the sales of user industries.

The break-point duty is nothing new to the world ferroalloy market. The European Community imposes similar restrictions on major ferroalloy imports. Moreover, this form of relief was used in this country from 1978 to 1982 under the escape clause for high carbon ferrochrome. The ferrochrome relief worked until inflation eroded the meaning of the break point; but my bill provides protection against the effects of inflation by having the break point recalculated once per year.

This bill is essential to saving what is left of the ferroalloy industry and protecting our national security needs, because without major import relief, this country will lose the ability to produce ferroalloys and will be unable to respond in a time of national emergency. The industry has shrunk from 29 to 17 plants and is currently operating at just 60 percent of that reduced capacity. The trend of increasing ferroalloy imports has continued into 1985, and I foresee no change in this situation. Only a strong domestic ferroalloy industry can prevent our dependence on unreliable foreign imports, decrease the need for extremely expensive stockpiles, and reduce the present threat to our national security. I, therefore, urge my colleagues to cosponsor the fair trade in ferroalloys bill.

The text of the bill follows:

THE FAIR TRADE IN FERROALLOYS ACT

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

SECTION 1. SHORT TITLE.

This act may be cited as the "Fair Trade in Ferroalloys Act".

SEC. 2. FINDINGS.

The Congress hereby finds that—

(1) ferroalloys are products which impart distinctive qualities to steel, specialty alloys, iron, and aluminum and are essential to the production of those products;

(2) the economic health and national defense of any modern industrial nation rest on its having a secure supply of ferroalloys, and the United States can assure that supply only if it maintains the capacity to produce a significant portion of its needs domestically;

(3) the domestic ferroalloy industry has suffered from the unremitting pressure of low-priced imports for many years, and consequently the industry has suffered massive losses and its capacity has dwindled in recent years;

(4) imports have caused this result not because of any superiority—since the American industry is as technologically modern and efficient as any in the world—but rather because of artificial advantages afforded by non-free-market pricing policies, by subsidies, and by other policies of foreign governments;

(5) the application of existing trade laws has not prevented imports from causing the severe decline of the industry;

(6) unless effective import relief is promptly forthcoming, the industry will soon shrink to where it will be able to supply only a small portion of the needs of the Nation;

(7) such a result would gravely damage the national security and the economic and international interests of the United States;

(8) the fair price tariffs enacted by this Act would neutralize the artificial advantages which foreign ferroalloy producers obtain from non-free-market pricing policies, subsidies, and other policies of their home governments;

(9) the fair price tariffs enacted by this Act would thereby preserve the essential capacity of the Nation to produce these critical materials; and

(10) by simultaneously eliminating all tariffs other than the fair price tariffs provided herein, this Act would eliminate all barriers to the free competition in the United States markets by sellers of fairly priced imports of ferroalloys.

SEC. 3. AMENDMENTS TO TARIFF SCHEDULES OF THE UNITED STATES.

(a) Items 606.22 through 606.30, 606.35 through 606.44, 606.50, 632.18, 632.30, 632.42, and 632.86 of part 2 of schedule 6 of the Tariff Schedules of the United States (19 U.S.C. 1202) are amended by striking out all rates of duty specified therein (whether in Column 1, Column 2 or the LDDC column) and by inserting in lieu thereof "Fair price differential".

(b) The headnotes to part 2 of schedule 6 of the Tariff Schedules of the United States (19 U.S.C. 1202) are amended by adding at the end thereof the following new headnote:

"5. (a) For purposes of this part, the term 'fair price differential' means, with respect to any article, the amount equal to the excess, if any, of—

"(i) the fair price of such article, over

"(ii) the duty declared value of such article (including cost, insurance, and freight) at the United States port of entry.

"(b)(i) For purposes of this headnote, the term 'fair price' means, with respect to an article, the sum of—

"(A) the amount determined by the Secretary of Commerce to be the average cost incurred by producers in producing a like article in the United States at technologically efficient facilities, plus

"(B) an amount prescribed by the Secretary of Commerce with respect to that like article for general expenses and profit.

"(ii) The amount prescribed by the Secretary of Commerce under (b)(i)(B) of this headnote shall not be less than the amount determined with respect to a like article under section 773(e)(1)(B) of the Tariff Act of 1930 (19 U.S.C. 1677b(e)(1)(B)) at the time such amount is prescribed under (b)(i)(B) of this headnote.

"(iii) By no later than the earlier of December 31, 1985, or the date which is 90 days after the date of enactment of this headnote, and by December 31, of each year thereafter, the Secretary of Commerce shall determine, and publish in the Federal Register, the fair price for articles of the kind provided for in each of items 606.22 through 606.30, 606.35 through 606.44, 606.50, 632.18, 632.30, 632.42, and 632.86.

"(iv) The fair price determined under (b)(iii) of this headnote shall apply during the calendar year that succeeds the calendar year in which the determination is made.".

(c) The fair price differential, as defined in headnote 5 of part 2 of schedule 6 of the Tariff Schedules of the United States (19 U.S.C. 1202; as added by subsection (b); shall apply to all imports of any article provided for in any item specified in subsection (a), whether that article is a product of a country designated as a beneficiary developing country under the Generalized System of Preferences (pursuant to title V of the Trade Act of 1974) or of any other country.

SEC. 4. EFFECTIVE DATE.

The amendments made by this Act shall apply to articles entered, or withdrawn from warehouse, for consumption after the earlier of December 31, 1985, or the date which is 90 days after the date of enactment of this Act.●

ENGLISH AS THE U.S. OFFICIAL LANGUAGE

HON. ELDON RUDD

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. RUDD. Mr. Speaker, I rise today to urge my colleagues' support of a constitutional amendment to establish English as the official language of the United States.

As an American citizen who spent a career on diplomatic assignment in the culturally rich nations of Latin America, I can appreciate the beauty of the Spanish language and the necessity of being fluent in the native tongue of a foreign land. The Spanish language plays a key role in virtually every aspect of a country such as Mexico—whether it be a business transaction, political debate, education, religious ceremony or everyday chatter. It represents the distinct culture of a country: Its history, its music, and its lifestyle.

Here in the United States, English plays no less a role in our national heritage. Our Founding Fathers spoke English, our Constitution was written in English and our entire national history has been recorded in English. Today, an American citizen without a thorough understanding of English could be left out of the mainstream of the American economy and political process. In short, that citizen would be condemned to a second-class citizenship.

That is why I believe a constitutional amendment establishing English as the official language of the United States is needed.

In my view, an immigrant's own language and national culture need not be abandoned or even suffer during the process of converting to the English language. Instead, the language and culture can and should be preserved through the family unit. But outside the family, where the Nation's business is conducted, the English language should prevail.

In America, opportunity speaks English. We should continue to encourage the teaching of different languages after our children have mastered English. But we cannot afford to isolate groups of Americans from the primary language that has played a vital role in the building of the strongest, freest, and best government in the entire world.

Immigrants seek a better life in the United States because of what we have so proudly built—a nation that truly offers more to its people than any nation on Earth.

But in order for a person to take advantage of the many opportunities that are available in the United States, a knowledge of the English language is a necessity.

It is little wonder that the prestigious 20th Century Fund concluded one of its major studies of education with this finding:

Anyone living in the United States who is unable to speak English cannot fully participate in our society, its culture, its politics.●

NATIONAL CONFERENCE ON SOVIET JEWRY YEAREND REPORT

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. SMITH of Florida. Mr. Speaker, the policies that the United States has pursued to encourage human rights have not been as effective as we would like them to be or as they should be. In the late 1970's, Soviet officials first crippled the Soviet Jewish emigration movement when the numbers of Jews allowed to emigrate began to decline. In 1984, Soviet authorities strived to paralyze the Jewish emigration movement further. Soviet Jewish emigration dropped to an all time low of 896.

A new stepped up Soviet campaign to erase Jewish culture has begun. Disruption of their lives and harassment by authorities are not new to the tens of thousands of refuseniks waiting to emigrate. The latest attempt to eradicate Jewish culture from Soviet society, however, is new. Hebrew teachers and the most active political activists were singled out, arrested, and imprisoned on trumped up charges.

The leadership of the Soviet Jewish emigration movement may disappear if these Hebrew teachers and activists are eliminated. Soviet television recently aired a crude documentary on Jews in the Soviet Union mentioning their anti-Soviet tendencies and association with Zionists. This film represents not only an upsurge in anti-Semitism, but also a continuation of the Stalinist mentality of equating any allegiance to Judaism or Israel as an act of treason possibly punishable by death. If refusenik leaders are to weather this new Soviet storm, they will need our support and commitment to their cause.

Knowing of my colleagues' concern and support for human rights, I would like to bring to their attention an informative yearend report on Soviet Jewry prepared by the National Conference on Soviet Jewry. The report follows:

NATIONAL CONFERENCE ON SOVIET JEWRY—SOVIET JEWRY: THE LEGACY OF ANDROPOV

HIGHLIGHTS OF 1984 DEVELOPMENTS

With the coming to power of Soviet President Konstantin Chernenko, there were high hopes in the West for a positive change in the policy of Yuri Andropov that would see increased Jewish emigration to Israel. Optimism in this area was based in part upon Chernenko's close association with former Soviet President Leonid Brezhnev, during the era when Jewish emigration peaked.

These expectations, however, were not met. On the contrary, 1984 was a bleak year dominated by harassment and a new wave of arrests and persecution. At the same time, the movement for a renewed Jewish religious and cultural life grew, indicating that Soviet Jews are continuing to draw strength and hope from their Jewish heritage, despite tremendous adversity.

WAVE OF NEW ANTI-JEWISH TRIALS

The most notable and serious development affecting Soviet Jewry in 1984 was a concentrated and systematic attack on Hebrew teachers. Since mid-July, continuing harassment against Hebrew teachers and cultural activists culminated in a wave of searches, threats and arrests, suggesting a blatant attempt to crush the determination of a younger generation of Jewish activists. Four of those arrested were sentenced to prison and labor camps on trumped-up charges. Their real "crime" was their active struggle to secure the right to emigrate to Israel or to live as Jews, without discrimination, in the USSR.

On November 19, Yakov Levin, a Hebrew teacher from Odessa, was sentenced to three years in a labor camp for allegedly "circulating false materials which defame the Soviet State and social system." As evidence, the court was informed that Levin possessed copies of Leon Uris' novel, "Exodus," and writings by the Zionist leader Vladimir Jabotinsky, which predated the 1917 Revolution and the creation of the Soviet State.

Levin's intended father-in-law, Mark Nepomniashchy, was himself subsequently arrested in connection with Levin's investigation and charged with the same crime. The net was further tightened when Yakov Mesh, a long-time friend of Levin's, was charged with "refusing to give testimony" and "resisting arrest." Mesh was hospitalized, pending his trial, as the result of abdominal and liver injuries sustained during a brutal beating received at the prison where he was originally held.

On December 10, Iosif Berenshtein of Kiev was sentenced to four years for allegedly "resisting arrest." He was arrested on November 12, while in nearby Novograd Vilinsky to answer allegations of economic crimes made against his aunt, in connection with the purchase of a gravestone. That complaint was weak and was dropped, but Berenshtein remained incarcerated. Upon his arrival at the prison, Berenshtein was placed in an isolation cell with two hardcore criminals. The move was seen by friends as a way of stigmatizing Jewish activists, and to cloak the arrest as one on criminal rather than political or religious grounds. The inmates attacked him and, using broken glass, inflicted serious injury to his eyes. As a result, he may be permanently blinded in one eye.

Leningrad activist Nadezhda Fradkova was sentenced to two years on the charge of "parasitism." Fradkova had been periodically confined to a psychiatric hospital since April 1983, because authorities insisted that "she must be suffering from hallucinations since she insists on receiving an exit visa for Israel."

Yuli Edelshtein of Moscow was sentenced on December 19 to three years in a labor camp, on a charge of "drug possession," stemming from a search of his apartment in which officials claim to have found opium. The arrest was the forerunner of a series of libelous allegations in the press linking Judaism with drug use. During several house searches, local authorities confiscated and defaced religious artifacts under the guise of a drug investigation.

Commenting on one such search another Jewish cultural activist, Dan Shapira, declared that "these provocations are extremely primitive and are probably an exercise to see how much pressure can be exerted on us. Even Hitler did not start to destroy the Jews immediately; only when he began to understand that no one in the free world would protect them."

As the year drew to a close, three other activists were expected to go to trial, including Aleksandr Kholmiansky, one of Moscow's leading Hebrew teachers. Kholmiansky was arrested while visiting Estonia in July, and detained on a charge of "hooliganism." Authorities later elevated the charge to alleged "weapons possession," based upon a search of the home Kholmiansky shared with his parents, in which they claim to have found a gun and ammunition.

The accelerated judicial action against the Hebrew teachers is seen as a concentrated effort to destroy the remnants of Jewish education and culture in the USSR. While these seven Jewish activists and their families are the most obvious victims of the

latest campaign, allegations surrounding their cases represent a threat for all Soviet Jews, with the real purpose being an indictment of Judaism. Soviet authorities are painting a picture to the public at large of a "Jewish underground," characterized by possession of weapons and drug abuse.

Prior to these new attacks, three other Jewish activists, Aleksandr Cherniak, Aleksandr Yakir and Zakhar Zunshain, had been jailed. Fourteen other Prisoners of Conscience (POCs) remained incarcerated, including Anatoly Shcharansky, who was transferred to Perm Labor Camp to serve the remainder of his 13-year term (to 1990) and was reported hospitalized in December. Iosif Begun's wife, Inna, was notified that her husband, a founder of the Hebrew language effort who had already served two terms of internal exile in Siberia and is now in a labor camp, will be refused visitors until the end of 1985.

While nine Jewish Prisoners of Conscience were released upon completion of their terms in 1984, none received their exit visas for Israel. The total number of Jewish Prisoners of Conscience now stands at 22.

EMIGRATION

The rate of Jewish emigration reached a nadir, for the 1984 total of 896 was the lowest recorded in a single year since 1970. The monthly rate declined to fewer than 100 Jews. This reflects the Soviet policy shift begun in 1980, when newly-imposed restrictions sharply limited the number of Jews able to apply for family reunification. The 1984 total, which is less than two percent of the 1979 peak year emigration figure of 51,320, suggests that the Soviets have now effectively closed the gates. These gates had previously been opened for over 260,000 Soviet Jews who were allowed to emigrate in the last 14 years.

The reduction in the number of Jews granted exist visas left an estimated 20,000 "refuseniks" stranded. This figure is a conservative estimate, since it accounts only for those Jews who submitted formal applications to leave for Israel and received official refusals. The figure does not include those who have been arbitrarily denied even the right to apply for exit permits, those who have applied but received no official answer from the authorities, or those who choose not to publicize their plight for fear of reprisals.

Jews categorized as refuseniks were increasingly treated as outcasts from Soviet society. Separated from their families and from Israel, they have been forced to wait indefinitely for permission to leave with no assurance that they will, in fact, ever receive it. Over 120 families are known to have waited more than 10 years. Following the submission of their applications to emigrate, most refuseniks are routinely dismissed from their jobs and forced to take menial jobs or risk criminal prosecution on charges of "parasitism." Other forms of harassment have included the expulsion of their children from colleges and universities, military conscription selectively applied as a punitive measure, defamatory and anti-Semitic attacks in the media, arbitrary arrests, and the confiscation of personal property, with little or no effective means of legal recourse.

To counter Western criticism of its emigration policies, Moscow claimed that "all the Jews who wanted to leave have already done so." With the formation of a public "Anti-Zionist Committee" in 1983, the Soviet Union created a convenient mouthpiece for promoting this fiction and defending official policies. The Committee and the Ministry of Foreign Affairs continued to use the media to promote the claim that the process of family reunification had ended.

According to the Committee, Jews are no longer interested in emigrating, although available statistics indicate that more than 350,000 have begun the emigration process.

ANTI-SEMITISM

The tight policies aimed at Jewish emigration were accompanied by an escalation of efforts to isolate and intimidate Jewish activists. At the same time that it was becoming impossible to leave, it was also becoming virtually impossible to live as a Jew within the Soviet Union.

Scores of private Hebrew teachers were warned by the police and the KGB to stop teaching Hebrew or be severely punished, although the private teaching of other languages is permitted. In many cases the homes of teachers were systematically raided and Hebrew materials confiscated. Private seminars on Jewish history and culture were also repressed and forcibly dispersed. In general, the authorities seemed bent on pursuing policies aimed at the total obliteration of any vestiges of Jewish religious and cultural identity, and the forced assimilation of Soviet Jews.

The public Anti-Zionist Committee continued to spearhead a virulent anti-Semitic campaign in the Soviet media. This campaign, thinly disguised as anti-Zionism, featured scurrilous attacks on individual Jews, Judaism, the Jewish people and the State of Israel. In October, Committee Chairman David Dragunsky held a press conference to reiterate propagandist claims that Zionists and Nazis collaborated during World War II. He alluded to a "deal between the Zionists and Hitler" and, in a bizarre turnabout, blamed them for "launching the war and the policy of genocide." Ignoring the annihilation of six million Jews, and the arrests of known Zionists by the Nazis and by the Stalinist regime, Dragunsky charged that the motivation for the alleged conspiracy was the "removal of capital belonging to the big Jewish bourgeosie from Germany to Palestine."

Within a month, an hour-long documentary on Leningrad television equated refuseniks with anti-Soviet behavior, alleging they are coerced by "outsiders" to continue their emigration activities.

Several well-known Leningrad Jews, including Lev Shapiro, Yakov Gorodetsky, Iosif Radomyslsky, and Aba Taratuta, were publicly identified as "Zionists who are nurtured by gifts they receive from the West." Ignoring the fact that they, as well as others, were fired from their jobs after applying for exit visas to Israel, it was alleged that they "refuse to do productive work, preferring to do manual labor and live on gifts." The broadcast, aimed at dissuading Jews from seeking repatriation to Israel, concluded that life in Israel is terrible. It interspersed footage of demonstations by Jews and Arabs, and warned the Soviet people to "beware of the dangers of Zionism."

Other themes touted by the Anti-Zionist Committee and given widespread media coverage included the equation of Hebrew teachers and Jewish cultural activists with spies, criminals and traitors, the alleged role of Jewish capital in Western military industry, and the "Zionist" influence in the Western media.●

WHERE DID JOHNNY GO?

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. HUNTER. Mr. Speaker, I would like to call the attention of my colleagues to a poem which I am including in the RECORD. This poem was sent to me by City Councilman Bill Mitchell of San Diego and it deals with the pain and memories of losing a loved one to war. I, as a Vietnam veteran, saw friends fall in combat and know what their families went through. As elected officials we should take every opportunity to honor those men and women who have made the ultimate sacrifice for our country.

WHERE DID JOHNNY GO?

We raised him all those years.
Experienced laughter and shed some tears.
Showed him all of what to do.
And most of what he knew.
Where did Johnny Go?
He traded in his blue jeans
for the U.S. Marines.
The boy became a man,
and war sent him to a foreign land.
We're so proud.
He shouted out loud.
And "wanted to protect his country," he said.
Now, in far off Beirut Johnny is dead.
But, *Where* did Johnny Go?
Nobody seems to know.
A knock at the door.
The officer gently reported and said that he didn't know any more.
The news reported instead.
"He had no bullets, and they were all dead."
One of the proud marines.
He lived only to his teens.
And knows what it means to give his life for a friend.
They taught him to give for his country.
His life isn't gone.
His memory lingers on with his dad and his mom.
And among those who loved him.
Does his Country know the price that was paid?
And in final rest his body was laid?
Because of the war,
Their son, Johnny, won't be home anymore.
Except as they send him;
A hero to us all, a buddy, and a friend.
The pain, the memory, the love of a soul
that lives in our hearts, the scars, the marks.
The loved ones just want to know.
"Oh, *why* did Johnny have to go?"●

DEATH OF FRANK MONGELLI

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. ADDABBO. Mr. Speaker, I am sad to say that one of the most respected union officials along the east coast has passed away. Frank Mongelli, vice president of the Seafarers Harry Lundeberg School of Seamanship in Piney Point, MD, died last month at the age of 72. Frank was instrumental in founding this unique school which has helped thousands of young men and women develop skills which lead them to productive employment as seafarers.

Frank was a good friend of mine and was unfailingly cheerful no matter how difficult a task might prove. A member of the Seafarers Union for over 40 years, this Brooklyn born and raised son became a true advocate of the life at sea. His school became one of the finest maritime training centers in this country.

Frank began his career as an ordinary seaman and rose through the ranks to become a bosun. During World War II he served on the ships that delivered critical supplies to England. After the war Frank played a major part in helping the Seafarers Union clean up the New York waterfront. He risked his life numerous times in those hectic days as the unions fought successfully to rid the waterfront of racketeers.

We used to tease Frank quite often that his physical resemblance to the actor James Cagney would have served him well in those early days of his career.

In the early 1960's Frank was asked to turn an abandoned naval base into a maritime training school. He took to this task like a true convert and within months the abandoned base was a functioning school and shortly thereafter these first graduates, many of whom could barely read or write when they entered the classroom, graduated with honors. Throughout his lifetime the graduates from this school were the greatest joy in Frank's life.

I know that many Members serving here have reason to know how productive this school has become. It is a fitting memorial for the man who brought it all about.

Mr. Speaker, I would like to include the article about Frank's death which was published in the Log, the official publication of the Seafarers Union.

The article follows:

FRANK MONGELLI IS DEAD AT 72

Frank Mongelli, one of this Union's most trusted and dedicated officials, died at his home in Valley Lee, Md. Jan. 11. He was 72 years old.

At the time of his death, he was vice president of the Seafarers Harry Lundeberg School of Seamanship in Piney Point, Md. One of the founders of the school, Mongelli was instrumental in helping thousands of young men and women develop a new direction and skills to lead richer and more rewarding lives.

A member of this Union for more than 40 years, Frank participated in nearly all of its major beefs and organizing drives. He was known for his physical courage, his loyalty and the leadership qualities that he displayed when asked to take charge of a situation.

Mongelli made major contributions to the development of the American-flag merchant marine. He was incredibly gracious. He made sure that everyone who came to the Lundeberg School felt good about themselves, the SIU and the maritime industry.

He was the embodiment of this Union's commitment to education and human dignity. In many ways, Mongelli's most valuable contribution to the school was the example that he set with his own life.

He overcame poverty and early obstacles to become the head of one of the finest maritime training centers in the country. He never forgot where he came from: "Hell's Kitchen" and the streets of New York. He often said that his first real break in life occurred when he joined the SIU in 1940.

He helped carry supplies to England during World War II. He began his career as an ordinary seaman and rose through the ranks to become a bosun.

Mongelli played a major part in helping this Union clean up the New York waterfront during the 1950s. He risked his life more than once so that our membership could work in a safe and rewarding atmosphere.

He started sailing at a time when seamen were treated as second class citizens. He lived to see the day when they were respected members of the community.

Like many of the people who built this Union—Harry Lundeberg, Paul Hall, Frank Drozak—Mongelli had a dream: that seamen could overcome the oppression and exploitation that they were subjected to on the waterfront. That could only be accomplished, he realized, through education and trade unionism.

When Paul Hall conceived the idea of building the Seafarers Harry Lundeberg School of Seamanship more than 20 years ago, he turned to Frank Mongelli to transform that dream into a reality.

When the Seafarers first bought the Harry Lundeberg School, it was nothing more than an abandoned naval base. For several months, Mongelli and his devoted wife, Liz, lived alone on the base. Frankie assembled a team of SIU stalwarts, and they began to renovate abandoned buildings and tore down rotting piers.

The school slowly took form. Within several months, the base was functional. A training program was established.

Mongelli set a tone for Piney Point. Because of his early experiences, he understood that young people need discipline and love. He gave the trainees who came through the school equal doses of both.

Many of the young men and women who came to the Harry Lundeberg School of Seamanship had little reason to hope for a bright future. Many came from poor or broken families. Others could barely read or write.

Thanks to Frank Mongelli, these people left the school with something priceless: a choice. They now had the tools to make a decent living. They could upgrade, or improve their educational skills. They had hope.

To Frank Mongelli, the Union's motto—the Brotherhood of the Sea—was more than just words. It was something that he lived—something that he honored even in death.

His funeral was held at the auditorium of the new hotel, which was fitting for someone who gave everyone connected with the SIU a place that they could call their second home.

His casket sat beneath pictures of Paul Hall, Andrew Furuseth and Harry Lundeberg. There was an SIU button on his lapel.

President Frank Drozak delivered the eulogy.

Drozak praised Mongelli for the life that he had lived and for the things that he had done for the Union. His voice was thick with emotion for the good friend that he had lost.

It was revealed at the funeral that the county commissioners of St. Mary's had issued a proclamation praising the contributions Frank Mongelli had made to Maryland, the maritime industry, and the education of the young.

Some 60 miles away, at the headquarters building, flags flew at half mast.

He was the first SIU member to be buried at the Seafarers Haven Cemetery. This resting place was something that he had long planned: a place for seamen to be buried so that they could be with their own.

He was carried to the gravesite by the young trainees he loved. He was buried under a brilliant blue January sky.

Hundreds of friends came to pay their last respects.

Nearby was the Farm that he had developed with his own hands, and the Alcohol Rehabilitation Center that he had helped establish.

In the distance, clearly in view, was the Seafarers Harry Lundeberg School of Seamanship, glistening on the banks of the St. George's River.●

CALLING FOR THE RESTORATION OF DEMOCRACY IN CHILE

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. WEISS. Mr. Speaker, over the past 5 years, military juntas in Argentina, Bolivia, Ecuador, El Salvador, Honduras, Uruguay, and Brazil have been replaced by elected civilian governments. Chile is the most prominent exception to this promising trend.

After more than 11 years of military dictatorship, thousands of Chileans, led by the Catholic Church, the labor movement, and the democratic political opposition, have joined to demand that Gen. Augusto Pinochet restore democracy to Chile.

President Pinochet, however, has resisted the democratic aspirations of the Chilean people. He has failed to follow the democratization process outlined in the Chilean Constitution adopted in 1980, and on November 6, 1984, he imposed a state of siege. Under the state of siege, press censor-

ship has increased, the right of assembly has been restricted, more than 8,000 people have been temporarily detained, and over 600 have been internally exiled without due process.

The state of siege, which was scheduled to expire on February 4, has been extended for another 90 days. To protest Pinochet's extension of the state of siege, the Reagan administration has informed the Chilean Government that it will abstain from an Inter-American Development Bank vote on a $130 million loan to Chile. The administration should be commended for this action, for the U.S. abstention on Chile's loan request sends an important message in support of democracy and human rights to the Pinochet government.

The restoration of democracy requires not just the lifting of the state of siege but the resumption of a dialog between the Chilean Government and the democratic opposition and an immediate end to human rights violations by the Pinochet government. In recent years, according to Amnesty International, the military Government of Chile has practiced a pattern of arbitrary detention, political imprisonment and systematic torture, all designed to intimidate possible political dissent into silence. The violence of the Pinochet regime has not been confined solely to Chile, as demonstrated by the military government's responsibility for the September 1976 killings of Orlando Letelier and Ronni Moffitt in the streets of Washington, DC.

The Chilean people want democracy reestablished in their country. To demonstrate U.S. support for the Chilean people in their desire for a return to democratic rule, a bipartisan group of 53 Members of the House have joined me in introducing a resolution calling upon the U.S. Government to continue to deny all military assistance and to deny nonhumanitarian assistance to Chile until its military government returns Chile to democracy.

I urge my colleagues to join me and the original cosponsors of this legislation, Mr. BARNES, Mr. PORTER, Mr. LEACH of Iowa, Mr. JEFFORDS, Mr. KOSTMAYER, Mr. ALEXANDER, Mr. ACKERMAN, Mr. ANTHONY, Mr. BERMAN, Mr. BONIOR of Michigan, Mr. CONYERS, Mr. CROCKETT, Mr. DELLUMS, Mr. DORGAN of North Dakota, Mr. DYMALLY, Mr. EDGAR, Mr. EDWARDS of California, Mr. FAUNTROY, Mr. FEIGHAN, Mr. FOGLIETTA, Mr. FORD of Michigan, Mr. FRANK, Mr. GARCIA, Mr. GEJDENSON, Mr. HALL of Ohio, Mr. HAWKINS, Ms. KAPTUR, Mr. KASTENMEIER, Mr. LANTOS, Mr. LEHMAN of Florida, Mr. LELAND, Mr. LEVINE of California, Mr. MACKAY, Mr. MARKEY, Mr. MILLER of California, Mr. MITCHELL, Mr. MOAKLEY, Mr. MORRISON of Connecticut, Ms. OAKAR, Mr. OBERSTAR, Mr. OWENS, Mr. PENNY, Mr. RANGEL, Mrs. SCHNEIDER, Mr. SEIBERLING, Mr. SOLARZ, Mr. STOKES, Mr. STUDDS, Mr. TORRICELLI, Mr. WALGREN, Mr. WEAVER, Mr. WILLIAMS, and Mr. WOLPE, in supporting this effort to restore democracy to Chile.

H. CON. RES. —

Whereas over the past five years, military, juntas in Argentina, Bolivia, Ecuador, El Salvador, Honduras, Uruguay, and Brazil have been replaced by elected civilian governments, but in Chile, the government of General Augusto Pinochet has hindered the restoration of democracy in that country;

Whereas on Novermber 6, 1984, the Pinochet government imposed a state of siege that has resulted in increased press censorship, greater restriction on the right of assembly, and the temporary detention of more than 8,000 people and the internal exile of more than 500;

Whereas the imposition of press censorship and the extensive arrests of opposition political figures during the state of siege impair the movement toward democracy in Chile;

Whereas Amnesty International has noted that in recent years there has been a marked deterioration in the human rights situation in Chile, demonstrated by a consistent pattern of arbitrary detention, political imprisonment and killings, and systematic torture;

Whereas Amnesty International, the International Commission of Jurists, the United Nations Human Rights Commission Ad Hoc Working Group on Chile, the United Nations General Assembly, and the Organization of American States Commission on Human Rights have stated that the regime of Augusto Pinochet has violated basic human rights and political freedoms in Chile since the 1973 military coup in that country;

Whereas the restoration of democracy requires, as a first step, a lifting of the states of siege and emergency in Chile, a dialogue between the Government of Chile and the democratic opposition, and an immediate end to human rights violations by the Pinochet government; and

Whereas the Chilean people want democracy re-established in their country, and the United States is in full sympathy with the deeply-felt desires of the Chilean people for a return to democratic rule: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) supports the Chilean people in their efforts to end the military dictatorship and bring about the peaceful restoration of democratic institutions and human rights in Chile; and

(2) calls upon the Government of Chile to negotiate with the democratic opposition for a return to democratic rule.

SEC. 2. Until Chile returns to its long tradition of democratic procedures and institutions and of respect for internationally recognized human rights—

(1) the United States—

(A) should continue to deny any and all direct and indirect military assistance (including cash sales) for the Government of Chile, and

(B) should cease any and all joint military-related activities (including joint military exercises) with the Government of Chile;

(2) the United States should deny all forms of economic assistance to Government of Chile;

(3) the Overseas Private Investment Corporation should comply with the human rights requirements of section 239(i) of the Foreign Assistance Act of 1961 by not issuing any additional investment insurance pursuant to its 1983 agreement with the Government of Chile; and

(4) as mandated under section 701(f) of the International Financial Institutions Act, the United States should oppose all loans and grants to Chile by international financial institutions such as the Inter-American Development Bank, the International Bank for Reconstruction and Development, and the International Development Association, unless such assistance is specifically directed to programs which serve the basic human needs of the people of Chile.●

COURAGE NEVER QUITS: JOSEPH DAVID PISTANA, 1964–1985

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. HALL of Ohio. Mr. Speaker, the ancient Roman dramatist Plautus wrote:

Courage is the best gift of all; courage stands before everything. It is what preserves our liberty, safety, life, and our homes and parents, our country and children. Courage comprises all things: a man with courage has every blessing.

A man of such blessing was Joseph David Pistana, who was a resident of Centerville, OH, and an intern in my Washington office.

On January 10, 1985, Joe died at the Dana Farber Cancer Institute in Boston. Joe's death followed a 2-year-long bout with cancer that never shook his basic optimism, deep sense of purpose, or courage.

Joe was born on May 7, 1964, in Bloomington, IN. From his boyhood days, Joe spoke of his life ambition to attend the U.S. Military Academy at West Point. To achieve that goal, he became an honor student at Centerville High School, from which he graduated in 1982. He demonstrated his leadership by serving as president of the marching band and participating in numerous other student organizations. His creative side showed through his musical ability and his performance in school productions.

Joe's diligence paid off when I appointed him to the West Point class of 1986. The class motto could have been Joe's own creed: "Courage Never Quits."

A year ago, Joe took a leave from school for treatment at Walter Reed Army Medical Center. Because the treatments did not take all his time, in May, Joe volunteered as an intern in my office. At first he performed routine filing and clerical duties. However, later he performed more important duties, including arranging tours and other constituent services.

Joe filled the office with his cheer and good nature. He executed his duties with a soldier's precision; yet at the same time he showed understanding and sensitivity. He still considered service to be his highest calling, and this showed in every task he undertook.

One constituent, the wife of a naval officer stationed in Virginia, worked with Joe in arranging tours for guests staying at her house. So moved was she by Joe's courtesy, she wrote to me:

Not only is Joe's telephone personality most pleasant, he is also wonderfully thorough and efficient. His efforts helped ensure a memorable experience for my guests . . . and for me, too.

Joe was fully convinced that his fight with cancer would be like every other battle he had fought and won. His confidence in the future was never daunted. However, when his condition failed to respond to chemotherapy and grew more threatening, he was concerned that the Army would offer him a medical discharge.

Last year, shortly before he left for further treatment in Boston, he wrote a letter to Lt. Gen. Willard W. Scott, Jr., superintendent of West Point. In the letter, Joe reaffirmed his own faith, and sought to assure the general of his continued ability to serve his country as an Army officer:

SIR: I have wanted to attend West Point for as long as I can remember. Spawning from an intense interest and fascination in history, especially military history, I resolved that the Academy was the best route to pursue to reach that personal goal of obtaining a commission in the U.S. Army. Now, I wish to strongly reaffirm my desire to remain as a cadet at the United States Military Academy and serve as an officer in the United States Army.

Since my hospitalization, I have undergone an extensive amount and variety of treatments and operations in the effort to eradicate my cancer. I have suffered many difficult times on the road to recovery, but I have never lost faith in the eventual successful completion of my treatment. During moments of particular hardship, I frequently think of my Class of 1986 motto, "Courage Never Quits." When my class chose this simple phrase during my plebe summer, I had no idea the significance that these words would assume in my life as my rallying point to persevere in my battle to conquer cancer. I choose to fight, and with the continuing support from West Point, I shall return. Though I may occasionally suffer setbacks in my medical progress, I always maintain the will and the belief that this is a war that I can win. I will endure any hardship or suffering that will give me the chance to live a long and prosperous life. I will win because I still have many unfulfilled goals that I am resolved to accomplish.

I had the opportunity and the pleasure to travel from Washington to Philadelphia for the Army/Navy Game, and I experienced a rush of happiness as I marched onto the field with my company that was unsurpassed except for the stunning defeat handed to Navy. The Army Team and the 12th Man scored a magnificent victory that day, and I look forward to the day when I will have achieved that personal victory of my own that will allow me to return to the Corps of Cadets. I have already made plans to see another Army victory at the Cherry Bowl.

Once again Sir, I thank you for your support of my status, and I respectfully request that you maintain your faith in me as I maintain it in myself.

Beat Michigan State, Sir!

Joe is the son of Mr. James J. Pistana of Georgetown, KY, and Mrs. Judy M. Wenzler of Centerville. In addition to his parents, he is survived by two brothers, Jay and Jeffrey. I join my staff and Joe's family, friends, and fellow cadets in mourning the loss of a fine young American whose courage still lives in those who were inspired by his faith.●

PROMOTING HOME CARE AS AN ALTERNATIVE TO INSTITUTIONALIZATION OF ELDERLY FAMILY MEMBERS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. BIAGGI. Mr. Speaker, today I am introducing legislation that would provide an important impetus for the establishment of alternative living arrangements for our elderly citizens who either live alone or are forced into unnecessary institutionalization and for their families who wish to support the dependent relative in the home.

Presently, approximately 11 percent of the Nation's population is over 65. The number of elderly living alone has increased substantially. Additionally, the number of elderly living outside the extended family has changed drastically. Twenty-two years ago, 46 percent of those over 65 lived with their children. By 1975, this figure had dropped to 18 percent.

The number of institutionalized elderly has also risen, due to a variety of variables. By the year 2030, there will be 55 million persons over the age of 75 in our country, representing 22 percent of the total population. It is critical that we now consider alternatives to traditional delivery modes of health care and social services to this population. The continuum of care for this population—which should be the core of any long-term care system that we develop in this Nation—should assure both access and choice to all those in need of dependent care.

My bill provides for a $500 tax credit to those families who maintain an elderly dependent in their home for over one-half of the taxable year. The availability of a tax credit would ease the major obstacle—cost—that many families face in caring for elderly family members.

Studies have shown that it is generally the family, not Government, that provides the most care for the elderly. The Health Care Financing Administration has estimated that between 60 and 80 percent of the care received by the impaired elderly is provided by family members or friends who are not compensated. In addition, information from the field clearly points to the family as the preferred provider of services to the elderly. However, I must underscore the fact that we still fail to have a rational, long-term care policy in this country that eliminated the institutional bias in our current federally financed programs.

At present, Medicaid is the largest single provider of long-term care services. This program pays for over half of our national, long-term care bill as compared to 1.3 percent being paid for by private insurance and 2 percent by Medicare. With over 1 million residents of nursing homes today relying on Medicaid to finance their health care and housing needs, we must recognize that we are talking about a significant share of our dependent care population.

Increasing the attractiveness of home care would also reduce nursing home costs, especially after 1972 when intermediate care facility care was added to the benefit package. By 1975, this change alone resulted in ICF care exceeding skilled nursing care and a concurrent doubling of the Medicaid long term care bill to $4.3 billion. Today, Medicaid expenditures in this area have again doubled since 1975 as a result of added factors: Rising costs of care as compared to number of recipients; elimination of provisions for family supplementation of nursing home payments and SSI provisions which reduce benefits to beneficiaries living with each other.

Providing a $500 tax credit for home care expenses would be an important first step to implement a national policy of long term care. This bill cannot, however, be viewed as an isolated proposal. There must be efforts made to promote comprehensive policies that assure a continuum of care of elderly citizens.

We are beginning to receive substantial evidence of the need for both home care alternatives specifically, as this bill would provide, as well as the value of community based, long term care services now being provided on a piecemeal basis through both Medicaid as well as the Older Americans Act. A 1980 study by HCFA noted that between 3.6 to 7.8 million individuals may be receiving services from family and friends—or may be in need of such services, but are making due on their own.

Further evidence will be provided to us through assessments of the Medicaid home and community-based waivers authorized under section 2176 of the Budget Reconciliation Act of 1981.

Since October 1981, 44 States have received waivers for a period of 3 years, which allow States to provide important community based, long term care services. Congressional and HCFA review of these waivers is critical to any rational, comprehensive effort to expand home care alternatives and implement a national, long term care policy.

If no preferred living arrangements can be provided for our ever-growing elderly population, these individuals will be forced into living arrangements not of choice—with the possible resultant loss of health status and emotional well-being.

As an original member of the House Select Committee on Aging, I have joined with my colleagues to encourage alternatives to institutionalization and help alleviate the problems faced by many families today in seeking to care for their elderly family members. Passage of this bill would be an important first step and I urge my colleagues to join with me in this timely effort on behalf of not only our Nation's elderly, but all our families.●

LASPAU: 20 YEARS OF ACHIEVEMENT

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. SCHEUER. Mr. Speaker, it is indeed a pleasure for me to bring to the attention of the 99th Congress and our Nation the 20th anniversary of the Latin American Scholarship Program of American Universities [LASPAU]. Since its founding, LASPAU has provided inspiration and support for education throughout the Americas.

Mr. Speaker, I have spoken on the floor of the House of Representatives on many occasions about the interests and concerns of the citizens of the Eighth Congressional District. I am proud to commend to the attention of my distinguished colleagues a brilliant article by Lewis A. Tyler, executive director of LASPAU, in which he discusses this outstanding organization's remarkable record of achievement.

THE FOUNDATIONS OF LASPAU

(By Lewis A. Tyler)

Since its founding in 1964, the Latin American Scholarship Program of American Universities (LASPAU) has made its mark by supporting the development of universities in Latin America and the Caribbean, a mission that has molded the organization's services, relationships, and identity. Although LASPAU's services now address more than the hemisphere's faculty-development needs, having broadened in scope to include cooperation with public institutions as well, the organization's shape and purpose today are still a direct consequence of its original mission.

"Twenty years of service to education in the Americas," the phrase used here to mark LASPAU's anniversary, only begins to suggest the remarkable role this organization has played in advancing institutional development during the past two decades. Originally created by half-a-dozen individuals in Cambridge, New York City, and Bogotá as a vehicle for providing bright, deserving young Colombians with undergraduate schooling in the United States, LASPAU quickly embarked on fifteen years dedicated to facilitating the development of university teachers, researchers, and administrators.

Today the organization finds itself with services of unparalleled quality and a capacity to meet the variety of educational and training needs now emerging from the diversity of institutional development contexts included in the collective entity, Latin America and the Caribbean.

Recognition for the success of this twenty-year venture which many give to LASPAU alone, must also be assigned to those institutions from which LASPAU derives its very existence. In addition to the Latin American and Caribbean institutions that have sponsored and employed LASPAU Scholars over the years, LASPAU collaborates primarily with two government agencies, the United States Agency for International Development (AID) and the United States Information Agency (USIA), whose resources have aided LASPAU for most of its two decades, and with universities in the United States that have welcomed more than 3,000 LASPAU Scholars during the program's history.

UNITED STATES GOVERNMENT SUPPORT

LASPAU's principal sponsors, AID and the USIA, have complemented each other's work by sharing support for LASPAU's services. AID, however , is almost wholly responsible for converting LASPAU into a permanent organization with well-defined goals, objectives, procedures, policies, and systems. Early on, in 1966, AID established an exclusive relationship with LASPAU, which it maintained for ten years, until 1975.

During this period, when AID's and LASPAU's interests coincided in a common purpose, faculty development, their collaboration provided graduate-education opportunities to nearly 1,500 men and women from 164 universities throughout Latin America and the Caribbean. This partnership also allowed LASPAU to elaborate the skills and systems that support its services and to develop the collaborative institutional relationships that characterize its work in the hemisphere. In sum, ten years of collaboration created the recognition that LASPAU and AID were reliable resources for faculty development.

In the mid-seventies, shifting development priorities led AID to direct its resources away from universities to activities and projects aimed at improving the quality of life for the "poor majority," and 1975 saw the end of LASPAU's exclusive relationship with AID. Now, contractual relationships with USAID missions, which know LASPAU's history of providing cost-effective expert services, enable LASPAU to support educational activities in 13 Latin American and Caribbean countries. These contracts call for selection and administration of participants from ministries, research institutes, extension agencies, private voluntary organizations, and universities.

In 1975, the Fulbright Academic Exchange Program, realizing the efficacy of LASPAU's concept of faculty development, enlisted LASPAU's services—evaluation and selection of candidates, placement in academic programs, English-language training and orientation, academic monitoring, and financial administration. Now under the auspices of the USIA, Fulbright-LASPAU focuses a portion of Fulbright's resources specifically in university development, reinforces LASPAU's fundamental mission, and widens access to advanced study in fields like the arts and humanities, education, and the social sciences.

Fulbright-LASPAU affords opportunities for short-term, non-degree study too, in contrast with the master's-level emphasis of most LASPAU-administered programs. This joint program has allowed LASPAU to establish working relationships with Fulbright posts and commissions, and to deliver faculty-development services to 21 countries in the Latin American and Caribbean region.

UNIVERSITIES IN THE UNITED STATES

The concept that established LASPAU in 1964 still prevails today. This organizing principle, that the costs of a scholarship be distributed among the entities that share in the scholarship's benefits, is clearly visible in the role the United States academic community has played in LASPAU's success. Universities in the United States have contributed the equivalent of about $25 million in tuition waivers, scholarships, and other forms of financial assistance to the more that 3,000 LASPAU Scholars, concrete evidence of their outstanding commitment to international education. Balancing and reinforcing that commitment, however, have been the now well-established benefits of receiving well-selected, well-funded international students whom LASPAU carefully matches with the specific academic characteristics of particular U.S. institutions.

The commitment of these North American universities cannot be measured solely in financial terms however. Each school has always welcomed LASPAU Scholars as professionals whose presence reflects a very special objective: contributing to the development of sister organizations in the hemisphere. This commitment, an explicit part of the LASPAU Scholars' appeal to U.S. institutions, also contains a corollary benefit, establishing the cross-cultural ties among scholars that are the hallmark of international educational exchanges.

INSTITUTION IN LATIN AMERICA AND THE CARIBBEAN

Beginning in 1964 with ICETEX, Columbia's educational credit agency and a cofounder of LASPAU, institutions in Latin America and the Caribbean have played an integral role in building LASPAU. National science foundations, ministries, educational credit agencies, agricultural development institutes, training centers, universities, and others have expertly performed functions that complement those carried out by the United States government agencies and universities.

These functions include: identifying candidates capable of using advanced training to further their institutions' development; continuing Scholars' salaries to help pay their living costs during their studies; covering the costs of English-language training and orientation; and employing returning Scholars in positions that take advantage of their new skills. In return for these commitments, the Scholars' home institutions have also reaped the benefits of applying resources culled from so many differing sources and, often, of taking part in further exchanges with the international academic community.

The foundations built by these three sets of institutions, working in concert with

LASPAU, may find their fullest expression in the achievements and later careers of LASPAU's 3,000-plus Alumni, an issue LASPAU is now reexamining in its second Alumni Survey, an in-depth follow-up to the first, which was carried out under a grant from the State Department's Bureau of Educational and Cultural Affairs (now part of the USIA). A complementary view of this program's effects may also emerge from two other sources, both of which will appear in this and future issues of the *Informativo*. The first, a series of Occasional Papers, will explore changes in Latin American and Caribbean universities over the last two decades.

The initial paper in this series, an overview of changes in university governance and structure, follows this article. Others, primarily case studies describing and analyzing changes in the practice of specific disciplines and particularly in research, teaching, and extension, will appear in subsequent issues. Rounding out these views will be articles on the U.S. university-LASPAU partnership, which the *Informativo* will also publish. By these and other means, LASPAU plans to mark its "Twenty years of service to education in the Americas" that institutions throughout the hemisphere have sustained.●

ACIR MEMBERSHIP LEGISLATION

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. HORTON. Mr. Speaker, today I am introducing legislation to expand the membership of the Advisory Commission on Intergovernmental Relations. I am pleased to be joined in this effort by the gentleman from New York [Mr. MCGRATH], the prime sponsor of similar measures in prior years, and the gentleman from Pennsylvania [Mr. WALKER], the ranking minority member of the Subcommittee on Intergovernmental Relations and Human Resources.

The Advisory Commission on Intergovernmental Relations [ACIR] is a federally supported, bipartisan, independent body established in 1959 to monitor the operation of the American Federal system, to study and report on intergovernmental issues, and to recommend improvements for the functioning of the system. It is clear from the legislative history that ACIR was intended to be a genuine interlevel body, not an agency dominated or controlled by any one level of government. Over its 25-year history, the composition of the Commission has remained at a constant level of 26 members: 3 U.S. Senators, 3 U.S. Representatives, 3 Federal executive branch officials, 4 Governors, 3 State legislators, 4 mayors, 3 county officials, and 3 private citizens.

This membership arrangement has proven successful in the past. However, as the Federal system has continued to evolve, it has become increasingly clear that two key participants in the intergovernmental system are not adequately represented on ACIR: local school board officials and township officials. Consequently, the measure I am proposing today would add two seats to the Commission designated for representatives from these two groups. Both new members would be selected in a similar manner to existing ACIR members—appointed by the President from a list submitted by their respective associations, in this case the National School Boards Association and the National Association of Towns and Townships.

There are several sound reasons for including these two additional members on ACIR. Local school boards are policymaking bodies, have broad interests, and expend approximately $130 billion per year. They provide direct services to a very large portion of the population and perform many of the same functions as general units of government, such as transportation services, provision of nutrition services, and oversight of construction projects. School boards are affected by an array of Federal and State Government decisions in countless areas.

Similarly, townships provide a wide range of essential services to their citizens. They are general-purpose units of local government as defined by the U.S. Census Bureau. Townships are structurally different from cities and counties and tend to be rural and small. Townships like school boards, are affected by voluminous Federal and State decisions in numerous areas.

Inclusion of these two members on ACIR would acknowledge the changes that have taken place in our Federal system over the past 25 years and provide a more representative intergovernmental panel. School board officials and township officials would make significant contributions to the deliberations and recommendations of ACIR. I urge my colleagues to join us in endorsing this reasonable expansion of the Commission.●

CRITIQUE OF THE WAR POWERS ACT

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. DREIER of California. Mr. Speaker, the current edition of the New Republic magazine carries an important article by Mr. John Silber, president of Boston College and a member of the National Bipartisan Commission on Central America.

Mr. Silber offers a devastating critique of the War Powers Act and the shameful conduct of Congress over the years in attempting to redirect Presidential foreign policy. As Mr. Silber points out, Congress should provide leadership, not politically motivated second guessing, and critics on both the right and the left acknowledge that our foreign policy has suffered from congressional efforts to share policymaking with the President.

Foreign policy is sure to play an important part in our congressional agenda this year. I ask that Mr. Silber's article be submitted to the RECORD and ask each and every one of my colleagues to read it before we blunder through another year of intervention and confrontation with the President over the conduct of his foreign policy.

CAN WE AFFORD THE WAR POWERS ACT?

PRESIDENTIAL HANDCUFFS

Since the Vietnam War, U.S. forign policy become a matter of constant and embittered controversy, not merely between the party in office and its opponents, but within parties. No president, however farsighted and decisive, can now conduct an effective foreign policy. Increasing challenges to American interests in Central America and elsewhere, and the War Powers Act and other congressional restraints on the executive branch, have created a dangerous whipsaw which renders our foreign policy erratic and ineffective.

Nicaragua, dominated by Cuba, and apparently determined to emulate the Cuban example of totalitarian government, military aggressiveness, and subservience to the ambitions of the Soviet Union, has embarked upon a policy of militarism—a course that threatens the Nicaraguan people as well as the peace and security of the isthmus. Nicaragua provides a safe haven for Salvadoran terrorists and radio facilities to coordinate their attacks; and it participates in the Soviet-Cuban spy network blanketing Central America and the Caribbean. Nicaragua is training an army far larger than any other in Central America, and threatens peaceful countries such as Costa Rica and Panama. The leaders of both of these countries told the Kissinger Commission they believe that if the Nicaraguan buildup continues, they will be attacked within a few years.

Yet it was the United States—not Nicaragua, not Cuba not the Soviet Union—that was condemned by the World Court in 1984 over the mining of Nicaraguan harbors. The United States was charged with helping Nicaraguan insurgents mine Nicaragua's harbors, and was found to be violating international law. The regular and flagrant violations of international law by the Soviet Union and its surrogates are well known, yet the Soviet Union, which has never acknowledged the court's jurisdiction, goes unpunished. Indeed, the majority of the judges who decided against the United States are from countries that do not accept its jurisdiction.

In dealing with the problem of restraining power without destroying it, the framers of the Constitution made the president the commander in chief of the nation's armed forces. Congress shares in the determination of foreign policy, but the president is responsible for its conduct. Abraham Lincoln conducted the opening stages of the Civil War as an executive act. After the attack on Fort Sumter, he gave Congress 80 days to assemble, but in the interim he called up the militia, blockaded southern

ports, raised an army of 300,000 volunteers, and suspended habeas corpus. It is doubtful that he could have gotten most of these actions approved by Congress, although when Congress met, it tacitly approved his faits accomplis.

This separation of powers remained in place until the close of the Vietnam War. Ever since the War Powers Act of 1973, the separation of powers has been compromised. The provisions of this act deprive the president of the authority to back his diplomacy with military action short of declared war. Confronting challenges of the sort posed by the Nicaraguan government and the Salvadoran guerrillas, the president has three choices, all bad: (1.) to do nothing; (2.) to ask for a declaration of war; or (3.) to try to find his way through a thicket of legal restraints that inevitably give rise to accusations of illegal conduct. President Reagan rejected the first two options when faced with the situation in Nicaragua; and the whipsaw has caught him on the third. It would catch any president.

To understand why, under the prevailing circumstances, any president will be ineffective in the conduct of foreign policy, we must understand how the president's essential freedom of maneuver has been restricted by a series of laws, amendments, and continuing resolutions that transfer responsibility for the conduct of foreign policy, especially its military aspects, to a deliberative body. The constitutionality of many of these measures has yet to be thoroughly tested: it should be.

The War Powers Act, passed over the veto of President Nixon in 1973, was a drastic response to the continuation of the Vietnam War. Presidents Johnson and Nixon had tried to conduct a full-scale war as if it were a police action, an error in which Congress was complicit. The effects of the act, perhaps unforeseeable in 1973, have now become manifest. In a world filled with subversion, terrorism, and shifting geostrategic pressures, Congress must be consulted, "in every possible instance," on the deployment of our military forces. Troops may not be deployed outside the United States without immediate reports to Congress. The president may not, without approval from Congress, keep troops more than 90 days in any area where hostilities are ongoing or imminent. The difficulty in deciding whether hostilities are imminent or ongoing is obvious. Without a specific act of Congress, the president will always be open to the accusation that he is defying the law.

This means that by doing nothing Congress can force the president to withdraw troops within 90 days; short of declaring war, Congress must pass a bill announcing on what terms U.S. troops will be allowed to remain; in areas of foreign policy and military action where secrecy is often essential, publicity has become mandatory. Military considerations have thus become political issues. The president must now consider, not the efficacy of his actions, but the reaction of Congress to them. By limiting the president's ability to deploy U.S. forces, Congress essentially took upon itself the control of crucial military actions.

The War Powers Act has been joined by a host of other restrictions on the president's power to act. Various amendments to the Foreign Assistance Act of 1961 have sharply restricted the kinds of security assistance to countries whose human rights records do not meet our standards, even if such assistance is in our national interest, and even if the denial of such assistance leads to the abrogation of all human rights. Had these amendments been on the books in 1942, they would have ruled out all lend-lease assistance to the Soviet Union. For example, it is illegal under the act to provide antipersonnel bombs to the Salvadoran air force. The Salvadorans must buy these weapons elsewhere or use expensive and inappropriate U.S.-made anti-tank rockets against guerrilla fighters, who do not move about the Salvadoran countryside in compact units.

Our room for non-military action is also jeopardized. The Foreign Assistance Act prohibits us from assisting in the development of police activities in other countries. It thus keeps us from helping Costa Rica to strengthen its security forces, which are technically policemen rather than soldiers. Similarly, the act keeps us from assisting with legal reforms in El Salvador.

The Clark Amendment of 1976 was an early milestone in making the covert overt: it forbids the president to provide "assistance of any kind" that would promote, "directly or indirectly," the "capacity of any nation, group, organization, movement, or individual to conduct military of paramilitary operations in Angola" without submitting detailed plans to the Congress. The effect of the Clark Amendment was to give free play to Castro in Angola, who was not similarly restrained by a Cuban legislature. Cuba's ability to send its forces to Africa and anywhere else in the world with impunity is an extension of the Clark Amendment.

The Boland Amendment of 1982 further restricted the president: it specifically forbade him from assisting any group for the purpose of overthrowing the government of Nicaragua. The tangled web of legal and constitutional issues that this has created was revealed in its full confusion in 1983 when the House debated the covert-overt issue and made this topic a major item for newspaper and television reports.

But perhaps most damaging to an effective foreign policy has been Congress's unwillingness to recognize that secrecy can be essential in the conduct of international affairs. This results in an inescapable contradiction. When the details of our covert support for the Nicaraguan rebels are the subject of editorials in the newspapers and debated in Congress, we are forced to conduct our foreign policy by oxymoron: we must be either overtly covert or covertly overt. Either position leaves us open to tendentious criticism and to prosecution under international law. The Nicaraguans, while covertly supporting terrorists in neighboring countries, at least have the sense to deny it.

There is an inherent ambiguity in the current Central American situation that Congress and the American people must accept. Is pressure on the Sandinistas designed to move them toward the democratic government which they promised the Organization of American States and their own people in 1979, or to overthrow them? Is it designed to force them to stop supporting the insurrection in El Salvador and elsewhere in Central America, or to overthrow them? How do we pursue the one objective without taking steps that might achieve the other? If we put pressure on the Sandinistas, how do we know that it is enough to change their policy, but not enough to bring them down? The answers are inherently uncertain, but that is not reason not to act. The president cannot conduct foreign policy by oxymoron.

None of this is to argue that Congress should not help determine our foreign policy, or that it should not be consulted and informed on the actions taken by the executive branch. The objectives of our foreign policy must be an expression of our national will. But this requires that Congress provide leadership rather than politically motivated second-guessing, and that foreign policy be decisive, flexible, coherent, and resourceful. The current situation is deficient in each of these regards. There is always the temptation of doubting the president when he undertakes a course of action that is, in the short run, unpopular. But leadership requires looking beyond the next election and pursuing a course that is, in the longer run, in the national interest.

To require, in the absence of a declared war, that the president clear the detailed implementation of foreign policy with Congress denies him a wide range of tools needed for the effective conduct of diplomacy. The result of this policy may well be national suicide, since we in effect say to our enemies that we cannot draw a line and hold it unless they land on our beaches, and that there is consequently almost no limit to how far they can go.

The rise of Nazi Germany provides a clear parallel to the rise of the Soviet presence in the Americas. Hitler made himself master of Europe by small increments. At each step, the Western Allies refused to stop him. Hitler cannot be blamed for thinking that he could take Poland without opposition, for nothing in the behavior of Britain and France had suggested that they would draw a line and fight a war to defend it. Rather, whenever he stepped up to the line, Neville Chamberlain, the British prime minister, would erase it and draw a new one. When the Allies finally demanded that Hitler stop, it required World War II to enforce their demand.

The Soviets similarly probe to see where or whether we will draw the line. They have, for example, bit by bit discovered that we will tolerate a major Soviet offensive capability in Cuba, including squadrons of MiGs, a well-equipped Soviet combat brigade, an intelligence network, and a major submarine base. All of this violates the 1962 understanding between John Kennedy and Nikita Khrushchev that ended the missile crisis. The Soviet Union withdrew its offensive weapons and promised an end to Cuban aventurism if the United States would not invade Cuba. The conditions to which the Soviets and the Cubans agreed have been incrementally violated, without U.S. response. Even before the passage of the War Powers Act, our reluctance to proceed militarily against Soviet proxies in our hemisphere has led to their increasing presence. The act exacerbates the problem. If we do not repeal the act and remove the other restrictions on the effective management of foreign policy, we may find the Soviet Union willing and able to wage covert war in Central America or Mexico, at such a level of intensity that the refugees problem in the United States becomes catastrophic.

This is not inevitable. The Soviet Union and its proxies are led by realists in the use of power. Castro responded cautiously to our liberation of Grenada, and the extremist government of Suriname, immediately after the invasion of Grenada expelled its Cuban advisers. Had the administration submitted legislation for the invasion of Grenada, Congress would still be debating it, and while we dithered about what to do in Grenada, the Cubans would have so reinforced their military presence on the island that it

would have taken major military action and the loss of many more lives to remove them.

Not the least of the bad legacies of the Vietnam War is the extent to which Lyndon Johnson's compromised attempt to defend the imperfect democracy of South Vietnam against the totalitarianism of North Vietnam has come to be regarded as the model of what happens when the executive is free to implement foreign policy. This catastrophic event has purged the national memory of other examples. Harry S. Truman promptly supported South Korea in 1950. Johnson himself took resolute action, in concert with the Organization of American States, by sending Marines to the Dominican Republic in 1965 to protect democracy. In the two decades since, power has changed hands in the Dominican Republic without violence. Any president should be free to be as resolute as Truman and Johnson were. We have, through the War Powers Act and through the amendments that have followed it, institutionalized Neville Chamberlain as the model for American presidents. If we remember what Chamberlain's policies led to, we may yet decide that it is time to reverse this disastrous trend.●

PEAS ON A KNIFE WITHOUT THE AID OF HONEY

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. FORD of Michigan. Mr. Speaker, the frigid winter temperatures gripping many parts of the country, including my own State of Michigan, bring into sharp focus the need for sound energy policy which promotes an adequate supply of energy resources at a price the average consumer can afford. My good friend and Michigan colleague, Congressman JOHN D. DINGELL, who chairs the House Energy and Commerce Committee, has been intimately involved in shaping energy policy and making sure that the complex labyrinth of energy-related regulations remains unobstructed.

At a recent speech before the Fifth Annual Natural Gas Conference on January 28 in Washington, DC, Congressman DINGELL minced no words in letting natural gas industry representatives know that:

The Natural Gas Policy Act is alive and well and, what's more, working better than anyone expected of so complex a statute.

My good friend admonished the industry that any attempt to amend the Natural Gas Policy Act could result in:

Additional amendments—decontrol, freeze, rollback, recontrol, enhanced recovery, et cetera—which will create the same old problems of trying to put peas on a knife without the aid of honey.

I commend my colleagues to read the entire text of Congressman DINGELL's address. Its just plain practical advice.

The address follows:

REMARKS OF HON. JOHN D. DINGELL, FIFTH ANNUAL NATURAL GAS CONFERENCE, JAN. 28, 1985

Good morning. As I have said many times over the past four years, the Natural Gas Policy Act is alive and well and, what's more, working better than anyone expected of so complex a statute.

During the 97th Congress it was my goal and, happily, my success to avoid opening the NGPA. As I said exactly four years ago tomorrow, "there are compelling reasons for not reopening the NGPA." That was in remarks before the Federal Energy Bar.

My major endeavor, together with such collegues as Phil Sharp, Dan Rostenkowski, Toby Moffett, and a majority of all Members of the House was to see to it that the newly-arrived Reagan Administration did not deregulate natural gas prices through back door approaches to the Federal Energy Regulatory Commission. That effort, too, was successful.

During the 98th Congress, which ended at the beginning of this month, our efforts were somewhat different. Many of you in the industry came together and found one area of agreement: that there should be legislation on natural gas, but that was the only area.

I must say, little attention was paid to some of the reasons why, on January 29, 1981, I suggested that reopening the NGPA would be a mistake. The overriding concern I had was that different suggested changes would have different impacts—not only between the major segments of the industry and its consumers, but also between individual participants within the various segments.

One comment I made four years ago was, "any significant degree of deregulation would jeopardize certain gas sales contracts." At the time, many thought that all producers would support total deregulation, including the Administration. However, it turned out that many independent producers realized that any decontrol at the wellhead would certainly be accompanied by "market-out" provisions which would abrogate their contracts. This one factor, probably more than any other, contributed to the downfall of the President's proposed bill.

As the speaker who preceded me—my good friend Senator Johnston—can surely remember, the Administration bill bounded out of the Senate Energy Committee on an 11 to 9 vote—with no recommendation. Following that, the full Senate gave an overwhelming 28 votes for passage of that legislation.

Another central concern I raised four years ago was that there was a need to provide some market-ordering when decontrol of substantial quantities of gas occurred on January 1, 1985. The challenge I foresaw was "to establish a link between the price sensitivity of retail gas customers and wellhead prices." I said that, unless such market-ordering could be achieved by industry alone, or by the FERC, then it might have to be achieved through legislation. The possible actions I cited at the time may be worth repeating:

Provide a market kickout provision for distributors in pipeline service agreements.

Make pipelines common carriers and let distributors negotiate directly with producers.

Establish the principle that pipeline customers are third party beneficiaries of pipeline-producer supply contracts.

Implement marginal cost pricing at the pipeline level.

Establish an incentive rate of return for pipelines which is tied to purchased gas costs.

Eliminate minimum bill requirements in pipeline-distributor contracts.

Eliminate take-or-pay requirements in producer-pipeline contracts.

Outlaw indefinite price escalator provisions such as those which peg wellhead prices to oil prices.

Accompany wellhead price deregulation with end-use deregulation whereby gas would be sold to those end users who were willing to pay the highest price for it.

It is surprising how many of these things have occurred, even without legislation. Most have resulted from industry renegotiation and other actions, and some have come from FERC. Many, of course, were embodied in the legislation promoted on the House side by Phil Sharp, who did a fantastic job of trying to piece together a fair and workable substitute, which almost made it.

I would return again to what I said in 1981, and again in 1982, 1983 and 1984, and that is that the Natural Gas Policy Act worked—and is now working—far better than any of us involved in that year-long marathon of a Conference in 1978 could ever have expected.

Decontrol has occurred which affects almost half the gas produced in this country. But the seven years we allowed in the NGPA for industry to adjust to decontrol seems to have been more than adequate in most instances.

At present, my primary concern is that the FERC fully and faithfully carry out its responsibilities to keep a close watch on the natural gas market and to assure that it functions smoothly without rude price shocks or supply problems in any area of the country.

To that end, as many of you know, I have commenced some oversight, by raising a series of questions with the FERC and many of the interstate pipelines. It is too early to share any of the results of that investigation, since much more remains to be done in the coming months. At appropriate times during the investigation we will, of course, make various materials public, and I will do this in close cooperation with both Mr. Broyhill and Phil Sharp.

There still is a need for a shake-out in the gas industry, but I believe ordering that market will be best achieved by industry itself, with the help of the FERC.

I know a number of you are contemplating promoting legislation to repeal of incremental pricing and the Fuel Use Act, and perhaps some restrictions on imports of Algerian gas. Some, also, may be thinking about mandatory contract carriage.

On this score, I would give you the same admonition I gave four years ago: there still is no consensus on the details of natural gas legislation—even on these limited issues. For instance, the very people most supportive of repealing incremental pricing and the Fuel Use Act are the self-same individuals most strongly OPPOSED to contract carriage. Similarly, those who WANT contract carriage will simply not stand for repealing incremental pricing and the Fuel Use Act in the absence of mandatory carriage.

The severest cautionary note I would add here is that, even if a number of you COULD agree on those four so-called simple issues, and I strongly doubt you could, do not expect to go through the legislative process unscathed. If legislation is promoted, there WILL be additional amendments—decontrol, freeze, rollback, recontrol, en-

hanced recovery, etc.—which will create the same old problems of trying to put peas on a knife without the aid of honey.

Thank you.●

ARM HERE TO STAY

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. DREIER of California. Mr. Speaker, although the number of adjustable rate mortgage underwritings has declined with the drop in interest rates, the ARM is definitely here to stay. Federal Home Loan Bank Board Chairman Ed Gray has rightly called the ARM's the key to the survival of the thrift industry, and during the last few years of high interest rates, ARM's were the only way that millions of Americans were able to afford their own home.

Granted, there have been abuses. Last year, the Housing Subcommittee of the Banking Committee explored unsound ARM underwriting practices, such as so-called teaser rates, and possible remedies to those abuses. As a subcommittee, we concluded that an informed public is the best way to guard against ARM abuse, and called upon Federal regulators and industry representatives to form a task force to develop a public information brochure on ARM's. I believe the brochure that task force produced, as well as similar documents put out by the Mortgage Bankers Association, Fannie Mae and others have helped safeguard the public from unsound ARM's. Second, as the industry has become more familiar with the ARM, uniform sound underwriting has prevailed.

Despite these developments, ARM's are sure to come under attack in this Congress, just as they were attacked in the 98th Congress. I feel it is important for my colleagues to understand the necessity of ARM's in today's financial climate, the benefits that consumers stand to gain through ARM's and why ARM's should not be subject to statutory restrictions. Recently, Mr. James Montgomery, chairman and chief executive officer of Great Western Savings, gave a talk on adjustable rate mortgages in which he tackles ARM criticism head on. He gives a cogent explanation of why the ARM is necessary and why negative amortization—a widely misunderstood component of some ARM's—should remain unfettered. Great Western was a leader in developing the adjustable rate mortgage, and I hope my colleagues will take the time to review Mr. Montgomery's speech, which I submit for the RECORD.

REMARKS BY JAMES F. MONTGOMERY, CHAIRMAN OF THE BOARD AND CHIEF EXECUTIVE, GREAT WESTERN SAVINGS—TENTH ANNUAL CONFERENCE, FEDERAL HOME LOAN BANK OF SAN FRANCISCO

I am very pleased to have the opportunity to address this distinguished group on a subject that has been extremely important to me for most of my years in the savings and loan business—the adjustable rate mortgage.

First, a little history. I remember being a relatively young person in the savings and loan business when we first went under savings rate control in 1966. My reaction at the time was that artificially created rate ceilings on our deposits might cause us, as an industry, to become a bit complacent and not quite as "lean and mean" competitively as we had been in the past.

Borrowing short and lending long under a federal regulatory umbrella made me nervous, frankly, and in 1968 at old United Saving and Loan Association, Woodie Teague and I began a program of variable rate mortgage lending. We were essentially all by ourselves in that program until 1970, when it became competitively difficult, if not impossible, for us to continue. But my feeling for the need for variable rate mortgage lending never diminished. When I went to Great Western in 1975, we, along with many others in California, entered into variable rate mortgage lending in a major and successful way.

I think there are many similarities to that time period and today. We are now in the process of offering a new, much more flexible product into the marketplace—the adjustable rate mortgage. However, in 1975, the variable rate mortgage, which was quite limited in its variability, was much more of a breakthrough for its time than the ARM is today. One important similarity, which I want to stress today, is the tremendous number of misconceptions and prejudgments about both the old VRM program and today's ARM. In 1975 I heard that the variable rate mortgage wouldn't be accepted in the marketplace, and we proceeded in the most competitive real estate market in the country to convert 60% of Great Western's loan portfolio from fixed rate to variable in about 3½ years. In the midst of that very successful conversion, we were told by the skeptics that, while the public was accepting the VRM, they didn't really understand it—and "wait until you try to increase rates—that's when they will tear your buildings down." We did raise rates. Unfortunately. We had to raise rates in the years between then and now a total of 10 times, which was the maximum number of increases that were allowed in the VRM. While our borrowers didn't like to have their rates increased, they understood, because we were raising rates one-quarter of 1% every 6 months at a time when market rates were increasing much more dramatically. They didn't like it, but they understood, and our buildings are still intact.

I was also told, and there is a particular similarity here, that the variable rate mortgage wouldn't sell in the secondary market. That has a familiar ring to it, doesn't it? That is another prejudgment that turned out to be totally false. We sold hundreds of millions of dollars of VRMs in the secondary market. As a matter of fact, we offered the buyers of loans the option of acquiring a variable interest in VRMs or a fixed-rate participation. We had takers of both types but, needless to say, our happiest buyers were those who bought the variable rate participation.

That old VRM, with its severe limits, was not variable enough, but I can tell you that Great Western was considerably better off during the difficult times of the late 1970's and early 1980's as a result of that program.

Now, in this era of almost total deregulation, we, for the first time, can offer a really flexible mortgage which has been labeled the "adjustable rate mortgage." For the first time, many of us have been able to design a loan, rather than have it created by the political process. That's a mixed blessing, of course, because it produces a variety of instruments in the market and considerable confusion. But there are some very intelligently constructed ARMs in the marketplace today, and I think ours is one of them. We have again done a successful job of marketing the new ARM and, by this year-end, Great Western will have 60% of its assets again in a restructured mode, this time in a period of less than 3 years. That is, 60% of our assets by this year-end will either be adjustable rate mortgages or short-term investments.

Nowithstanding that success, I am again hearing the chorus of prejudgments and misconceptions about the ARM. There are more comments about the flaws of the various programs in existence than there is discussion about a fundamental point. That is, the intelligently constructed ARM is the only logical way for a mortgage portfolio lender to operate in an era of true deregulation. We should focus more on that very fundamental fact. But, in view of all of the discordant notes that are regularly played about the ARM, let's focus for a moment on the current round of misconceptions in the hope that we can put them to rest.

Misconception No. 1: The feature of the adjustable rate mortgage which allows a borrower to voluntarily limit his change in monthly payment is anti-consumer. This is by far the most important misconception, and those of us who really understand ARM lending have an important responsibility to correct the record. So-called negative amortization is the most important consumer benefit in the ARM. What it really means is that, if the interest rate on a mortgage increases faster than one's ability to absorb changes in his or her monthly payment, he or she may voluntarily limit the change in monthly payment and have interest added on a regular basis to the mortgage until either interest rates subside or another anniversary of monthly payment change comes around. Why is that anti-consumer? Many of our borrowers, when given the choice, elect to have their monthly payments increased to a point that negative amortization does not occur because they don't like the idea of their mortgage getting larger, even temporarily. This is the point that is so important—the decision is totally within the borrower's control.

Maybe to fully understand the reason for this confusion, we should go to misconception No. 2.

Misconception No. 2: Is that a 2% annual cap on ARM is less than a 7½% cap. I am amazed at the sloppiness by even some of our learned members of the academic community, in discussing ARMs, who routinely mix the terms "percent" and "percentage points." We talk about a 2% annual interest cap, which is common in a lot of mortgages, when we really mean a 2 percentage point annual interest cap. A 2 percentage point interest increase in a year, which would bring a 10% mortgage to 12%, is really a 20% increase in interest and, if negative amortization is not allowed, it's a 20% increase in the

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monthly payment. A 7½% increase in monthly payments, which exists in our mortgage instrument, means that at a borrower's option at the end of the year, a monthly payment of $100 can only be increased to $107.50 a month. If that sounds basic and elementary, I apologize. But I have attended a number of meetings around the country where these terms are freely interchanged in a haphazard way, and the misunderstanding that exists is quite significant.

I attended a meeting of some members of our industry involving some of our federal alphabet friends and others to discuss something within the past year called an "exemplary mortgage." I was asked to comment on this "exemplary mortgage." My reaction was that I think someone has found a way to break both borrower and lender in the same year. While that did not endear me to the group, I felt it was not an outrageous statement. This particular "exemplary mortgage" would allow a 2 percentage point per year change in interest rate but prohibit negative amortization. My point was that a 2 percentage point interest change in a year's time might not be enough to protect the lender from wild swings in his cost of funds. But a 20% increase in a borrower's monthly payment might well cause foreclosure.

Let's contrast those numbers to the Great Western mortgage—and when I say Great Western mortgage, it is the basic instrument used by many other major lenders, particularly here in California. Our interest rate, which is tied to the cost-of-funds index (which we will discuss in Misconception No. 4 in a moment), can change once a month, and it can change 5 percentage points over the life of the mortgage. Monthly payments, however, change only once a year and, at the borrower's election, the payment change can be limited to 7½%. How did we pick 7½% for a payment change? At the time we created the Great Western ARM, we were in double digit inflation. We said, "If the inflation rate is 10%, let's back off 25% from the rate of inflation to a 7½% change in monthly payment, so that this has a high degree of likelihood of being within our borrower's annual change in income." Indeed, we are currently considering an ARM with a lower annual payment cap, because the rate of inflation is lower. This reflects our philosophy that, in the deregulated world, the lender must cover unexpected changes in his cost of funds—which may be dramatic—but the borrower cannot afford surprises in his or her monthly payment. So any payment changes must be clearly within one's ability to pay. It makes sense. Our borrowers understand and accept it, and I will be most distressed if members of the academic and regulatory communities (who perhaps have never made a mortgage loan) are successful in significantly altering the terms of what I consider to be the most sensible quid-pro-quo between borrower and lender yet developed.

Misconception No. 3: Adjustable mortgage loans, with their specter of future payment shock, represent serious actual and potential delinquency problems. We went through this dialogue with a number of consumer advocates in the 1970's about the variable rate mortgage, conjuring up hypothetical situations in which mass foreclosures would result from the rate increases in the VRM. The worst case scenarios, by the way, generally did not contemplate a 20%-plus bank prime rate. So what happened? We had the 20%-plus bank prime rate and we didn't have serious foreclosure problems with the variable rate mortgage.

Notwithstanding that experience, we hear the doomsayers predicting mass delinquency and foreclosures with the ARM. What are the facts? While our experience is limited to only three years and $8 billion in adjustable rate mortgages at Great Western, we have excellent collection and delinquency experience. Indeed, the ARM segment of our portfolio has a delinquency rate of ¼ of 1%—the lowest of any segment of our loan portfolio. What part of our portfolio has the highest delinquency ratio? That is the loan that was most commonly used after deregulation and just before the ARM was introduced. That is, the fixed-rate loan with a 30-year amortization schedule, all due and payable in 7, 5, or even 3 years.

I said that people are concerned about payment shock in the ARM. I also said that we have a 7½% limit on the monthly payment change in the Great Western mortgage. (Our loan, by the way, provides for no change greater than 7½% for the first 10 years of the loan.) There is no payment shock possible with the Great Western ARM. Let me tell you what payment shock is. That is a fixed-rate loan with a 30-year amortization schedule all due and payable at the end of 5 years, with no assurance of refinance in an uncertain interest rate environment. That, my friends, represents real payment shock! And, if you think about it, if the ARM is reduced or eliminated, that will be the only type of mortgage written by portfolio lenders. I think we have learned that making fixed-rate loans with a 30-year amortization schedule that really lasts 30 years is called "bet the company." We know, by the way, of some who have made that "bet the company" gamble in recent years and lost the bet.

Misconception No. 4: There are many acceptable indices for the ARM but, clearly, the least acceptable is a cost-of-funds index. I have been fighting this particular nonsense since the late 1960's and through the '70's. And we are still fighting it today—even though there are clearly more variable and adjustable mortgages written tied to a cost-of-funds index than all other indices combined.

Let me tell you why I think it is good. What a lender is trying to do with an adjustable mortgage is develop and maintain a reasonable spread between the price of his finished product and the cost of his raw materials. The difference with a mortgage loan is that, when we invest a group of dollars at a certain raw material cost in 1984, we must be prepared to leave those dollars invested in a mortgage until well past the year 2000—knowing that the cost of those dollars will be variable on almost a daily basis. We need to vary the yield on the mortgage loan in which we invest those funds. What more sensible index to choose than the cost-of-funds over the entire life of this contractual arrangement?

I worry about tying my adjustable mortgages to an index which may have an historical correlation to my cost of funds, but which may operate differently in the future. I would hate to tie my adjustable mortgages to an index that is declining when my cost of funds is rising. Of course, that could never happen. We could never have a time when T-bill rates, for instance, are going down significantly when my cost of funds is rising. Or, maybe we could. Maybe, in fact, that is just what is happening now.

We found another practical reason why the cost-of-funds index works at Great Western, based on several years of experience with borrowers. In the past, when we have raised rates on VRMs and ARMs, and people called our Loan Service Department to inquire about the increase, the dialogue went something like this: "Why did you raise my mortgage rate?" The answer is simple, "Because our cost of money went up." People may not like this, but they understand it, because it is logical. If our Loan Service people had to say something like, "because the Moody's composite bond index went up," I suspect the conversations would be considerably longer and more difficult, and we would need a much larger Loan Service staff. Yet, after all these years, I still see the cost-of-funds index maligned. We haven't been shaken from our commitment to this index before, and we certainly won't be this time around.

Misconception No. 5: The adjustable rate mortgage won't work in a secondary market, particularly one tied to a cost-of-funds index. Here an examination of the statistics might indicate that the doom-sayers are, indeed, correct. Very few California mortgages tied to a monthly change in a cost-of-funds index are being sold in the secondary market. However, one must ask, is that the buyer's fault or the seller's fault? As a potential seller of ARMs, I can tell you that we are reluctant to sell them. Once we put an ARM in our portfolio with an acceptable spread over the cost-of-funds index, we are reluctant to get rid of it. I can tell you this, however. Sam Lyons, who runs our mortgage banking activities, tells me that the loan in greatest demand today in the private secondary market is the ARM tied to a monthly cost-of-funds index. Lots of demand in the marketplace, but very little supply. I guess for the same reason I want to make them, people want to buy them.

I will leave the rest of the misconceptions about the ARM for other speakers at this conference, and I'm sure we'll hear some.

I do appreciate the opportunity to share my views with you. I think it is particularly appropriate that this conference features a full discussion of what I consider to be a most important subject—not only as it relates to the health of our industry, but the viability of housing in the United States.

Thank you very much.●

BALTIMORE GAS & ELECTRIC CO. COMMENDED

HON. MARJORIE S. HOLT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mrs. HOLT. Mr. Speaker, for more than a decade, a nuclear powerplant has been in operation on the shores of the Chesapeake Bay in Maryland. The Baltimore Gas & Electric Co. deserves commendation for the virtually trouble-free performance of this facility and I was pleased to note that the Capital, the daily newspaper published in Annapolis, has taken the chance to extend congratulations to the management of this public utility which has quietly and efficiently become part of Maryland's mode of pleasant living. I am glad to insert the following editorial in the CONGRESSIONAL RECORD at this time.

BG&E DID WELL AT CALVERT CLIFFS

Other than being a professional punching bag, there are few tougher positions to handle than being a local utility. Baltimore Gas & Electric Co. certainly takes its share of knocks, generally with good will and a kind of patient tolerance.

Apropos of absolutely nothing, we would simply like to take a few words to note that BG&E has successfully completed and run for 10 years a nuclear power plant at Calvert Cliffs.

The plant has not damaged the Chesapeake Bay, it has not affected the environment, it supplies a large proportion of the state's power and it was completed at a rational cost on a rational schedule.

Considering what has happened to other utilities all over the country it seems to us that BG&E deserves a pat on the back for some foresight, for competent management and for doing something right that a lot of people couldn't do right.

George McGowan is the company's president and Bernie Trueschler is the current chairman. Thanks, fellows. A nuclear power plant on the Chesapeake Bay that causes no trouble, works well and didn't bankrupt anybody many not sound like much of an achievement to some. We think it deserves recognition.●

BLACK HISTORY MONTH

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. GILMAN. Mr. Speaker, most of us are aware that the President has proclaimed February 1985 as "Black History Month," to call to the attention of all Americans the crucial and vital role played by black Americans in the formation of our national character.

The concept of "Black History Month" is one which all of us in Congress can embrace, for too few Americans are aware of the manner in which every aspect of our lives have been affected by the contributions of outstanding black men and women.

The first blood shed in the long struggle for American independence was shed by the leader of the group that precipitated the "Boston Massacre," a black man named Crispus Attucks.

The first electric streetlights in a metropolitan area, New York City, were installed under the supervision of a black man, Lewis H. Latimer, assistant and associate of Thomas A. Edison.

The U.S. flag was first placed at the North Pole by a black explorer, Matthew A. Henson.

The nurse who founded the Underground Railroad and who did so much to raise money for the Union cause during the Civil War was a black woman, Harriet Tubman.

The second American woman poet to have her works published was a black woman who lived in colonial times, Phillis Wheatley.

The first Secretary of Housing and Urban Development was a black man, Dr. Robert C. Weaver.

In addition, blacks such as Jesse Owens and Jackie Robinson in the field of sport, Sidney Poitier and Harry Belafonte in the field of entertainment, and Dr. Ralph Bunche in the field of diplomacy, did much to break down long-outdated racial barriers and to provide role models for young people of all races and creeds to emulate.

Mr. Speaker, the President has asked that, during the 59th annual "Black History Month," we especially reflect on this year's theme, "The Afro-American Family: Historical Strengths for the New Century."

I am asking that the President's proclamation of "Black History Month" be read into the RECORD at this point, and urge all of our colleagues to join with me in calling to the attention of all Americans the significant contributions made by blacks to the American experience:

THE WHITE HOUSE,
Washington, DC.

NATIONAL AFRO-AMERICAN (BLACK) HISTORY MONTH FEBRUARY 1985

On February 1st we begin the Fifty-Ninth Annual Black History Month, a national celebration of the role of Black Americans in all segments of life in this nation and of Black culture around the globe.

This year's Black History Month theme, "The Afro-American Family: Historical Strengths for the New Century" reflects my belief that if families are strengthened, other social ills will be lessened. It is in the home that we learn respect for authority, the importance of protecting the weak, a sense of honor, and justice.

If families are the building blocks of society—then society has a great stake in sound families. That is why black families throughout this great nation can be a powerful, organizing theme for America's social policies.

It is a very special privilege for me to call on the people of the United States to join in this important time of exploring, learning, appreciating, and saluting all that Black Americans have done to help build our country.

RONALD REAGAN.●

REMEMBERING FRED WILSON

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. ADDABBO. Mr. Speaker, I would like to call attention to the passing of a very special man in my community of Queens: Mr. Wilfred Wilson. Known to all of us as Fred, he devoted over 30 years of his life to building a better life for his family and neighbors in Rochdale Village. In the eyes of the community, Fred represented all that was good about leadership. He was concerned for the people, he wanted better education, better housing and jobs for all. Fred worked hard to ensure that concrete foundations were in place so that future generations of our community would enjoy these advantages. He took pride in leaving a legacy, his beloved cousin and the present district leader, Juanita Watkins. For her presence meant that his hard work will continue for years to come.

I would like to include now for the RECORD, Fred Wilson's obituary as written by his family.

OBITUARY

Wilfred Wilson born in Harlem on November 30, 1929, to Siefert and Winifred Wilson.

Early in his life, his family moved to 231 West 116th Street, New York City, where he spent his childhood and early adulthood.

Fred attended P.S. 10, Cooper J.H.S., Commerce H.S. and the City University of New York. During the years, Fred was a faithful and active member of All Souls Church and served as an altar boy.

Fred enlisted in the U.S. Army serving for over three years, rising to the rank of Corporal and was honorably discharged in August of 1953. He worked for the N.Y. Herald Tribune, and rose in the ranks, eventually becoming Production Supervisor. He stayed with the Tribune for 22 years until the paper folded.

Fred was united in marriage to Currin Jones, September 11, 1955. To this union was born, two beautiful children: Cheryl Renee and Eric Jay. Shortly after the family relocated at Rochdale Village. He became involved in the leadership of the community. Fred was on the Board of Directors of Rochdale Village, Inc., President of Rochdale Village Black Society, member of the Council of Black Elected Democrats, member of the PTA, the Concerned Cooperators, etc. He belonged to the Pride of Jamaica Lodge 217.

Not only did he participate actively in the electoral process but he spent many a day and night helping his dear cousin Juanita Watkins get elected as District Leader.

Respect grew in the eyes of his friends, neighbors, fellow workers and politicians to the point that in 1972 Fred became District Leader in his own right. From there he moved onward and upward remaining District Leader for 12 years. He had an organization that truly could be said to represent the rainbow coalition.

Early friendships included: former Secretary of State, Basil Paterson; former Manhattan Borough President, Percy Sutton; Councilman Archie Spigner; Assemblywoman Geraldine Daniels; Queens Democratic County Chairwoman, cousin and confidante, Juanita Watkins; City Clerk, David Dinkins and the Honorable Donald Manes.

People from near and far, upstate and downstate in Washington and New York respected and sought out his wisdom and knowledge. He was able to span the gap between races, religious and sexes. He was a real human being.

As Fred prospered in his career, he became Deputy City Clerk in charge of the Queens Marriage Bureau and second in command to City Clerk David Dinkins.

During the late hours of his life in the hospital, Fred was ministered to by Rev. Floyd Flake, Father William Galer and the Rev. Roderick R. Caesar, Jr., Pastor of the Bethel Gospel Tabernacle. He was very receptive, Psalms 32:5 is the final end: "I ac-

knowledged my sin unto thee, and mine iniquity have I not hid. I said, I will confess my transgressions unto the Lord; and thou forgavest the iniquity of my sin." God is Good.

Fred was blessed with a beautiful grandson, Paul Montgomery—"he was the light in Fred's eyes and the hope that springs eternal."

Wilfred Wilson, dearly known as "Fred" is survived by his wife; his two children; son-in-law; his grandson and beloved father; a host of relatives and friends.

No one will ever forget this man nor can anyone ever fill his shoes. He left an indelible mark on all of us which is to be treasured and remembered with the fondest memories.

May he rest in peace forever. We will never forget his everlasting contributions to our community. To his wife, his children, son-in-law, his grandson, and father and friends and relatives. I would like to say that I am enriched by knowing him and shall never forget our work together.●

SOLAR ENERGY RESEARCH INSTITUTE

HON. DAN SCHAEFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. SCHAEFER. Mr. Speaker, as the Representative of Colorado's Sixth Congressional District, I am proud to include the Solar Energy Research Institute among my constituency.

SERI is the Federal Government's lead laboratory for solar energy research and the preeminent center of excellence for worldwide solar research.

The caliber of research at SERI has attracted some of the finest solar scientists in the world to the foothills of the Rocky Mountains.

At a time when we still depend too heavily on foreign imports to satisfy our energy needs, it is reassuring to know that there are individuals dedicated to the task of developing alternative sources of energy so that our country may be assured of a balanced and mixed energy supply.

I recommend to you an article detailing SERI's mission and some of its accomplishments.

SOLAR ENERGY RESEARCH INSTITUTE

The Solar Energy Research Institute (SERI) was established by Public Law 93-473, the Solar Energy Research, Development and Demonstration Act of 1974, as the national center for federally sponsored solar energy research and development. The Institute began operations in July 1977 and is a government-owned, contractor-operated federal laboratory for the Department of Energy (DOE). SERI is managed for DOE by the Midwest Research Institute (MRI), of Kansas City, Missouri, a not-for-profit laboratory that conducts research in physical, biological, engineering and related social sciences for a wide range of industrial and governmental clients.

SERI's mission as approved by the Department of Energy in April 1982 is: To be the Nation's primary federal laboratory for solar energy research and to perform functions assigned by the Department of Energy in research, development, and testing. SERI carries out its mission by conducting and coordinating solar research and technology development which private industry cannot reasonably be expected to undertake. This work advances scientific understanding and establishes a sound technological base, enabling the private sector to make well-informed choices among technology options.

The Institute has sharpened and focused the range and scope of its activities at several points in its lifespan to accurately reflect an appropriate federal solar research and development role. SERI works closely with DOE's Office of Conservation and Renewable Energy in targeting its efforts on development of those renewable-technology areas judged to have the highest potential for significant contribution toward meeting the Nation's energy requirement over the long term.

SERI's activities complement and support the solar energy research activities and roles of other federal laboratories, universities, and industry. The Institute is working to strengthen its interactions with these organizations to ensure that solar energy is competitive in the world energy marketplace and then made available through private industry for the benefit of consumers.

Research activities at SERI are carried out under the guidance of three major research divisions and a research support division: Solar Electric Conversion Research, Solar Fuels Research, Solar Heat Research, and Research Support. Activities within these divisions support ten solar DOE program areas: photovoltaic energy, wind energy, alcohol fuels, biomass research, solar energy storage, solar thermal energy, active heating and cooling, passive heating and cooling, building energy research and development, ocean energy and solar technical information.

An additional program thrust in Basic Energy Sciences, in support of the DOE Office of Energy Research, is integrated into the appropriate area of each of the Institute's three research divisions.

PHOTOVOLTAICS

Perhaps the most exciting advances in solar energy research have occurred in the field of photovoltaics. The most used and most technically developed solar cells are single-crystal silicon types. However, the high cost of present photovoltaic systems has generally limited terrestrial applications to small-scale, remote operations. Photovoltaic arrays can be purchased for about $8-10 a watt, about six times the cost of conventional systems. At SERI, the goal is to perform research with the potential of reducing the cost of solar cells to less than $1.00 per watt. This reduction would make photovoltaics competitive with more conventional sources of electricity. There are perhaps 10,000 installations around the world powered by photovoltaic cells, most of them in remote areas.

Various alternatives to the single-crystal silicon cell are being explored at SERI. Some researchers are concentrating on producing silicon in a more cost-effective way; some are working to improve the performance of innovative cell concepts; and others are seeking new materials or processes to bring cost down still further.

The greatest potential may be in the area of polycrystalline thin-film solar cells, which offer material conservation, simplified film-growth techniques, and use of inexpensive substrates. A thin-film cell of copper indium diselenide developed at the Boeing Aerospace Company under subcontract to SERI has achieved an efficiency of more than 11 percent and recently was recognized by Industrial Research Magazine as one of the 100 most significant technological advances of the past year. As proof of SERI's success in technology transfer, Boeing has formed a joint venture with another private company to fabricate thin-film solar cell modules for commercial markets.

Another area with great potential is the amorphous silicon research project managed by SERI. Amorphous silicon can absorb 90 percent of usable solar energy in only a micron thickness. It can also be produced at lower temperatures, and deposited on low-cost substrates. Economic studies indicate that amorphous silicon modules could be cost-effective for residential applications at efficiencies of eight percent. During the past year, Chronar Corporation, under subcontract to SERI, achieved 6 percent efficiency for an amorphous silicon, thin-film module with an active area of 107 square centimeters.

WIND ENERGY

Wind Energy is an abundant renewable source of clean mechanical and electrical power. In the early 1970's, the nation's increasing dependence on imported fossil fuels led to renewed investigations of the feasibility of converting wind into useful energy. Wind has the potential to be one of the first renewable energy options capable of producing significant amounts of electric power at reasonable cost. This potential is underscored by the increasing number of wind machine manufacturers, as well as the rapidly increasing utility interest in wind energy.

In late 1984, SERI's wind energy program merged with the Department of Energy's Small Wind Energy Conversion System program and facility at Rocky Flats south of Boulder, Colorado. The combined group, known as the DOE Wind Energy Research Center, is part of the SERI organization. Its mission includes research and testing of a wide variety of machine sizes with the objective of making them more efficient and affordable as a source of clean electric power.

SOLAR FUELS AND CHEMICALS

In the United States, about 24 percent of our energy is consumed in the form of transportation fuels. Alcohol fuels can be substituted for petroleum, and alcohol can be made from biomass. Cost-effective processes to produce such fuels and the high-efficiency systems to use them could make renewable fuels a supplemental option not only in the United States but throughout the world. Methanol and ethanol are octane-rich, can be easily mixed with gasoline, and can be used in existing internal-combustion engines.

SERI's work with methanol engines centers on running a vehicle to demonstrate the advantages possible by dissociating methanol prior to combustion. Researchers have modified a standard American car to convert liquid methanol from the fuel tank to hydrogen gas at the engine. Road and dynamometer tests have revealed enhanced fuel economy and significantly lower exhaust emissions.

Agricultural residues—the inedible, unharvested portions of food crops—along with

the wastes from the pulp and paper industry, and other forest products industries, are a potential biomass source. However, until recently, these resources have been largely ignored. A SERI-invented gasifier may help put them to use as ingredients in the manufacture of methanol. The oxygen high-pressure gasifier converts biomass such as agricultural wastes, wood, or municipal wastes into synthesis gas for the manufacture of methanol or ammonia. It is the first gasifier designed especially for methanol production from biomass. A private firm in the United States has announced plans to market scaled-up versions of this design capable of converting 100 tons of wood a day to methanol for less than conventional costs and at substantially improved efficiencies.

SERI also performs research in basic photoelectrochemistry, artificial photosynthesis, and photobiology. This research is expected to pay off in the form of the direct conversion of sunlight by chemical and biological systems into stable high energy chemicals suitable for use as transportable, storable fuels.

SOLAR THERMAL CONVERSION

Thermal energy is one of the most versatile forms of energy. It can be used to heat buildings and to process products in industry. Heat energy can also be converted into chemical or electrical energy.

The high initial cost of solar systems generally has limited widescale application of all solar thermal systems. Early system development has led to system costs of about $6000–$8000 per kilowatt which is about four times the cost of conventional systems. SERI's solar thermal research goal is to significantly reduce the cost of solar-derived thermal energy so that private industry will proceed with research, development and implementation of solar thermal technology.

Various approaches are being pursued. One of the most promising areas is heliostats and concentrators, since they represent about half of the system costs. Research in stretched membrane concepts and materials development such as silver polymer films for reflectors offers the potential for significant cost reduction.

The greatest potential may be in fully utilizing the unique and beneficial aspects of the solar spectrum. SERI researchers are exploring ways to effectively utilize the shorter wavelength portion of the solar spectrum for direct conversion to fuels and chemicals while using the rest of the energy as heat. Other research is seeking new processes and materials which are beneficially affected by high concentrated solar flux.

OCEAN ENERGY

The ocean has the potential to deliver significant amounts of electrical energy or energy-intensive products to reduce the nation's dependence of nonrenewable energy through the indirect conversion of the solar energy incident on its surface. Temperature differentials of approximately 20°C exist between the surface and 1000-meter depth. These thermal gradients can be used to produce energy. A working fluid such as amonia or sea water is cycled through a mechanical system that exposes it in sequence to warm and then cold water. The warm surface waters vaporize the fluid which is pressurized and expanded through a turbine to produce electricity.

SERI is the federal government's lead laboratory for R&D in advanced ocean energy conversion systems, heat and mass transfer research, and management of the open-cycle Ocean Thermal Energy Conversion (OTEC) research program. Open-cycle OTEC is an advanced ocean energy technology with potential for high payoff, since it eliminates or reduces the requirements for heat exchangers—the source of significant costs and reliability concerns in potential hardware. Fresh water can be produced as a byproduct of electricity generation in open cycle, which uses sea water as the working fluid, and thus can produce additional revenue for operating plants.

A major SERI accomplishment has been the testing and evaluation of a vertical spout evaporator concept that is more than 70 times more effective than a conventional tube and shell heat exchanger in producing steam for an open-cycle OTEC system. This development also was recognized in 1984 by Industrial Research Magazine as one of the 100 most significant technological advances of the year.

TECHNOLOGY TRANSFER

As its research progresses, the Institute, through a variety of activities, makes the resulting scientific and technical knowledge available to industry, state and local governments, and appropriate private sector audiences. These ongoing efforts are collectively referred to as "technology transfer" and are an important part of all research undertaken at the Institute.

SERI emphasizes personal interactions as the most effective strategy for fostering the diffusion of new technology; these include collaborative research with universities and industry, hosting of guest researchers, presentation of professional papers, and participation in scientific and technical colloquia. Other important technology transfer media are technical publications—reports, papers, books, newsletters—and R&D subcontracts. These activities are dispersed throughout the Institute and form a strong base from which technology transfer can occur.

SERI has assembled the largest group of professionals in the world to work on solar energy-related projects. Included in this diversified staff are scientists, engineers, architects, computer specialists, lawyers, and communicators. Selected from backgrounds in industry, academics, and other government agencies, this staff of approximately 500 people provides a coordinated team approach to the challenging, multifaceted problems of solar energy research and development.●

ARMS CONTROL AMNESIA

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. LAGOMARSINO. Mr. Speaker, with the recent return to the negotiating tables in Geneva by the United States and the Soviet Union, cries from all quarters are raised in support of this arms control proposal or that negotiating position. It must be kept in mind, however, that the purpose of these negotiations is to enhance U.S. and hence international security through an effective and verifiable agreement which leads to lower levels of arms on both sides.

Under Secretary of Defense for Policy, Dr. Fred Ikle, has commented in various committees here in the Congress on the impact of the return of strategic defense to the forefront of discussions on U.S. nuclear strategy. His experience and expertise in this field are well-known, and I highly recommend the following commentary on "arms control amnesia" to my colleagues:

[From the Journal of Social, Political and Economic Studies, Summer, 1984]

ARMS CONTROL AMNESIA

(By Fred Ikle)

EDITOR'S INTRODUCTION

In a nationwide television address that startled the nation on March 23, 1983, President Reagan said in part:

"Let me share with you a vision of the future which offers hope. It is that we embark on a program to counter the awesome Soviet missile threat with measures that are defensive . . . What if free people could live secure in the knowledge that their security did not rest upon the threat of instant U.S. retaliation to deter a Soviet attack; that we could intercept and destroy strategic ballistic missiles before they reached our own soil or that of our allies? . . .

"Would it not be better to save lives than to avenge them? . . .

"My fellow Americans, tonight we are launching an effort which holds the promise of changing the course of human history. There will be risks, and results take time. But with your support I believe we can do it."

Response to this address from the American public was powerful—and more positive, according to the White House, than to any previous Reagan speech. After 15 or more years of deepseated and intensifying apprehension about the Soviet Union's huge buildup of nuclear weapons, many Americans had come to the alarming realization only in very recent months that they and their families have literally no defense against Soviet missiles once they are launched. Increasingly desperate to escape from this nuclear dilemma, they welcomed and heartily encouraged President Reagan's announced determination to mount an effective defense. Following are the remarks of Dr. Fred Ikle, U.S. Undersecretary of Defense for Policy, delivered at a Washington banquet commemorating President Reagan's so-called "star wars" address.

A year ago today, President Reagan launched a renaissance in American thought on preserving peace in the nuclear age.

For far too long, some high priests of nuclear strategy have preached the policy of "mutual assured destruction." This "MAD" policy, which was crystallized in the Anti-Ballistic Missile Treaty of 1972, derives from the theory that, if both the United States and the USSR leave themselves and their civilian populations entirely undefended, neither will launch an attack on the other for fear of devastating retribution. Until recently, the advocates and authors of MAD have convinced themselves and other policymakers that MAD remains the most effective deterrence available, even though the Soviet arms buildup has been massive in recent years. This ideology, however, holds several false dogmas.

One of these dogmas has it that President Reagan's initiative on ballistic missile defense would overturn the principles of deterrence that have worked throughout the

nuclear era. Not true. The ideologues must have amnesia.

For the first five years of the nuclear era we had a nuclear monopoly; we did not have mutual deterrence through a threat of mutual destruction.

For the next ten years of the nuclear era, we maintained extensive defenses to protect North America from Soviet attack. Again, we had not adopted a policy of mutual assured destruction, yet we had safe deterrence.

Only since the mid-1960s have the ideologues tried to make a virtue out of misery, arguing since the United States was becoming vulnerable to a Soviet missile attack, this was a good thing: assured destruction of the United States in the event of Soviet attack was said to be "stabilizing."

Another dogma of the ideologues who are opposed to missile defenses is that such defenses would hurt our alliances. Yet the President has made it clear that our allies will not be left out by his initiative. Why would it help the American guarantee to the alliance if the United States remained totally vulnerable to Soviet missile attack?

The third dogma of these ideologues is that missile defense will delay arms control. This is another manifestation of amnesia; The basic promise of fifteen years ago, which led to the treaty banning missile defenses, has been disproved. The premise was that such defense would permit us to curb the growth of offensive arms. But after the ABM treaty was signed, the Soviet offensive build-up continued its exuberant pace.

In the nearly 15 years since the negotiations on the ABM treaty began, the Soviets have added some 7900 medium and long-range nuclear missile warheads to their arsenal—an increase of 515 percent. This is arms control? Since the SALT II agreement was signed in 1979, some 3850 Soviet warheads were added, a growth of almost 65 percent. What is so valuable about this so-called "arms control process" that must be preserved by making the ABM treaty forever untouchable?

The inconsistency of our ideologues is nowhere more apparent than in their position on other arms control issues. They applaud the Biological Weapons Convention, for example, because it prohibits *offensive* use of biological agents. Defenses are clearly permitted. (All of us are against offensive biological weapons, except, apparently, some of the Soviet military.) Second, these ideologues oppose *offensive* chemical weapons, while supporting *defensive* chemical warfare equipment. But third, they turn their own rules upside down for nuclear arms by arguing that, here, defenses are bad.

A curious aspect of the ideology against missile defenses is the notion that outer space must be reserved for offensive missiles, so that they can travel without obstruction to create holocaust on earth. The ideology demands a sanctuary in outer space that excludes any protection for the cities we live in, but offers a free ride for the missiles that could destroy our cities.

Fortunately, while the ideologies are confused, the American people are not. They are more pragmatic (*see Editor's Note below*). Yet, there are some members of Congress who want to preserve outer space as a freeway for Soviet missiles to fly through and hit American cities, without obstacle and opposition. I believe the voters will find a way to explain to these members of Congress that most of their constituents do live in these cities—only a few voters live in outer space. I believe five hundred thirty-five members of Congress represent constituents who want to have defense and protection on earth rather than to preserve outer space as a freeway for missile attacks.

The President's speech a year ago has removed doctrinal blinders that have hemmed in American strategic thinking. The President has toppled an ideology that has become increasingly contrary to fact and common sense.

The renaissance in our thought that President Reagan has ushered in provides new opportunities to overcome the deadly interlock of hostile missile forces; it opens new, more creative approaches to arms control; it opens the doors to escape from the constant threat of mutual genocide.

There is evidence to suggest that over time the Soviet Union will become receptive to such a new approach that will provide an escape from the deadly nuclear confrontation with its ever present doomsday threat. You can be sure that the people of the Soviet Union also wish to escape from the present nightmare of huge and unimpeded missile forces, constantly poised for mass destruction.

As the President explained, the task is formidable. And we in the Defense Department are well aware of the enormous technical challenge and the many complexities.

But I am confident that we can count on the good sense of the American people to reject the permanent nightmare, and to support President Reagan's vision for a better future.

EDITOR'S NOTE

A nationwide professional sampling of public opinion, done by the well-known firm of Penn & Schoen for the Committee on the Present Danger and released in April, 1984, found that most Americans view the nuclear freeze as "a way to reduce the expense of nuclear arms" rather than as a measure that would reduce the threat of nuclear war. Most Americans in large majority also favor development of space-based defensive weaponry, with or without a nuclear freeze.

Among the poll's findings are these:

While 64% favor the concept of a nuclear freeze, 63% oppose a unilateral freeze, believing it would threaten U.S. security.

63% believe the Soviets are using the nuclear freeze issue "to try to gain a permanent advantage over the United States."

By a greater than five-to-one margin, Americans believe that the Soviet Union is violating existing nuclear arms control agreements.

Three out of four Americans support the development of space-based "defensive weapons."●

TAX SIMPLIFICATION

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. JACOBS. Mr. Speaker, in the interest of tax simplification, I insert the following essay written by Heather Taylor of Indianapolis:

TAXES

Taxes are the little bills your Mom and Dad get in the mail. They also hate them. Dosen't everybody? The reason why you have to pay taxes is because teachers and other workers need money. Taxes are also for paying for the stuff that you use to build buildings. Taxes help the city buy new things for you and others. You could get thrown in jail if you didn't pay your taxes. Most of the time people say that they are fed up with taxes and they won't pay them, but most of the time they end up paying them. Just be glad you aren't a grown-up. Especially if you only got 60 cents for an allowance like me. In one way you should like taxes—like they help your city get new things for you and your friends and in another way you should hate them. Bye-Bye money.●

LET'S KEEP OUR ARKS AFLOAT

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. WHITEHURST. Mr. Speaker, during the 91st Congress I initiated legislation which ultimately became the Animal Welfare Act of 1970. Under its provisions, the Department of Agriculture was empowered to set certain minimum standards for the care and housing of animals, not only in laboratories but in other facilities as well, including zoos.

As a result of this, a number of marginal zoos were forced to close their doors, and others were required to update and improve many of their exhibits. This was a major step in the right direction.

The Animal Welfare Act could be described as the "stick." Legislation which I have introduced to establish a National Zoological Foundation is the carrot to encourage and assist zoos and aquariums across the Nation to further improve their programs and facilities. The 99th Congress number of my bill is H.R. 617.

The Foundation would be patterned after the National Science Foundation, and its Board would be composed of individuals known for distinguished service in the fields of zoo or aquarium management, wildlife conservation, education, humane work, zoological sciences, and public affairs. Its prime objective is to strengthen and improve the quality of zoos and aquariums throughout the United States and to encourage original and innovative programs to this end.

In the February 1985 Smithsonian magazine, the Secretary of the Smithsonian, Robert McC. Adams, outlined the fundamental purpose of zoos. I am pleased to share it with my colleagues at this point in the RECORD, and I would also commend to them the book "Lifeboats to Ararat," written by Sheldon Campbell of the San Diego Zoo, as well as "A Zoo In My Luggage" and other books along this line by Gerald Durrell. We need to keep our modern "Noah's Arks" afloat, and I would welcome the support of my colleagues in the passage of H.R. 617.

Thank you, Mr. Speaker.

SMITHSONIAN HORIZONS

Today, good zoos—our own included—exist to try to save for posterity the "wonderful and beautiful" species that are in danger.

I'll confess to having been initially a little uneasy about the National Zoo. Not about the enjoyment that it and all good zoos provide human spectators, but about the confinement of the animals. My own early memories of zoos are of great cats pacing endlessly in cell-like cages, or of the obsessive routines of the higher primates, whose resemblance to ourselves make observing them behind bars more painful. Granting the pleasure zoos afford to citizens of all ages, is there anything other than our own absolute dominance as a species to justify them?

There is, I am now learning. At the Smithsonian a century or so ago, taxidermists were preparing skins and skeletons for museum display on an increasing scale, but with evident lack of naturalistic accuracy. Clearly, it was necessary "to study the natural forms of living animals in order that they might impart to the prepared specimens the grace and characteristics of life." Animals were gradually brought for this purpose, numbering more than 200 by the late 1880s; the collection inevitably became a public attraction.

The spirit of conservation played a part from the outset. Public concern had been aroused over what then appeared to be the imminent extinction of the American bison, as well as other species. "It seemed to Secretary Langley," continued Frank Baker (on whose 1897 account of the first years of the zoos I have drawn), "that the Institution might do something to bring this matter clearly before the eyes of our legislators and of the public generally by exhibiting specimens of the most important animals likely to suffer extinction, placing them as nearly as possible in the conditions natural to them so that they might breed and thrive in captivity as in their native haunts."

That spirit is alive today. The new director of the National Zoo, Michael Robinson, vividly described it in a Washington Post interview as "a kind of modern Noah's Ark." Particularly as a result of the destruction of tropical habitats, of which I wrote in December, he observes that "we exist to try to save for posterity the wonderful and beautiful species that are in danger." Giant pandas provide a well-known example. Golden lion tamarins are another case in point. Not long ago these strikingly beautiful little monkeys were reduced to a handful. Now they are being successfully introduced into a new national park in Brazil as result of breeding efforts by the National Zoo and other zoos in this country.

Conditions in our particular Ark are also being made steadily more tolerable through the replacement of relatively small cages by much larger ones, as well as through clever innovations that stimulate the diversions of the natural environment. For most animals, Robinson goes on to point out, the natural environment is in any case an extremely limited and dangerous one. The myth of free-roaming animal movement just does not correspond with the real world of omnipresent predators and competitors.

Friends of the National Zoo (FONZ) has grown in a quarter-century from a group of 30 to more than 50,000 contributing members and some 600 volunteers. Even in an election year, the FONZ bumper stickers were the most numerous I saw last fall upon coming to Washington. Now I understand why.●

CONGRESS MUST CAREFULLY EXAMINE ALTERNATIVES IN CONRAIL SALE

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. FLORIO. Mr. Speaker, Secretary of Transportation Dole is expected to announce shortly her recommendation for the sale of Conrail. Congress will have to carefully examine all alternatives for the sale. What follows is an editorial from the Bergen Record discussing some of these alternatives:

HOW NOT TO SELL CONRAIL

"The Great Train Robbery": that's what The New Republic has called the Reagan administration's rush to sell Conrail, the government-owned railroad. When Mr. Reagan took office in 1981, he said he wanted to sell the railroad because it was losing money. Now he wants to sell it because it's making money. And, worse, he's offering to hold a fire sale for the benefit of private buyers.

In the nine years since Conrail was formed from the remains of seven ruined railroad corrporations, Congress has poured in $8 billion to buy out creditors, pay staggering legal fees, and modernize lines. Northeastern states, whose economies depend on the service, have foregiven the railroad hundreds of millions of dollars in property taxes. Several states, including New Jersey, have taken the money-losing commuter operations off Conrail's hands. Railroad workers have made major pay and work-rule concessions to keep their jobs. In other words, a lot of people have contributed to Conrail's present success.

Under a management that's widely regarded as the best in the business, Conrail has gone from red ink to annual profits of $500 million. It has $800 million in the bank. Wonderful, you say. Let's keep on doing more of the same. But last year the Department of Transportation sought bids from purchasers. A list of 15 hopefuls has been whittled down to three. Along the way, Transportation Secretary Elizabeth Dole ruled out another kind of buyer—a consortium of Conrail employees and public shareholders. She said that it would be easier to make a single buyer continue Conrail service.

In a remarkably shrewd series of maneuvers, the surviving bidders have managed to fix the sale price at about $1.2 billion. Given Conrail's $800-million cash reserves, the lucky bidder would be paying a net of $400 millon—less than a single year's profits. What a plum!

Fortunately, Congress has a veto over any sale agreement, and plenty of lawmakers are doing the arithmetic. Conrail states have their own congressional caucus, which watches every move. In addition, Rep. James Florio and Sen. Frank Lautenberg of New Jersey have made a special cause of getting a fair price for Conrail or calling off the sale. On Jan. 7 Mr. Florio urged Mrs. Dole to reconsider her disapproval of the public-sale option.

If Conrail must be sold, that option makes more sense than selling to any of the private bidders now in contention. The apparent front-runner is Norfolk Southern Corporation, a large, Virginia-based railroad that is now a Conrail competitior. Conrail workers and customers fear that Norfolk would consolidate the lines and drop some service.

Another bidder is the Alleghany Corporation, a holding company whose owners were part of the debacle that led to the demise of the Penn Central Company. Five Alleghany figures were on the Penn Central board that borrowed heavily to pay dividends and conceal the railroad's faltering condition from shareholders. Just before the public had to be told the truth and the bottom fell out of the market, several board members quietly dumped their Penn Central shares. These do not sound like ideal qualifications for managing Conrail.

The third bidder is a joint venture involving hotel executive J.W. Marriott Jr. and the Bass family of Fort Worth, whose takeover threats have intimidated such giants as Texaco Incorporated. To high-flying entrpreneurs like the Basses or Alleghany's Kirby family, dollars are plainly more important than promises or the public interest. They are speculators.

Mrs. Dole says a private buyer can be made to sign contracts guaranteeing to continue service and conserve railroad assets. It was just such promises that kept the pre-Conrail railroads in litigation for 10 years; speculators expect to go to court when their promises become burdensome.

The present management of railroad (hoping to stay on the job, of course) recommends a public sale of stock, estimating a net to the government of $1.4 billion. This option respects the interests of those who helped bail out Conrail. It rewards the employees for their sacrifices. It virtually ensures continued operation of the system. The price is lower than it should be, but better, at least, than the others. Conrail has prospered under public ownership. Some way should be found to keep it in public hands.●

AMENDMENT TO THE FOREIGN ASSISTANCE ACT OF 1961

HON. GLENN ENGLISH

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. ENGLISH. Mr. Speaker, I have today introduced a bill to make an exception to that part of the Foreign Assistance Act which prohibits our DEA, Customs, and Coast Guard officers from engaging in certain law enforcement activities in the Bahamas.

For 3 years the Government Operations Subcommittee which I chair has searched for ways to make our drug interdiction efforts more productive. One of the major problems we have seen is that narcotics traffickers have freely made use of the Bahamas, which lie only a few miles off the coast of Florida, to state their smuggling runs into this country.

I have seen the wreckage of smuggler aircraft strewn about clandestine Bahamian landing strips. Smuggler aircraft are routinely detected orbiting the Bahamas as they drop bales of marijuana into the sea, where waiting boats recover them. Last month an official of the Drug Enforcement Admin-

istration estimated to me that 12 smuggler boats leave the island of Bimini for the United States every day.

In response, DEA and the Air Force have been authorized to conduct an ongoing operation in support of Bahamian air interdiction efforts, called Operation BAT. We have supplied helicopters, intelligence, and expertise to support them.

Operation BAT has been effective in reducing the numbers of aircraft which stage and refuel on the remote islands, and the recent increase in air drops, where the smugglers do not actually land, is proof of that success. However, U.S. officers engaged in providing transportation and operational assistance to the Bahamians are unduly limited by the Mansfield amendment in their ability to participate, and they are wary of inadvertently exceeding their authority to assist.

But more importantly, any extension of the BAT concept to marine operations, so necessary now if we are going to capitalize on current successes, will expose our drug law enforcement officers to routine exposure to such violations. While an American helicopter pilot can try to stay removed from the arrest activity, the personnel on a boat which is making an interdiction are unable to leave the scene to the Bahamian enforcement officers.

The prohibition, commonly called the Mansfield amendment, was passed in 1975 based on a rationale of wanting to avoid any unintentional involvement in Southeast Asian affairs. We were reacting to the Vietnam experience, attempting to avoid potential embarrassment in other Southeast Asian nations. But we must accept that measures which were passed in other times, and for other reasons, can have unintended consequences today, and need to be altered.

Here are the reasons that this amendment makes sense today:

One, since original enactment, the Bahamas has emerged as the prime transit center for huge amounts of illicit drugs entering the United States.

Two, Bahamian waters and air space closely abut the territory of the United States, making timely coordination of interdiction operations extremely difficult. Drug shipments leaving the jurisdiction of the Bahamas immediately enter the territorial waters and air space of the United States, and it can be extremely difficult to determine the exact point at which that happens.

Three, the Bahamian Government is unable to mount sophisticated air or marine drug interdiction operations. By working with Bahamian enforcement officials, our DEA, Customs, and Coast Guard personnel could assist in interdicting large drug shipments before they are broken down and scattered among hundreds of boats.

Four, the administration has authorized Operation BAT, which currently employs U.S Air Force equipment and DEA intelligence and operational support, against air smugglers in the Bahamas. The BAT effort should be expanded to include marine operations.

Five, Operation BAT has had a positive effect on air smugglers, and many more drug shipments are arriving in the Bahamian for delivery to south Florida by fast boats; or are being dropped from aircraft to boats loitering in Bahamian waters.

Six, DEA has estimated that on average 8 to 12 smuggler boats per day depart the Bahamas for Florida.

Seven, while DEA agents are usually able to keep out of the way after delivering a Bahamian enforcement team by aircraft, this would be almost impossible in the marine environment, so the current law would actually operate against the best interests of this country.

Mr. Speaker, it is the responsibility of each of us to respond forcefully to the needs of our troops in this war on drugs. I hope that this bill can enjoy prompt consideration, because the relief it will bring is needed today.

H.R. —

A bill to amend the Foreign Assistance Act of 1961 to make an exception to the ban on participation of officers and employees of the United States in certain foreign arrest actions and interrogations

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 481(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(c)) is amended by inserting after "foreign country" each place it appears the following: "(except the Bahamas)".●

OVERALL PROBLEM OF TEENAGE PREGNANCY

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. GARCIA. Mr. Speaker, today, I am introducing comprehensive legislation, which if approved, would significantly reduce the incidence of teenage pregnancy. Over the past few years we have approved piecemeal legislative solutions to address the broad problem of teenage pregnancy. However, up to now, we have yet to devise a comprehensive Federal policy to address this national problem. I believe such a policy should place the highest priority on the prevention of unintended adolescent pregnancy—but must also help those young people who do become pregnant. That is why I am introducing this legislation which defines Federal policy on adolescent pregnancy.

My legislation contains many components which already address some aspects of the overall problem of teenage pregnancy, while going much further to tackle other aspects of this far reaching problem. My legislation would: Earmark 10 percent of the Secretary of Education's discretionary fund to help elementary and secondary schools develop Family Life Education Programs; reauthorize title X of the Public Health Services Act—earmarking one-third of family planning funds for services to teenagers as well as strengthening the program by adding a component of family life education for community based organizations as opposed to schools; repeal the AFDC change in the Deficit Reduction Act of 1984, that requires consideration of parental income in determining AFDC eligibility for adolescent parents who live at home; repeal the Hyde amendment which restricts Medicaid funding for abortion services and, last, provides comprehensive services to pregnant teens, teen parents, and infants to help them overcome the many problems attendant to premature parenthood, such as health problems during pregnancy and childbirth, school drop-out and welfare dependency.

As a Representative of the South Bronx, an area not unlike many other areas plagued by an extraordinary high rate of teenage pregnancy, I believe that this Congress must take bold and innovative steps to address this problem. As many of you may already know, my constituency in the Bronx is more than 90 percent minority. What's more, teenage parenthood is disproportionately, a minority (black and Hispanic) problem. Among 18 and 19 year olds, the black birthrate is almost twice the white rate; among those 15 and 17, the rate is almost three times higher. To translate rates into numbers: black girls of whom there are far fewer than whites, had almost half of the babies born to single teenagers in 1982—127,500 compared to 133,900 white births. Among Hispanic teens, the birth rate is 60 percent higher than non-Hispanic teens (82.2 births per 1,000 in 1980 compared to 51.5). Moreover, the figures for Hispanics do not reveal the enormous differences within the Hispanic population. (that is, Mexican, Cuban, and Puerto Rican).

My south Bronx congressional district is the poorest congressional distict in the country. As a result, like other similar areas, a large portion of my constituents do not have access to information and services which would be helpful in preventing pregnancies among teenagers. Moreover, once a teenager becomes pregnant, she is also hampered by limited opportunities to utilize resources which are or were available to her at one time as a result

of congressional cutbacks and restrictions. Specifically, tens from poor families are usually unaware of the availability of contraceptive educational services and are prohibited by congressional restrictions to receive federally funded abortion services. Not only are they disadvantaged before and during their unplanned pregnancies, but they are severely hampered after the child is born. Thus, the adolescent mother and infant become long-term ward of the State.

A 1979 study by the Stanford Research Institute found that the consequences of adolescent pregnancy and parenthood cost taxpayers $8.3 billion a year in health, welfare, and other benefits. My proposal will not be cheap, but it will certainly reduce public sector expenditures for the consequences of adolescent pregnancy and parenthood. I believe it is a highly cost effective measure and, even more important, it is a humane proposal which will afford the next generation a fighting chance for a quality life.

Again, I would encourage my colleagues to support this far reaching legislation. Moreover, I challenge each of you to commit yourselves to radically reducing the incidence of adolescent pregnancy. I look forward to your support.●

THE FEDERAL BUDGET DEFICIT

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Ms. KAPTUR. Mr. Speaker, as the Congress begins debate on the Federal budget for fiscal 1986, I would like to insert this article on the deficit by George F. Will from the Washington Post. It provides us with valuable insight as we make the critical decisions necessary to sustain the recovery and promote continued economic growth.

[From the Washington Post]

DEFICIT? DON'T BLAME CONGRESS

(By George F. Will)

Someone should silence naughty Norman Ornstein before he spoils the sport of Congress-bashing. He demonstrates that congressional irresponsibility has not been the primary cause of the many deficits that have produced our national debt.

In an essary for the American Enterprise Institute, he notes that the $80 million Revolutionary War debt was cut in half by 1811. The War of 1812 tripled the debt, but it was almost eliminated in the 1830s. It rose as a result of the Mexican War, but then declined until the Civil War produced a $2.6 billion national debt. That caused Congress to centralize spending, resulting in two powerful appropriations committees. In 31 years (1867-1897), there were 27 surpluses. In 13 years revenues exceeded expenditures by more than 25 percent.

The Spanish-American War, combined with the 1896 recession, initiated 20 years with 11 deficits, but in 1916 the national debt was approximately what it had been in 1896. After 127 years the republic's debt was $1.23 billion. But in 1919, modern war, the foremost shaper of the modern world, had increased the debt 20-fold, to $25.8 billion. Then Congress again tightened budget procedures, and the debt again shrank, to $16 billion by 1930.

Depression deficits were almost trivial compared to those of World War II—$211 billion. The national debt as a percentage of GNP was 33 percent on the eve of the Depression, 43 percent in 1940, 128 percent in 1946.

In 1946 Congress cut the number of committees and took other measures to restrain spending. Thanks to that and economic growth, the national debt as a percentage of GNP shrank to 98 percent by 1949, 56 percent by 1961.

But in the next quarter-century there was just one small surplus ($3.2 billion in 1969). From 1960 to 1980 the debt grew from $293 billion to $993 billion. In Reagan's first term it nearly doubled, as did the clamor against Congress and four proposed constitutional amendments (to restrain Congress).

Although Congress has been, in Ornstein's word, an "accomplice" it has been less important as a deficit-maker than presidents, from Lyndon Johnson with a guns-and-butter policy through Reagan's gamble that the stimulative effect of his tax cuts would make them virtually self-financing, eliminating the need for politically hazardous cuts in spending on middle-class programs.

Ornstein acknowledges that Congress has contributed to the deficits by the decline of its institutional tough-mindedness and the rise of "subcommittee government," which has weakened central control of spending through appropriations communities. And Congress has mastered the art of bestowing blessings by tax breaks rather than appropriations.

But Congress has reduced politically profitable discretionary domestic spending by reducing the amount (as a percentage of the budget) and the discretion (adopting formula programs). Congress indexed entitlement programs, thereby stopping the politically advantageous but fiscally irresponsible process of voting ad hoc increases every few years.

In 1982 Congress, dragging a reluctant president, attacked the deficit by raising taxes in an election year. In 1983 it attacked the deficit by initiating an energy-tax increase. In 1984 there again was something like congressional government, with another attempt to reduce the deficit by raising taxes in an election year, with an essentially passive president acquiescing.

Today there are reports that Reagan will go barnstorming to rally support for substantial cuts in middle-class programs. I, for one, will believe it when I see it from the man who, as Ornstein notes, has supported almost all the water projects President Carter tried to kill, has supported swollen farm subsidies and generous farm-loan guarantees, has supported subsidized electric power and grazing fees for his westen friends, has pledged to "not stand for" cuts in the biggest sector of big government (Social Security), and wants some new deficit-enlarging programs, such as tuition tax credits. "These," says Ornstein dryly, "are not the habits of a President who would wield the line-item veto pen mercilessly."

The proposed item veto would cover only appropriations bills, and only a small portion of spending is controlled by such bills. In the $925 billion fiscal 1985 budget, there is just $81 billion in non-defense discretionary spending. And Ornstein thinks an item veto might increase spending because presidents would use it as a club. For example, he says, in Reagan's hands the item veto could be used to threaten dams and federal buildings desired by legislators opposed to MX. We would wind up buying the dams and buildings—and the larger number of MXs.

Ornstein, you see, is doubly insufferable. He robs us of two comforts; the image of Congress as a convenient villain, and the hope that constitutional tinkering can be a panacea.●

MEDICAL COMPUTER CRIMES ACT OF 1985

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. WYDEN. Mr. Speaker, I am reintroducing, for myself, Mr. WAXMAN, Mr. SIKORSKI, Mr. LELAND, Mr. WIRTH, and Mr. SCHEUER, the Medical Computer Crimes Act of 1985, which will provide criminal and monetary penalties for unauthorized access to computerized medical records.

In 1978, there were an estimated 5,000 desk top computers in this country. Today, there are more than 5 million and by 1990, there will be more than 80 million.

With this phenomenal growth in personal computers comes the capacity to access everything from accounts in financial institutions to the classified ads. The potential damage from computer abuse, or "hacking," is enormous. And nowhere is this more true than in health care where people's lives are at stake.

I believe a real-life story of just how much of a danger computer tampering with medical records poses bears repeating.

In 1983, with just a few taps of a computer keyboard, a group of adolescents broke into the computer system at Memorial Sloan-Kettering Cancer Center in New York and jeopardized the lives of thousands of cancer patients nationwide.

These youngsters used a simple home computer to break into the radiation treatment computer at the center. As a result, they gained access to the radiation treatment records for 6,000 past and present patients and had at their fingertips the ability to control the radiation levels that every patient received.

Luckily, no one was hurt—this time.

But with the increasing number of computers and the consequent increase in the number of people who are "hackers," it's only a matter of time until someone does get hurt. Computer hacking has become a popular and organized pastime among thousands of people in this country.

Many of these people derive enormous pleasure in breaking the code and beating the odds.

But, particularly when the well-being of medical patients is involved, it's not a game. It's serious business. And it should be a crime.

There's an enormous gap in our laws in this area. Currently, there are no Federal laws, and few State laws, that specifically penalize unauthorized computer access to and tampering with medical records.

This bill would close this dangerous gap in our laws before serious harm is done.

This bill is largely unchanged from H.R. 5831, which I introduced last year and which passed the House with bipartisan support. It establishes a two-tier penalty system for people who gain unauthorized access to computerized patient files: one set of penalties for intent to obtain direct unauthorized access to medical records and one set for unauthorized access with intent to tamper.

I believe this bill will provide a very real deterrent to computer crime by fine tuning our laws and bringing them up-to-date with the level of technology in this country. It will also give patients who are harmed by computer abuse of medical records and hospitals who have their computerized records broken into some legal recourse.

And the bill would do this without requiring additional funding, and without imposing any new regulations, restrictions, or paperwork burdens on hospitals and record administrators. In developing this legislation, we consulted with the American Hospital Association, the American Medical Records Association, the Oregon Hospital Association, and the American College of Hospital Administrators.

Although this bill won't provide the full answer to unauthorized access to all computer files, it is an important first step toward establishing an effective deterrent to this destructive "game-playing."

Mr. Speaker, I urge my colleagues to support this measure and to take action before the first computer crime disaster becomes a reality. This bill sends the clear message that computer abuse of medical records will not be tolerated. And that's the bottom line.●

DON'T TAX VETERANS' DISABILITY BENEFITS

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. GONZALEZ. Mr. Speaker, I am introducing a resolution today to address what I consider to be a great injustice proposed by the Reagan administration, that being the proposal to tax veterans' disability compensation. This proposal by the Treasury Department is a slap in the face to those patriotic individuals who served our country in time of war. Veterans understand the need to cut Government spending and balance the Federal budget. They realize that these measures are necessary to ensure the economic well-being of their country. What puzzles them—and me—however, is why they, who have sacrificed so much already, should bear an inordinate share of the budget cuts.

Every day of their lives, disabled veterans must live with their injuries, incurred in the line of duty. Not only do they face additional hardships as a result of their disabilities, but they also earn less in their jobs than the average worker. The purpose of disability compensation is to help those Americans who were injured in wartime to lead normal lives. At present, disability compensation is exempt from income tax payments. On the surface, this exemption appears to be a tax break for veterans. What is rarely mentioned, however, is that the tax exemption is figured into the formula for calculating a person's benefits. In effect, the disabled veteran indirectly pays income tax on his disability compensation.

Because disability compensation is already indirectly taxed, the Reagan proposal to remove the income tax exemption would effectively tax disabled veterans, not once, but twice. If passed, the President's proposal would unfairly cut into the income of those brave Americans who defended this country. Everyone would agree that this is no way to reward veterans for their invaluable service to the United States.

Letters from veterans and their families speak for themselves. One woman from San Antonio wrote:

> Our way of life and the freedom we enjoy today are because these brave men gave their eyes, hands, arms, legs, and life so we can strive for the American dream. But what of these men now? Do we cast them aside after the conflict is over? We owe them a debt which no one can put a price on. And yet a proposal is being considered to reduce their already small benefits . . .

Another San Antonian said:

> We as disabled veterans, do not ask for handouts, but it should be understood that compensating us for service-connected disabilities is all figured in as a part of the cost of wars. We do not intend to lose our dignity and wind up selling pencils on street corners like some World War I veterans.

One gentleman wrote:

> A few months ago our President stood on the beaches of Normandy and in no uncertain terms described the obligation our Nation had to those who fought for our cherished freedom. The disabled veterans of this Nation will be dismayed if this proposal is passed.

In short, these great United States, which pride themselves on freedom, justice, and opportunity, should not dishonor those individuals who fought in foreign wars to defend these cherished values. Fiscal responsibility is essential to future economic growth and, clearly, many will have to make sacrifices to achieve this end. But the Government should not make disabled veterans a target of efforts to cut Federal spending. Therefore, I urge my colleagues to support my resolution expressing the sense of the House of Representatives that veterans' disability compensation should retain its tax exempt status.●

FAIR TRADE IN AGRICULTURE

HON. GLENN ENGLISH

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. ENGLISH. Mr. Speaker, today I am introducing the fair trade in agriculture bill to give American farmers a fighting chance to compete in today's world market.

Today's world market does not allow U.S. farmers to compete head to head with foreign producers of agricultural commodities. The United States is the only major exporting country in which the Government does not become the bargaining agent for farmers. While I am not advocating that the Government assume that responsibility—we must give U.S. farmers a fighting chance to compete.

We would not be reading stories about Cargill threatening to import Argentine wheat if the Argentine Government were not subsidizing the sale. At the same time our Government is agreeing to Argentina's request to delay interest payments on their debt to the International Monetary Fund.

During the last 4 years American farmers have lost 25 percent of their export markets. The Secretary of Agriculture would have us believe that farmers are at fault—that farm prices are too high to be competitive in world markets.

I disagree with that assessment. I do not believe that farm prices are too high. I believe that this administration needs to stop blaming farmers and start helping them compete in world markets—just as every other major exporting country does.

The legislation that I am introducing today will give the Secretary of Agriculture authority to use $1 billion of the funds of the Commodity Credit Corporation for the purpose of subsidizing the export sale of any domestic agricultural commodity. The Secretary can use this authority to reciprocate when foreign governments subsidize exports of agricultural commodities that compete in international markets with U.S.-produced commodities. The legislation will not authorize

new appropriations but earmarks existing revolving fund dollars.

Elimination of all trade barriers should be our goal. In the meantime, however, we need to provide American farmers an opportunity for fair trade in today's world markets.

A copy of the bill follows:

H.R. 999

FAIR TRADE IN AGRICULTURE

A bill to authorize the Secretary of Agriculture to use the funds of the Commodity Credit Corporation to subsidize the export sale of domestic agricultural commodities in reciprocation for subsidies paid by foreign governments to export foreign agricultural commodities, and for other purposes.

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

SECTION 1. The Secretary of Agriculture is authorized to expend $1,000,000,000 of the funds of the Commodity Credit Corporation for the purpose of subsidizing the export sale of any domestic agricultural commodity whenever the Secretary determines that it is necessary to subsidize such sale to reciprocate with respect to a foreign government that subsidizes the exportation of an agricultural commodity that competes in international markets with such domestic agricultural commodity.●

HISPANIC ENTREPRENEURIAL FEVER

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. GARCIA. Mr. Speaker, words like tireless, resourceful, and dynamic, all describe the American entrepreneur. One entrepreneur who is symbolic of the outstanding entrepreneurial fever of America is "Angie" Echevarria, president and chief stockholder of the fast-growing mattress manufacturing company headquartered in Los Angeles. He is adamant about one thing. In his vocabulary, the word "Challenge" has a special place. He dropped out of school because he wasn't challenged. And on his first job, his major challenge was to become the best performer at the task he was given. His entire life has been a sequence of responding to new challenges. Along the way he polished another basic principle; learn from your mistakes, and look for a special niche in the marketplace. Today, Mr. Echevarria's company is well on its way to becoming a national and international force in its field. The Somma mattress, half conventional mattress and half waterbed, his own invention, has become a runaway success.

Mr. Echevarria is the proverbial "rags to riches" story, as described in the January issue of Hispanic Business, in which, he was designated as one of the entrepreneurs of the year. His accomplishments stem for a fierce determination and persistence. He is truly a living model for all Americans and especially for Hispanics who, like him, have many barriers and hardships to overcome. Hispanics can learn from Mr. Echevarria: Like he says, "hang in there and give 'em a good fight."

The article follows:

[From Hispanic Business, January 1985]

SOMMA'S ECHEVARRIA SAYS LOOK FOR A NICHE

(By Luis Torres)

"Call me 'Angie.' Everybody calls me Angie, because I'm sure no angel; maybe *diablo* would be closer to it," he jokes.

His name is Angel M. Echevarria and he's a tireless, tough, blunt-talking Puerto Rican entrepreneur from the mean streets of New York City's Spanish Harlem. He started out, 35 years ago, sweeping floors in Manhattan's Lower East Side sweat shops. He is now a millionaire and president of Angel Echevarria Co. Inc., a fast growing mattress manufacturing company headquartered in Los Angeles, California.

Mr. Echevarria's enterprise, made up of three individual companies in the bedding industry, was ranked 53rd in HISPANIC BUSINESS' Top 400 Hispanic-owned Firms in the country. He's a leader in an industry in which Hispanics are usually laborers. Mr. Echevarria, who prefers to be called "Angie" by everyone, acknowledges that, as in all professions and business enterprises, there are obstacles rooted in discrimination and prejudice to overcome. "But I never felt that being Hispanic was a hindrance, I always felt that being Angie was an asset," he says. "That's the way I looked at things when I started to work in this industry as a kid, when I decided to start my own business and that's how I look at it today."

He predicts that 1985 sales of his unique line of mattresses will top the $50 million mark. In 1981, his firm's total national sales inched toward $5.7 million. In 1982 they were near the $10 million mark. 1983 sales were just below $20 million, and in 1984 they will surpass $30 million.

The main product which has provided Mr. Echevarria with his wealth and high ranking as an innovative, resourceful and persistent entrepreneur is the Somma mattress. In the bedding industry, it's known as a hybrid—half conventional mattress and half waterbed. It consists of a half dozen individual tubes or cylinders of flexible vinyl, filled with water and placed inside the chamber which would be a box spring in a conventional mattress. Mr. Echevarria says it allows the sleeper to float on a comfortable surface that gives and conforms to the body, without providing the rolling sensation of orignial-style waterbeds, beds he says which are nothing more than giant plastic bags filled with water. "You won't get seasick on a Somma," he promises.

In the past, the pitch about the Somma mattress has been aimed principally at sales representatives and retailers in the industry, but a new advertising campaign is targeted directly at consumers. It uses billboards, magazine ads and television commercials. His plan is to begin with a regional advertising strategy, testing the response, and refining the pitch. Then the campaign will go nationwide.

Just as the Somma is a hybrid, in the parlance of mattress manufacturing, streetwise, iron-willed Mr. Echevarria is something of an enterpreneurial hybrid himself. There's the suggestion of the hard-hitting boxer in his direct, no-nonsense temperament. "I've always been a fighter," he says. And as he talks about his business successes he jabs the air as if to punch an imaginary foe and punctuate his sentences.

It was a long, sometimes uphill road which Mr. Echevarria travelled from the rough streets of Manhattan's East Harlem to his current comfortable life, his several Mercedes Benzes and his hilltop mansion overlooking Los Angeles' posh Bel Air estates, which is home to movie stars and such big time professional athletes as the Los Angeles Lakers' Kareem Abdul Jabbar.

Stocky and muscular, with a hint of an emerging waistline—the result of some lavish dinners at some of L.A.'s finer restaurants, Mr. Echevarria strikes a formidable pose.

KEEP COMING BACK

"Growing up as a young Puerto Rican kid on 164th and Broadway in Spanish Harlem teaches you a few things," he says. "One of them is how to fight to protect yourself and survive. If you can make it out of there, you learn to hold you own against any type of competitior, and you learn to keep coming back after you've been beaten down by something. I've learned that applies, in some ways, in business."

In his personal and his business dealings, Mr. Echevarria is not belligerent. But he is tough. And he is persistent.

He began to make his fortune in the mid 1970s as a result of the invention, manufacture and skillful marketing of his Somma mattress. He had determined long before then that he would rise above the limitations inherent in growing up in poverty. And become a success.

As a scrappy teenager, he got his first job back in the 1950s after dropping out of Samuel Gompers High School in Manhattan. "Back in those days, and maybe to some extent it persists today, Hispanics in high school were basically told 'you're either gonna be a mechanic or a radio repairman, things like that.' The high school I went to was a kind of vocational school for Puerto Ricans, and since I wasn't challenged in school and couldn't see any future in what I was being taught, I dropped out of school."

Eager to start earning a living and contribute to the financial support of his family, he got a job in New York's garment industry. "My first job was loading bobbins on a quilting machine," he recalls. "That's how I got my first look inside the garment industry and the bedding industry." The bobbins, fist-sized spools of thread, were on machines used to sew quilts, which are eventually used to cover mattresses and box springs.

"I decided I was going to be the best bobbin loader in the business. I was. And I wanted a new challenge. I decided to move up to quilting machine operator. Now, for some workers, that's a big step and a lot of people work up to that and stay doing that. But that wasn't enough of a challenge." He decided to learn all about the internal workings of the machines. On his own time, and with the encouragement of others who evidently recognized the spark of determination in him, he learned about repairing and improving the capability of quilting machines.

He then talked his way into the company which was the main manufacturer of bedding quilting machines.

"They asked me if I wanted to go around the country repairing and improving their machines. It looked like another good chal-

lenge, and I accepted." He moved his family to the company's headquarters in the tiny town of Albert Lee, Minnesota. In 1960, he decided to pull up stakes and head for California.

"I needed another challenge, something else to accomplish. And," he laughs, "Puerto Ricans were just not born to live in all that snow."

THE REAL CHALLENGE

In California, he got a job operating a quilting machine for a mattress manufacture. Then he decided to go into business for himself. "You know, I looked around and saw all these entrepreneurs, little people prospering by running their own small companies. I thought 'that's the real challenge, going out there and being my own man."

With a small loan from a friend in the bedding industry, he bought his own quilting machine and began making quilts and other products for mattress manufacturers. By dint of hard work, including frequent round-the-clock working days, he started turning a profit.

"My first desk was an orange crate. I had a chair and a phone. That was my whole office. I knew right away that was the kind of thing I was looking for, to have the freedom to sink or swim on my own."

Financially, he began to swim quite nicely. Then, in the late 1960s came the new phenomenon: waterbeds. They became the rage of the bedding industry, and manufacturers found they couldn't make them fast enough.

Looking for a niche in this burgeoning new market, Mr. Echevarria hit on the idea of making a foam cover for water beds. It was in immediate success. He sold to dozens of manufacturers.

But after riding high on that achievement and its considerable profitability, he suffered his first major set back as a businessman. He had developed a cushion-like cover for firm mattresses which he called the Mattress Mate. It didn't sell. He suffered considerable financial loss. But his already established, and still thriving, quilting machine division helped bail him out.

THE NEED FOR PLANNING

"I learned a lot about how to market a new product from that failure. I realized you have to have a well thought-out plan to market something like that. I knew I wouldn't make the same mistake again," he says now.

He was confident about the product which would represent the "next fight" for him: the Somma, the keystone to his current success. He invented the Somma—with its individual cylinders of water to create a flotation bed—as an alternative to both the conventional inner spring mattress and the standard waterbed made of one big plastic bag.

The key to selling the Somma he says, "is to get the customer to lie down on it. Otherwise, it's just an intangible idea. Once he lies down on it, it's something tangible, and we think we've got him convinced."

He also acknowledges the need to have a proper marketing plan in place. And that has been the essential ingredient in the tremendous sales of the Somma.

Still a David in an industry of Goliaths, he decided he had two basic options. The first was to try to convince one of the big manufacturers to buy out his idea, giving him a commission on the sale of each unit. The second was to manufacture and market it on his own.

He decided to go it alone. He assembled a team of advertising and marketing veterans to help him map sales strategy. Three basic guidelines emerged. First, (with a few exceptions) the bed would not be sold in big department stores. "Department stores don't know how to sell beds. They just put them on the floor and leave them there," he says. Smaller, independent furniture stores would carry the beds, assuring individualized attention. Second, he would establish a network of warehouses throughout the country to guarantee overnight delivery of new inventory to the independent furniture stores. That way, the store would need to carry only one bed at a time, freeing showroom space. When the bed is sold, a new one is on the floor the next day because of the readily accessible inventory from a fully stocked warehouse nearby.

Third, constant communication with the independents and the representatives who serve them. It's a plan which has paid off.

With 47 warehouses placed strategically throughout the country, Mr. Echevarria's company sells Sommas in all 50 states. Six-thousand independents, nationwide, carry it. And it does a healthy business in several West European countries, as well. 1985, he says, will be the firm's biggest, most productive year by far.

ACTIVE MANAGEMENT

Mr. Echevarria is a man on the move, never anchored behind a desk. He's to be found hurrying from his administrative offices to the assembly lines of his three nearby factories. He's seen bobbing and weaving between the sewing machines and giant quilting machines to check, first hand, on production. He jokes with his workers in his rapid-fire "East Harlem" Spanish as he quizzes them about production schedules and deadlines. He boasts that he could take off his tie, roll up his shirt sleeves and run one of the complicated quilting machines better than any one of his workers, should the need arise.

"I've achieved what I set out to do," he says. "Accomplishments. That's what matters. Setting out to do something and doing it, despite whatever or whoever tries to knock you out of the ring. Now that I've reached a certain level of business success, I have more time to devote to other things in the community, to give something back."

Mr. Echevarria recently was named by Los Angeles Mayor Tom Bradley to be a member of the Department of Water and Power Commission. He cites that as an example of the increasing number of civic and community duties he's devoting his time to. He also devotes a lot of time to a Puerto Rican community organization which raises money for college scholarships for barrio youth. And he's begun, more and more, to take the time to give informal advice to Hispanic entrepreneurs getting ready to go into business for themselves.

"In general, I tell them 'make sure you've got enough capital for what you want to do in the short run. Look for a special niche where you can provide something that others aren't, and once you commit yourself, don't let anybody tell you that you can't make it, just because you're Hispanic. Hang in there and give 'em a good fight.' "●

A TRIBUTE TO SANDRA FLEISHMAN

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. WOLPE. Mr. Speaker, on Friday, February 8, Sandra Fleishman will be leaving after 5 years of outstanding service as a writer and, for the last 3 years, as editor of the Environmental and Energy Study Conference Weekly Bulletin.

I have been privileged to cochair the conference in the 98th Congress, and I want to thank Sandy for the many hours she has put in over the past 5 years to help me and many other Members of Congress get accurate, unbiased information on energy and environmental legislation before Congress.

Sandy has had the often very difficult task of trying to simplify the complex details of energy and environmental legislation; to put that legislation into a perspective that will help Members understand how it will affect their State or district; to provide balanced descriptions of the arguments for and against amendments; to analyze the political pressures moving bills in one direction or another; and to do it all in a way that is fair and useful to all of us, Democrats and Republicans in both Chambers.

Her success can be measured by the fact that in recent years EESC has been the largest legislative organization in Congress. In the 98th Congress it was 283 Members of Congress and 86 Senators.

I and the other officers and members of EESC want to thank Sandy for the outstanding job she has done and wish her every success in her future endeavors.●

SOCIAL SECURITY AND THE DEFICIT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, February 6, 1985, into the CONGRESSIONAL RECORD:

SOCIAL SECURITY AND THE DEFICIT

The relationship between social security and the federal budget deficit is one issue that has come up constantly in my recent public meetings with Hoosiers. Why, they ask, should there be talk of cutting social security to help reduce the deficit when the social security trust funds are separately financed by their own payroll taxes and are expected to start accumulating surpluses in the near future?

The explanation lies in the relationship between the social security trust funds and the "unified" federal budget. The trust funds and other off-budget programs were brought under the budget in 1969 in order to give policy makers a better idea of the overall impact of the federal government on the economy. However, this did not mean that the trust funds actually would be merged into the general fund of the Treasury and used for other purposes. It merely involved a new method of portraying or presenting the budget. The trust funds continue to operate as they always did, with payroll taxes accounted for separately and spent only on social security.

There is, however, an indirect connection between the social security trust funds and the general fund of the Treasury. If there is a surplus in the trust funds, the law says that it must be invested in interest-bearing U.S. government securities. The Treasury can use the loan as it sees fit, but if the social security system should need the money to cover its costs, the Treasury must pay it back immediately. This is the way that the system has worked since payroll taxes first were levied in 1937. The loans always have been paid back, with interest.

The reason why budget cutters are looking at social security is not that the trust funds have been merged into the deficit-ridden general fund of the Treasury. The scrutiny results from the simple fact that social security accounts are now listed in the official budget. Because of their sheer size, $258 billion in an annual budget of $931 billion, the accounts cannot escape notice when a serious effort is made to cut the deficit. Policy makers view social security as an integral part of the federal government's financing because any savings from social security would show up as overall savings, even if the social security fund is financed completely by its own tax revenues.

In recent years, older people have begun to worry that social security may be cut sharply in order to reduce the deficit. They point to the 1981 cuts in social security minimum and student benefits as evidence that there is something to be concerned about. In response, Congress passed a law requiring that social security be removed from the budget by 1993. The anticipated effect of keeping social security in the budget between now and 1993 is that for the next two years, as in most years past, the deficit will be higher. But in 1987, social security surpluses should start to accumulate due to favorable demographics, an expanding economy, and recent changes in payroll taxes and social security benefits. The surpluses will show up in the form of a smaller deficit.

Those who favor keeping social security in the budget, as I do, argue that it makes sense if one wants to assess the overall impact of the federal government on the economy. The basic reason for a unified budget is that policy makers need a general view of the extent to which the federal government consumes private investment capital. If social security, which accounts for more than one quarter of all federal expenditures, is removed from the budget, the economic impact will still occur, but it will not show up in the budget figures. The budget would lose much of its usefulness as a planning device. Another argument for a unified budget is that social security should be reviewed for inefficiency in the same manner that other federal programs are reviewed.

Those who favor removal of social security from the budget believe that benefits should not be cut for reasons totally unrelated to the social security system itself. They claim that the system should not be examined in light of fluctuating budget projections because older people make irreversible decisions about retirement based on what they think that they will receive from social security. Also, it is argued, having social security in the budget may distort policy makers' decisions. The large social security surpluses expected after 1987, for example, will make the government's overall fiscal condition seem better than it is.

It is plausible to argue that social security should be removed from the budget. Indeed, Congress may consider legislation to bring about the separation before 1993. However, we ought not to expect too much from this bookkeeping change because it simply will not insulate social security from growing pressure to reduce the deficit. Even if social security were removed from the budget, it could be used to reduce the deficit. For example, social security benefits and payroll taxes could be trimmed, and income taxes raised proportionately. The taxpayer's overall burden would be the same, but the general fund of the Treasury would have more money to apply against the deficit.

Those who want to cut back social security benefits are shifting the focus of their attack. There is more emphasis on fairness. As things stand today, retirees are entitled to benefits far exceeding their past contributions, and few are in poverty. In fact, many have larger incomes than the young workers who are paying their benefits. Critics of social security maintain that such an expensive inequity should not be continued, especially when other federal programs for the poor are being cut back. The pressures to trim future increases in social security benefits for the well-to-do will continue to build whether or not social security is removed from the budget.

While I favor a unified budget principally because I think that it is critical to measure the federal government's impact on the economy, I also believe that social security should be treated as a self-sustaining system, and that it would be wrong either to subsidize it or to sacrifice it for the sake of a balanced budget.●

RITA MORENO AND SALLY STRUTHERS ENCOURAGE STRONG FEDERAL ARTS SUPPORT

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. DOWNEY of New York. Mr. Speaker, today at a meeting of the Congressional Arts Caucus, actress Rita Moreno and Sally Struthers presented arguments in support of our Federal cultural programs. Both actresses, currently appearing at the National Theatre in "The Odd Couple," expressed dismay at the administration's proposals to cut the budgets of the National Endowments for the Arts and Humanities and urged increased support for public broadcasting.

Ms. Struthers stressed the need to recognize the priority of arts funding within our national budget. In addition, she highlighted the special concerns of individual artists, the urgent financial problems of the Folger Theatre, and the great need to increase support for public broadcasting.

Ms. Moreno, who elaborated on her colleague's concerns, prepared an eloquent written statement, which follows:

STATEMENT OF RITA MORENO

For a number of years, I served as a member of the National Endowment for the Arts and, hopeful, someday soon I will be asked to serve again. I learned first hand and quite dramatically in what awful straits is the state of our arts. A relatively small amount of money goes a long way toward producing great dividends and enriching us all.

And now these very programs are faced with financial setbacks. So I want to use these moments to plead with you people of power and influence gathered here today to do what you can to restore the monies needed for the arts. A very small percentage taken from the defense budget could salvage an entire arts program.

Nations are feared and perhaps even respected for their armed might. But you know as well as I that nations are revered not for their Napoleons, but for their Renoirs; not for their Clausewitz', but for their Mendelssohns; not for their Lord Nelsons, but for their Shelleys.

So it is imperative that we not only beat our swords into plowshares, but it becomes equally important that we beat those selfsame swords into songs and sonnets.●

THE PLIGHT OF AMERICAN FARMERS

HON. WEBB FRANKLIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. FRANKLIN. Mr. Speaker, many farmers in debt to the Farmers Home Administration are caught in a credit crisis that threatens to bankrupt thousands in the next few months. Adding to this problem are desperate farmers who are putting into production segments of farmland, which is marginal, in a futile effort to make a profit. The times have simply been so bad that these farmers are unable to meet their debt obligations. Low commodity prices, continuing high interest rates, plummeting land and machinery values, a strong dollar, and depressed exports are contributing factors. Because of this situation the Farmers Home Administration is faced with many pending foreclosures which would add thousands of acres to the FmHA inventory.

If such foreclosures take place and this land comes on the market at fire-sale prices, economic ruin will threaten entire farm communities. A drastic fall in farmland values will produce financial chaos. Farmers will lose their land, the financial shock will be heard throughout the community, the Farm-

ers Home Administration will record enormous losses on its loans and the bottom line is that the American taxpayer who provided the funds will have lost again.

On February 6, 1985, I introduced the Farm Debt Restructure and Conservation Set-Aside Act of 1985 which will help solve this problem. It will authorize the Secretary of Agriculture to acquire long-term easements—at least 50 years—for public use on marginal farmland for conservation, hunting, recreational, and wildlife purposes. These easements will be obtained from the present FmHA inventory and from delinquent FmHA borrowers who are farming marginal cropland. In exchange for turning over their land to the Government for public use, farmers will be allowed to write down their debts with the Farmers Home Administration at the appraised value. The results of this legislation would be: (1) The individual farmer would be left with his most productive land and a lower debt. This would allow many farmers to service the lower debt and stay in business as profitable producers. (2) Many marginal acres would be permanently retired and no longer subsidized by the Government. Because this land will be taken out of production it will not be producing crops and competing with land owned by privately financed farmers. (3) The land set aside would be used as wildlife habitats, forests, and game preserves with management agreements between the Secretary of Agriculture, the Director of the Fish and Wildlife Service, and individual States. Conservation practices would be established to protect this resource for future generations. (4) The public would be allowed to use the land for recreation and hunting.

All these things can happen without the flow of actual dollars. Instead of accounting for a loss the Federal Government can now record an asset in land that would be used for the benefit of all Americans. Furthermore we would contribute to the security of agriculture and give all our taxpayers something other than a loss or a foreclosure for their hard-earned tax dollars.●

DEAUTHORIZE THE DICKEY-LINCOLN SCHOOL DAM PROJECT

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Ms. SNOWE. Mr. Speaker, today I am introducing legislation to deauthorize the Dickey-Lincoln School Dam project, located on the St. John River in the State of Maine.

The Dickey-Lincoln School project has had a long and controversial history. First authorized by the Flood Control Act of 1965, this project has been rejected after a thorough review of the merits of this hydroelectric dam project. In 1981, the Dickey portion of the project was deauthorized by the Congress with the passage of legislation containing deauthorizing language I had first introduced in 1979. In addition, Congress ordered the completion of a study by the Army Corps of Engineers on the economic and environmental impact of a hydroelectric facility located at the Lincoln School Dam site. This study was completed last year and has been submitted by the Assistant Secretary of the Army to Congress. To summarize the corps' conclusion, the Lincoln School Dam project is not financially feasible.

The saga to rid Maine of the Dickey-Lincoln project has been a long and exhaustive one. At one time, Dickey-Lincoln was the most divisive issue in the State, but further documentation of the financial and environmental realities of the project led to the correct conclusion that the project does not make sense. The careful assessment of Dickey-Lincoln has not been without cost or controversy. But I believe there is no substitute for careful evaluation. Certainly, it is far easier to move a project in a forward direction than backward. The attractiveness of a public works project and the benefits of construction tend to put these proposals on a one-way path to completion. It has not been easy to overcome this kind of momentum, but the citizens of Maine have always demanded a full and fair public assessment of major projects under consideration.

Two years ago, the debate finally came to an end. The 1983 corps' report documented the suspicions held by many Maine residents: hydroelectric power generated from a finished Lincoln Dam cannot be marketed at a rate which could meet production and distribution costs. Therefore, the project clearly cannot meet a Federal prerequisite requirement of financial feasibility.

Aside from the financial realities of the Dickey-Lincoln School Dam project, the environmental and socioeconomic impact of the project has been extensively evaluated. While a great deal of time and money were spent to complete this review, I believe final deauthorization of the Dickey-Lincoln School project will represent the right choice for Maine and save American tax dollars from being unwisely spent.

I am hopeful that the final deauthorization of the Dickey-Lincoln School project can be accomplished at the earliest possible date through passage of my legislation. The time is long overdue for the discontinuation of a proposal which may have made sense 20 years ago, but after careful evaluation doesn't meet the tougher standards we now require. I urge my colleagues to support this bill.●

CARIBBEAN INFRASTRUCTURE ASSISTANCE

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. DYMALLY. Mr. Speaker, I would like to acquaint my colleagues in the U.S. House of Representatives with an unfortunate matter of waste and neglect. Since the Spanish-American War, U.S. foreign relations with the Caribbean region countries has stressed strategic concerns and national self-interest. In recent years, the Caribbean Basin Initiative has broadened America's involvement to include some regionally coordinated economic development projects. Nevertheless, the basic standard of life or infrastructure in the Caribbean remains grossly underdeveloped as well as ignored by the donor-aid nations of North America and Europe.

One of the major causes of this underdevelopment remains the lack of trained labor in the Caribbean who can respond to the many technological challenges of the 1980's. I am proposing legislation that will not create new development agencies or establish expensive development assistance projects. Instead, I propose to use an existing agency with a record of success in infrastructure improvements in the Dominican Republic and the Turks and Caicos Islands; the Peace Corps. Furthermore, I also propose to employ Peace Corps recruits throughout the Caribbean in an effort to train local personnel in water management and distribution, electrification, road and harbor rehabilitation, and other long overdue infrastructure development projects.

Technical training promises to create a new corps of skilled labor and professionals who will, in turn, offer their expertise in modernizing the Caribbean that the tourist does not see. The Caribbean-wide Peace Corps effort will symbolize the type of U.S.-Caribbean relationship that is clearly needed in this post-Grenada incursion era; a relationship based on peace and cooperation. As the 21st century nears, it is apparent that special labor skills are needed to survive. The situation in the Caribbean dramatically accents that fact.

My legislation presents a harmonious path to brighter U.S.-Caribbean relations, suggesting that the development problems of the Caribbean region can best be resolved through cooperation and peace.●

NORTH MIAMI SHOWCASE

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. LEHMAN of Florida. Mr. Speaker, for the past 6 years, Dan and Estee Breiman have been responsible for running the North Miami Showcase, an entertainment program for the elderly.

Mr. and Mrs. Breiman exemplify the spirit of voluntarism. They are not paid for their efforts, but do all of their work on behalf of the North Miami Showcase just to make people happy.

I would like to share a recent Miami Herald article discussing their fine work with my colleagues.

COUPLE KEEPS SHOWCASE GOING FOR NORTH MIAMI SENIOR CITIZENS

(By Constance Prater)

The show must go on.

And thanks to Dan and Estee Breiman, it does.

The North Miami Showcase, a monthly entertainment gala for the city's elderly, has been running nonstop for the past six years because of the Breimans.

This month's showcase, featuring singer Eddie Klein and comedian-impersonator Dory Sinclair, begains at 2 p.m. today at the North Miami Community Center, 1590 NE 123rd St.

The Breimans, both 65, volunteer their time to hire acts, design advertising fliers for the show, promote it and put it on.

"Our pleasure is being with people, making them happy. We've always done that," Estee Breiman said.

"We do it because we enjoy doing it," Breiman said. "Instead of sitting around getting old, we'd rather keep ourselves active."

In 1980, the City Council approved a $2,000 a year grant for the Breimans to sign entertainers and plan the showcase.

"We wanted to have it in different sections of the city, but somehow it didn't work that way," she said. "We couldn't get that many people to come."

They fixed the time and place for Sunday afternoons at the community center.

"It worked out beautifully," Breiman said. "We have people coming from all over now, even Miami Beach. We've established a reputation."

"They really work hard. And they get nothing for it other than the satisfaction of doing something for the community," said Virginia DiFederico, parks and recreation department assistant.

Neither has ever been an entertainer. They say they know what they know about good music from attending countless performances and banquets at hotels on Miami Beach.

"I know the acts and whose good and who isn't," she said.

Dan Breiman is a retired postman. He has been president of the National Jewish Civil Service Employees for the past seven years. His wife was a secretary for the U.S. Army Corps of Engineer before she became a housewife. Both are members of the North Dade Chamber of Commerce and several other community groups.

Past showcase acts have included singers Vivian Lloyd, Alex Redhill, Jeb Stewart and Laynee Gould and comedians Danny Tadmore, Ned Walsh and Eddie Barton.

Next month the Hollywood Pop Orchestra will perform. In March the Breimans are bringing in a puppet show.

The showcase is sponsored by the Senior Citizen Advisory Board and the Parks and Recreation Department.●

NEW YORK STATE JUDGES ADOPT RESOLUTION ON DRUGS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. RANGEL. Mr. Speaker, on January 22, 1985, the Federation of New York State Judges adopted a formal resolution criticizing the Federal Government for failing to prevent the importation of heroin into the United States. The Federation of New York State Judges is an organization formed in 1983, which now represents more than 2,000 New York State judges. The president of the organization is Presiding Justice Francis T. Murphy of the appellate division of the Supreme Court of the State of New York, first department.

The resolution calls on the President and Congress:

First, to prohibit all U.S. assistance to, and trade with, any country that permits the production and exportation of opium or its derivatives for other than medical purposes;

Second, to appropriate moneys immediately for the construction and maintenance of New York prisons in order to protect the safety of the men, women, and children of New York; and

Third, to apply themselves in New York to a radically more intensive enforcement of Federal narcotics laws.

In explaining why the resolution was adopted, Justice Murphy cited the following statistics. There are 500,000 heroin addicts in the United States. Half of these addicts live in New York State. One in every seven-five residents of New York State is a heroin addict, and 1 in every 40 of New York City's residents is a heroin addict.

Justice Murphy remarked that these 500,000 heroin addicts commit 100,000 crimes every day, and suggested that:

If the Federal Government does not immediately appropriate monies for the construction and maintenance of New York prisons, then New York should consider directing its police officers to take all arrested narcotics offenders directly to Federal Courts for arraignment and prosecution.

This resolution is significant for two reasons. First, it is a further indication that the Federal Government has failed in its duty to prevent the flow of illicit drugs into our country from abroad. Second, it is a strong statement by New York State judges who are in the frontline of our efforts to deal with the crimes drugs cause, that our State criminal justice systems must have immediate additional assistance if the situation is to improve.

I ask that the resolution and press release of the Federation of New York State Judges be inserted in the CONGRESSIONAL RECORD at this point.

The resolution and press release follow:

RESOLUTION

The federal government having long failed to prevent the criminal importation of heroin into the United States, a duty within the federal government's exclusive jurisdiction;

New York having become the nation's heroin capital in which one-quarter million heroin addicts pay for heroin by killing, robbing, stealing from, and assaulting innocent men, women, and children; and

New York's prisons having become dangerously overcrowded by inmates imprisoned for crimes involving narcotics;

Now be it resolved by the Federation of New York State Judges that;

The President and the Congress have a critical moral obligation to prohibit, excluding food and medicine, all United States assistance to and trade with any country that permits the production and exportation of opium or its illicit derivatives for other than medical purposes.

The President and the Congress have a critical moral obligation to appropriate monies immediately for the construction and maintenance of New York prisons in order to protect the safety of the men, women, and children of New York.

The President and the Congress have a critical moral obligation to protect the safety of the men, women, and children of New York by applying themselves in New York to a radically more intensive enforcement of federal narcotic laws.

PRESS RELEASE OF THE FEDERATION OF NEW YORK STATE JUDGES

Presiding Justice Francis T. Murphy of the Appellate Division of the Supreme Court of the State of New York, First Department, speaking as president of the Federation of New York State Judges,[1] announced today that the Federation, by formal resolution [2] criticizing the federal government for having long failed to prevent the importation of heroin into the United States, has called upon the President and the Congress:

(1) to prohibit all United States assistance to, and trade with, any country that permits the production and exportation of opium or its derivatives for other than medical purposes;

(2) to appropriate monies immediately for the construction and maintenance of New York prisons in order to protect the safety of the men, women and children of New York; and

(3) to apply themselves in New York to a radically more intensive enforcement of federal narcotic laws.

Presiding Justice Murphy stated:

"The time is critical for the President and Congress to tell New Yorkers what the federal government intends to do about heroin

[1] The Federation of New York State Judges, formed in 1983 is the largest judicial organization in the history of New York. Its membership, listed in the margin of this release, represents more than 2,000 New York judges.

[2] A copy of the Federation's resolution is attached to this press release.

in New York. It is the federal government that is morally accountable for the presence of heroin in New York, for that government alone has the duty and the power to prevent its importation.

"There are 500,000 heroin addicts in the United States. They commit 100,000 crimes every day. They kill, rob, and steal. Half of these addicts, 250,000 strong, live in New York State. One in every 75 residents of New York State is a heroin addict.

"In New York City, America's heroin capital, there are 190,000 heroin addicts, a heroin population greater than the total population of most American cities. *One in every 40 of New York City's residents is a heroin addict.*

"In New York State there are 17,000 narcotic abusers between the ages of 12 and 17. There are in New York State 390,000 children between the ages of 12 and 17 who regularly use drugs such as cocaine and amphetamines. In 1988, New York State will have a heroin addict population of 270,000, to say nothing of 1,500,000 abusers of drugs such as cocaine and amphetamines, a figure that excludes marijuana.

"Is it not wrong for the federal government to withhold money from New York for the building of prisons when it is the federal government that has failed in its duty to stop the flow of heroin into New York?

"Will the federal government continue to withhold money from New York until 1 in every 20 of New York City's residents is a heroin addict? Or will the federal government grant that money when 1 in every 10 of New York City's residents is a heroin addict?

"For those who look upon a catastrophe and count the dollars, let them consider that in 1982 the total, direct average cost to government for one unmarried, unemployed male drug abuser on welfare was $7,000 annually, excluding the incredible cost of his crimes. The dollar value of one addict's thefts is about $30,000 per year. If arrested in 1982, the average cost of his arrest alone was $3,300. If imprisoned, the 1982 average cost of keeping him was $21,000.

"New York City is in a whirlwind of drugs and crime. In this city there is a hell, the land of heroin addicts. They have not died, yet nothing of life remains. Anguish is their day, torment their night, affliction their eternal season, and crime their constant industry. Their beds are the broken floors and littered rooftops of gutted buildings, their air the stink of excrement, urine and vomit, their time measured between needle points. Their hell has made life hell for millions of our innocent citizens.

"If the federal government does not immediately appropriate monies for the construction and maintenance of New York prisons, then New York should consider directing its police officers to take all arrested narcotic offenders directly to federal courts for arraignment and prosecution.

"If the federal government will not bring prisons to New York, then New York should bring prisoners to the federal government."●

MARCH DECLARED NATIONAL EYE DONOR MONTH

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. GUARINI. Mr. Speaker, perhaps the best gift a person can give is to be an organ donor to renew the lives of the suffering. Thanks to medical advances and increased national awareness of the benefits of organ donation, last year more than 22,000 Americans were restored to useful vision through a corneal transplant.

This procedure has a 90-percent success rate in improving sight and can only be done with donated eye tissue. No synthetic cornea presently is effective. People in all walks of life, from 2-month-old infants to those in their nineties, can see today because others gave this precious gift. However, thousands more people without vision could benefit from this operation but are not being helped because suitable corneal tissue is not always available.

A united national effort exists to eliminate this shortage. The 88 eye banks belonging to the Eye Bank Association of America are committed to the goal of having a cornea readily available for anyone suffering from corneal blindness. These eye banks work together to preserve medical standards of the highest quality, to promote organ and tissue donation, and to encourage research into the prevention and treatment of eye disease and injury.

The major barrier contributing to the waiting list is the lack of public knowledge about organ and tissue donation. In particular, many citizens do not realize that all eye tissue is acceptable for donation, regardless of the donor's age or quality of vision. Eye tissue not suitable for transplant is used for research projects so valuable information can be gained to help the thousands of others with diabetes, glaucoma, retinal disease, and other eye problems.

Therefore, as we in Congress have done the last 2 years, it is fitting that we once again inform the public of the need for eye donations and encourage more Americans to become organ donors. By doing so, we designate March 1985 as "National Eye Donor Month" and call on all our citizens to support this humanitarian cause with appropriate activity.●

CONGRESSMAN A. LINCOLN IN DORCHESTER, MA

HON. BRIAN J. DONNELLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. DONNELLY. Mr. Speaker, in September 1848, a little-known freshman Member of the House of Representatives toured the Boston area, campaigning on behalf of the national Whig ticket, led by Gen. Zachary Taylor.

There were only sparse newspaper accounts of the speeches made by the 39-year-old Illinoisan, who was more often than not referred to as "Abram" Lincoln.

Thirteen years later, when he became somewhat better known and when newspapers started getting his name right, President Abraham Lincoln recalled that tour. "Yes, I had been chosen to Congress from the wild West, and with hayseed in my hair I went to Massachusetts, the most cultured State in the Union, to take a few lessons in deportment."

There is certainly more than a bit of Mr. Lincoln's typical self-deprecating humor in the recollection. He may have taught more than he learned.

Boston at the time was a leading manufacturer and exporter of orators of the grand style. His audience was not prepared for the tall, lanky westerner telling racy stories, ridiculing the opposition, and laughing at his own jokes as wildly and enthusiastically as anyone in the hall.

Listeners were surprised that Lincoln seemed to be speaking to them individually, instead of orating to a large audience.

Lincoln's 1848 tour of Massachusetts is regarded by some biographers as important for his political growth and development.

On September 18, 1848, Lincoln spoke at Richmond Hall in Dorchester, then a town of 7,000 and now a neighborhood of Boston. Not far from the site of that speech the John F. Kennedy Presidential Library now stands.

On February 19, the library and the Dorchester Historical Society are sponsoring "An Evening with Congressman A. Lincoln," a symposium examining the early career of the great statesman and his development before and after his Massachusetts campaign tour, and to assess the results of his "lessons in deportment."

This event demonstrates the continuing ties that many people in many parts of our country feel directly with that great President and the desire to learn from his life.●

CITY COLLEGE OF SAN FRANCISCO CELEBRATES ITS 50TH ANNIVERSARY

HON. SALA BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mrs. BURTON of California. Mr. Speaker, City College of San Francisco is celebrating its 50th anniversary. This institution, which was established during the depression, has provided many young people with an opportunity for education that they might not otherwise have had. City College students have included a broad range of people, from O.J. Simpson to W. Michael Blumenthal, former Treasury Secretary, to others less well known. The lives of all of them were enhanced by their experience at City College.

I would like to include with my remarks an article in the San Francisco Examiner about the school's 50th anniversary celebration:

(By Michael A. Robinson)

I was a child of the Great Depression, born at a time when many wondered how they would struggle through the day, let alone prepare for the future.

But by offering its students free tuition and the chance for improvement, San Francisco Junior College not only prevailed, it prospered.

More than a million men and women have passed through the doors of what is now one of the state's largest two-year community colleges. Most were just preparing to get a good job. But some, like sports star O.J. Simpson and actress Lee Meriwether, stopped by what is now called City College of San Francisco on their way to the Big Time.

Now college officials want to boast of their success as they prepare to launch a long list of events to mark the school's 50th anniversary.

"First of all we want to celebrate the anniversary," says Hilary Hsu, chancellor of the San Francisco Community College District. "But we have another purpose, too."

"We want to generate the necessary and useful excitement, so that we will remain strong for the next 50 years. We are trying to raise money for an endowment for scholarships and for equipment to meet the students' need.

"This will give us a little more independence. Our single theme is to maintain the stature of City College."

As part of the celebration, Meriwether will star in the first of four evening performances of "The Lion in Winter," beginning Feb. 7 at the City College Theater. Meriwether, a former Miss San Francisco who became Miss America, also will serve as the mistress of ceremonies for the college's Founder's Day program.

That program is scheduled for Feb. 12 and will be marked by a reception at Davies Symphony Hall followed by a dinner and dance at the Gift Center Pavilion. Mayor Feinstein will chair the event with Burroughs Corp. Chairman W. Michael Blumenthal serving as the keynote speaker.

Blumenthal, who was President Jimmy Carter's Treasury Secretary from 1977 until he was fired in 1979, will recall his experiences in San Francisco and at City College. Blumenthal immigrated to the United States from Shanghai in 1947. He attended City College from the spring semester of 1948 through the spring semester of 1949 before transferring to the University of California at Berkeley.

Indeed, Blumenthal's experiences mirror two important roles City College plays, says Hsu.

The school serves as an essential reference point for many foreign students. Nearly 70 percent of the college's enrollment are from minority groups, many of whom are recent arrivals from overseas.

"We give those students a springboard into American life," says Hsu. "They need orientation and initiation into America."

At the same time, City College is successful at preparing students for transfer to four-year universities. Only Diablo Valley College, in affluent central Contra Costa County, sends more students to the University of California at Berkeley.

Not bad for a college that began in 1935 by using space at Galileo High School and at the University of California extension center on Powell Street. Back then enrollment was 1,700.

Today the two-year community college is a sprawling 49-acre campus with an enrollment of about 22,000. A $50 per semester fee is now charged, a result of state budget woes. Approximately another 40,000 attended non-credit courses through various centers throughout The City affiliated with the college.

Funds raised through the 50th anniversary events will be used to improve the school, says Hsu.●

COAL EXPORT ENHANCEMENT ACT OF 1985

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. RAHALL. Mr. Speaker, today, I am reintroducing a bill which I sponsored during the last Congress to create a Federal Coal Export Commission under the auspices of the Secretary of Commerce.

One-third of the 30 Commission members would represent agencies of the Federal Government which are involved with foreign trade and two-thirds of the Commission members would represent export coal producers and traders, coal labor, transporters of export coal and financial institutions with an interest in the international coal trade.

The goal of the Commission is to increase the cooperation and coordination of those parties involved with coal exports. Among the Commission's mandates as provided by the legislation are the identification of diplomatic channels to increase coal exports; impediments to coal exports; foreign markets for U.S. coal with an emphasis on those in developing nations; availability of and methods of financing coal exports; and, an examination of the potential for small- and medium-coal producers to enter the export trade through export trading companies.

The importance of creating such a Commission, which would be authorized for a 2-year period by this bill, is due to the nature of the international coal trade with many foreign buyers being governmental entities. The U.S. Federal Government must show these buyers that it is committed to maintaining and increasing the U.S. market share of international coal demand. Further, it can only be through a joint government-private sector effort that many of the impediments to the coal export trade will be resolved.

Mr. Speaker, the amount of U.S. coal exported is extremely important to our domestic economy. In 1983, the value of U.S. coal exports was over $3 billion. Besides making a great contribution to our efforts to narrow the balance-of-trade deficit, these coal exports create thousands of jobs in the coalfields, in the transportation sector and at our ocean ports.

From January to October 1984, over 7.7 million tons of U.S. coal was exported to 64 countries. About 71 percent of that figure was metallurgical coal sales and 28 percent was steam coal sales. Our leading markets are Canada which purchased 26.5 percent of the total for the first 10 months of 1984, followed by Japan whose share was 20.3 percent. These two countries are followed by, in order, Italy, The Netherlands, Brazil, France, Belgium, and Luxembourg, the United Kingdom, largely due to that nation's coal strike, and the Republic of Korea. These countries all purchased over 2 million tons of U.S. coal during the period described above.

It must be noted that the U.S. share of many of these nations' coal market is falling from levels achieved during past years. There are a number of reasons for the lackluster performance of coal in recent years, such as the worldwide lowering of demand for electricity and steel, new nuclear powerplants coming online and the decline in petroleum prices.

These factors, however, affect all coal-exporting countries and are not reasons for the disproportionate reduction of U.S. market share. In this regard, U.S. coal is hindered mainly due to its high delivered price. Coal from the Republic of South Africa, Canada, Poland, and recently, from Colombia, often sells far less than U.S. coal in the Asian, European, and South American markets. One of the reasons for this is the position of the dollar in international money markets. Another pressing reason is the high cost of U.S. railroad transportation. Many European and Japanese buyers cite transportation costs as the major reason for the high delivered price of U.S. coal.

These factors are the very ones which I hope to see addressed by the Federal Coal Export Commission, as well as the assistance such an entity would give U.S. coal exporters in the areas of financing, insurance, and the U.S. foreign aid program to developing nations who have growing coal requirements as they further their efforts to industrialize.●

RAISE THE CIGARETTE EXCISE TAX

HON. ANTHONY C. BEILENSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. BEILENSON. Mr. Speaker, I am introducing legislation today to raise the Federal cigarette excise tax permanently to 40 cents a package. This measure would adjust the cigarette tax for inflation, help compensate the Federal Government for the costs associated with smoking-related illnesses and, at the same time, provide $7 billion to $9.5 billion a year in new revenue to reduce the enormous Federal deficit.

From 1951 through 1982, the excise tax on cigarettes was 8 cents a package. A provision of the Tax Equity and Fiscal Responsibility Act of 1982 [TEFRA] raised this tax of 16 cents a pack, starting in January 1983; however, the increase is only temporary, and the tax will revert to 8 cents a pack on October 1 of this year.

Much has happened since 1951 to justify a substantial increase in the cigarette tax. Consumer prices have risen 400 percent, so simply to maintain the tax's original revenue-raising power, it ought to be increased to 32 cents a pack. And there is another good reason to increase the cigarette tax: The harmful effect of smoking on human health—which was not well understood 34 years ago, but which is now well known and well documented.

C. Everett Koop, the Surgeon General of the United States, calls cigarette smoking "the most important individual health risk in this country." He blames smoking for more premature deaths and disabilities than any other known agent. Says Dr. Koop: "There is no single more effective action a person can take to reduce the risk of cancer—and of dying from it—than to quit smoking, especially cigarette smoking."

The amount of damage done by cigarettes is truly staggering. The Surgeon General links smoking to 30 percent of all cancer deaths. Smoking is a major cause of cancers of the lung, larynx, oral cavity, and esophagus, and a major contributor to cancers of the bladder, kidney, and pancreas. Smoking accounts for 80 to 90 percent of all chronic lung disease in the United States, including chronic bronchitis and emphysema, and for one-third of all coronary heart disease, says the Surgeon General. And smoking by pregnant women has been linked to premature birth, fetal injury, and low birth weight.

In sum, cigarette smoking is responsible for more than 300,000 premature deaths in the United States each year, an enormous amount of disease and disability, and untold physical and emotional pain. These human consequences are terrible enough, yet smoking results in enormous economic costs as well.

The Departmnent of Health and Human Services calculates that smoking leads to $13 billion a year in added health costs and to $25 billion in lost productivity. Smokers bear much of this economic burden; however, we all share it to some extent through higher insurance premiums, higher costs for Government health programs, and higher costs for consumer goods.

Absenteeism caused by smoking translates into higher costs for consumer products. Nonsmokers and businesses that contribute to employee health plans pay higher insurance rates to help pay the cost of treating smoking-related illnesses. Smoking also leads to higher Government outlays: nearly $4 billion a year in increased spending for Medicare alone.

The legislation I am introducing would keep the cigarette tax from returning to 8 cents a pack later this year, as mandated in TEFRA, and it would thus prevent the loss of $2.5 billion in annual revenue that we can ill afford at this time. But the bill would go much further. It would compensate for 34 years of inflation and bring the cigarette tax more in line with current knowledge about the costs and dangers of smoking. A 40 cent tax on a package of cigarettes would raise about $12 billion each year—$7 billion more than the 16 cent tax now raises, and $9.5 billion more than the 8 cent tax would raise.

Frankly, I doubt that a higher tax will have a major effect on the smoking habits of those who already smoke. However, it is likely that some smokers will choose to smoke less, and that potential smokers—especially teenagers—might be deterred by the higher tax from taking up an expensive and dangerous habit.

Mr. Speaker, the cigarette tax is a significant, relatively untapped, potentially lucrative, and entirely justifiable source of revenue. The bill I am introducing, together with spending cuts and other revenue-raising measures, is needed to reduce the Federal deficit and pave the way for a strong and long-lasting period of economic growth.

I urge my colleagues to join me in cosponsoring this legislation and enacting it into law.●

DR. STECKEL RECEIVES JONSSON PRIZE

HON. BOBBI FIEDLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Ms. FIEDLER. Mr. Speaker, I would like to bring to the attention of the House an event that will be held this weekend in Los Angeles. Dr. Richard Steckel, the founding director of the Jonsson Comprehensive Cancer Center at UCLA will receive the Jonsson Prize for his work.

Dr. Steckel has a distinguished record of achievement. He graduated magna cum laude from Harvard College where he also received his M.D. degree. His internship at UCLA was followed by a residency at Massachusetts General Hospital and his appointment as a clinical associate at the National Cancer Institute in Bethesda, MD.

Dr. Steckel returned to UCLA as a professor of radiological sciences and was appointed the founding director of the Jonsson Comprehensive Cancer Center at UCLA in 1973.

Dr. Steckel has received many awards and honors and is well known for his wide-ranging areas of community service. He is a member of the Editorial Board of the Medical and Pediatric Oncology Journal and a contributing editor of the American Journal of Roentgenology. He serves on numerous consultant panels and as an institutional site visitor for the National Cancer Institute.

Dr. Steckel has been the principal investigator and director of many millions of dollars of research support grants and is continually called upon to make significant professional presentations.

He has published two books in the field of cancer diagnosis and nearly 100 research papers.

Dr. Steckel's award this Saturday will be the first of its kind. The Jonsson Prize has been created by the Kenneth Jonsson family to recognize significant achievement in the field of cancer research. The award money will be used in a research project of Dr. Steckel's choice.

I will be joined by many figures from the entertainment and sports worlds this Saturday, as well as with hundreds of Dr. Steckel's friends and colleagues. And, I know the Members of the House will want to join with me in adding our honor to a man who has devoted his life to his fellow man.●

BETA PSI LAMBDA

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. DIXON. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to the Beta Psi Lambda Chapter of Alpha Phi Alpha Fraternity, Inc. Chartered in Los Angeles during the 1940's, Beta Psi Lambda has an impressive history of community involvement. Fraternity members have worked relentlessly to improve the quality of life in the Los Angeles community, particularly in the areas of education and health care and, it is with great pride that I take this occasion to share just a few of their accomplishments with my colleagues.

For over 40 years, Beta Psi Lambda has been active in the pursuit of educational excellence. They established a perpetual endowment scholarship fund which benefits high school, college, and graduate students and are consistent contributors to the United Negro College Fund. In addition, the chapter maintains a tutorial service for students attending high school in the Los Angeles area. The chapter is similarly dedicated to the development of black leadership and has established several ongoing programs for high school students, including workshops on public speaking, goal setting, writing skills, and parliamentary procedure. Beta Psi Lambda also sponsors a leadership conference wherein high school students are encouraged to seek careers in management/leadership related fields.

Furthermore, this chapter has worked tirelessly to improve the quality of mental health service in the community through a series of lectures and workshops geared toward the prevention and rehabilitation of stress and depression related illnesses.

Recognizing the importance of involvement in cultural affairs and its preservation, Beta Psi Lambda has contributed moral and financial support toward such worthy efforts as the Brockman Gallery and the California Afro-American Museum at Exposition Park.

The Beta Psi Lambda Chapter has also been politically active in the community, sponsoring bipartisan public forums featuring local elected officials. The chapter has also worked with the League of Women Voters on ballot issues, voter registration drives and fund-raising techniques.

In 1983, Beta Psi Lambda was recognized as "the Outstanding Chapter" by the Western Region Conference of Alpha Phi Alpha Fraternity, Inc.

Mr. Speaker, I would also like to take this opportunity to commend Mr. Homer Mason, who as president of the chapter from 1981 through 1984 played an integral role in the fraternity's growth and increased recognition. Mr. Mason served with a diligence and enthusiasm that often proved to be the pivitol force necessary to complete many projects. He is currently a member of several organizations in our fair State, including California Attorneys for Criminal Justice, 100 Black Men and Sigma Pi Phi Fraternity. I alm honored to acknowledge the accomplishments of both Beta Psi Lambda and Mr. Homer Mason and wish to extend my very best to the membership of this outstanding organization.●

NATIONAL EMPLOY-THE-OLDER-WORKER WEEK

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. ROYBAL. Mr. Speaker, the persistence of age discrimination and declining employment opportunities for older Americans require us to keep up our fight to improve job opportunities for those older workers who wish to continue working.

The facts about older worker employment problems are startling. According to data from the Bureau of Labor Statistics, unemployment among older workers is growing faster than among all other age groups. Once unemployed, older workers remain out of the work force nearly twice as long as young workers. Older workers are also three times as likely as younger workers to simply give up on the job search and drop out of the labor force after a long period of unemployment.

The causes of these employment problems can be traced to persistent age stereotypes and widespread age discrimination in the work force. Recent national surveys indicate that 8 of 10 Americans believe that age discrimination is a problem for most older workers. Moreover, 6 of 10 employers also believe that age discrimination is widespread in the labor force. Overcoming these stereotypes will require a concerted national effort to promote the virtues of older workers and to change attitudes about them in the work force.

I am encouraged along these lines by what some companies are doing to hire and retain older workers. Programs such as job sharing, flexitime, retraining, and part-time jobs are being made available to older workers to encourage them to remain on the job. Studies indicate that older workers are productive and reliable and that employers can benefit from their expertise on the job.

To date the Federal Government has done very little to promote the interests of older workers. One exception is the senior community service employment program authorized by title V of the Older Americans Act. This program provides 65,000 low-income older workers with meaningful and productive jobs in their communities. It is essential that this program be continued and, if possible, expanded to help employ many more older workers.

Providing employment opportunities for the older worker is an important and necessary goal, not only for today but for the future. Moreover, those older Americans who are employed are four times as likely as all others to avoid the clutches of poverty.

For these reasons, I, Mr. PEPPER, and Mr. RINALDO, along with 103 of our colleagues in the House, today join with Senators HEINZ and GLENN in introducing a joint resolution to draw attention to the older worker and to encourage employers to generate employment opportunities for these workers. Specifically, we are requesting that the President authorize the week of March 10 through 16, 1985, as National Employ the Older Worker Week. During this week special programs would be scheduled around the country to inform employers and the public about older worker resources and to educate older persons about available employment opportunities. The outcome should be increased visibility of the need for employing older workers, a better understanding among employers of the benefits of employing older Americans, and wider employment opportunities for those older individuals who would like to make a contribution to society.●

CONTINUE VA AND SOCIAL SECURITY FIELD OFFICES

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mrs. SCHROEDER. Mr. Speaker, I told the House about Reagan administration plans to cut Veterans' Administration counseling centers and Social Security field and regional offices. This effort to reduce direct services to taxpayers is not limited to Social Security and the Veterans' Administration. Rather, the administration plans a major effort to reduce the number of regional offices and field offices of all agencies.

To stop this from happening, I am pleased to join with Representative NORM DICKS in introducing legislation to continue the 10 regional office structure of the Government. This regional structure was a creation of the Nixon administration. In an effort to bring the Government closer to the people it serves, the Nixon administration issued Office of Management and

Budget Circular A-105 setting out the standard Federal regions. It was a good idea then and it is a good idea now.

Let's face it: taxpayers are dissatisfied with the amount and quality of service they get from Government for their tax dollars. This is a problem with which we have to deal to restore confidence in Government. If we eliminate the most visible, accessible, and responsive Government offices—those spread throughout the country—we increase taxpayer hostility and further reduce confidence in Government.

I hope we can pass this legislation soon to preserve Government services to our constituents and to prevent further damage to public confidence in the Federal Government.●

INTER-LATA TELECOMMUNICATIONS COMPETITION ACT OF 1985

HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. BRYANT. Mr. Speaker, I am today introducing the Inter-LATA Telecommunications Competition Act of 1985.

Mr. Speaker, we are all too well aware of the tumult in the telecommunications industry—an upheaval which is primarily attributable to the divestiture of the AT&T monopoly. In the year since AT&T divested itself of its local operating companies, the ratepayers of America have been not only confronted with unprecedented increases in local rates, but also threatened with the imposition of end-user access charges or—as the FCC now calls them—subscriber line charges. The concern for continued universal telephone service became so great in the 98th Congress that this body felt compelled to overwhelmingly approve the Universal Telephone Service Preservation Act of 1984, largely in an effort to prevent the imposition of end-user access charges. Indeed, my concern has remained so great that my first action in the 99th Congress was to introduce legislation to prohibit imposition of those unfair and unjustified charges.

However, we are told that we need not worry about local rate increases or the imposition of subscriber line charges which the FCC has ordered effective in June. We have heard promises that the telephone user will soon begin to realize the benefits of increased competition which will come as a result of the divestiture. But I am worried, Mr. Speaker; worried that the Federal Communications Commission has initiated the deregulation of AT&T without sufficient marketplace competition to protect the consumer; worried that terms of the divestiture agreement entered into by AT&T do not ensure the rapid growth of competition necessary to justify the burdens placed upon consumers by that agreement and its sometimes erroneous interpretation; worried that consumers will be adversely affected by divestiture without experiencing any positive benefits.

The deregulation of AT&T by the Commission has already begun. In alaring display of the Commission's deregulatory zeal, the Commission has permitted AT&T to sell its regulated services on an unregulated basis through a separate subsidiary—only a very short step away from complete deregulation of AT&T's services. The Commission also moved away from cost-based rate regulation when it authorized AT&T's "Reach Out America" scheme—long-distance service at a price below AT&T's admitted cost of providing the service, another effort to drive its fledgling competitors from the market. While these and other deregulatory actions may be worthy long-term goals, deregulation of the carrier which retains more than 90 percent of the long-distance voice market defies the realities of the marketplace and fails to serve the public interest which the Commission is charged with protecting.

Moreover, given today's regulatory scheme, I am unsure of the ability of alternative long-distance carriers to compete with an entrenched monopoly of AT&T's—albeit somewhat diminished—size. We are told that the arrival of equal access mandated by the consent agreement—which we must remember was willingly entered into as the settlement of the Department of Justice's antitrust suit against AT&T—will encourage competition by placing AT&T and its competitors on an equal basis. But this argument fails to recognize that AT&T's competitors already enjoy a significant cost advantage as compensation for their inferior access—a cost advantage which placed AT&T and its competitors on a theoretical equal basis even prior to the divestiture. Yet after 10 years of marketplace competition, AT&T retains an overwhelming share of the long-distance market. Clearly the availability of technical equal access alone will not lead to increased competition. With nothing more, AT&T will remain an overwhelming monopoly and the benefits of competition built into the consent agrement will not soon reach the consumer.

In addition, equal access as it is being implemented today hinders rather than facilitates the development of competition. When an end office is converted to equal access, the other common carriers, or OCC's, are charged the same rate as AT&T for a system which still places inequitable burdens on competition and which appears to perpetuate AT&T's market dominance.

As equal access in implemented in individual end offices, the OCC discount is terminated for lines servicing those offices. But, because only a small number of subscribers within a market are served by an individual office, additional costs are incurred by the OCC's which are not borne by AT&T. For instance, it is highly inefficient for OCC's to use mass media to advertise the benefits or even the availability of equal access when only a small minority of potential customers in the market are able to use the new and improved service. Instead, the OCC's must resort to targeted advertising techniques, such as direct mail, that are far more expensive. The current system also forces the OCC's to develop and utilize dual billing systems within the same market—one billing system which reflects the discounted inferior access rates and a separate billing system which reflects the new and higher equal access rate. AT&T does not incur these increased costs for advertizing and billing because it and its customers already enjoy premium access throughout the market.

Further, the current practice of providing equal access through individual end offices, rather than through access tandems—systems which link several end offices—requires costly and inefficient connections for the OCC's. Rather than use a small number of trunk lines from their switch to an access tandem—which in turn is tied to several end offices, thus pooling traffic—OCC's must purchase individual trunk lines to each equal access end office. Given their minute market share, the individual OCC does not generate sufficient traffic from each end office to utilize even a small portion of a trunk line's capacity. The competitors are forced to bear the cost of facilities which they have no hope of ever using. Again, this extraordinary cost of equal access is not paid by AT&T.

The most burdensome aspect of the current system is the practice of routing default traffic to AT&T—a practice which only serves to perpetuate AT&T's monopoly of the long-distance market. When an end office is converted to equal access, subscribers served by that facility are given the opportunity to choose a preferred long-distance carrier. This choice was one of the centerpieces of the consent agreement. But the Bell Operating Companies are permitted to automatically route calls to AT&T for any subscriber who neglects to select a carrier. The local operating companies have no incentive to encourage the subscriber to make a choice. Currently, AT&T has been the beneficiary of a large number of default subscribers—on the order of

70 percent—as indicated by what is actually happening in already converted markets. This practice serves to maintain AT&T's monopoly and to deny the benefits of competition to those bearing the presumed, but unproven, additional costs of divestiture—the consumers.

Mr. Speaker, I offer the InterLATA Telecommunications Competition Act of 1985 to ease the impact of the changes in the telecommunications industry on consumers by smoothing the transition from a Government-regulated monopoly to a fully competitive long-distance market. The purpose of the bill is twofold: First, to promote competition in long-distance telecommunications service; and second, to prevent the premature deregulation of the dominant common carrier—AT&T—but then to facilitate its deregulation once it is shown not to possess monopoly power, which, for too many years, has worked against free-enterprise competition.

The bill seeks to ensure for the telephone consumer the benefits sought in the divestiture agreement and to protect the consumer from potential abuses by AT&T with its monopoly power while at the same time allowing for AT&T's deregulation when that potential no longer exists.

The bill addresses the deregulation of AT&T by providing that the FCC may not deregulate AT&T unless—after a full agency hearing—the FCC finds that with respect to every local access transport area [LATA], AT&T does not possess monopoly power in providing inter-LATA telecommunications service. In defining the monopoly power standard to be applied, the bill adopts traditional antitrust principles which are well established in case law. Under this traditional view, monopoly power is the "ability to control prices or exclude competition." The test which has been developed by case law begins with an examination of market share. If a market participant's share of the market is significantly large, that participant has often been presumed to possess monopoly power. Consistent with this approach and in accord with case law, the bill deems monopoly power to exist if AT&T's share of the long-distance market exceeds 60 percent. ATT's share currently exceeds 90 percent.

Those who urge the rapid deregulation of AT&T have misinterpreted and taken statements out of context from cases which suggest that monopoly power is not determined by examining market share alone; but rather, requires examination of other factors to determine whether the power to control prices or exclude competition exists. Such judicial statements have been made, it is true, but only in cases where the market share involved was less than that which warranted a presumption that monopoly power existed. In such cases, the absence of a presumption concerning the existence of monopoly power based on market share alone required a fuller examination of the facts to determine whether the power to control prices or to exclude competition existed. The test for monopoly power, developed over time through case law, is twofold: First, if a market participant has a large enough market share, it is found to possess monopoly power on that basis alone; second, if, however, the market participant does not fall into that market share category, the court can look to other factors to find monopoly power. The bill utilizes this traditional approach. Monopoly power is conclusively deemed to exist if AT&T possesses a long-distance market share in excess of 60 percent. If AT&T's market share is 60 percent or less, monopoly power can nevertheless be found to exist if AT&T retains the ability to control prices or exclude competition.

Of course, under the antitrust laws, possession of monopoly power, without more, is not actionable. Some evidence of abuse of that power is necessary before the antitrust laws impose liability. But this bill does not impose antitrust liability upon AT&T. This bill merely uses the antitrust monopoly power standard—a standard developed by years of case law application—to establish a rational basis for transforming AT&T from a monopoly long regulated by the Government to a deregulated entity in a competitive marketplace. That the regulated entity has not abused its monopoly power is an insufficient standard to determine whether regulation remains necessary to protect the public interest. Rather, before the protection of regulation is removed, the safeguard of adequate competition should be demonstrated to exist so that the public interest will not be placed at risk.

By applying this monoploy power standard, the bill prevents the premature deregulation of AT&T. This includes, but is not limited to: The termination of cost-based rate regulation; the termination of rate regulation based on average costs; the termination of tariff filing requirements; the elimination of Computer II separation requirements; forbearance from regulation within the meaning of the Commission's orders issued in CC Docket No. 79-252; and any similar or related actions having the same or similar effect. Allowing the Commission to deregulate AT&T only when AT&T no longer possesses monopoly power will protect the telephone ratepayer from the potential anticompetitive, anticonsumer activities of an unregulated monopoly.

In addition to protecting the consumer from premature deregulation of AT&T, the bill also encourages competition, thus bringing to the consumer the benefits sought by the divestiture of AT&T. The bill provides that neither the FCC nor any State commission may permit any tariff for inter-LATA exchange access to remain or become effective unless the rate charged to other common carriers is 55 percent less than the rate charged to AT&T for such access until the Commission, with respect to a particular local access transport area [LATA] and upon full agency hearing, makes both of two required findings. First, the Commission must determine that AT&T does not possess monopoly power in providing any long-distance telecommunications service from that LATA. Second, the Commission must find that true equal access is available for OCC's to substantially all end offices within that LATA.

Tying the phaseout of the OCC discount to both the elimination of monopoly power by AT&T and to the availability of equal access must be the cornerstone of any effort to ensure greater competition in long-distance telecommunications services. Only when both these conditions are met can the long-distance market be considered competitive.

As noted earlier, technical equal access is not sufficient to develop a competitive market when one of the market participants already possesses a monopoly. During the 10 years in which OCC's have competed with AT&T, the OCC's have gained less than 10 percent of the market even though they were at least partly compensated for their inferior access. Therefore, loss of monopoly power by AT&T must be added to the equation before the OCC discount can be eliminated without anticompetitive consequences.

Conversely, phasing out the OCC discount based solely on the loss of monopoly power by AT&T would likewise fail to produce a lasting competitive market. If equal access were not a precondition to the phasing out of the OCC discount, AT&T would swiftly regain monopoly power when the OCC's began paying the same price for an inferior service.

The equal access required by this bill must be equivalent in type and quality to that provided AT&T. The equality requirement is broad, extending to ancillary services provided to AT&T. Such ancillary services are defined by the bill to include, but are not limited to: 700-service; 800-service; operator assistance; and customer billing. To avoid inefficient and costly trunking by both OCC's and local telephone companies, equal access must be provided through access tandems to meet the requirements of the act. Finally, so that OCC's do not bear inequivalent marketing and billing burdens, the Commission must find that the described equal access is available to sub-

stantially all the end offices within the local access transport area in question before terminating the OCC discount for end offices within that LATA.

In order to fully address the problem, the bill applies to tariffs filed with the State commissions, as well as to those filed with the FCC. The bill does not infringe, however, on the States' ability to establish rate levels for exchange access. Instead, the bill requires only that a specific minimum differential be maintained between the rate paid by AT&T and that paid by the OCC's until equal access has been made available and the market is demonstrated to be competitive.

The bill recognizes that without special provision, local telephone companies could experience a revenue shortfall due to the maintenance of the OCC discount. The bill prevents any such shortfall by allowing the local telephone company to adjust its access rates to both AT&T and OCC's while maintaining the required 55-percent differential. In short, the bill guarantees that the effect of the legislation on local telephone companies will be revenue neutral.

Mr. Speaker, the consumers of telephone service are today bearing the burden imposed by the frequently inaccurate interpretations of the divestiture agreement but are not receiving its benefits. Moving swiftly and rationally to a truly competitive long-distance telecommunications market in the manner set forth in this bill while guarding against premature deregulation of AT&T is the best way to deliver those benefits promptly and efficiently to consumers.●

TRIBUTE TO RAYMOND L. McLEAN

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. LAGOMARSINO. Mr. Speaker, it is my pleasure to pay special tribute to my constituent, chief of police of the city of Ventura, Rayond L. McLean on his retirement.

Ray McLean became chief of police in Ventura in 1978. Prior to that time he had been chief of police of the city of Montclair, CA, from 1959. In his current position, Chief McLean has 155 personnel under his jurisdiction for a city whose population is 85,000.

Some of his significant accomplishments include reorganization of the department and reprioritization of levels of service due to cutback requirements of "proposition 13." He was project director of a $5 million program to construct a police/fire headquarters building and developed an integrated computer-aided police/fire dispatch center, automated records system, crime analysis system and automated dictation system.

Chief McLean has 32 years experience in law enforcement, including the two stints as chief of the cities of Ventura and Montclair. He received his B.A. in sociology in 1958 at California State College, Los Angeles and attended the FBI National Academy in 1965. He holds a special subjects teaching credential and executive certificate-POST. Ray is affiliated with the International Association of Chiefs of Police, the California Police Chiefs Association and the California Peace Officers Association.

Chief McLean is retiring from the police department of the city of Ventura to affiliate himself with the office of the California State attorney general. He will be greatly missed by the citizens of Ventura.●

HONORING CHARLES W. KUNKLE, JR.

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. MURTHA. Mr. Speaker, one of Johnstown's leading citizens and most community-spirited leaders is stepping down as head of the Johnstown Area Regional Industries, the economic development arm of the area.

Holding this voluntary post for over a decade, Charlie Kunkle led the Johnstown community through some of its most difficult times. His work has been synonymous with the attraction of new industry to the area, the rebuilding of the downtown Johnstown area, and the growing diversification of the economic base.

Charlie Kunkle is one of those individuals who demonstrate what America is all about. What makes us the greatest country in the world? It is the unselfish, volunteer acts of thousands of American citizens who take their time to help their fellow citizens.

The last decade has been a difficult one for the Johnstown community. Economic problems have often seemed to topple over one another. Yet, Charlie never lost his dedication, his hopes, his imagination, and his commitment to the people of the area and their needs.

Having had the opportunity to work with him closely over those years, I can say without hesitation that we never would have achieved what we have without the work of Charlie Kunkle.

Even in an interview given recently noting his formal departure from JARI, he spoke with enthusiasm about the area's future, saying "We're ready to go."

In recognizing future ecomomic success, we will remember in the Johnstown area that the foundation for the future has been laid by the work and dedication of Charlie Kunkle.

In giving tribute to a fellow member of the House of Commons, Winston Churchill once said, "The only guide to a man is his conscience; the only shield to his memory is the rectitude and sincerity of his action." Against this measure, Charlie Kunkle deserves our congratulations and our highest possible praise.●

ROMANIA, PERSECUTION, AND MFN STATUS

HON. DENNY SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. DENNY SMITH. Mr. Speaker, last week I met with a friend who had recently returned from a trip to Eastern Europe. During our visit, he recounted to me several disturbing incidents of religious persecution in Romania, a nation which currently enjoys most-favored-nation [MFN] status.

There is, apparently, a well-defined cycle to such persecution in Romania—a cycle based on the fear of losing MFN status. Because such status is reviewed each summer, religious persecution is the harshest during the winter months. It then begins to slacken as the time for renewal approaches. By June—the month the President notifies Congress of his intent to renew or cancel MFN status—religious persecution is almost nonexistent. Once this status has been secured for another year, persecution picks up again.

Mr. Speaker, I want to make it clear to the Romanian officials that Congress is aware of the persecution that occurs in their country throughout the year, not just in June. As a signatory of the Helsinki international accords on human rights, Romania has pledged to uphold the freedom of religion for its citizens. The Romanian Government's actions, however, are far different from its rhetoric. I learned of church burnings and the denial of internal passports for pastors, among other incidents.

Given this cycle of persecution, I urge my colleagues to oppose any attempts to grant MFN status every 3 years rather than every year. Without guarantees of religious freedom for all Romanians, we would be condemning many to extended periods of persecution.●

THE DEFICIT REDUCTION ACT

HON. GEORGE (BUDDY) DARDEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. DARDEN. Mr. Speaker, the 98th Congress approved the Deficit Reduction Act of 1984 in June of last year. While I am generally in favor of measures to eliminate the deficit and reform our present tax system, I felt many of the provisions in the Deficit Reduction Act were unsound and, therefore, voted against this legislation. Section 179 of the Deficit Reduction Act is one provision in particular which I believe creates unnecessary hardships for the taxpayer.

As you are aware, this section of the Deficit Reduction Act provides for changes in the Internal Revenue Service rules and regulations on the taxation of automobiles used for business purposes. The changes in the Tax Code as established in the Deficit Reduction Act, require taxpayers to substantiate any tax credit or deduction for business use of listed property with adequate contemporaneous records. In order to comply with this requirement, taxpayers must maintain cumbersome logs or journal with individual entries specifying names purposes, mileage, and times for property used for personal and business purposes.

On January 25, 1985, the Internal Revenue Service announced it will issue temporary and proposed regulations modifying the requirement to keep adequate contemporaneous records for automobiles and certain other vehicles. The Internal Revenue Service contends that these modifications will reduce substantially the recordkeeping burden imposed for certain vehicles used for business purposes. I still believe, however, that the provisions in the Deficit Reduction Act which established the recordkeeping requirement should be repealed.

The simplicity of our tax system is an important aspect to consider when making changes to the Tax Code. The simplicity can be measured by how well taxpayers understand the tax system and how easily they can comply with its provisions. A finance minister to Louis XIV once wrote, "The art of taxation consists in so plucking the goose as to obtain the largest amount of feathers with the least possible amount of hissing." Mr. Speaker, during the past few weeks I have received hundreds of letters from farmers, electricians, plumbers, salesmen, painters, doctors, and a list of others attempting to comply with these recordkeeping requirements. Regardless of the particular field of work, the complaints I am hearing from my constituents are all the same. These taxpayers are frustrated from daily attempting to maintain meticulous records for each business related trip they make in their automobile. The upkeep of these records requires a great deal of time as well as large amounts of paperwork.

I do not believe taxpayers should be subjected to the overall hassles of adhering to these recordkeeping requirements. Accordingly, I have introduced the Business Tax Records Reduction Act of 1985, H.R. 783, to repeal section 179 of the Deficit Reduction Act. I am concerned that our Tax Code be sound enough to force strong compliance with regulations for deductions relating to automobiles used for business purposes. I do not, however, believe we should continue to unduly burden the American taxpayer with this bothersome recordkeeping requirement.●

SAXONBURG WORKS SALUTED

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. KOLTER. Mr. Speaker, today I rise in tribute to the employees of United States Steel Corp.'s Saxonburg Works in Clinton Township, Butler County, PA. Next week the plant is scheduled to produce its 100 millionth ton of high quality sinter since becoming operational in 1958.

Although relatively obscure in the iron and steel making process, sinter is an important blast furnace feedstock. Sinter consists of recycled materials bearing iron ore as well as newly mined iron ore, limestone, and dolomite. These and other raw materials are fed through a processing line that fuses them into a honeycomb-like rock. The sinter is then cooled and crushed for shipment to the blast furnaces at United States Steel's Edgar Thompson Works in Braddock, PA.

While imports have caused markets for steel products produced in United States Steel's Mon Valley operation to evaporate, the Saxonburg Works has normally been able to provide jobs for 80 to 100 area residents.

Mr. Speaker, once again, I salute the people of the Saxonburg Works and congratulate them on producing their 100 millionth ton of quality product.●

EXTEND THE FEDERAL SUPPLEMENTAL COMPENSATION PROGRAM

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. RAHALL. Mr. Speaker, today, I am introducing legislation to extend the Federal Supplemental Compensation Program for an additional 2 years.

This program, first enacted in 1982, is designed to assist the long-term unemployed by providing 8 to 14 weeks of supplemental benefits to those who have exhausted 39 weeks of other State and Federal jobless payments. Last extended during October 1983, the current program is authorized only through the week of March 31, 1985.

While it is true that the national unemployment rate has been on the decline as the economic recovery continues, certain States, such as West Virginia, still suffer from extremely high levels of joblessness. Historically, West Virginia has been one of the last States coming out of a recession and this is occurring today.

For States such as West Virginia, Alabama, Mississippi, and Michigan, additional Federal unemployment benefits are essential to the livelihood of laid-off workers and their families as they continue to search for employment. However, if the FSC program expires, once these workers go through their regular State unemployment insurance programs and where eligible, the extended benefits program, they will have no option but welfare.

The employment situation is still grim for many, and in fact, 8 million Americans are jobless today. This statistic alone reflects the need for prompt action on this legislation.●

THE TENANTS' PROTECTION ACT

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. ACKERMAN. Mr. Speaker, along with Messrs. MOODY, JEFFORDS, HAWKINS, LELAND, MITCHELL, RANGEL, WEISS, LEHMAN of Florida, LEVINE, MORRISON, and WILLIAMS, I have today reintroduced a measure that will have a significant impact on the civil rights of tenants.

The Tenants' Protection Act is offered as a way for the Federal Government to help guarantee that an individual's right to participate in a tenants' group is not infringed.

Often the very nature of a tenant-advocacy organization inherently puts it in an adversarial relationship with the landlord or the landlord's agent. Although in many cases both parties are able to work together in order to promote a common goal, there are instances in which some landlords seek to intimidate or retaliate against those who rightfully and completely legally attempt to improve their living conditions. The Federal Government has a compelling interest to protect the 1st and 14th amendment rights of the tenants who form associations to speak

out about and correct discriminatory or substandard conditions in their apartments.

Mr. Speaker, the Tenants' Protection Act amends the Civil Rights Act of 1968 by widening the scope of the Fair Housing Act. Under the proposed legislation, individuals who endeavor to participate in tenants' groups would be protected under the provisions of 42 U.S.C. 631, which deals with intimidation, interference and injury to individuals on account of their class, or because of their advocacy on behalf of a class. The bill, by protecting tenants groups, would fill in the void that currently exists in the law. I invite my colleagues to cosponsor this important legislation.

Thank you.●

NATIONAL SAFETY IN THE WORKPLACE WEEK

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. HYDE. Mr. Speaker, today I am pleased to introduce a bill designating the week of June 16 through June 22, 1985 as "National Safety in the Workplace Week."

It is a little known fact that in 1983 alone, workplace accidents accounted for 11,300 fatalities, and 1,930,000 injuries—causing the loss of more than $33 billion to American industry. The pain and suffering endured by the victims and their families is incalculable.

The American Society of Safety Engineers, headquartered in my district, joins me in urging that my colleagues cosponsor this resolution as a way to promote occupational safety in all industries through the efforts of both workers and management.●

THE PUBLIC HEARING PROCESS

HON. DENNY SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. DENNY SMITH. Mr. Speaker, I would like to call to the attention of my distinguished colleagues a recent book entitled "Public Hearings Procedures and Strategies" by Dr. Jean Mater.

Nothing like this book has ever before appeared in print. Written by Dr. Jean Mater, a leading authority on public hearings, it marks the first methodical attempt to show how Americans can use the public hearing process to bring their ideas to bear on public decision—in their community, State, and even here in Washington.

I'm sure it is unnecessary to remind my colleagues that effective participation by all people in government is the foundation of this democracy.

I commend Dr. Jean Mater's book, "Public Hearings Procedures and Strategies," to all Americans who want to have their voices be heard in the decisionmaking process of our Government.●

A MEMORIAL TRIBUTE TO TED PENSZYNSKI

HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. HERTEL of Michigan. Mr. Speaker, I rise today to pay tribute to a great American. On January 7, 1985, Mr. Thaddeus A. (Ted) Penszynski, former mayor and councilman of Harper Woods, MI, died after suffering a massive coronary, while attending a public hearing at city hall.

Ted Penszynski was a tremendously dedicated, loyal, and effective public servant. Without discretion, Mr. Penszynski gave of himself to all people within our community. Ted was an active member of the local branches of the Lions Club, Little League, Association of Retarded Citizens, board of education, Rotary Club and various other organizations. While serving his community, Ted Penszynski worked to make Harper Woods a better place for its citizens.

Ted Penszynski epitomized how a public servant should represent his community. It is a common practice for public officials to serve a given community with patience, diligence, conviction, and dedication. Ted Penszynski possessed an extraordinary level of these qualities. Moreover, it was his exceptional integrity that set him apart from other public officials.

The community of Harper Woods is forever grateful to Ted Penszynski for sharing his rare qualities with us. All public officials should strive toward achieving the level of professionalism he displayed.

I join the people of Harper Woods in paying our highest respect to Ted Penszynski. We sorrowfully extend our deepest sympathy to his wife, Joann, his two sons, Steven and Carl, and his daughter, Linda. We greatly appreciate the outstanding contributions of Ted Penszynski to the Harper Woods community. He will always be remembered in our prayers.●

A QUICK WAY TO CUT $1.5 BILLION OFF THE PRESIDENT'S DEFICITS

HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. STARK. Mr. Speaker, the President's budget is unacceptable. He is asking for $5,707 in new Federal debt per second!

That level of debt accumulation will lead to future economic disaster.

The President likes to talk about his opportunity society—but it is just an opportunistic society that spends more than it is willing to pay for and which reduces the opportunities of its children by burdening them with $2 trillion in debt.

Here is one quick area we can cut $1.5 billion off the President's deficits. Once again, he is asking for enterprise zone legislation—an elaborate cat's-cradle of tax subsidies and loopholes. Yet on page 2-15 of "The Budget of the United States Government," the President proposes eliminating the Economic Development Administration and urban development action grants, because—and I quote—"these programs merely assist local governments in their efforts to compete with other areas to attract private investment."

That, Mr. Speaker, is exactly what enterprise zones do. Therefore, if we are to abolish EDA and UDAG, we should not create enterprise zones. Q.E.D.●

TRIBUTE TO DOROTHY L. SCHECTER

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. LAGOMARSINO. Mr. Speaker, I take great pleasure in paying tribute to my friend and constituent, Ventura County Counsel, Dorothy L. Schecter, on the occasion of her retirement from that office.

Dorothy is the wife of my former colleague, Thomas L. Schecter, with whom I shared an office for many years, and it has been my pleasure to have known her for a long time.

Mrs. Schecter attended the University of Southern California where she received her LLB degree in 1964, having been a member of the Law Review and graduating in the top 20 percent of her class. Upon graduation, she started work as a law clerk for the Ventura County District Attorney's office and upon being admitted to practice in January 1965, became the first women deputy district attorney

in Ventura County. Upon formation of the county counsel's office in 1966 she became an assistant county counsel, again being the first woman in the county to hold that position. In 1971 she was made chief assistant county counsel, acting county counsel in September 1972 and was formally appointed county counsel by the board of supervisors on February 27, 1973. She was the first woman in the State of California to be named a county counsel.

Mrs. Schecter is admitted to practice before the courts in the State of California, the United States district court for the southern district, the United States court of appeals, and the United States Supreme Court. She has been a member of the District Attorney's County Counsel's Association of California; Tri-counties Government Attorneys' Association, Women Lawyers Association of Ventura County, School Business, Executives Association, and the Ventura County Law Library Board of Trustees, having also served as its president.

She has received many honors in the course of her public career, including being selected to serve on the Ventura County Management Posture Committee from 1973 to the present. She served in 1976-77 as the first woman president of the County Counsels' Association of California and as president of the Ventura County Bar Association in 1979-80. In 1973 she was named as Business Woman of the Year by the Ventura County Business and Professional Women's Association and in 1984 she received the first award of the Ventura County Management Association as the outstanding departmental manager.

Dorothy has been married to Tom for 30 years and plans to become associated with him in his law practice as well as enjoy cooking, gardening, swimming, and horseback riding. She and her husband raise horses and enjoy the rural life.●

SIX MORE WEEKS OF WINTER

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. CLINGER. Mr. Speaker, I would to like to include here my remarks given on Groundhog's Day, February 2, 1985, on Gobbler's Knob in Punxsutawney, PA.

First of all, I'd like to say . . . it's an honor to finally meet you Phil. I know that there are some spurious pretenders to your throne . . . other groundhogs from around the United States who claim to be the real groundhog. But you are the true seer of seers. Pennsylvania's earliest settlers found groundhogs in profusion in many parts of the State and they determined that the groundhog was the most intelligent and most sensible animal around, and, therefore, decided that if the Sun did not appear on February 2, so wise and noble an animal as you could properly and accurately interpolate a shadow. In all these years, you Phil have yet to make an inaccurate forecast. The weather has been inaccurate but never you. And for that reason, I'd like to take this opportunity to invite you to come to Washington to explain your legendary forecasting techniques to the experts at the National Weather Service. For that matter, I think you could help our economic forecasters as well. You certainly couldn't do any worse. And if you decide to come down to Washington and you can't find a comfortable burrow to stay in, you have a standing invitation to stay at the House of Representatives. It's such a zoo down there that you'll feel right at home. And now the proclamation:

Here Ye! Here Ye!
To all faithful followers here on Gobbler's Knob
And to all believers around the world,
Especially everyone involved in the Groundhog Run
In Kansas City, Missouri:
I, James H. Means, President of the Punxsutawney Groundhog Club
Proclaim that His Majesty, King Philip,
Has come out of his royal burrow at 7:28 a.m.
In the cold light of dawn, he stood tall and proud.
In seconds, he spied a thin, gray shadow over his right shoulder.
Punxsutawney Phil declares there will be six more weeks of winter.
But, the worst is over.
Changes are on the way.
Like President Reagan, Phil believes that golden days are ahead.
Having made his reliable prediction, the world's most famous weather-forecasting groundhog
Has gone back into his burrow.
That's the official word today, February 2nd,
From Punxsutawney, Pennsylvania,
The weather capital of the world.●

CONTROL FEDERAL SPENDING

HON. CECIL (CEC) HEFTEL

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. HEFTEL of Hawaii. Mr. Speaker, I am today introducing legislation that I believe would make an important contribution to our effort to control Federal spending and balance the Federal budget. My legislation proposes an amendment to the Constitution allowing a line-item veto in appropriations acts.

If enacted, this amendment would enable the President to veto specific spending programs in appropriations bills, excluding entitlements. The President's action could be overridden by a three-fifths vote by both Houses of Congress. I believe that the enactment of the item veto would result in more cooperation between the President and the Congress in the development of Federal programs and that this in turn would result in more efficient, cost-effective Government. It would also give the President the opportunity to focus on specific programs in need of reform or elimination.

Mr. Speaker, I realize that many of our colleagues will be concerned over the apparent shift of power on appropriations matters from the Congress to the President because of the item veto. I share those concerns most sincerely, but believe strongly that our economy is heading into a most perilous period and we must study every available option for curbing the excessive Federal spending that threatens our economy.

The line-item veto, while not a panacea, would put the Congress on alert on specific programs that should be cut or more thoroughly scrutinized without necessarily jeopardizing the larger appropriations bills and programs that merit continuing support. Additionally, my proposal would also permit the Congress to override item vetoes with a three-fifths vote, less than the two-thirds vote now required to override Presidential vetoes on regular bills. Although there would be a theoretical shift in power to the President as a result of the item veto authority, it would not be precipitous, and would enable the Congress ample opportunity to check Presidential actions.

Mr. Speaker, I hope that our colleagues will give my proposal their careful consideration. The budget deficit promises to produce a dangerous credibility gap between the Congress and the American people on Federal spending, not to mention the irreparable damage that will be done to our economy if we fail to act on the deficit. The item veto gives us one more important tool with which to wage the deficit fight, and I hope that the Congress will debate this issue with renewed vigor in the days ahead.●

AMERICAN LIVER FOUNDATION NATIONAL LIVER AWARENESS MONTH

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. COURTER. Mr. Speaker, today I am introducing legislation which would designate November 1985 as "American Liver Foundation National Liver Awareness Month." I believe it is important that we set aside a month devoted to learning more about the liver and liver diseases. Many people are unaware that liver diseases claim 50,000 lives annually and are the fourth leading cause of death for Americans between the ages of 15 and 65. There are no known causes, effective treatments—other than liver

transplants—or cures for the vast majority of liver diseases.

Unfortunately, although there are many conditions which can lead to liver diseases, people suffering from these diseases must also deal with the unjust stigma resulting from the common, but mistaken, notion that liver disease is caused only by alcoholism.

The American Liver Foundation is the only national organization to focus on the full array of liver diseases. The foundation is a network of vounteers, families, researchers, and health care professionals located throughout the United States. All of these individuals are dedicated to funding and increasing research to find the causes, treatments, and cures for these devastating diseases.

The foundation is committed to promoting the health of Americans by increasing public awareness of all conditions which can lead to a liver disease, providing health and therapy information and education programs about liver disease for lay persons and professionals.

I believe passage of this legislation will help further the important work of the American Liver Foundation, and I urge my colleagues to lend their support to this worthy measure.●

THE CONTROLLED SUBSTANCES PENALTIES ACT OF 1985

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. TRAFICANT. Mr. Speaker, today I introduced legislation that seeks to amend the Controlled Substances Act and the Controlled Substances Import and Export Act by modifying criminal penalties for certain drug offenses. This bill would only change the penalties in cases involving bulk amounts of narcotic drugs. I feel that this legislation is necessary to take the amendments that were made in the last Congress one step further.

I feel that steps must be taken to isolate the big-time drug trafficker and to impose stricter penalties in cases where large amounts of narcotic drugs are involved. This bill is necessary because steps must be taken to prevent these drug traffickers from leaving the country after posting bond. My bill eliminates bond in those cases involving bulk amounts of narcotic drugs. This no bond provision is vital because it ensures that big-time drug traffickers will stand trial and are sent to prison. Mr. Speaker, the immense financial resources and international connections of the big-time drug trafficker are such that even if bond is set at an exorbitant level, the money will appear and the risk of flight is great. I think that given the nature of the crime and the nature of international drug trafficking, the risk of flight in cases involving bulk amounts of narcotic drugs is self-evident. Therefore, the no bond provision in my bill would be an effective measure in preventing those accused either of importing or dealing large amounts of narcotics from posting bond and leaving the country.

My bill would increase the penalties in cases involving a kilogram or more of cocaine; 2 or more kilograms of any other controlled substance in schedule I or II which is a narcotic drug; a kilogram or more of phencyclidine [PCP]; or 25 grams or more of lysergic acid diethylamide [LSD]. Those convicted of violating this act involving the previously mentioned amounts of narcotic drugs would be subject to the following penalties: For first offense the penalty will be increased from a maximum 20-year sentence and $250,000 fine, to a maximum of 30 years imprisonment and/or a $500,000 fine.

First offenders would not be eligible for bond and will not be eligible for parole until at least one-half the sentence imposed has been served. Second offenders will be subject to either a life sentence—previous penalty was up to 40 years—or the death penalty. The death penalty shall be imposed only in cases where the defendant resisted arrest or was armed with a dangerous weapon at the time of the arrest for such offense. My bill makes reference to the Federal Aviation Act of 1958 relative to the procedural provisions for the imposition of the death penalty. That act has provisions for a death penalty in cases involving the death of an individual as a result of an air hijacking. The procedures and provisions mentioned in that section of the Federal Aviation Act would also apply in my bill.

The problem of drug abuse and drug trafficking has become monumental in this country. Every day massive amounts of narcotic drugs are illegally brought into this country or bought and sold in this country. It is through these huge dealings that these deadly narcotic drugs find their way to the local street dealer and ultimately into the hands of our youths. It has become a national tragedy that each day young men and women, boys and girls, and even unborn babies die as a result of drug overdose. The big-time drug trafficker is the one who imports and deals these deadly drugs—most times with impunity from the law. In most cases it is the addict or the small time dealer who is arrested and sent to prison. But the big-time dealer—because of his financial resources and international connections either escapes the hand of the law or posts even the most exhorbitant bond and then leaves the country. My bill would make a serious effort to isolate the big-time operator and prevent him from posting bond and leaving the country. My bill would also provide the judge with the option of imposing a stiff sentence, up to 30 years, for a first offense. My bill would also provide the judge with the option of imposing either a life sentence or the death penalty for second offenders. The death penalty should be an option for the judge to consider if the defendant resisted arrest or had in his possession a deadly weapon—the potential to do serious harm to the arresting officer. This would send out a powerful signal that the United States is dead serious about combatting drug trafficking and is willing to take harsh steps to better protect our law enforcement officers involved in drug enforcement.

Mr. Speaker, the amount of narcotic drugs that are smuggled into this country has reached catastrophic proportions. Those who are masterminding and directing this illicit activity must be deterred and stopped. This legislation is just one step toward the fight against these drug traffickers and against drug abuse in this country. The stakes are high—so many young lives are needlessly lost and abused through drugs. This bill will be a bold statement that the Federal Government has indeed declared war on drug traffickers and is willing to take the necessary steps to protect our youth and to protect drug enforcement officers.

At this time Mr. Speaker, I would like to insert into the RECORD the full text of this bill:

H.R. 994

A bill to amend the Controlled Substances Act and the Controlled Substances Import and Export Act to modify criminal penalties for certain drug offenses

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Controlled Substances Penalties Act of 1985".

CONTROLLED SUBSTANCES ACT AMENDMENTS

SEC. 2. Subsection (b) of section 401 of the Controlled Substances Act (21 U.S.C. 841(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)(i), by inserting ", but less than a kilogram," after "100 grams or more";

(B) in subparagraph (A)(ii), by inserting ", but less than 2 kilograms" after "a kilogram or more";

(C) in subparagraph (A)(iii), by inserting ", but less than a kilogram" after "500 grams or more"; and

(D) in subparagraph (A)(iv), by inserting ", but less than 25 grams" after "5 grams or more";

(E) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D) respectively; and

(F) by inserting after subparagraph (A) the following new subparagraph:

"(B) In the case of a violation of subsection (a) of this section involving—

"(i) a kilogram or more of a controlled substance in schedule I or II which is a mixture or substance containing a detectable amount of a narcotic drug consisting of—

"(I) coca leaves;

"(II) a compound, manufacture, salt, derivative, or preparation of coca leaves; or

"(III) a substance chemically identical thereto;

"(ii) 2 or more kilograms of any other controlled substance in schedule I or II which is a narcotic drug;

"(iii) a kilogram or more of phencyclidine (PCP); or

"(iv) 25 grams or more of lysergic acid diethylamide (LSD);

such person shall be sentenced to a term of imprisonment of not more than 30 years, a fine of not more than $500,000, or both. No person shall not be eligible for release under chapter 207 of title 18 of the United States Code pending trial for, or appeal with respect to, an offense under this subparagraph. A person convicted under this subparagraph shall not be eligible for parole with respect to such conviction until at least one-half the sentence imposed with respect to such conviction has been served. If any person commits such a violation after one or more prior convictions of him for an offense punishable under this paragraph, or for a felony under any other provision of this title or title III or other law of a State, the United States, or a foreign country relating to narcotic drugs, marihuana, or depressant or stimulant substances, have become final, such person shall be sentenced to a time of imprisonment for life, or to the penalty of death. The procedural provisions of section 903(c) of the Federal Aviation Act of 1958 shall apply to the imposition of a death penalty under this section, except that for the purpose of paragraph (7) of such subsection, in lieu of the factors listed in subparagraphs (A) and (B), the only applicable factor is that the defendant resisted arrest for such offense or was armed with a dangerous weapon at the time of the arrest for such offense."; and

(2) in subparagraph (C) as so redesignated, by striking out "(A) and (C)" and inserting "(A), (B), and (D)" in lieu thereof.

CONTROLLED SUBSTANCES IMPORT AND EXPORT ACT AMENDMENTS

SEC. 3. Subsection (b) of section 1010 of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by inserting ", but less than a kilogram," after "100 grams or more";

(B) in subparagraph (B), by inserting ", but less than 2 kilograms" after "a kilogram or more";

(C) in subparagraph (C), by inserting ", but less than a kilogram" after "500 grams or more"; and

(D) in subparagraph (D), by inserting ", but less than 25 grams" after "5 grams or more";

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following new paragraph:

"(2) In the case of a violation of subsection (a) of this section involving—

"(A) a kilogram or more of a controlled substance in schedule I or II which is a mixture or substance containing a detectable amount of a narcotic drug consisting of—

"(i) coca leaves;

"(ii) a compound, manufacture, salt, derivative, or preparation of coca leaves; or

"(iii) a substance chemically identical thereto;

"(B) 2 or more kilogams of any other controlled substance in schedule I or II which is a narcotic drug;

"(C) a kilogram or more of phencyclidine (PCP); or

"(D) 25 grams or more of lysergic acid diethylamide (LSD);

the person committing such violation shall be sentenced to a term of imprisonment of not more than 30 years, a fine of not more than $500,000, or both. No person shall not be eligible for release under chapter 207 of title 18 of the United States Code pending trial for, or appeal with respect to, an offense under this paragraph. A person convicted under this paragraph shall not be eligible for parole with respect to such conviction until at least one-half the sentence imposed with respect to such conviction has been served. If any person commits such a violation after one or more prior convictions of him for an offense punishable under this paragraph, or for a felony under any other provision of this title or title II or other law of a State, the United States, or a foreign country relating to narcotic drugs, marihuana, or depressant or stimulant substances, have become final, such person shall be sentenced to a time of imprisonment for life, or to the penalty of death. The procedural provisions of section 903(c) of the Federal Aviation Act of 1958 shall apply to the imposition of a death penalty under this section, except that for the purpose of paragraph (7) of such subsection, in lieu of the factors listed in subparagraphs (A) and (B), the only applicable factor is that the defendant resisted arrest for such offense or was armed with a dangerous weapon at the time of the arrest for such offense.";

(4) in paragraph (3) as so redesignated, by striking out "and (3)" and inserting in lieu thereof ", (2), and (4)"; and

(5) in paragraph (4) as so redesignated, by striking out ", except as provided in paragraph (4)".●

CORRECT IDENTIFICATION FOR RESISTANCE MOVEMENTS IS ESSENTIAL

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. HYDE. Mr. Speaker, most of us in this body realize that words can represent ideas and ideas have power. Today, I take a moment of our colleagues time to discuss the mistaken use of various terms when discussing those who are seeking to change the regime or government in a country.

The worst violation of definitional accuracy is the routine use of the word "rebel" or "rebel group" when describing a person or group resisting the domination of a country by a foreign power using military might.

According to Webster's New Collegiate Dictionary, a rebel is one who "oppose(s) or disobey(s) one in authority or control; renounce(s) by force the authority of one's government." There is no substantiation to call Afghans opposing Soviet military occupation or Angolans fighting Cuban occupation "rebels." Likewise, "rebels" is inaccurately described to those persons or groups attempting to terminate the Vietnamese occupation of Kampuchea. It is much more accurate to term these movements as resistance movements, similar to those in Western Europe under Nazi occupation.

Roget's Thesaurus (third edition), cites the following synonyms for "rebel"—"revolter; insurgent; insurrectionist; mutineer; brawler; rioter; malcontent; agitator." These are decidedly negative connotations, clearly referring to persons or groups opposing legally constituted authority.

I point these observations out, Mr. Speaker, because the misuse of the term "rebels" seriously undermines the truth in at least two ways. First, it verifies the legitimacy of a foreign oppressor and second, it trivializes the nature of the occupier's opposition.

It is much more useful to use accuate terms because referring to Cambodians, Tigrayans, and Eritreans, UNITA, and Afghans as "rebels" undermines the high moral ground of their resistance.

There is a group in the House who prefer to refer to these legitmate resistance movements as "freedom fighters." I have much sympathy for their position but there is a downside to this term. Seeking to clean up the image of the terror-using African National Congress, the U.S. press sometimes refers to its imprisoned leader as a "nationalist" rather than a rebel. In some people's eyes a nationalist can be equated with a freedom fighter. "Freedom fighter" is too imprecise, therefore.

A resistance, according to Mr. Webster, is "an underground organization of a conquered country engaging in sabotage and secret operations against occupation forces and collaborators." Here we have an accurate term for those opposing foreign occupiers. There is a positive connotation.

Mr. Speaker, when regimes come to power which are so fragile that they must be underpinned by a foreign army, they are prima facie illegitimate and their opposition cannot be "rebels." To misuse this term clouds sharp policy debate and undermines the chance of these and other occuppied peoples of taking courage from the United States.●

HOUSE HONORS SEVEN JEFFERSON COUNTY EAGLE SCOUTS

HON. BEN ERDREICH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. ERDREICH. Mr. Speaker, the attainment of the highest rank of

Scouting, Eagle Scout, is an achievement toward which all Boy Scouts aspire but few achieve. That is why I feel particularly honored to represent Boy Scout Troop No. 86 in Birmingham, AL, which held an Eagle Scout Award ceremony on Monday, February 4, 1985, to present, not one, but seven Eagle Scout badges to seven outstanding young men.

The seven young men who have attained this highest Scouting rank are Charles B. Collat, John O. Greaves, Bryan B. Patton, Lee A. Pilleteri, William E. Smith III, Thomas M. Spencer, and Benjamin S. Weil. All possess the strength of character, integrity, physical, and leadership abilities that our country needs as we advance into the future.

Only 2 percent of the Scouts across this country achieve the rank of Eagle Scout, and it is quite extraordinary for this number, seven, to become Eagle Scouts in one location. This is a testament not only to these fine young men, but also, the members of Troop No. 86 in Birmingham and Scoutmaster Harry Jeffcoat III, who has done such an outstanding job of providing these youth with the tools they will need to be tomorrow's leaders.

I believe Scoutmaster Jeffcoat, and these young men and their parents, deserve to be recognized by my colleagues in the House of Representatives. They have earned our admiration, praise, and respect.●

KEENE N. WILSON, COL. [RETIRED] USA—FRIEND AND SOLDIER OF COURAGE

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. LEHMAN of Florida. Mr. Speaker, earlier this month I made a long overdue visit to my hometown, Selma, AL. While I was there, I enjoyed seeing old friends and renewing close friendships that go back to my boyhood.

One of my longtime and closest friends is a very special person, Keene Wilson. We practically grew up together at the Selma YMCA. We spent several hours reminiscing about our days in Selma but especially about his amazing and courageous experiences in military service.

I remember in 1941 when, as a private, he left Selma with Company C of the Alabama National Guard. Most of his promotions from private to lieutenant colonel were made on the battlefield.

It is indeed a privilege to have Keene Wilson as a lifelong friend. I would like to share with my colleagues some of the military record of this remarkable soldier and great American:

SILVER STAR

In March 1943, Lieutenant Wilson assumed command of Company C, under extreme battle conditions and proceeded to carry out duties of commander in a highly efficient manner despite a schrapnel wound in the abdomen. In April 1943, the company ammunition dump was set on fire by an enemy mortar shell and without regard for his personal safety and at risk to his life, Lieutenant Wilson extinguished the fire by covering it with dirt. This action saved essential ammunition and prevented an explosion which would have threatened the personnel of his command.

BRONZE STAR

From July 4 to September 30, 1944, lieutenant colonel—then captain—distinguished himself in combat and when his battalion commander became a casualty, displayed expert judgment and leadership ability, demonstrated by his keen knowledge of military tactics in swiftly moving his battalion to complete the cutting of the Cherbourg Peninsula. Lieutenant Colonel Wilson received two battlefield promotions.

OAK LEAF CLUSTER TO SILVER STAR

Distinguished himself by gallantry in action against the enemy on June 16, 1944, at Barnesville-Sur-Mer, France. Given command of the 3d Battalion, Colonel Wilson had the mission of capturing the strongly fortified enemy position there. Under cover of darkness, he maneuvered his battalion into a position from which he launched an attack from commanding terrain, assaulted enemy positions at dawn, two enemy battalions reinforced with armored elements were routed from position. The factor of surprise and speed of the attack were the major contributing factors in the victory.

FOREIGN AWARDS

French Croix de Guerre with Palm, Defense of Leningrad Badge, Republic of Korea Presidential Unit, and Citation Badge.

One would think of Keene being a rough, tough battle-scarred combat veteran. On the contrary, I've never known a kinder, more thoughtful and gentler person. I've never even heard him use any profanity.●

TRIBUTE TO JOHN C. RYAN

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. SKELTON. Mr. Speaker, I take this time to honor Mr. John C. Ryan, a former State Senator from Missouri who was tragically killed in a car accident last November. I served in the State senate with John, and it was the great respect which he commanded from his colleagues which allowed him to be the effective lawmaker which he was. His dedication to his job, and his hard work on behalf of his constituents are a model for all legislators. John is greatly missed by all who knew him.●

CHEMICAL MANUFACTURING SAFETY ACT OF 1985

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. FLORIO. Mr. Speaker, I am pleased to join with several of my colleagues in introducing a comprehensive legislative package designed to prevent chemical accidents and to redress the injuries caused when such tragedies unavoidably occur.

Our concern about the dangerous consequences of the uncontrolled release of toxics into the environment has become painfully acute in recent weeks. From Bhopal, India to Institute, WV, to Linden, NJ, we have seen repeated incidents of chemical releases that threaten peoples' lives.

In the past 11 weeks, 13 separate spill and emission incidents at Linden chemical plants have sent hundreds of New Jersey and New York residents to the hospital and kept thousands of others shut in their homes. At the same time, we have learned that the accident which killed thousands in India could have happened in West Virginia.

In the face of these disturbing incidents, we must reexamine the adequacy of the laws dealing with such emergencies, and today I am proposing changes which will help deal with the dangers.

The legislative package I am introducing today is designed to do something we have never addressed before—prevent accidents in the chemical industry and prepare for the accidents which will inevitably occur. It includes the following basic components:

The first comprehensive national community right to know legislation which includes both notification requirements designed to fully inform communities about the potential chemical hazards in their midst and the mandatory development of emergency response and evacuation plans;

Reforms designed to plug loopholes in the major environmental programs which should prevent such disasters, including the regulation of leaking underground storage tanks and the specific manufacturing processes which led to some of the worst recent incidents;

Provisions designed to breathe life into the hazardous air pollutant requirements of the Clean Air Act by

mandating the listing of the most dangerous and toxic substances now know. These provisions have been rendered a legal nullity by the inaction of the Environmental Protection Agency and it is past time for the Congress to relieve the agency of its endless paralysis in this crucial area;

A provision designed to protect workers exposed to hazardous substances in the factory by ensuring that weak OSHA right to know requirements become the floor and not the ceiling for State efforts to safeguard worker health;

A regional training program for firefighters and police who deal with train and truck wrecks which cause dangerous chemical spills; and

A Federal right to sue for victims of chemical disasters containing strong liability provisions and fair procedural rules.

This legislation should create powerful incentives for industry to resolve some of the worst and most dangerous pollution problems. Citizens of the communities around industrial facilities should have the information and legal rights they need to insist on adequate protection for themselves and their families.

We must do all that we can to prevent chemical disasters such as we have witnessed in recent weeks. I believe this legislation will provide us with substantial, and badly needed, protection and I am hopeful we can move forward on it quickly.●

NORWICH SENIOR CENTER COMMENDED FOR JOBS PROGRAM

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. GEJDENSON. Mr. Speaker, I would like to take a moment of my colleagues' time to bring to their attention an outstanding example of the excellent programs which can be developed in our communities through a combination of corporate initiative, modest Federal funding and a good deal of creativity on the part of local citizens. The program is a jobs bank at the Norwich Senior Center in Norwich, CT, recently singled out for recognition of the unique service it provides to local seniors. Let me briefly describe this program and the events leading up to its creation.

In 1981, the Dow Chemical Corp. decided to give one of its employees a 6-month leave to volunteer in the community. At the same time, Janice Stewart, director of the Norwich Senior Center was trying to get a senior jobs referral program off the ground, and submitted a request for a volunteer to head the project. Thus, with the help of a Dow Chemical employee, the Norwich Senior Job Bank was begun.

Mrs. Stewart realized immediately that the job bank was filling a long unmet need in the area. Persons over the age of 60 were able to use their skills and earn money on a part- or full-time basis, while members of the community were able to find reasonably priced, dependable employees for any number of job descriptions.

Eager to keep this popular program going, Mrs. Stewart applied for and received a grant from the local area agency on aging under title IIIB of the Older Americans Act. As you know, the Older Americans Act, recently reauthorized by Congress, is the major vehicle for the organization and delivery of a wide array of social services to older Americans. Title III of the act is the part of this law which touches the lives of the greatest number of senior citizens, for it authorizes State agencies on aging to develop a comprehensive and coordinated delivery system for supportive services, nutrition services, and multipurpose senior centers. This system is intended to assist older persons attain maximum independence in their community through the removal of individual and social barriers which may inhibit them.

The Norwich Senior Center has certainly achieved the major goals of the Older Americans Act in creating its Job Bank Program. The number of people served by the program has increased from 126 in 1983 to 493 in 1984, and the placement record this past year was an astonishing 98 to 100 percent. It is no wonder that the University of Southern California chose the Norwich Job Bank as 1 of 12 programs to be profiled in the published results of its nationwide survey on jobs programs for seniors.

Now that it is there, I don't see how we ever got along without the job bank. Its fine example will, I am sure, encourage other communities both in Connecticut and across the country to start similar programs, and I know my colleagues join me at this time in congratulating the Norwich Senior Center on its fine work and in reaffirming the support of this Congress for all programs aimed at tapping the vast resources which is our Nation's elderly.●

CELEBRATING THE 40TH ANNIVERSARY OF DISTRICT COUNCIL 37

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. ADDABBO. Mr. Speaker, I am proud to call the attention of my distinguished colleagues to the 40th anniversary of the birth of District Council 37, a union in the city of New York that has not only changed the lives of its workers and their families but has influenced labor movements all over the world.

Mr. Victor Gotbaum is the executive director of District Council 37, and through his hard work and the hard work of his predecessors, and the membership, much has changed for the worker in America. These changes have resulted in better wages and working conditions for the union's rank and file. They were brought about because the membership united in its purpose.

Looking back over the last 40 years, this ability to unite has been the greatest strength of District Council 37. With a great deal of hard work you have earned the respect and praise of many.

We must use the strengths of our proud history, and reinforce our commitment to doing it together in the future. Without our continued commitment to advancing life for all our members, we will lose ground. So, on this occasion, I praise you for your achievements and urge you to ignite the fire of brotherhood that has been so effective in the past. You have changed the world for so many and so many continue to look to you for guidance.●

WAXMAN SEEKS RESTORATION OF NIH GRANTS

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. WAXMAN. Mr. Speaker, today I am introducing House Joint Resolution 136 which will reverse the Office of Management and Budget's arbitrary cut in research support for the National Institutes of Health. At issue is not only maintaining support for the world's preeminent biomedical research institution, but also the prerogative of the Congress to assure that the laws it writes are properly administered.

Recently the Office of Management and Budget [OMB] ordered the National Institutes of Health to inform its grantees that 1,500 fewer research grants will be available in 1985 than originally provided by the Congress. The OMB directive reduces from an estimated 6,500 to some 5,000 the number of new research grants NIH will be permitted to award this fiscal year.

Mr. Speaker, the OMB's action is arbitrary and a blatant violation of the intent of the Congress in this area. When the 98th Congress considered the fiscal 1985 appropriations bills for the National Institutes of Health both the House and Senate Appropriations Committees made clear that funds

were intended to support between 6,200 and 6,850 new and competing individual investigator-initiated research grants.

There is no ambiguity on this subject. The National Institutes of Health properly implemented the law and announced the availability of approximately 6,500 new and competing awards in the current fiscal year.

New and competing research grants are the foundation of scientific progress in the health field. They are in every sense the fuel that has enabled the NIH to distinguish itself and this Nation as the world's leader in health research.

In fiscal year 1985 the NIH received a long overdue and deserved increase in Federal support. The OMB order freezing the number of new and competing NIH research awards at 5,000 jeopardizes one of our most productive Federal programs. In fact, the proposal reduces grant support below the 1984 and 1983 levels.

Mr. Speaker, the administration's attempt to ignore the Congress' directives is cavalier and totally unacceptable.

The signal OMB has sent researchers trying to find a cure for diseases like cancer, diabetes, or heart diease is clear. The message communicated about this administration's priorities in research is unmistakable and should concern—if not frighten—every American.

We don't need to give up on or apologize for the level of support this Nation commits to health research. Health research, particularly basic biomedical research, is our best hope of finding cures, developing more effective and less expensive treatments and preventing the diseases Americans most fear. It will be a sorry legacy if this administration becomes the first to cut research on the causes of disease while committing unprecedented research moneys to perfecting the implements of war.

A strong national defense depends upon the physical health of its people no less than the technical superiority of its military's weaponry. The elimination of human illness and disease has as much to do with achieving world peace as does reducing the competition over missiles and warheads.

In the budget the President recently released, an additonal $8 billion is requested for research in the Department of Defense. Total defense research will rise to a record $39.28 billion in contrast to the $5 billion spent on health.

The President is requesting that next year's NIH budget be cut by almost $300 million. Combined with the OMB's attempt to reduce NIH support for basic research, the budget is an unprecedented reduction. It indicates the administration's willingness to surrender this Nation's world leadership in the health sciences.

House Joint Resolution 136 proposes to set the record straight. The resolution states in clear, unmistakable terms the Congress' commitment to assure that its legislative intent is followed and that the public's support of NIH and its vital research mission is recognized.

Passage of this resolution will assure the public that the Nation's commitment to NIH is unwaivering and that our investment in better understanding the mechanisms of disease will continue to yield impressive dividends. Mr. Speaker, I believe the opportunities before us are vast and the potential for major breakthroughs has never been better.

Mr. Speaker, I urge every Member to join in cosponsoring this important matter.

I request that a copy of House Joint Resolution 136 be printed in the RECORD at this point.

H.J. RES. 136

Joint resolution directing that the National Institutes of Health receive full funding in fiscal year 1985 for new and competing research grants

Whereas the National Institutes of Health are among the foremost biomedical research institutions in the world;

Whereas the National Institutes of Health are responsible for supporting basic biomedical and behavioral research critical to improving the health of the American people;

Whereas the National Institutes of Health promote expansion in scientific knowledge vital to understanding the causes and treatment of disease through the award of grants for individual investigator-initiated research;

Whereas the Congress appropriated funds to award approximately 6,500 such grants in fiscal year 1985 in Public Law 98-619, the Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 1985;

Whereas the National Institutes of Health, under the direction of the Office of Management and Budget, recently notified researchers that the number of new and competing research grants available for award in fiscal year 1985 will be 5,000, which is 1,500 below that intended by the Congress;

Whereas the Office of Management and Budget's order to reduce NIH grant support was in direct contravention of congressional intent as reflected in the House and Senate Committee Reports accompanying the bills leading to Public Law 98-619;

Whereas the Office of Management and Budget's arbitrary reduction in biomedical research support grants will have a seriously disruptive impact on the nation's research capacity and may result in the closing of numerous research laboratories previously notified by the National Institutes of Health that they were likely candidates for funding;

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That from appropriations under the Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 1985 funds shall be made available to enable the National Institutes of Health to award 6,500 new and competing research grants in fiscal year 1985.●

EMERGENCY FARM CREDIT RELIEF IS NEEDED NOW

HON. ARLAN STANGELAND

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. STANGELAND. Mr. Speaker, today I have introduced legislation urging the President to immediately implement a farm debt restructuring program proposed by Communicating for Agriculture—a farm organization in my district.

The Communicating for Agriculture plan, as authored by Mr. N. Rollie Lake, would lower interest rates, ease repayment terms, improve the turnaround time on loan paperwork, equitably share the risk between private lenders and the Federal Government, and offer some hope to our hard pressed farmers.

I urge my colleagues to cosponsor my resolution. A detailed explanation of how the Communicating for Agriculture Modified Debt Recovery Program would work follows:

FARM DEBT RESTRUCTURING, CA MODIFIED DEBT RECOVERY PROGRAM, JANUARY 28, 1985

(Prepared by Communicating for Agriculture)

CA is proposing a farm-debt restructuring plan designed to build on present programs, and target farm borrowers who are in financial difficulty yet who can be helped with the right program.[1]

Today, many farmers find themselves in a financial bind. While about 30% of farmers have little or no debt and are doing well economically, there are between 30% and 40% of all farmers who have substantial debt and are in various stages of financial difficulty.

WHO ARE THESE FARMERS IN DIFFICULTY?

Most agricultural production, about 60% in 1982, comes from 205,000 farms (out of 2.4 million total farms) with more than $150,000 in annual sales. Narrowing our focus somewhat, of these farms with sales of $40,000 to $200,000.

19% have a debt-to-asset ratio of greater than 70%. That means, for every $10 of assets, the farmer has more than $7 of debt;

44% have a debt-to-asset ratios greater than 40%;

Farms with debt-to-asset ratios greater than 40% account for 71% of debt on farms in this sales class but only 36% of assets.

For farms in all sales categories with a greater than 70% debt-to-asset ratio, there is little hope of economic survival. In a recent Iowa study, 10% of the farmers fall into this category, hold 9% of the assets and 25% of the total debt.

Farmers with debt-to-asset ratios of greater than 40% are also facing financial difficulties. In that same Iowa study, 28% of the

[1] See example 3 for an illustration of CA Modified Debt Recovery Program.

farmers with 30% of the assets and 65% of the debt fall into that category.

The Iowa survey further shows that farmers from all sales/size categories are in the over 40% group and that the majority of these are full-time family farmers.

WHAT IS THE NATURE OF THE FARM DEBT?

Nationally, the total farm debt has increased dramatically. In 1971, total farm debt totalled around $54 billion; in 1976, around $91 billion; and in 1984, total farm debt stands at $215 billion.

Farmers as a group have a much higher debt to income ratio now than in the past. In 1950, the overall debt-to-income ratio stood as less than 1; in 1960, it doubled to 2, changed to over 3 in the early 1970's, to 8 in 1980 and to 10 in 1984. Today the average farmer is trying to support $10 of debt for every $1 of income.

But even more important, the nature of the debt has changed dramatically. Debt today has a much shorter maturity.

Much of the debt is short term with interest rates tied to current loan rates. Even real estate debt is based on variable interest rates or is based on relatively short contract purchases. Maturities on a great deal of real estate debt has moved from 20-25 years in the 1960's and 1970's to 10-15 years or less today.

CAN FARMERS WITH HEAVY DEBT LOADS BE SAVED?

For a substantial segment of the 30% to 40% of farmers who have substantial debt and who are in various stages of financial difficulty, economic survival is a serious question. To help this group there must be a restructuring of farm debt. This group, mostly full-time family farmers, were caught with too much debt at the wrong time, debt that was manageable under the prevailing economic conditions when it was incurred but became a crushing burden when conditions changed.

In the group of farmers, there are many good farmers facing bankruptcy for lack of a way to make the transition from an economy of high inflation, raising land values and low interest rates to one of low inflation, sinking land values and high interest rates.

Many of the farmers in this group can be helped and saved with the right debt restructuring programs.

CA'S DEBT RESTRUCTURING PROPOSAL

In order for farm debtors to pay off debt obligations, a major restructuring of indebtedness will be necessary.

The number one feature of any debt restructuring program is to stretch out principal payments into a manageable debt repayment schedule. The second major feature must provide for a lower rate of interest, and third, for farm lending to continue, the risks must be shared.

The CA proposal utilizes existing FmHA programs and expertise of commercial lenders to accomplish this.

These are the Approved Lenders Program, Insured Operating Loan Program and Limited Resource Program. CA's Debt Restructuring Plan modifies slightly these existing FmHA programs to create a program of modified recovery debt credit.

The heart of the CA debt restructuring proposal is the utilization of FmHA's Approved Lender Program, with some minor modifications.

FMHA APPROVED LENDERS PROGRAM

Under FmHA's Approved Lenders Program, a qualified commercial lender is approved in advance to process FmHA Guaranteed Loans. The approved lender makes the loan, services the loan and collects the loan, thereby reducing the paperwork and time required for FmHA approval of loan guarantees. The lender is responsible for seeing that proper and adequate security is obtained and maintained. FmHA makes the final decision on farmers' eligibility, use of funds, and credit worthiness.

WHO DOES THE APPROVED LENDERS PROGRAM HELP?

In today's farm economy, there are many farmers whose debt-to-assets ratio between 40% and 70% who are caught in a "credit availability gap." These farmers are not in serious enough financial difficulty for consideration by the lender of last resort, FmHA. Yet, they do not quite meet the credit standards of private commercial lenders.

This group is a relatively stronger class of farm borrowers than normal FmHA borrowers. The problem for this class of farm borrowers is that their cash flow is inadequate under current high interest rates and low commodity prices, though their basic personal net worth and equity remains relatively strong. The security behind the loan is strong enough to satisfy the bank lender, yet the loan is classified by bank regulators as a classified loan. For the bank, every classified loan reduces the amount of available assets against which credit can be made available, resulting in less credit being available to farm borrowers.

THE FMHA LOAN GUARANTEE PROGRAM

FmHA Loan Guarantees are designed to provide the credit necessary for family farmers to conduct successful operations. The loans are to be used for the purchase of farm machinery and equipment, basic livestock, annual operating expenses and refinancing for authorized operating loan purposes. Interest rates may be fixed or variable and cannot exceed the rate common in the area. The terms of the loan may be up to seven years on basic security. Quality loans may be guaranteed up to 90% while high risk loans may receive less than a 50% guarantee.

HOW WILL THE APPROVED LENDERS PROGRAM HELP?

Utilizing FmHA's Loan Guarantee Program, the commercial lender will have the additional security to make a bankable loan to farmers who find themselves in a "credit gap". The program is not a bailout for lenders. Unless the loan meets requirements, with a reasonable chance for success FmHA will not approve it.

The program will help, first, by making credit available. Second, the banker will use the banks own (pre-FmHA approved) loan forms familiar to both the borrower and the banker, reducing FmHA's paper-handling load. Third, credit will be available on a much quicker basis, assuring that available guarantee loan funds reach eligible farmers as quickly as possible. Fourth, the banker and borrower are familiar with each other, helping to insure that better loans will be made. Fifth, the borrower is most likely to stretch out the loan payback. A commercial lender will normally have a maximum of five years on the loan while under the FmHA Loan Guarantee Program, a maximum of seven years is possible. This extra two years can assist the farm borrower in achieving an attainable cash flow-payback program.

CA'S MODIFIED DEBT RECOVERY PROGRAM

CA proposes to utilize FmHA's Approved Lenders Program and Operating Loan Programs to achieve a significant plan for farm debt restructuring. To achieve this will require some modification of each of these programs.

MODIFICATIONS TO THE APPROVED LENDERS AND DIRECT LOAN PROGRAMS

A basic modification to the Approved Lenders Program is to place a *maximum rate to be charged on interest.* Under the Approved Lenders Program, interest rates may not exceed the prevailing interest rate in the areas in which the loan is made. At present, this interest rate is approximately 13½%.

Under the modified Approved Lenders Program, a maximum interest rate would be set at 2½% above discount rate. This would yield an interest rate of 10½% at December 31, 1984 rates.

Clearly, there is a need to lower interest rates in order to create a more achievable positive cash flow-debt repayment plan for many farm borrowers. In addition to the obvious advantage of lower interest rates, by lowering the maximum interest rate which a commercial lender may charge under the Approved Lenders Loan Program, the result will be to create opportunities for additional farm borrowers to take advantage of the Loan Guarantee Program. A lower maximum interest rate will encourage the lender to graduate the borrower to a regular commercial status.

The second basic change in the Approved Lenders Program would be to limit the Approved Lenders guarantee to a maximum of 50%.

FMHA OPERATING LOAN PROGRAM

FmHA Operating Loans are made for both operating expenses and farm ownership. Ownership loans may carry an interest rate as low as 5½% and may be written up to 40 years. Operating loans may carry an interest rate as low as 7¼% and may be written up to 7 years. Under the Direct Loan Program, appraisals are done by the FmHA and security in the loan is named and itemized per lender.

MODIFICATIONS TO THE DIRECT LOAN PROGRAM

In order to restructure farm debt, lower interest rates and longer pay back terms will be required to attain a manageable, attainable cash flow for many farm borrowers.

The CA Modified Debt Recovery Program would incorporate into the Approved Lenders Program the use of FmHA Operating Loans in the same manner as the FmHA Guaranteed Loans. The pre-FmHA approved commercial lender would process the paperwork for FmHA Operating Loans, using the commercial lender's forms. FmHA would still have the final say-so on the loan under a shortened turn around approval or denial. Appraisals would be done by the pre-FmHA approved commercial lender or qualified appraiser. The main change in the present FmHA Direct Operating Loan Program would be to share security on a prorated dollar value basis. This last change is important to create an environment where the financial risk is shared and one which will create far fewer complications than the present system of named security.

MODIFIED CREDIT ILLUSTRATION

Under the CA Modified Debt Recovery Program, there can be a significant debt restructuring which will assist present financially troubled borrowers who have a stronger asset base yet who can neither qualify for FmHA loans or regular commercial lender loans.

As an illustration: Farm Borrower with $100,000 of indebtedness—cash flow shows $21,000 available for debt retirement.

EXAMPLE 1.—*Farm borrower with commercial lender*

[Loan term, 5 years; loan interest rate, 13½ percent]

Cash required for:	
Principal reduction	$20,000
Interest payment	13,500
Total	33,500
Payment deficit	12,500

EXAMPLE 2.—*Farm borrower under approved lenders program (no modifications)*

[Loan term, 7 years; loan interest rate, 13½ percent]

Cash required for:	
Principal reduction	$14,285
Interest payment	13,500
Total	27,785
Payment deficit	6,785

EXAMPLE 3.—FARM BORROWER UNDER CA MODIFIED DEBT RECOVERY PROGRAM

[Debt is divided between approved lender loan and limited resource loan (3A) and insured loan programs (3B)]

	Approved lender loan (3B)	Approved lender loan (3A)
FmHA guarantee loan	$40,000	$50,000
Loan term (years)	7	7
Loan interest rate (percent)	10½	10½
Repayment required for:		
Principal reduction	$5,714	$7,143
Interest payment	4,200	5,250
Total	$9,914	$12,393
	Plus insured loan	Plus limited resource
FmHA operating loans	$60,000	$50,000
Loan term (years)	15	15
Loan interest rate (percent)	10¼	7¼
Repayment required for:		
Principal reduction	$4,000	$3,333
Interest payment	6,150	3,625
Total	$10,150	$6,958
Total payment required for:		
Principal reduction	$9,714	$10,476
Interest payment	10,350	8,875
Total	$20,064	$19,351
Cash flow balance	$936	$1,649

From the above example, the Modified Debt Recovery Program has accomplished a significant reduction in interest rates and has extended payments over a longer period of time to achieve a reasonable and achievable cash flow.

The Modified Debt Recovery Program covers the three areas of need: restructuring of debt, adjustment of interest and sharing of risk. The Modified Debt Recovery Program shares the risk by bringing the Government in on a maximum of 50% guarantee of the Approved Lender Program. Debt is restructured by adding the Direct Lending Program, and interest is lowered with a combination of ability through the Direct Lending Program to lower to a minimum of 7¼% and a maximum of 2½% plus Discount Rate on the Approved Lender portion. The Modified Debt Recovery Program utilizes the assets of the FmHA, the types of funds which are already available and adds the expertise of Commercial Lenders. The Modified Debt Recovery Program would only be in place long enough to carry agriculture through this present period of adjustment.

SHARED BY LENDER

	Billions of dollars					Percent	
	1980	1981	1982	1983	1984	1980	1984
Farm real estate debt:							
FL Banks	29.89	36.29	43.26	47.09	48.12	35.00	43.00
FmHA	6.83	7.64	8.44	8.76	10.07	8.00	9.00
Life Ins	11.96	13.27	12.66	13.14	12.31	14.00	11.00
Comm'l	8.54	8.6	8.44	8.76	8.95	10.00	8.00
Ind. and Oth	28.18	30.56	31.65	31.76	32.45	33.00	29.00
Total	85.4	96.36	104.45	109.51	111.9	100.00	100.00
Farm nonreal estate debt:							
PCA	17.69	19.87	21.14	20.27	18.58	22.01	18.22
FmHA	8.84	12.1	14.42	14.94	15.48	11.00	15.18
FICB	.8	.86	.96	.85	.82	1.00	.80
Comm'l	31.36	31.97	32.67	36.28	38.18	39.01	37.45
Ind. and Oth	16.88	18.14	19.22	19.21	18.58	21.00	18.22
CCC	4.82	5.18	7.69	14.94	10.32	6.00	10.12
Total	80.39	88.12	96.1	106.96	101.96	100.00	100.00
Total	165.79	184.48	200.55	216	213.86		

Average D/A ratio; by sales Class (Jan. 1, 1984): 10–20, 15.7; 20–40, 15.9; 40–100, 19.4; 100–200, 21.5; 200–500, 27; >500, 36.6.
Analysis: Nonre total, 101.96; FmHA, 15.48; CCC, 10.32; Non-Com'l, 18.58; Bal, 57.58; Excl high risk, 23.03; Excl part time 5.00. Bal Full time, 29.548. Est full time, in trouble with 40–70 pct d/a ratio, 2.9548 bil dlrs.

CA PROGRAM RESTRUCTURE $2,954 BILLION IN CURRENT DEBT

[In millions of dollars]

Two programs	A	B	Total
Guarantee approved lender	739.70	590.96	[1] 1,329.66
Interest subsidy	0	0	0
Administrative cost	51.709	41.3672	93.0762
Total	51.709	41.3672	93.0762
FmHA OL	738.70	0	[2] 738.70
Limited resource	0	886.44	886.44
Insured			
Subsidy, CCC at 10, 5	180.06	16.62	196.68
Administrative cost	110.81	132.97	243.77
Total	290.86	149.59	440.45
Total credit	1,477.40	1,477.40	2,954.80
Total govt. cost	342.57	190.95	533.53
Annual govt. cost	26.78	15.88	42.66

[1] Much of the credit would be available government subsidized interest.
[2] Subsidies would be required for 55 percent of the credit under plan.●

RIGHT-TO-KNOW

HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. EDGAR. Mr. Speaker, the entire world was shocked last December by the tragic disaster at the Union Carbide plant in Bhopal, India, when the leak of methyl isocynate gas killed more than 2,000 people. This disaster, along with reports of other leaks and mishaps, underscores the fact that chemical disasters and hazardous substances threaten both workers and communities alike. In the aftermath, our attention turns to preventing and preparing for future chemical disasters. But one of the biggest obstacles for workers and communities in the battle to prevent and prepare for industrial accidents is the fact that in many cases the hazards are unknown until the time of the disaster or exposure.

In the workplace, an estimated 25 percent of all workers in the United States, about 25 million employees, are exposed to hazardous substances at their job sites. Exposure occurs in all industries and services, including but not limited to manufacturing, construction, agriculture, transportation, health care, and public safety. For example, studies prepared by medical professionals at the National Institute of Occupational Health and Safety [NIOSH] indicate that 250,000 workers in the 86 worksites studied were exposed to chemical hazards. An estimated 110,000 of these workers could benefit from early notification, diagnosis and medical treatment.

Despite the evidence of exposure, many workers handle hazardous substances in the workplace yet are unaware that they pose an imminent threat to their health and safety and are not trained to reduce the risk of occupational disease and injury. Typically, substances are only identified by a code or trade name which conceals the chemical identity and provides little or no useful information about safe handling of the substance, the health effects of exposure, medical treatment in the event of exposure, and the control of the substance in an emergency. At the same time, new chemicals are being developed at the rate of hundreds per year and with increasing variety above and beyond the nearly 8,000 health hazards identified by NIOSH as posing serious and immediate health dangers to workers and communities.

On a related matter, knowledge of the chemical identity and health effects of hazardous substances is essential to workers and their representatives in pursuing legal remedies under State worker compensation programs, the Longshoremen's and Harbor Workers Compensation Act, and the Federal Employees Compensation Act. Without knowledge of the chemical identity and health effects of hazardous substances it is probable that many workers who have been disabled because of exposure to hazardous substances in the workplace are only receiving Social Security disability benefits rather than also receiving compensation under workers' compensation.

For communities, a growing number of residents in areas surrounding industrial plants are subject to exposure. Aging industrial plants, outdated safety procedures, and cutbacks in maintenance personnel further increase the risk of industrial accidents throughout the United States. But prevention and preparation by communities is possible only when communities are completely aware of the chemical identity and health effects of hazardous substances at area worksites. Knowing this information is vital to doctors and other emergency medical personnel in adequately treating and properly caring for exposed individuals and helps to ensure that communities develop emergency medical treatment, firefighting and evacuation procedures to combat possible industrial accidents. In addition, meaningful research on the short- and long-term effects of hazardous substances to the environment, to ground water supplies, and to plant, animal, and human life is impossible without knowing the chemical identity of hazardous susbstances.

In 1970, Congress attempted to address some of these problems by passing the Occupational Safety and Health Act. This legislation directed the Occupational Safety and Health Administration [OSHA] to formulate strong Federal right-to-know regulations. The first phase of which was completed in 1980 when OSHA issued a rule requiring employers to keep medical and environmental records on employees and permitting workers access to those records. In January 1981, in the waning days of the Carter administration, OSHA proposed the second phase of the process. This hazard identification or labeling standard required, among other things, extensive labeling of all containers and pipes holding or transporting toxic substances. Less than a month later, the hazards identification rule was revoked for further study by administrators for the incoming Reagan administration.

On November 23, 1983, OSHA under Reagan issued its final version of the "Hazard Communication Standard," a watered-down version of previous proposals. In my view, OSHA's final rule is too weak to protect the health and well-being of our Nation's workers and communities. It fails in addressing the crucial issue of chemical identification since labeling is not required; it fails to afford any protection to workers outside of manufacturing; and it fails to provide the information resources necessary for safe handling, assessing health risks, ensuring adequate medical treatment, and control in emergencies of hazardous substances. The OSHA standard also grants wide discretion for employers to withhold, except in emergency situations, information on substances which they regard as trade secrets.

But perhaps worst of all, the OSHA standard preempts existing State and local right-to-know laws, including those more stringent than the Federal standards. Indeed, just recently, the third U.S. district court ruled that New Jersey cannot enforce its strict right-to-know law in the case of firms covered by the Federal standard. Ironically, Congress gave OSHA preemption powers because it was assumed at the time that the Federal standard would be stronger than State and local laws. Moreover, the Federal standards were meant to define minimum requirements for State and local laws. In other words, the Federal rule was supposed to be a floor, not a ceiling.

The preemption issue is of special concern to Pennsylvania since last November the State legislature passed one of the strongest right-to-know laws in the country. In fact, as Pennsylvanians we should be proud of the hard work and negotiation that resulted in the passage of this law. These efforts are helping to better protect the health and well-being of workers and communities throughout the State. The task before us now is to call attention to the need to protect Pennsylvania's law, to ensure that it is not preempted by OSHA's watered-down standard.

In this regard, I am introducing the right-to-know resolution of 1985 today to express the support of Congress for the fundamental right of both workers and communities to know about hazardous susbstances which threaten health and well-being. It calls upon OSHA to revise its hazard communication standard to require the labeling of all substances to provide information on the chemical identity of all substances, the health effects of exposure and emergency medical treatment procedures and to extend right-to-know protection to workers in all industries and services. Most importantly, it seeks to clarify congressional intent that weaker Federal requirements should not preempt stronger State and local laws.

I am also pleased to be an original cosponsor and strong supporter of the Chemical Manufacturing Safety Act of 1985 which Congressman JIM FLORIO is introducing today. JIM FLORIO's legislation is needed to ensure the health and well-being of workers and communities and to make sure that strong

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State and local laws cannot be preempted by OSHA's watered-down standard. The tragic disaster at the Union Carbide plant in Bhopal, India, last December has underscored and dramatized the fact that chemical disaster and hazardous substances are not just hypothetical threats. They can become a nightmarish reality. Americans need strong right-to-know protection, but the fight for health and safety in this field is not yet over. A coalition of forces came together to pass State and local right-to-know laws. We need to build a coalition at the Federal level to extend this protection nationwide.●

SENATOR ROTH'S STATEMENT ON TRADE REORGANIZATION

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. BONKER. Mr. Speaker, now that the trade deficit figures for 1984 are out and the awful truth confirmed, it is time once again to look at what actions Congress can take to revitalize the U.S. economy.

American competitiveness in international trade is fast becoming the single most important component of our overall economic health. Yet, U.S. trade policy is made in a piecemeal fashion, with primary jurisdiction split between the Department of Commerce and the Office of the U.S. Trade Representative. Last year, I introduced legislation to reorganize the trade functions of the Federal Government and to create a new Department of Commerce and Trade. Senator WILLIAM ROTH of Delaware authored a similar proposal, which had the active support of the administration.

I commend my good friend Senator ROTH for his work on behalf of trade reorganization, and submit, for my colleagues' attention, a recent article from the Journal of Commerce expressing his views on the timeliness and importance of reorganization efforts.

It is my hope that Senator ROTH, myself, and members of the administration will be able to work closely during the coming months to draft a consensus bill that is amenable to Congress.

[From the Journal of Commerce, Jan. 31, 1985]

ROTH: DEPARTMENT OF TRADE A TOP PRIORITY

(By Senator William V. Roth, Jr.)

Last year economic forecasters reached an uncommon agreement on one prediction: the U.S. trade deficit would reach record proportions in 1984. Now, with the announcement of a $123.3 billion deficit for the year—roughly double the figure for 1983 and four times the size of the deficit in the late 1970s—the disturbing projections have been confirmed. The question is, what are we going to do about it?

Among the proposals to attack the trade deficit that will surface and provoke debate in the coming months will be:

Change U.S. macroeconomic policies to better serve the interests of our exporters.

Eliminate government rules and actions that discourage exports—for example, ease rules on export licensing, requirements of the Foreign Corrupt Practices Act and export embargoes.

Begin new multilateral trade negotiations aimed at opening foreign markets to U.S. products and bringing international trading rules up to date.

Develop a long-term trade strategy to promote America's trade interests.

While each of these strategies should be carefully considered, the prospects for accomplishing any of them will be enhanced substantially if we establish a single, effective government trade organization—a Cabinet-level department of trade.

Take the issue of macroeconomic policy. If we want trade to be considered in the development of macroeconomic policy, trade must be a top national priority, there must be a strong advocate for trade within the government and that advocate must be present in the key decision-making meetings.

None of these factors is present today, and trade and economic policy proceed as if they were unrelated. The establishment of the new trade department would remedy this situation.

In this country we define our top national priorities through our Cabinet structure. By creating a new department of trade we will grant trade the equal status it deserves with defense, foreign policy and other key issues.

The need for a single, strong advocate for trade within the government is clear. Responsibility for trade is now divided between two Cabinet officials. Trade is only one of a number of responsibilities assigned to the secretary of commerce, while the U.S. trade representative, although a member of the Cabinet, lacks the clout of a full Cabinet department head in advocating his positions.

Legislation creating a new trade department can be drafted to help ensure that the secretary of trade is at the right place at the right time when U.S. economic policy is debated and implemented.

A highly-placed advocate has not been present at crucial times in the past when many of the export-discouraging policies now in effect were taken. For instance, the decisions to impose agricultural embargoes during the Nixon and Carter administrations were made in the National Security Council without the participation of the U.S. trade representative.

This lack of participation could not happen with the trade organization that I envision. The new secretary of trade would participate in deliberations of the National Security Council whenever trade-related issues were discussed.

While the need for new trade negotiations seems clear to many observers, our performance in such negotiations could be hampered seriously if we do not reorganize first.

It is unrealistic to expect the handful of experts in the Trade Representative's Office—no matter how skillful or experienced—to carry out such far-reaching negotiations without help. The trade representative would have to go, hat in hand, to other agencies asking for support.

Far more preferable would be an organization connecting the trade representative's negotiators directly, through clear management ties, to competent support staff, data analysts and statistical experts.

Finally, it is difficult to imagine a long-term trade strategy emerging from our current situation in which one agency (Commerce) is responsible for trade data analysis and policy implementation, while an entirely separate and sometimes competing agency (the Trade Representative Office) handles trade policy development and negotiations.

Instead of encouraging forward thinking and innovation, the present organizational split promotes turf rivalries and a largely reactive approach to trade problems. And there is no question that our foreign competitors know how to exploit these jurisdictional battles to enhance their own trade performance at the expense of ours.

Moreover, our government does not possess the analytical capability to determine with any certainty the overall state of U.S. industrial competitiveness or the condition of many key sectors of the American economy. Under trade reorganizations, all the functions needed to formulate a long-term trade strategy will be brought under one roof and strengthened.

Now more than ever, our nation needs a Cabinet-level department of trade. I am hopeful that with the active support of the Reagan administration, Congress will act to create the department before the year is out.

To be sure, creation of the trade department is only the beginning of what must be a concerted, long-term effort by many agencies, groups and individuals to reduce the staggering U.S. trade deficit. But if we do not reorganize our trade bureaucracy, the policy changes we need will be more difficult to achieve. Trade reorganization should be a part of our strategy to tackle the trade deficit.●

SOUTH AFRICAN POLICY

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. DELLUMS. Mr. Speaker, today I am introducing a bill to change our policies toward South Africa. It expresses the concerns of Americans to a system of government that is inhuman and immoral.

Dr. Martin Luther King, Jr., in his book "Chaos or Community?" addressing the South Africa question said, "South Africa's national policy and practice are the incarnation of the doctrine of white supremacy in the midst of a population that is overwhelmingly black. But the tragedy of South Africa is not simply its own policy; it is the fact that the racist Government of South Africa is virtually made possible by the economic policies of the United States and Great Britain, two countries which profess to be the moral bastions of the world."

The bill will do the following:

First, prohibit making or holding any investment in South Africa;

Second, prohibit imports to and exports from South Africa;

Third, prohibit landing rights of South African aircraft;

Fourth, prohibit importation of krugerrands;

Fifth, prohibit tax credits and deductions.

It is time that we change our policies and reverse "constructive engagement" that has failed.●

OAKLAND, LEWISBURG, AND GORDONVILLE FIELD CHAMPIONS

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. GORDON. Mr. Speaker, I rise today to note an historic occasion which has come to pass in Tennessee's Sixth Congressional District. Tennessee has been witness to the courageous play of three football teams fielded by Murfreesboro Oakland High School, Lewisburg High School, and Gordonsville High School. The fact that these three teams all won the Tennessee State championship game in their respective divisions certainly merits the attention of the Congress.

It is my wish to commend and recognize the play of the Patriots of Murfreesboro Oakland High School for winning the State championship in the AAA Division. I further commend the fine coaching job of David Alsup who led the team to the championship.

I also call attention to the gridiron prowess of the Tigers of Lewisburg High School. This team won the State championship for 1984 in the AA Division and was coached by Bob Edens who did a superb job.

Honors should also be extended to the Tigers of Gordonsville High School who battled their way to the State championship in the A Division. This team was coached by Mark Medley who did a fine job.

It is rare indeed to have the banners of the State champions hanging from the rafters of three schools within a small geographic area covered by one congressional district. I do hereby make note in the RECORD of the 99th Congress the great pride Sixth District residents have in the football teams herein mentioned. These teams have shown great prowess upon the football field by setting for themselves a lofty goal and then attaining that goal through hard work, devotion, and skill. In the process, these teams have brought great pride upon themselves, their schools, their parents, and the great and sovereign State of Tennessee.●

ROBERT FORTINSKY RECEIVES COMMUNITY SERVICE AWARD

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. KANJORSKI. Mr. Speaker, it is with great pride that I bring your attention to a man who will soon join an esteemed group of citizens as the Lincoln Day honoree of the S.J. Strauss Lodge No. 139 of B'nai B'rith. Robert Fortinsky will be honored on February 10, 1985, by his grateful friends and associates for his diligent commitment to our community.

The Lincoln Day dinner is an opportunity for the lodge to bestow its most prestigious accolade to a member of the community. Previous winners have included my predecessor, the Honorable Daniel Flood, who represented Pennsylvania's 11th Congressional District for more than 30 years, the Honorable Max Rosenn, Dr. Abraham D. Barras, Mr. Roy Morgan, and Mr. Andrew Sordini III.

The common link between these individuals has been their dedication to strengthen the fabric of community life in our region. Robert Fortinsky has been a leader in our area for years, devoting his time and energies to innumerable community efforts. He has served as chairman of the United Jewish Appeal campaign twice—in 1972 and 1984—and for 3 years he worked as president of the Jewish community center. In 1983 he took a leadership role once again, cochairing the J.C.C. endowment. And in 1984 he became first vice president for Temple Israel.

Mr. Fortinsky has been involved in the Mount Nittany Society of Penn State University, the Century Club of King's College, and the John Wilkes Society of Wilkes College. He is a dedicated husband and father, and a truly outstanding choice for the community service award.

Mr. Speaker, I want to join with my many grateful constituents in extending my warmest congratulations to Robert Fortinsky on the recognition of his years of service to Luzerne County.●

NATIONAL ENGINEERS WEEK

HON. BOB EDGAR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 6, 1985

● Mr. EDGAR. Mr. Speaker, by Presidential message the week of February 17-23 is National Engineers Week and I rise to recognize the many contributions of the men and women of this profession.

I also want to recognize Mr. C.R. "Chuck" Pennoni, of Philadelphia, who has been elected 1985 Engineer of the Year by the technical, professional, and scientific societies in the greater Delaware Valley. Mr. Pennoni has been cited for his professional activities, his civic involvement and for contributions his firm has made to technical and economic progress in the region.

I might add that it gives me a great deal of personal satisfaction to recognize Mr. Pennoni. Mr. Pennoni is by education a civil engineer. As you know, Mr. Speaker, since my very first days in this body 10 years ago, I have taken a special interest in the problem of our Nation's crumbling infrastructure. But it is engineers such as "Chuck" Pennoni, and others like him from the American Society of Civil Engineers, who have labored in this "vineyard" longer than I.

It is indeed fitting that we celebrate National Engineers Week and reflect on the achievements of the profession. The role that engineering plays in translating scientific knowledge into useful goods and services for American Society cannot be overstated. As the theme of the 1985 Delaware Valley Engineers Week so aptly proclaims: "Engineers: Turning Ideas Into Reality."

Virtually every form of communication is a product of engineering. Every form of transportation except animals and our own legs is a product of engineering. The clothes we wear are products of engineering. All the food we eat is a product of engineering except that which we grow ourselves, and even that is produced by tools which were designed by engineers. All the medical tools which save and prolong human life are products of engineering. Every building the human race has ever produced draws on principles of engineering. There is no aspect of human existence on which the science of engineering has not had an impact—from the magnificent span of the Golden Gate Bridge to the mundane glow of the electric lightbulb.

Engineering achievements have always been on the leading edge of economic progress. Fifty years ago "high technology" for many people was electric lighting and heating, automobiles, and airplanes. The television had not even been introduced. In the 1980's, routine space travel is a reality; the artificial heart is being perfected; robotics is revolutionizing the manufacturing process; and the computer is ubiguitous in our society. We are on the verge of ascending to a new plateau of knowledge and technology.

But with that ascendancy will come the question: How can we best incorporate the potential benefits of this knowledge into our society and prepare to move on to the next plateau? Vision is necessary to keep the United States on the leading edge of interna-

tional competitiveness. And keeping us on that edge cannot be done without further contributions by engineers—engineers in industry, academe, and government.

The United States is at a critical juncture in its industrial leadership. Not since Sputnik in 1957 has there been so much cause for concern about the adequacy of our science and technology base and our ability to capitalize on our scientific strengths to sustain our industrial leadership. We face foreign competitors who have expanding skills, lower costs, and higher productivity growth. These factors affect the security of our Nation, the standard of living of our people, and the legacy we leave behind.

This legacy, the world of the future, will have a different technological base from the world which we inhabit. As the computer takes over and becomes the primary tool of engineering and the robot comes to play a major role in industrial production, we will be faced with a new strength in America.

But that "new strength" is not yet here. We have entered a transition phase in the evolution of modern society, and in order to deal successfully with the challenges posed by this transition, changes must be made now in the way we confront the technological process. And just as the engineering profession has been on the leading edge of technological innovation, so too must the profession now be on the leading edge of that process that enhances the interchange of innovative ideas between industry, labor, academe, and government.

Creating an environment for this process is no easy task. It is, as I see it, the most significant challenge to the engineering profession in the remaining years of this century. Let me be more clear about my concerns, Mr. Speaker.

Generally, U.S. industrial R&D focuses on short-run research which results in immediate profits. The structure of American business creates a bias against long-range R&D and improved management and marketing strategies which might enhance productivity and give us a competitive edge internationally. Based on current developments, it may be questioned whether the United States will be able to improve, or even maintain, its competitive position in international science and technology if existing trends continue.

During the past several years intense concern has also been expressed over the health of our engineering education system. Both the National Science Foundation and the National Academy of Engineering have in recent reports detailed many of these weaknesses.

For example, one major problem is that there is an inadequate understanding by students of engineering "practice"; that is, the understanding of how engineering knowledge is converted by industry into societal goods and services.

There is also an overemphasis in the academic sphere on analytical research, with less opportunity for "hands on" experimental research. This leads to a widening gap between academic engineering programs and industrial practice. Industrial applications have outstripped the fundamental knowledge generally developed by university researchers.

Another problem is that the rapid advances in technology are driving engineering toward cross-disciplinary interactions. Specialists are still needed, and continued development of high-quality engineering subdisciplines is essential. But, in addition, there is a growing need for engineering education that cuts across the engineering subdisciplines and applied sciences.

Also, technological advances are leading toward the integration of design, engineering, manufacturing, and marketing. There is a need for engineers with a broad understanding of the overall manufacturing system and of the interrelations among its components.

Finally, it is critical that while we actively seek developing knowledge in areas of emerging and critical engineering systems and technologies, we not abandon our research efforts that would reinvigorate industries that have served us so well in the past but now are languishing.

Mr. Speaker, these are important problems for our future industrial competitiveness. There are no easy solutions. But let me suggest just one partial response: a vigorous effort in Federal support of university-industry engineering research centers.

The goal of the centers would be to improve engineering research so that U.S. engineers will be better prepared to contribute to engineering practice and to assist U.S. industry in becoming more competitive in world markets. Thus, engineering research and education would be firmly linked in these centers. While the centers would differ from one another, reflecting their home institutions, people, and programs, their mission would have some common traits.

First, specific working ties with industry would provide a continual interaction of academic researchers, students, and faculty with their peers, namely, the engineers and scientists in industry. This would assure that these programs remain relevant to the needs of the engineering practitioner and that they faciliate and promote the flow of knowledge between the academic and industrial sectors.

Second, the programs of each center would emphasize the synthesis of engineering knowledge; that is, the programs should seek to integrate different disciplines in order to bring together the requisite knowledge, methodologies, and tools to solve problems important to engineering practitioners.

Third, the programs would contribute to the increased effectiveness of all levels of engineering education, including the emphasis on advanced education as part of the career pattern of engineers, the use of engineering professionals as adjunct professors, and university-industry programs for continuing education of engineers.

This response is not entirely new, of course. For several years, some States and local governments, on their own have been encouraging university—industry efforts across a broad spectrum. My own State, Pennsylvania, and the city of Philadelphia have had the very successful Ben Franklin Partnership, for example. But for the most part State and local efforts are relatively small and are not concentrated in engineering especially. The Congress, just last year, approved a Federal effort—$10 million—in support of engineering research centers. But such support is fickle, especially in an environment of budget cutbacks.

I bring this issue before this body now because National Engineers Week could not come at a more opportune moment. As the debate on this year's budget opens and proceeds over the coming months, I hope we look carefully at efforts such as engineering research centers, whose support is so fragile in this year's budget. If we are being asked to increase our commitment in fiscal year 1986 for the Defense Department's R&D by over $7 billion—or about 22 percent—we can certainly afford to expand our support for engineering cooperative research efforts between universities and industry that will benefit us for generations to come. If we are being asked to spend billions of dollars for star wars research—and thereby double the effort of the previous year—we can certainly afford to spend additional millions for a program that in a very fundamental way serves as the first line of our national defense.

For while we may face threats to our national security in a hostile international environment, we must not forget that the challenge to our long run industrial competitiveness is no less a threat to our Nation. A recent Library of Congress study calculated that only three-tenths of 1 percent of Federal R&D is directed toward the needs of civilian industry. By contrast, that figure in Japan and West Germany, for example, is 12.5 percent. We will never reach the next plateau of knowledge and technology with such a meager effort as this.

Mr. Speaker, I look forward to this next plateau and the new strength that will come with it. I believe we can reach it; I look forward to the challenge. As Thomas Wolfe said almost a half-century ago: "I think the true discovery of America is before us. I think the true fulfillment of our spirit, of our people, of our mighty and immortal land is yet to come."●

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 the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, 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, February 7, 1985, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 8

9:00 a.m.
Budget
To continue hearings in preparation for reporting the first concurrent resolution on the fiscal year 1986 budget.
SD-608

FEBRUARY 19

10:00 a.m.
Appropriations
To hold hearings to review the President's proposed budget requests for fiscal year 1986.
SD-192

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Pennsylvania Avenue Development Corporation, National Capital Planning Commission, and the Advisory Council on Historic Preservation.
SD-138

FEBRUARY 20

9:00 a.m.
Commerce, Science, and Transportation
To resume hearings on S. 259 and S. 287, bills to protect local community interests regarding the relocation of certain professional sports teams.
SR-253

Select on Intelligence
Closed meeting on intelligence matters.
SH-219

10:00 a.m.
Energy and Natural Resources
Business meeting, to consider the committee budget for 1985, and other pending calendar business.
SD-366

Environment and Public Works
To hold hearings on those programs which fall within the jurisdiction of the committee as contained in the President's budget requests for fiscal year 1986, focusing on requests for the Environmental Protection Agency
SD-406

1:00 p.m.
Veterans' Affairs
To hold hearings on proposed budget estimates for fiscal year 1986 for the Veterans Administration.
SR-418

2:00 p.m.
Appropriations
Energy and Water Development Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for energy and water development programs, focusing on Army civil works programs.
SD-192

FEBRUARY 21

9:00 a.m.
Veterans' Affairs
Business meeting, to consider committee budget for 1985, and committee rules for procedure for the 99th Congress.
SR-418

9:30 a.m.
Small Business
To hold hearings on proposed legislation authorizing funds for fiscal year 1986, 1987, and 1988 for the Small Business Administration.
SR-428

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Woodrow Wilson International Center for Scholars, Holocaust Memorial Council, and the Federal Inspector for the Alaska Gas Pipeline.
SD-138

Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Transportation.
SD-124

FEBRUARY 25

10:00 a.m.
Small Business
To resume hearings on proposed legislation authorizing funds for fiscal years 1986, 1987, and 1988 for the Small Business Administration.
SR-428A

FEBRUARY 26

9:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of the Interior and related agencies.
SD-124

Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Office of the Secretary of Labor, and the Employment and Training Administration, Department of Labor.
SD-116

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative priorities of the Disabled American Veterans.
345 Cannon Building

10:00 a.m.
Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Research and Special Programs Administration and the Office of the Inspector General, Department of Transportation.
SD-138

2:00 p.m.
Appropriations
Energy and Water Development Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1986 for energy and water development programs, focusing on the Department of the Interior.
SD-192

Armed Services
To hold closed hearings on the maritime threat to U.S. national interests.
SR-222

FEBRUARY 27

9:00 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Labor-Management Services Administration, Employment Standards Administration, and Bureau of Labor Statistics, all of the Department of Labor, and the Pension Benefit Guaranty Corporation.
SD-116

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative priorities of the Paralyzed Veterans of America, Blinded Veterans of America, Purple Heart, and Vietnam Veterans of America.
334 Cannon Building

9:30 a.m.
Energy and Natural Resources
To hold oversight hearings to review those programs which fall within the jurisdiction of the committee as contained in the President's proposed budget for fiscal year 1986, focusing on the Department of the Interior.
SD-366

10:00 a.m.
Environment and Public Works
To hold hearings on those programs which fall within the jurisdiction of the committee as contained in the

President's budget requests for fiscal year 1986, focusing on requests for the Nuclear Regulatory Commission.
SD-406

2:00 p.m.
Appropriations
To resume hearings to review the President's proposed budget requests for fiscal year 1986.
SD-192

FEBRUARY 28

9:00 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Occupational Safety and Health Administration, Mine Safety and Health Administration, and Departmental Management, all of the Department of Labor, and the President's Committee on Employment of the Handicapped.
SD-116

9:30 a.m.
Energy and Natural Resources
To continue oversight hearings to review those programs which fall within the jurisdiction of the committee as contained in the President's proposed budget for fiscal year 1986, focusing on the Department of Energy.
SD-366

10:00 a.m.
Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the National Highway Traffic Safety Administration, Department of Transportation.
SD-138

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Commission of Fine Arts, and the National Gallery of Art.
SD-138

MARCH 1

9:00 a.m.
Energy and Natural Resources
To continue oversight hearings to review those programs which fall within the jurisdiction of the committee as contained in the President's proposed budget for fiscal year 1986, focusing on the Forest Service (Department of Agriculture), U.S. Synthetic Fuels Corporation, and the Federal Energy Regulatory Commission (Department of Energy).
SD-336

MARCH 5

9:00 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Office of Secretary of Health and Human Services.
SD-116

10:00 a.m.
Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Federal Highway Administration, Department of Transportation, and the Panama Canal Commission.
SD-138

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the U.S. Fish and Wildlife Service, Department of the Interior.
SD-138

Appropriations
Energy and Water Development Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1986 for energy and water development programs, focusing on the Tennessee Valley Authority.
SD-192

MARCH 6

9:00 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Health and Human Services, including the Health Resources and Services Administration, and the Office of the Assistant Secretary for Health.
SD-116

Veterans' Affairs
Business meeting, to mark up proposed legislation authorizing funds for fiscal year 1986 for the Veterans' Administration.
SR-418

MARCH 7

10:00 a.m.
Appropriations
Energy and Water Development Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1986 for energy and water development programs, focusing on the Department of Energy.
SD-192

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Strategic Petroleum Reserve, and the Office of Emergency Preparedness.
SD-138

Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the National Transportation Safety Board, and the St. Lawrence Seaway Development Corporation, Department of Transportation.
SD-192

MARCH 12

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative priorities of the Veterans of Foreign Wars.
345 Cannon Building

10:30 a.m.
Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Interstate Commerce Commission.
SD-138

2:00 p.m.
Appropriations
Energy and Water Development Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1986 for energy and water development programs, focusing on solar and renewables and energy research.
SD-192

MARCH 14

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the National Aeronautics and Space Administration.
SD-192

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Smithsonian Institution.
SD-138

Appropriations
Energy and Water Development Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1986 for energy and water development programs, focusing on nuclear fission, commercial waste management, and uranium enrichment.
SD-192

MARCH 19

9:00 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the National Institutes of Health, Department of Health and Human Services.
SD-116

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the land and water conservation fund.
SD-138

Appropriations
Energy and Water Development Subcommittee
To resume hearings on proposed budget estimates for fiscal year 1986 for the Nuclear Regulatory Commission, and

the Federal Energy Regulatory Commission.

SD-192

MARCH 20

9:00 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1986 for the National Institutes of Health, Department of Health and Human Services.

SD-116

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative priorities of AMVETS, World War I Veterans, Jewish War Veterans of the U.S.A., and Atomic Veterans.

334 Cannon Building

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the American Battle Monuments Commission, Army cemeterial expenses, Office of Consumer Affairs (Department of Commerce), and the Consumer Information Center.

SD-124

Appropriations

Transportation and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Federal Railroad Administration, Department of Transportation, and the National Railroad Passenger Corporation (AMTRAK).

SD-138

MARCH 21

9:00 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1986 for the National Institutes of Health, Department of Health and Human Services.

SR-428A

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Neighborhood Reinvestment Corporation, National Credit Union Administration, Office of Revenue Sharing and the New York City loan program (Department of the Treasury), Federal Home Loan Bank Board, and the National Institute of Building Sciences.

SD-192

Appropriations

Transportation and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Washington Metropolitan Area Transit Authority, and the Architectural and Transportation Barriers Compliance Board.

SD-138

2:00 p.m.

Appropriations

Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for energy conservation programs.

SD-138

Appropriations

Energy and Water Development Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1986 for energy and water development programs, focusing on atomic energy defense activities.

SD-116

MARCH 26

9:00 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Health and Human Services, including the Centers for Disease Control, Alcohol, Drug Abuse and Mental Health Administration, Office of the Inspector General, and Office for Civil Rights.

SD-116

2:00 p.m.

Appropriations

Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Geological Survey, Department of the Interior.

SD-138

Appropriations

Energy and Water Development Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1986 for energy and water development programs, focusing on the Power Marketing Administration.

SD-192

MARCH 27

9:00 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Health and Human Services, including the Health Care Financing Administration, Social Security Administration, and refugee programs.

SD-116

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Selective Service System, Consumer Product Safety Commission, Office of Science and Technology Policy, and the Council on Environmental Quality.

SD-124

MARCH 28

9:00 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Health and Human Services, including Human Development Services, Office of Community Services, Departmental Management (salaries and expenses), and Policy Research.

SD-116

10:00 a.m.

Appropriations

HUD-Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Veterans Administration, and the Environmental Protection Agency.

S-126, Capitol

Appropriations

Energy and Water Development Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1986 for energy and water development programs.

SD-192

2:00 p.m.

Appropriations

Interior and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Navajo and Hopi Indian Relocation Commission, and the Office of Surface Mining Reclamation and Enforcement, Department of the Interior.

SD-138

Appropriations

Energy and Water Development Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1986 for energy and water development programs.

SD-192

APRIL 1

10:00 a.m.

Appropriations

Energy and Water Development Subcommittee

To resume hearings on proposed budget estimates for fiscal year 1986 for energy and water development programs.

SD-192

2:00 p.m.

Appropriations

Energy and Water Development Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1986 for energy and water development programs.

SD-192

APRIL 2

9:00 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1986 for the Office of the Secretary of Education, Departmental Management (salaries and expenses), Office of Civil Rights,

Office of Inspector General, National Institute of Education, and Bilingual Education, all of the Department of Education.

SD-116

10:00 a.m.
Appropriations
Energy and Water Development Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1986 for energy and water development programs.

SD-192

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the National Park Service, Department of the Interior.

SD-138

Appropriations
Energy and Water Development Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1986 for energy and water development programs.

SD-192

APRIL 3

9:00 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Education, including vocational and adult education, education for the handicapped, rehabilitation services and handicapped research, special institutions (including Howard University), and education statistics.

SD-116

10:00 a.m.
Appropriations
Energy and Water Development Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1986 for energy and water development programs.

SD-192

Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Federal Aviation Administration, Department of Transportation.

SD-138

2:00 p.m.
Appropriations
Energy and Water Development Subcommittee
To continue hearings on proposed budget estimates for fiscal year 1986 for energy and water development programs.

SD-192

APRIL 4

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Housing and Urban Development.

SD-192

Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for Conrail, U.S. Railway Association, and the Office of the Secretary of Transportation.

SD-138

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Bureau of Indian Affairs, Department of the Interior.

SD-138

APRIL 16

10:00 a.m.
Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Urban Mass Transporation Administration, Department of Transportation.

SD-138

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Bureau of Mines, Department of the Interior.

SD-138

APRIL 18

10:00 a.m.
Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the U.S. Coast Guard, Department of Transportation.

SD-138

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the National Endowment for the Humanities, and the National Endowment for the Arts.

SD-138

APRIL 23

9:00 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Education, including elementary and secondary education, education block grants, and impact aid.

SD-116

10:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Forest Service, Department of Agriculture.

SD-138

APRIL 24

9:00 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Education, including student financial assistance, guaranteed student loans, higher and continuing education, higher education facilities loans and insurance, educational research and training, and libraries.

SD-116

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Federal Emergency Management Agency, and the National Science Foundation.

SD-124

APRIL 25

9:00 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for ACTION (domestic programs), Corporation for Public Broadcasting, Mine Safety and Health Review Commission, National Commission on Libraries and Information Science, and National Council on the Handicapped.

SD-116

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Office of Indian Education, and the Institute of Museum Services.

SD-138

APRIL 30

9:00 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Soldiers' and Airmen's Home, Prospective Payment Commission, Railroad Retirement Board, National Mediation Board, OSHA Review Commission, and the Federal Mediation and Conciliation Service.

SD-116

10:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Office of the Secretary and the Office of the Solicitor, Department of the Interior.

SD-138

MAY 1

9:00 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and certain related agencies.
SD-116

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Housing and Urban Development and certain independent agencies.
SD-124

MAY 2

9:00 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and certain related agencies.
SD-116

10:00 a.m.
Appropriations
HUD-Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Department of Housing and Urban Development and certain independent agencies.
SD-124

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for territorial affairs, Department of the Interior.
SD-138

MAY 7

9:00 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and certain related agencies.
SD-116

10:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Indian Health Service, Department of Health and Human Services.
SD-138

MAY 8

9:00 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and certain related agencies.
SD-116

MAY 9

9:00 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and certain related agencies.
SD-116

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Bureau of Land Management, Department of the Interior.
SD-138

MAY 14

9:00 a.m.
Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Departments of Labor, Health and Human Services, Education, and certain related agencies.
SD-116

10:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Energy Information Administration, and the Economic Regulatory Administration, Department of Energy.
SD-138

MAY 21

10:00 a.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for the Minerals Management Service, Department of Interior.
SD-138

MAY 23

2:00 p.m.
Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1986 for Naval Petroleum Reserves, and fossil energy.
SD-138